

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

WEDNESDAY, MARCH 25, 2020

8:59 A.M.

Reported by:
Peter Petty

APPEARANCESMembers Present

Angela Dickison, Chair

Ben Belnap, Vice Chair

Ryan Coe, Panel Member

Staff Present

Christopher Dawson, Panel Counsel

Shauna Pellman, Auditor Specialist II

APPLICANTS

Eddie Morgan

Michael Dozier

Lisa Shaffer

Robert Capistrano

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P R O C E E D I N G S

8:59 a.m.

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3 CHAIR DICKISON: Good morning. This is calling
4 the Applicant Review Panel meeting to order. It's 8:59,
5 Wednesday, March 25th. We're here to conduct interviews
6 for the California Redistricting Commission.

7 Before we start our first interview, I'm going to
8 turn the meeting over to Mr. Chris Dawson for a Panel's
9 Report.

10 MR. DAWSON: Thank you, Madam Chair. On behalf
11 of the State Auditor's Office and myself I'd like to make a
12 short report to the Panel on recent developments in our
13 process. As you know, based on the recent direction of the
14 Governor and public health officials we put the interview
15 process on hold temporarily. During this temporary hold,
16 the staff of the State Auditor worked with applicants and
17 vendors to put these arrangements in place that will allow
18 the Panel to conduct all remaining interviews remotely via
19 teleconferencing technology.

20 We're picking up the schedule as it was in place
21 prior to the hold. Please note that the applicants who
22 were scheduled to interview on Monday and Tuesday of this
23 week will be rescheduled for a later time, later time and
24 date on a Friday to come. All other applicants will be
25 interviewed at their originally scheduled time.

1 We'd like to thank all applicants for their
2 dedication and adaptability as we navigate this unique and
3 unforeseen situation.

4 Secondly, please note that although these
5 interviews are taking place remotely, so that applicants
6 may remain at home and comply with travel restrictions, the
7 interviews continue to take place in a public meeting.
8 However, given the Governor's recent stay at home
9 directive, the State Auditor's Office is encouraging
10 everyone to watch the interviews on the live stream.

11 Also, as it should be apparent one more of the
12 Panel Members will be participating in the interviews
13 remotely. The Governor has recently issued the executive
14 orders that provide for state bodies to conduct public
15 meetings remotely. And this is consistent with the Bagley-
16 Keene Open Meeting Act, as well as the regulations that
17 govern our process.

18 And finally, the State Auditor's Office reports
19 that due to the COVID-19 situation it has implemented a
20 temporary telework policy. So, there are only a small
21 number of employees in the office and that they may not be
22 able to respond to inquiries, or post videos or transcripts
23 immediately.

24 That's all I have. Thank you.

25 CHAIR DICKISON: Okay, good morning. Before we

1 start with our interview, I just need to make a few
2 announcements. For those in the room, please ensure your
3 cell phones are muted. If you need to take a call, please
4 take it out in the hallway. For the public, the restrooms
5 are outside the hall and to the left. And in case of an
6 emergency, just follow the CSA staff instructions.

7 I wanted to welcome Mr. Eddie Morgan for his
8 interview. Thank you. And turn the meeting over to Mr.
9 Chris Dawson to read the five standard questions.

10 MR. DAWSON: Thank you, Madam Chair.

11 MR. MORGAN: Hello. On my side -- on my side I'm
12 hearing two recordings at the same time.

13 AUDIO-VISUAL TECHNICIAN: Mr. Morgan, are you
14 watching the webcast by any chance? Do you have that on,
15 on a computer somewhere? You shouldn't be -- we shouldn't
16 be hearing that delayed audio. That's coming from a
17 webcast.

18 MS. PELLMAN: It appears to have just been turned
19 off.

20 AUDIO-VISUAL TECHNICIAN: Okay. All right, go
21 ahead Mr. Morgan.

22 MR. DAWSON: Oh, okay, thank you. And Madam
23 Secretary, please start the clock.

24 Mr. Morgan, are you ready?

25 MR. MORGAN: Yes, I think so. The sound has

1 gone, yes.

2 MR. DAWSON: Great. The first question. What
3 skills and attributes should all Commissioners possess?

4 What skills or competencies should the Commission
5 possess collectively?

6 Of the skills, attributes and competencies that
7 each Commissioner should possess, which do you possess?

8 In summary, how will you contribute to the
9 success of the Commission?

10 MR. MORGAN: Well, thank you. And to go and
11 answer the question right away, I think there are several
12 skills. One would be a listening, as an individual
13 listening, knowledge, fairness, preparing, being able to do
14 your homework, communicating, analyzing and experience.

15 And so, as a Commission you would want a group
16 that could make a decision, that would work well together,
17 that would have the ability to listen, and then would have
18 the skill sets, the knowledge sets to work, and work
19 fairly.

20 I believe the skills I have -- everything all
21 right there? I believe the skills I have that would
22 contribute to the Commission is I have a lot of experience
23 being a liaison with different groups and different
24 cultures. I've also served on the Civil Grand Jury. I'm
25 on the Human Rights Commission. And I spent a long time as

1 a Major in the military, in the Army on planning groups,
2 where we planned things out. So, I have the skill set of
3 knowing how to analyze information.

4 So, in summary, that would be what I would be
5 contributing. And I think I like to answer things shortly,
6 so that would be it.

7 MR. DAWSON: Thank you. Question two. Work on
8 the Commission requires members of different political
9 backgrounds to work together. Since the 2010 Commission
10 was selected and formed, the American political
11 conversation has become increasingly polarized, whether in
12 the press, on social media, and even in our own families.

13 What characteristics do you possess, and what
14 characteristics should your fellow Commissioners possess,
15 that will protect against hyperpartisanship?

16 What will you do to ensure that the work of the
17 Commission is not seen as polarized or hyperpartisan and
18 avoid perceptions of political bias and conflict?

19 MR. MORGAN: Well, I'll give the short answer and
20 the long answer later. I think the short answer would be
21 being polite, following the Roberts Rules of Order, and
22 being able to work with people. So, being a procedure
23 person myself, I believe if we follow certain guidelines
24 that are put in at the beginning, certain decision making
25 processes, and we agree on the process before we go into

1 how we make decisions that helps a lot.

2 Also, in perspective, I spent almost a year next
3 to the Gaza Strip where there were Palestinians and
4 Israelis, and other countries where, yes, we do have
5 differences here in the United States, but overall I do
6 believe that we pretty much get along. And yes, things are
7 not as some people would think they were before, but I
8 think overall we're all citizens and we do have a common
9 goal. So, I think that in respect, things may not be as
10 bad as some people would put them. And I think having that
11 perspective helps bring cordiality and a sense of working
12 together to the group.

13 And, uh, so, I think the best way to deal with
14 the polarization is to work with people and listen to what
15 they're saying, and not get too upset when there is
16 difference of opinions. And I think I have the track
17 record to have proven that. I'd done that on many -- I've
18 been in many situations where there was a very polarizing
19 situation where certain Serbian groups and Muslim groups
20 had recently killed each other. And I was able to come
21 there as an American, who they thought had their own
22 polarized different opinion, and make people relax and come
23 and talk to each other, and come to -- and at least respect
24 each other so we could communicate.

25 And that's the end of my question.

1 MR. DAWSON: Thank you. Question three. What is
2 the greatest problem the Commission could encounter, and
3 what actions would you take to avoid or respond to this
4 problem?

5 MR. MORGAN: Well, I think there's three major
6 problems. One would be corruption. If somebody tried to
7 corrupt the system with money or whatever. And I don't see
8 that being a problem because I think we have a very robust
9 system. And through the different trainings I've had about
10 things of that nature, just being honest and telling
11 people, hey, this influence, or I don't feel right about
12 something -- that would be -- like I said, that would be
13 the biggest problem, but I don't see that being very
14 probable.

15 The second would be having a group that is
16 polarized and doesn't come to a decision. So, that would
17 be the second problem that I could see. And the way you
18 solve that, as I said by being polite, using Roberts Rules
19 of Order, and having an agreed procedure where people are
20 respecting each other.

21 And the third I could see is not as big of --
22 it's like if some of the information we talked about got on
23 social media and things like that, that kind of stuff
24 always makes things unclear. And so, the way you solve
25 that is by telling people or making sure you are not

1 sharing certain information, except for the information
2 that is publicly available to everybody.

3 And that's the end of my question.

4 MR. DAWSON: Thank you. Question four. If you
5 are selected, you will be one of 14 members of the
6 Commission which is charged with working together to create
7 maps of the new districts. Please describe a situation
8 where you had to work collaboratively with others on a
9 project to achieve a common goal.

10 Tell us the goal of the project, what your role
11 in the group was, and how the group worked through any
12 conflicts that arose.

13 What lessons would you take from this group
14 experience to the Commission if selected?

15 MR. MORGAN: I think the experience that is most
16 relevant to this situation I was on a Civil Grand Jury. We
17 had divided into different committees. I was responsible
18 for two committees. Our ultimate goal was to write a
19 report. These committees consisted of five to four people,
20 and then a total of 19 people that we represented.

21 And the way that I facilitated writing, or
22 getting the reports done to the satisfaction of the
23 majority of the group was looking at -- working on the
24 process at the beginning. Looking at the timeline. You
25 know, how much time are we going to spend on research?

1 What kind of questions are we going to ask? And agreeing
2 on the simple things and so once it came to the area where
3 there is more differences of opinion we had agreed on a lot
4 of things, so it was much easier to move through these
5 agreements that we had, or come to agreements and work
6 together. So, that would be one project.

7 Also, worked on lots of -- currently, right now,
8 we're doing with the Student Exchange Program for the
9 Rotary, where we have to send some students back to their
10 countries, and we're working as a group over the Zoom, or
11 the internet, things like that, coming to ensure that these
12 young people are taken care of.

13 So, I think to answer the question of what
14 experience I would bring is I think being able to work with
15 people and having a lot of experience doing that together.
16 That is the end of my question.

17 MR. DAWSON: Thank you. Question five. A
18 considerable amount of the Commission's work will involve
19 meeting with people from all over California who come from
20 very different backgrounds and a wide variety of
21 perspectives.

22 If you are selected as a Commissioner, what
23 skills and attributes will make you effective at
24 interacting with people from different backgrounds and who
25 have a variety of different perspectives?

1 What experiences have you had that will help you
2 be effective at understanding and appreciating people and
3 communities of different backgrounds and who have a variety
4 of perspectives?

5 MR. MORGAN: I would have to -- I'd like to talk
6 about the mission I had when I was in Kosovo, in 2010. My
7 job, I was the chief of the liaison office's groups. And
8 basically what I did is I drove from village to village and
9 talked to the mayor, or to the school attendant, anybody
10 that was an influencer in the area, and gauge what their
11 opinion or feelings of what was going on in the area.

12 And that, in the Kosovo and in Bosnia, there are
13 seven different ethnic groups that are -- that consider
14 themselves very different. And so, just having that daily
15 experience of going and talking to people on a regular
16 basis.

17 Also, I'm a very social person. I feel very
18 comfortable talking to people from different cultures. I
19 speak four languages fluently and have done that many
20 times. And so, going out and talking to people and getting
21 an assessment comes very easily to me. I feel very
22 comfortable because I've done it many times. And I've been
23 evaluated on it, too, by others. And so, I've had other
24 people talk to me about my strengths and weaknesses of
25 talking to people from different -- and making people feel

1 comfortable.

2 So, one of the things that -- the evaluations
3 that I have had when talking to other people is I'm able to
4 make other people feel comfortable so there's a good
5 communication. So, that's the end of my question.

6 MR. DAWSON: Thank you. Madam Secretary, could I
7 have a time check, please?

8 MS. PELLMAN: Yes, we have 19 minutes remaining
9 from the 30 minutes, one minute [sic], 18 minutes 57
10 seconds for the entire interview.

11 MR. DAWSON: Thank you. At this point we are
12 done with the five standard questions and we will go to
13 Panel questions. Each Panel Member will have 20 minutes to
14 ask his or her questions. And we will start with the
15 Chair, Ms. Dickison.

16 CHAIR DICKISON: Good morning, Mr. Morgan.

17 MR. MORGAN: Morning.

18 CHAIR DICKISON: So, I would like to start, so
19 you received a bachelor's degree in health science in 1993.
20 And then, joined the Army National Guard when you were in
21 college, is that correct?

22 MR. MORGAN: That is correct, yes.

23 CHAIR DICKISON: Okay. Did you serve in the
24 National Guard until 2017 or was there some change in
25 there?

1 MR. MORGAN: Yes, because I was deployed four
2 times. And so, on some occasions I was part of the
3 National Guard and on other occasions I was a reservist.
4 And that just has to do with technical terms.

5 CHAIR DICKISON: Okay.

6 MR. MORGAN: So, but I think for a civilian the
7 answer is yes, but I was deployed.

8 CHAIR DICKISON: Okay, okay. That makes sense.

9 MR. MORGAN: And so during those times that I
10 would be deployed for two years, which is not common for
11 National Guard's people.

12 CHAIR DICKISON: Okay. Okay, that makes sense
13 then. And then, you also worked as a Health Policy Analyst
14 for the California Center for Rural Policy?

15 MR. MORGAN: Yes, I did.

16 CHAIR DICKISON: So, do you think your work in
17 the military and for the California Center for Rural Policy
18 will benefit the Commission?

19 MR. MORGAN: I believe so very strongly. And I
20 think part of it has to do with the kind of information
21 that I had to gather, present to different groups, and
22 being able to do different -- I have a background in
23 epidemiology, and lots of statistical background. And so,
24 a lot of that information involved looking at populations,
25 looking at areas, geographical areas and coming with

1 different conclusions. So, be it looking at infant
2 mortality rates, and looking at the different wellbeing,
3 especially like in the northern region that we were in.

4 CHAIR DICKISON: Okay.

5 MR. MORGAN: So, yes, I think the -- and then,
6 also the skills in the military. In the military I was a
7 Major. And one of the things that we go over a lot is how
8 to make a decision, making decisions in groups, and making
9 decisions. I made a lot -- I had to make a lot of
10 decisions with different militaries from different
11 countries. So, how you bring together different people
12 from different backgrounds, and how you do a process that
13 everybody feels good and you come up with a good decision
14 because it does have an impact on the community.

15 CHAIR DICKISON: Okay. Okay. And then, you
16 currently are a business owner for Bell Star. What is Bell
17 Star?

18 MR. MORGAN: Well, I never thought about it, but
19 when I finished my military service, because I did a lot of
20 that when -- once 9/11 happened, I was pretty very much
21 involved with it. I always wanted to own a business in um-
22 - where I live. We have a different economy up here and I
23 thought that having a business would be a good way to keep
24 a living. And so, I was debating between having a
25 residential care facility or -- but then, a friend of mine,

1 who I would windsurf with quite often, was selling her
2 business and it was a good deal. So, it's a woman's
3 clothing store. And I've owned it for three to four years,
4 now. And right now, of course, they're not going well.
5 But things were going well. And it's something I enjoy. I
6 like being part of the community. Actually, after
7 traveling a lot, I very much enjoy being here for the last
8 four years. Or five years now, sorry, five years.

9 CHAIR DICKISON: Okay.

10 MR. MORGAN: So, the good thing about the
11 business, and I think one thing that is one of my strengths
12 is that I have a lot of different contacts with different
13 groups of people. As a business owner and being part of
14 the rotary, that's one group of people I have associated.
15 For a while, I was the President of our Rotary Club last
16 year. And so, that helps you see things from a different
17 perspective.

18 I also belong to the Sons of Italy, which is an
19 old organization that started in 1907. And they have
20 branches in San Francisco, and all different parts of
21 California, and you have to go and visit those different
22 groups. And that's a different group that has different
23 opinions, and aspects, and interests.

24 And then, a good friend of mine a long time ago
25 twisted my arm and made me join the Elks. And I always

1 thought, oh, I don't want to join the Elks because that's
2 where old people go. But that was a very interesting
3 experience involved with that, and going to different Elks
4 and working on different projects with them also has
5 appreciated how different our California is.

6 CHAIR DICKISON: I think you discussed a little
7 bit 2010, but in your application you discussed being the
8 Chief of the Liaison Monitoring Teams --

9 MR. MORGAN: That's correct.

10 CHAIR DICKISON: -- for the Army in 2007.

11 MR. MORGAN: Uh-hum.

12 CHAIR DICKISON: During the elections. What was
13 the mission of those teams?

14 MR. MORGAN: So, Kosovo was having their first
15 election. Kosovo was -- and different people have
16 different opinions, but the country of Kosovo was having
17 their first election. And there were different obstacles
18 for the first time. That Kosovo used to be part of the ex-
19 Yugoslavia, so they weren't very practiced in democracy,
20 but they had very good institutions.

21 So, my job consisted -- well, it was two parts.
22 First was to go out and find out how open and accessible
23 election booths were to people. So, I would go and talk to
24 the Roma community and ask them, well, do you feel safe
25 voting? And do you feel -- and so, I would do a survey and

1 ask them those kinds of questions. And then, I would go to
2 the -- I had this very interesting experience where I went
3 to this one village, which was Serbian control, and they
4 said that they were not going to let any Muslim people vote
5 in their city. And so, I had to report on that.

6 And then, during the elections itself what we did
7 is we tried to stay away from it, but we made sure that all
8 the main avenues of the roads, the way to get there were
9 free, so people felt free to go and vote.

10 CHAIR DICKISON: Okay. So, also in your
11 application you talked about that those experiences might
12 have prompted you -- might be what prompted you to
13 volunteer as a precinct poll worker?

14 MR. MORGAN: That is very correct.

15 CHAIR DICKISON: What about those experiences
16 prompted that?

17 MR. MORGAN: Well, I think the bottom line was I
18 felt a little hypocritical because I was in a foreign
19 country helping democracy, and then I thought, well, what
20 have you done for your own community. And so when --
21 because between deployments, so when I came back I
22 volunteered at our local precinct and made sure that the
23 elections booth worked smoothly. Actually have a team that
24 we meet every time. And just being able to put the
25 equipment together and helping some of them maybe elderly

1 people that have to carry stuff, and just counting the
2 numbers and doing things. Some very pleasurable, it's a
3 great way to meet different people from the community and
4 it's just the right thing to do. I can't say anything more
5 about that. I think everybody should volunteer for that.

6 CHAIR DICKISON: How do you think those
7 experiences, both your experience in Kosovo and your
8 experiences as a precinct poll worker will assist with the
9 work of the Commission?

10 MR. MORGAN: Well, I think it gave me an
11 appreciation of how different people approach things, how
12 different people think of things, and how important it is
13 to have fair and transparent systems. There's a lot of
14 people that are--always have some degree of trepidation or
15 fear when they do things. And if we do want to have a
16 strong democracy, and be a good republic, we need to have
17 people feel confident, and respect the institutions, and
18 feel safe that these systems are set for everybody's
19 benefit. And there is no bias, and it's the same for
20 everybody, and we're in it all of us together. And so,
21 that's why the importance.

22 But I think the importance is to see how
23 different people have different concerns that myself didn't
24 think of, but to other people it was important.

25 CHAIR DICKISON: Thank you. In your impartiality

1 essay you talked about as an Army Lieutenant you had to do
2 reports of survey to account for an assigned responsibility
3 for military property. Can you explain how this example
4 shows your ability to be impartial?

5 MR. MORGAN: So, in the military if somebody
6 loses something or breaks something, they are held
7 responsible. And if it's serious enough that money will be
8 taken out of that soldier's pay. And before you do that,
9 you have to have an investigation. That's usually done at
10 the company level, so we're talking about a hundred people,
11 or at the battalion level, so we're talking about one
12 thousand five hundred people.

13 And so, usually the way that works is you have
14 some officer that is assigned to do an investigation of
15 exactly what happened. And you have to realize that being
16 in very close quarters with people, and people that you
17 sleep, eat, and spend 24 hours together, when you have a
18 sense of not being partial, or not being correct that
19 destroys the morale of that company. That destroys the
20 morale of that battalion. So, when you do these things you
21 have to be very fair.

22 And my realization is sometimes soldiers made
23 mistakes and they stole something or they lost something,
24 or they broke something, they did something stupid. But if
25 you did a fair investigation and then there was a fair

1 outcome, at the end of the day that made the unit stronger.
2 So, yes, you know, such and such ran a Humvee through the
3 wall. But once you've done the investigation and you show
4 that there's a fair system, it makes the whole system
5 stronger.

6 So, that's what I was trying to convey that if
7 you weren't impartial, you would destroy the morale of the
8 company, of the battalion. And so, that's the negative
9 impact if you're not impartial. And so, that's why being
10 impartial is of paramount importance.

11 CHAIR DICKISON: Okay, thank you. You had talked
12 about in your diversity essay your experience in getting to
13 know people all over the state during your military
14 service. And you also talked about teaching farm safety
15 classes when you worked for the United Health Centers.

16 MR. MORGAN: Yes.

17 CHAIR DICKISON: And then, also as a site manager
18 for Easter Seals. So, one of the things the district [sic]
19 has to do when they're determining the lines is identifying
20 communities of interest.

21 How will what you've learned about the various
22 needs of people throughout the state assist the Commission
23 in identifying communities of interest?

24 MR. MORGAN: Well, let's start -- so, and I've
25 kept contact with many of the people that I -- the first

1 job I did, which was the farm safety, which was done all in
2 Spanish. I did it at four o'clock in the morning, in the
3 fields, where we would go over safety procedures, farm
4 procedures. And so with that opportunity I got to know the
5 rural population, the migrant population, but also the
6 farmers because those were the people I was also working
7 for in the Central Valley. And that gave me a great -- and
8 then, also, I got to go to a lot of the farm shows and be
9 part of that. So, I got to understand or got to know that
10 particular Central Valley group, which I have a lot of
11 respect for, and the challenges that they have in-depth.

12 Also, being a -- I also then became a clinic
13 administrator for a rural health clinic, which was one of
14 the clinics that Cesar Chavez had put together, where we
15 did all our board meetings in Spanish, and got to know the
16 Central Valley community.

17 And then, I also got to know the farm equipment
18 community of what equipment goes where, because of the
19 safety procedures. So, I felt I got an understanding of
20 that community. I got invited to several weddings, and so
21 I feel very comfortable with that community.

22 Being the Director for Easter Seals, I had a lot
23 of experience working with the disabled, people with
24 disabilities, and people that help people with
25 disabilities. That's part of the reason I'm a member of

1 the Elks. And so, that's more the Northern California, got
2 to know a lot of single moms that had a kid with
3 disability, and were divorced, and the challenges that they
4 had. How healthcare was so important and how that worked
5 in Northern California.

6 And then, I do want to talk about the different
7 clubs that I do belong to, and how beneficial they are to
8 getting to other areas. When there was the fires in
9 Paradise, we organized a drive to help with money. That
10 was for the Rotary Club. And so, we worked closely and
11 made sure the money went to the right places and things
12 like that.

13 So, just getting in contact with different
14 groups, and working together with them, and having a joint
15 mission gets you to know together.

16 And then, in the National Guard, the National
17 Guard is the entirety of California. So, you have people
18 from Southern California, you have people from Compton, you
19 have surfer boys from Pismo, you have Asians from the
20 intelligence group up in Sacramento. And we all work
21 together and we sleep and eat for two weeks at a time, and
22 then we get deployed together. So, we spent a long time.
23 So, I spent a lot of time with a group of -- and they call
24 themselves Chicanos, and their perspective of L.A., and the
25 problems that they have in L.A.

1 And then, my roommate was -- he had just gotten
2 married and the challenges that he had in the military with
3 getting married with another man. He was my roommate for
4 four months. And he also was a Republican. So, that was
5 interesting to understand his point of view.

6 MS. PELLMAN: You have three minutes, 27 seconds
7 remaining.

8 CHAIR DICKISON: Thank you.

9 MR. MORGAN: Being in the military you spend lots
10 of time with people all the time and you get to know them a
11 lot. Much, much better than I think you would in other
12 circumstances.

13 CHAIR DICKISON: Thank you. One more question,
14 really quick. If you're selected as one of the first eight
15 Commissioners you will be tasked with selecting the next
16 six to round out the Commission. What will you be looking
17 for in those other six Commissioners?

18 MR. MORGAN: Well, I think it depends on who has
19 been selected. So, you're looking for strengths. You
20 know, I'd look at our group and see what weaknesses we may
21 have and then what strengths we want. Diversity, of
22 course. You'd look at the -- we want to be diverse. Like
23 I said, we want to install people that we are a group that
24 have made decisions, so having that diversity is important
25 to show that we're being fair. So, that, so the skills.

1 So, that would be the short answer.

2 CHAIR DICKISON: Thank you. Okay, I don't have
3 any further questions right now. So, I'm going to turn it
4 over to Mr. Coe.

5 MR. MORGAN: Thank you very much.

6 CHAIR DICKISON: Thank you.

7 MR. DAWSON: Actually, should it be Mr. Belnap?

8 VICE CHAIR BELNAP: Yeah, I think it is my turn.

9 CHAIR DICKISON: Oh, Mr. Belnap.

10 VICE CHAIR BELNAP: Yeah, thank you. So, welcome
11 Mr. Morgan. I'd like you to describe your duties as a
12 military planning officer and highlight the skills you
13 learned and practiced in this role that would be applicable
14 to the work of the Commission.

15 MR. MORGAN: So, I was -- I'll do a little
16 military jargon and I'll explain it in civilian terms. I
17 was on the G-5 planning and I was responsible for
18 protection. So, a large part of my back -- is I'm a combat
19 engineer. So, what that means is that at a division level,
20 which we're talking about 4,000 people that are supposed to
21 be -- that can be self-sufficient and have the ability to
22 keep a piece of ground in a hostile environment, I was the
23 one that was responsible to make sure that all the
24 protection defense lines were connected. I mean there's a
25 team that does that. But ultimately, do we have a

1 parameter and what are the different phases of the fence
2 and, you know, what do we do if this happens and what
3 happens if that happens?

4 And the way we go about doing that, we have a --
5 we call it a military decision making process where we
6 receive a mission and then we develop -- we analyze it and
7 then we develop different scenarios and courses of action.
8 And then, we look at how the cons and pros, and what could
9 be changed about it. And then, we make comparison to other
10 plans that already exist. And then, we submit it for
11 approval to a bigger group.

12 So, I would say that the skill that the military,
13 as a planner is just having that patience, knowledge, and
14 skill of being able to go through different steps to come
15 up with a good decision.

16 So, with the Redistricting Commission, looking at
17 the map, looking at what the criteria are, how they fit,
18 and having a process working together, and then being able
19 to present it in a logical way that is understandable.

20 Does that answer your question?

21 VICE CHAIR BELNAP: Yeah, I have a follow up,
22 though.

23 MR. MORGAN: Ah, good.

24 VICE CHAIR BELNAP: So, given that you're looking
25 at defense lines, I'm assuming that you're using maps,

1 geospatial analysis?

2 MR. MORGAN: Oh, yes.

3 VICE CHAIR BELNAP: Okay.

4 MR. MORGAN: So, I love maps. I think the first
5 time that as a kid I did a lot of traveling. My mother was
6 a hippie and she's a -- is not American. Did a lot of
7 traveling, so got to look at a lot of maps.

8 And then, I think the first maps that I realized
9 could be -- I studied epidemiology in college and in my
10 masters, and so thinking of John Snow and how he was
11 looking at a different pandemic, or the epidemic that was
12 going on and he charted the map, and put all the dots of
13 where the disease was coming from and how to cure that.

14 So, and then in the military we worked with lots
15 of maps. We had a program that's called CPOF, which is
16 Command Post of the Future, which is an electronic map
17 system where you can put logistics, and a whole bunch of
18 other stuff on it. And it's very technical. A lot of
19 people are intimidated, but it's a lot -- it's a very
20 powerful program which I love using. And so, I feel very
21 comfortable using maps and things of that nature. Does
22 that answer your question?

23 VICE CHAIR BELNAP: Yes, it does, thank you. I
24 want to follow up, you indicated that you speak four
25 languages. Which four are they?

1 MR. MORGAN: I speak Italian is my first
2 language. I speak Spanish fluently and I speak Hebrew
3 fluently. I think I speak English. And then there's some
4 other languages that I kind of understand.

5 VICE CHAIR BELNAP: Okay, thank you. And you
6 also indicated that you were deployed four times. Where
7 were you deployed?

8 MR. MORGAN: I was deployed in Kosovo. I was
9 deployed in Bosnia. I was deployed in the Sinai, the Red
10 Sea. And then my last deployment I was in Guantanamo.

11 VICE CHAIR BELNAP: Where was that last one?

12 MR. MORGAN: Guantanamo.

13 VICE CHAIR BELNAP: Okay, thank you. So, I'd
14 also like you to describe the types of analysis you perform
15 as a Health Policy Analyst for the California Center for
16 Rural Policy, and walk us through a relevant example of the
17 type of analysis you performed.

18 MR. MORGAN: I think -- I think the best one to
19 talk about is ACE studies. So, an ACE study is where you
20 are trying to identify different categories of experiences
21 that especially children had at a young age, abused
22 physical, emotional, divorce, household dysfunction,
23 there's a whole slew of different things. And how those
24 will affect young people and as they get older to drug
25 addiction, and suicide rates, and bad health, and a bunch

1 of other diseases.

2 And so, the way we went about it is first we
3 looked at district one, which is from Novato all the way up
4 to Del Norte. And the really interesting part of that area
5 right there is that it has the biggest array of disparity
6 in death rates. So, in the south people live longer. They
7 live up to the age of 83. Where if you go up to Del Norte,
8 we're talking more about 72. And don't mark my words, or
9 my numbers exactly, I think they're right. But that's the
10 difference, they have the largest range and why that is and
11 what can be done about that.

12 So, the way I went about that is basically we
13 wanted a report on that, so I put together -- and we wanted
14 to show that, too, as a class to difference -- to influence
15 for grants and things of that nature. So, we made that
16 into a map. We showed the disparity and how statistically
17 the different areas changed, and you looked at things as
18 economic factors, and certain jobs are more dangerous in
19 certain areas, so that's how we went about it.

20 So, we went through a methodology, very much like
21 a thesis. I think that would be the easiest way, we took
22 the same method as a thesis but we made a map with
23 different numbers so that it could explain why people
24 should make certain decisions.

25 VICE CHAIR BELNAP: Thank you. How long have you

1 lived in Humboldt County?

2 MR. MORGAN: Well, I've owned a house in Humboldt
3 County for, it's 20 years now. Yeah, 19 -- yeah, 20 years.
4 But during that time I was deployed quite a few times.

5 VICE CHAIR BELNAP: Yeah. So, how well do you
6 feel like you know the area and the interests of the people
7 in it?

8 MR. MORGAN: Well I think I know it very well and
9 I think part of the reason is making a concerted effort of
10 being part of the community. I'm on the Human Rights
11 Commission for the county. I was the President of my
12 Rotary Club. I have volunteered in many different areas.
13 I was the President of the Sons of Italy for our local
14 community here. And I participated in a lot of events.

15 And then, when I was at Easter Seals, which was
16 up here, we did the telethon, so I had to go down and talk
17 to the dairymen for donations. We have a lot of dairy
18 people up here. I talked to the lumber people for
19 donations. That's one of the industries we have. The
20 fishermen. So, I feel that I'm -- I know the community and
21 I feel the community knows me, too. It's not uncommon to
22 walk downtown and we always have the joke that within two
23 or three minutes you're going to know somebody that knows
24 somebody else. So, we're a small community.

25 And I also have different circles. I have a lot

1 of friends at the college, and the professors there that we
2 have parties together. So, I think I've made a concerted
3 effort to knowing my population through different
4 organizations, and also working here as the Director of
5 Easter Seals.

6 VICE CHAIR BELNAP: Okay, thank you. I have no
7 further questions.

8 CHAIR DICKISON: Thank you. Mr. Coe?

9 PANEL MEMBER COE: Thank you, Madam Chair. Good
10 morning, Mr. Morgan.

11 MR. MORGAN: Morning.

12 PANEL MEMBER COE: Thank you for taking the time
13 to speak with us this morning. I want to jump back to
14 something the other Panelists have mentioned already, and
15 that's your time at the California Center for Rural Policy
16 as an analyst. Can you tell us a little bit about that
17 organization and what is its purpose? What does it do?
18 What type of tangible benefit does it have to communities?

19 MR. MORGAN: So, it's part of the university, so
20 it's part of Humboldt State, and that's where they get the
21 -- so, if you think of like the UC Davis, how you have
22 different agricultural, and you have different groups that
23 do different studies, that particular group is concerned in
24 providing information to the university for the benefit of
25 the rural population.

1 So, a good example of one of the things that that
2 group has done is looked at the internet speeds and how
3 having fast internet speeds for our area would help.

4 We've also looked at the airport. And having
5 more flights, or how having a functioning airport helps our
6 community.

7 And then, the other thing we were looking at was
8 the ACE studies of what kind of healthcare, what kind of
9 things in healthcare, how can we influence our local
10 hospitals to better serve the rural community? We have a
11 problem with not keeping doctors in the area, which is very
12 common among rural areas of doctors not staying long
13 enough. And so, we have a lot of doctors that will come
14 for a while and then leave. And that creates a -- that
15 doesn't create that patient, doctor/patient relationship
16 that is so important for health in the long run.

17 So, I think to answer your question, where they
18 get their money and who they're influence is, it's a
19 university-based -- it falls under the umbrella of Humboldt
20 State, and its design is to provide different studies for
21 the university.

22 PANEL MEMBER COE: How do you think that that
23 experience with that Center on Rural Policy could directly
24 benefit the work of this Commission?

25 MR. MORGAN: Well, I think what the end product

1 of that -- those studies was to influence people's
2 decisions with data that we got from the community, from
3 the rural areas, and from different studies, and then
4 presenting that. So, we looked at different communities
5 and different aspects of how those communities worked, and
6 the influence and the importance they had. So, I think
7 that very much correlates with redistricting because you're
8 looking at communities and how they -- how they're
9 represented, and what does that mean. So, I think there's
10 a lot of correlation between those, and that's why I think
11 that would help, that experience would help.

12 PANEL MEMBER COE: Okay, thank you. You
13 mentioned communities. I'd like to speak a little bit
14 about communities of interest that Ms. Dickison mentioned
15 earlier. Some of those communities that the Commission is
16 going to have to identify are a little bit harder to find.
17 They're maybe not as engaged as other communities, and
18 maybe they're not comfortable usually engaging with
19 government for one reason or another. How do you think the
20 Commission should go about locating these and making them
21 feel comfortable to engage in the process and the work of
22 this Commission?

23 MR. MORGAN: Yeah, and we had the same problem
24 with the--with-- in the military when we're going to
25 different -- you know, people don't want to talk to Army

1 people, people don't want to talk to government people.

2 And I think there's a two-prong way of going for that.

3 One, there are the people that say that they're
4 the leaders of those communities and sometimes they are and
5 sometimes they're not. And so, it's really important to
6 engage the leaders, the influencers. And they can be
7 anything. You know, some certain communities don't follow
8 the same -- they don't all have a mayor and the structure
9 that we like to think of. They have different -- you know,
10 some places it could be a religious institution as the
11 leaders. In other places it could be industry. You know,
12 in the fishing community it's the best fisherman that's out
13 there.

14 So, you want to first look for the people that
15 say that they are the leaders. And then, you just want to
16 do a random sampling with that community of who they think
17 is representing them. And if those two match, great. If
18 not, you need to do some more research and try to figure
19 out how they do.

20 And then, to be really clear of what information
21 you're looking for, which questions you will ask, which
22 questions you won't and making people feel comfortable with
23 that.

24 And the way I would go about doing that is I
25 would always tell people stories of different countries, or

1 different places, and how we got to that, and so that way
2 they could see that they're part of a bigger picture and
3 joining together.

4 PANEL MEMBER COE: Thank you. Most of my
5 questions have been asked previously by the other Panel
6 Members. But I wanted to turn to your essay on
7 impartiality for a moment.

8 MR. MORGAN: Uh-hum.

9 PANEL MEMBER COE: And in that essay you say:
10 Many situations are not clear cut, have many human aspects
11 to them, and are not a scientific method or easily
12 measured.

13 And I'm wondering if you can give us an example
14 of a time where the hard data and facts that were available
15 weren't enough to make a sound impartial decision, and that
16 you had to take into consideration different perspectives
17 in order to make that decision?

18 MR. MORGAN: So, in the military we run into that
19 a lot of times because you have a constraint of time. In
20 the civilian world that is not the case most of the time.
21 And sometimes you just don't have the resources or the time
22 to have all the facts. You always, I mean we all like to
23 have more facts, and more information, and more data. And
24 so, sometimes you just have to ask yourself what is the
25 best decision that is available at that point, and is it

1 acceptable to the group.

2 And rarely, especially working in the Civil Grand
3 Jury and working, you're never going to have agreement with
4 everybody and you sometimes can't explain everything, but
5 sometimes it's important to make a decision because you
6 have a timeline, and not making a decision has more
7 consequences than not making it. Sometimes that's not
8 true. And sometimes, you know, you feel if you don't have
9 to make a decision then you make it later and that's okay.

10 But depending on the situation, you try to make
11 the best decision that's available with the resources that
12 you have.

13 PANEL MEMBER COE: Okay, I only have one further
14 question. And that's if you were to be appointed to the
15 Commission which aspects of that role do you think that you
16 would enjoy the most, and which aspects of that role do you
17 think you might perhaps struggle with a little bit?

18 MR. MORGAN: I think what I would enjoy the most
19 is learning the system that's in place, and meeting the
20 people. And my wife tells me I'm too social. I love
21 talking to people that I do not know and getting their
22 opinions. And so, learning would be something that I love
23 doing. I also like collecting data. I think data tells
24 you a lot about different groups and things like that. And
25 I'm always surprised and educated by how that works.

1 I think the challenge would be time. I think
2 there's certain objectives that we're probably expected to
3 meet and not having more time is -- but that's just a
4 reality, and that's why it's important to have that good
5 discipline of decision making process, and following a
6 schedule, and meeting your benchmarks when you want to make
7 a decision.

8 PANEL MEMBER COE: Okay, thank you. I have no
9 further questions, Madam Chair.

10 CHAIR DICKISON: Thank you. Mr. Dawson?

11 MR. DAWSON: Thank you, Madam Chair. Madam
12 Secretary, could we have a time check, please?

13 MS. PELLMAN: Yes, we have 42 minutes and 50
14 seconds.

15 MR. DAWSON: Thank you. Mr. Morgan, thank you
16 for being here remotely. I wanted to follow up on one of
17 the questions that Mr. Coe was asking you about your
18 approach to impartiality, and this sort of goes back to one
19 of your responses to the standard questions. You talked
20 about how important it was to maintain morale and cohesion.

21 My question is do you think that this is -- that
22 the techniques that you use to be impartial, is that a
23 teachable skill? Is that a learnable skill?

24 MR. MORGAN: Yes, I do think that. I think it's
25 not something -- you have to practice it. It's like

1 playing on a musical instrument, you just can't -- you have
2 to practice at it. So, yes, I do think it's a teachable
3 skill. I do think that certain characteristics might make
4 it easier depending on the kind of personality, or traits
5 that one has, or the skill sets that one has. But, yeah, I
6 totally think it's teachable. So, yeah, to answer your
7 question, yes.

8 MR. DAWSON: Do you put yourself in a certain
9 mental posture or is there--do you have a mental checklist
10 that you might share with fellow Commissioners who are not
11 so natural at it?

12 MR. MORGAN: I think one of the things that I do
13 with people that may -- is I try to -- well, what I do is
14 say, you know, when I was an officer I had to explain
15 things to the general, and the general would tell me, tell
16 me what this person is thinking. And I had to put myself
17 in the shoes of that other person. And needless to say, if
18 I didn't come up with good arguments the general would be
19 upset with me, and she would talk me down.

20 But during time you get better at these things.
21 And so, yes, if you can put yourself in the shoe and
22 explain, and debate the other person's -- where they're
23 coming from, then I think that puts you in a much better
24 way of what's going on. And I think that's a teachable
25 thing.

1 And a really good, a good thing to do is change
2 the situation. So, instead of making it about one
3 situation or another, just change the scenarios but with
4 the same problem. So, instead of being a Kosovar or
5 Serbian thing, why don't you make it a Palestinian/Israeli
6 thing, or why don't you make it a -- just something
7 different. Instead of being a Northern California with
8 water to the valley, make it a different -- you know,
9 change the state or something like that. That really helps
10 people communicate and understand the situation

11 MR. DAWSON: Thank you. I also wanted to follow
12 up on one of your responses, you were talking about your
13 work in the Central Valley, working with the migrant worker
14 population. And as you know, the Census often, well,
15 always has some sort of undercount. And the indications
16 are that oftentimes migrant workers, recent immigrants,
17 some who may not have papers tend to be overlooked. How
18 would you go about trying to account, to true up the Census
19 data that might overlook some folks?

20 MR. MORGAN: Well, yeah, the way you do that is
21 you compare it to other data sources. I think one way, if
22 you look at the chamber of commerce, and how much commerce
23 is going and how many people are shopping in a certain
24 place. I mean there's a lot of statistical information,
25 once you do that data mining that either match or don't

1 match. So, if you only have three people voting in a
2 particular town, but there's a big box store there, then
3 something doesn't make sense.

4 And so, yeah, that's what -- in the military we
5 would know those places where, you know, we're getting one
6 piece of information from one group, but it doesn't fit
7 with another. So, you compare it with other datasets. And
8 it can be simple things, just like, you know, how many
9 rentals are there. You know, there's a lot of things you
10 can look at that -- how many kids are enrolled in school?
11 You know, a lot of that information is public, is
12 available. So, if there's an incongruity between those
13 two, it's like what's going on and you look into it.

14 Which kind of goes back to how do you talk to
15 groups that may not want to talk. You look at the leaders,
16 who say they are the leaders, and then you compare that
17 with some of the people. You do a random sample and ask,
18 well, who do you think represents you.

19 MR. DAWSON: Thank you. And that brings up
20 something else for me. If you'd read the reports of the
21 2010 Commission there was an indication that oftentimes
22 people would present themselves as representatives of grass
23 roots groups, but they actually tended -- they tended to be
24 folks who had maybe some sort of political backing, a
25 particular perspective that they wanted to promote that

1 wasn't necessarily a local one.

2 How would you address something like that?

3 MR. MORGAN: Well, when I was in Kosovo, I would
4 go to this particular town of Gjilan, and there was a
5 couple other towns, and every time I would go there, there
6 would be a different mayor. And everybody would tell me,
7 oh, this is the mayor. And so, it took me about three
8 months to figure out who the real mayor was. And so, yes,
9 I've been confronted with that.

10 And I think the important thing is having a
11 conversation. A lot of people will tell you exactly what
12 their motives are if you talk to them long enough, and if
13 you listen to them. So, if somebody says that they're the
14 leader of something or they represent, then you kind of do
15 what you guys are doing with me right now. You ask them a
16 bunch of questions and you get a feel of where this
17 person's coming from. And then, you build up a certain
18 degree of legitimacy.

19 And then you test it. You go and talk to some
20 other people that might not be in that same circle and you
21 test it. It's the scientific method. You know, if it
22 works in one place, it should work in another place. So,
23 that's the short answer.

24 MR. DAWSON: Thank you. You live in Humboldt
25 County, which is a part of the state that doesn't have a

1 lot of representation in the applicant group. How
2 important do you think it is to have a representative from
3 the north state, or maybe that has a small town and rural
4 perspective?

5 MR. MORGAN: Well, I think it's very, very
6 important. And I just read an article in the *New Yorker*,
7 where it was talking about the differences between big
8 cities and big areas, and small towns. And I think that a
9 lot of times -- and I even noticed this in the Central
10 Valley and other places that a lot of rural, small towns
11 feel that they're treated differently than the bigger
12 cities. And naturally, there's a reality to that and it
13 makes sense. So, there is a large portion of people in
14 California that live in small towns and we should be
15 represented because it's the fair thing to do, so yes. I
16 hope that answers your question.

17 MR. DAWSON: Yes. Do you think the Commission
18 could be successful without a small town representative or
19 someone - who has that perspective?

20 MR. MORGAN: Definitely not. I think that would
21 be unfair and it would affect the credulity of -- it would
22 make it -- if it didn't have small town. Because that's
23 what we're about. That's what the State of California is,
24 there's diversity and it comes in a lot of ways. And
25 having a representation from all different sections is

1 important if we want to maintain that sense of being an
2 institution that is important to the -- that has a reason
3 to be. I mean, if we want to have a democracy and then a
4 republic then, yes, we need to make sure that we convey a
5 sense of legitimacy.

6 MR. DAWSON: Okay, thank you. I just have one
7 more question. I see that you are a no party preference.
8 And as you know, the Commission will be made up of 14
9 members, five Democrats, five Republicans, and four folks
10 who are not affiliated with either of those two parties.

11 Do you see the role of the non-affiliated members
12 to be particularly significant in that structure?

13 MR. MORGAN: Yes, I do. And it was interesting,
14 if you work the polls, there's a lot of people that are
15 non-party affiliated. And I think it also brings a certain
16 balance. We talked about the bipartisanship. A lot of
17 people that know me, probably don't know exactly -- or
18 don't affiliate me with any particular party which is, I
19 think, a good thing. I think both parties bring a lot to
20 the state. I think having good competition between is
21 important. And so, I think having a group of people that
22 doesn't wholeheartedly agree with one group or another is
23 very, very important because there's very few systems that
24 are perfect so I would argue that neither party is perfect
25 and I don't think it will ever happen. And that's not

1 necessarily a bad thing. So, having somebody that is not
2 affiliated, that can see the good in both would bring a lot
3 to the committee.

4 MR. DAWSON: Thank you. That's all the questions
5 I have.

6 Madam Secretary, could I have a time check,
7 please?

8 MS. PELLMAN: We have 32 minutes and 48 seconds.

9 MR. DAWSON: Great, thank you.

10 Are there any Panel follow ups?

11 CHAIR DICKISON: I do not have any follow ups.
12 Mr. Belnap?

13 VICE CHAIR BELNAP: I do not, either.

14 CHAIR DICKISON: Mr. Coe?

15 PANEL MEMBER COE: I do not have any follow-up
16 questions.

17 CHAIR DICKISON: No follow ups, Mr. Dawson.

18 MR. DAWSON: Great, thank you.

19 Mr. Morgan, at this time we would like to offer
20 you the opportunity to make a closing statement to the
21 Panel, if you wish?

22 MR. MORGAN: Sure, and I won't be too long. I
23 had the privilege of being born in the United States. I
24 did live abroad for a long time. And came to California
25 when I was 18 and joined the military, and was sent to

1 Germany after that. And I've always loved the State of
2 California and always proud of telling people from
3 different parts of the world and countries that I am a
4 Californian in the United States. And I feel that part of
5 that reason has to do with our democracy and our republic.
6 And having the honor of being an impartial person that
7 helps with -- or maintaining or redistricting the current
8 situation would be beneficial.

9 I always think of the reason I do things is for
10 my niece and nephew. The things that we do today may not
11 affect us immediately, but they're more for the long range,
12 for 10, 20, 30 years down the line and that's what we're
13 looking at. And I think that the skill set that I have,
14 having been in the Civil Grand Jury, being on the Human
15 Rights Commission, being in the military, being a business
16 owner, being somebody that's involved in our community
17 represents what California is. It's a group of people that
18 at the end they come and help each other.

19 And so, being part of that I think puts me in a
20 good position to help, if needed. So, with that, that's
21 all I have to say.

22 MR. DAWSON: Thank you.

23 CHAIR DICKISON: Thank you, Mr. Morgan.

24 Our next interview this morning will be at 10:45.
25 So, we're going to recess this meeting until 10:44.

1 (Off the record at 10:03 a.m.)

2 (On the record at 10:55 a.m.)

3 CHAIR DICKISON: Calling the meeting of the
4 Applicant Review Panel back to order.

5 AUDIO-VISUAL TECHNICIAN: Just a moment, Chair.
6 Hold on just a second, I've got to adjust a few things.
7 Just a moment.

8 CHAIR DICKISON: Okay.

9 (Pause)

10 CHAIR DICKISON: Calling the Applicant Review
11 Panel meeting back to order, the time being 10:55.

12 I would like to welcome Mr. Michael Dozier for
13 his interview. And at this time I'm going to turn the
14 meeting over to Mr. Chris Dawson to read the five standard
15 questions.

16 MR. DAWSON: Thank you, Madam Chair.

17 Mr. Dozier, can you hear me?

18 MR. DOZIER: I can hear you.

19 MR. DAWSON: Great. I'm going to ask you five
20 standard questions that the Panel has requested that each
21 applicant respond to. Are you ready, sir?

22 MR. DOZIER: I am.

23 MR. DAWSON: Question one. What skills and
24 attributes should all Commissioners possess?

25 What skills or competencies should the Commission

1 possess collectively?

2 Of the skills, attributes and competencies that
3 each Commissioner should possess, which do you possess?

4 In summary, how will you contribute to the
5 success of the Commission?

6 MR. DOZIER: Thank you. Attribute wise, I think
7 the one thing that I believe is my strong suit is my
8 ability for--to be open-minded and willing to compromise,
9 willing to listen to issues, willing to listen to facts.
10 And make a decision based on the facts and not necessarily
11 on my person bias. I believe everybody has their bias, but
12 I think we all need to be open minded.

13 We need to be collaborators. We need to be team
14 players. No grandstanding and just be able to discuss the
15 issues without any contention, or the least amount of
16 contention as possible.

17 I also believe that we need to be analytical in
18 our decision making. We need to look at the data, and we
19 need to look at the facts. And we need to hear what the
20 public has to say about the issues that are before them.

21 And then, I believe that we need to be an
22 empathetic group and hear from groups that are typically
23 marginalized. Hear what they have to say, put ourselves in
24 their particular position from a public hearing standpoint,
25 and give that the credibility and the respect that it's

1 due.

2 And speaking of respect, I think we really need
3 to have a respectful attitude towards everyone. And
4 there's going to be a lot of -- I believe there will be a
5 lot of dissenting or dissension as far as the opinions, and
6 we need hear them out and determine which are the most
7 credible and go from there.

8 And from a skill standpoint, we're obviously
9 going to need to be able to craft and draft laws that are
10 related to the decisions that are made. We're going to
11 have to understand and implement the art of holding public
12 meetings, which I have as a strong suit as well. And then,
13 we need to have analytical thinking. Those are the skills
14 that we need to have individually.

15 As far as a group, we need to be able to
16 understand and explain demographics in the data as a group,
17 as one voice. We need to understand and implement -- I'm
18 sorry, we need to have some rudimentary cartography
19 knowledge. We have to have the ability to draft
20 legislation related to the districts and the maps, and we
21 need to have the ability to hire managerial staff, and
22 manage them as well. So, those would be the Commission's
23 skills.

24 Of the skills that I've outlined, I believe to
25 one degree or another I have all of those skills. I have

1 drafted legislation -- well, not legislation, but laws and
2 ordinances for the City of Clovis when I worked there.
3 Actually, for all of the local governments that I worked
4 for there were time to time that I had to draw up
5 ordinances and regulations.

6 I also have an extensive background in public
7 meetings and I'll get into that a little later. But it
8 seems like my whole professional career has been one public
9 meeting, you know, from council meetings, to regional
10 meetings, and statewide meetings, and national meetings.
11 So, understanding Robert's Rules of meetings, and
12 understanding the quorum of a public meeting is very
13 important. I have that.

14 I also have the ability and have had numerous
15 people working for me, so hiring and managing staff is
16 second nature to me.

17 So, and what would I -- to contribute to the
18 success of the Commission, number one I'm going to be
19 dedicated to the task at hand. I will do the research and
20 analyze issues related to districts and data. And I'll
21 understand my role as it pertains to the Commission. And
22 what I mean by that is there's times when one needs to
23 lead, there's times when one needs to sit back and support,
24 or follow. And in addition, I will always support the
25 Commission and the outcome of the Commission. So, I

1 believe it's very necessary to do that.

2 And finally, something that I'm finding less and
3 less in government these days is taking responsibility and
4 accountability for what the Commission does and what I
5 would do as a Commissioner. So, those would be -- that
6 would answer that particular question in total. I believe
7 that a lot of what I've just mentioned will be more clearly
8 identified in the other questions.

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

15 What characteristics do you possess, and what
16 characteristics should your fellow Commissioners possess,
17 that will protect against hyperpartisanship?

18 What will you do to ensure that the work of the
19 Commission is not seen as polarized or hyperpartisan and
20 avoid perceptions of political bias and conflict?

21 MR. DOZIER: Yeah, thank you. And I think that
22 that's an understatement as far as hyperpartisanship. I
23 think it's run a very significant and, frankly, negative
24 course these days.

25 So, what I do on a regular basis is that I read

1 and listen to a number of media sources. I try to identify
2 whatever is written and I'll go and number one fact check
3 it, and number two find out what the bias is of that
4 particular report, reporter, or media outlet. And I try to
5 stay within the leaning left and leaning right, but in the
6 middle section, and I stay away from those on the far right
7 and the far left because they tend to skew things. And I
8 think that's the problem we have today is I don't believe
9 enough people actually listen to a myriad of media sources
10 and try to determine the truth from there.

11 I watch Fox, I watch CNN, I watch MSNBC, I watch
12 the evening news, I read blogs, and so I try to stay as
13 knowledgeable as I possibly can and try to keep the bias
14 away. So, that's one of the things that I do on a regular
15 basis.

16 But in addition to that, I also consider myself
17 to be very transparent and honest. Some people will say my
18 honesty sometimes needs to be kept at bay. And I have
19 learned a lot over the years how to be honest and tactful
20 at the same time. But the transparency issue I think is
21 really important. I look at things like I just said from a
22 fact-based, decision making basis.

23 I do have empathy. I look at others and try to
24 see it from their standpoint. I can't help that I'm a
25 white male, but I believe that I can see things from a lot

1 of different angles, and I have friends of all types. And
2 I hear what they have to say, I hear their experiences, and
3 so I understand where they're coming from. I try to be
4 fair minded and give everybody the benefit of the doubt.

5 What was it Reagan said: Trust but verify. I
6 believe in that as well.

7 And finally, from that standpoint I have a good
8 sense of humor. I've diffused a number of situations with
9 that sense of humor and it works very well from a
10 collaborative standpoint if everybody is less uptight and
11 more willing to express their opinion and not be ridiculed
12 for it, but to have a sense of humor. And most of the
13 sense of humor I have is self-deprecating because I've
14 found that I'm the only one that does not get offended by
15 my own jokes. I don't intend to offend anybody, so I like
16 to make fun of myself a lot.

17 From the Commission's standpoint, it's really
18 important that we are nonpartisan and I think that it's set
19 up to be that way having four Republicans, four Democrats,
20 and four non-party, or not Republican or Democrat, Green
21 Party, Independent, declined to state.

22 And I think it's important that we collaborate.
23 I'll say collaboration a hundred times, maybe, in this
24 interview. So, I really put a lot of eggs in the
25 collaboration basket.

1 Respect, again, respecting those on the
2 Commission, those in the public, staff and others.

3 And I think it's really important that we enjoy
4 what it is that we're going to be doing and not look at
5 this as some kind of hardship or difficulty. This is a
6 process and we should be enjoying it as much as possible.

7 What will I do? It is again transparency,
8 dedication to the end goal, being analytical, communicating
9 as best as I can, and earn trust and keep it, and be honest
10 in doing it. One of the things that I've found over the
11 years is that trust is really difficult to get from other
12 people. It takes a long time to get trust and it takes
13 about two seconds to lose it. And so, trust is a big thing
14 with me as well.

15 MR. DAWSON: Thank you. Question three. What is
16 the greatest problem the Commission could encounter, and
17 what actions would you take to avoid or respond to this
18 problem?

19 MR. DOZIER: Again, trust. Trust is the problem.
20 Not having trust from the Commission standpoint, you lose
21 trust and you lose a lot.

22 Another problem and this is one that I've had to
23 deal with a lot, and it's gadflies at public hearings that
24 try to monopolize the hearing. They come up with some of
25 the weirdest things that they bring before you. Again, you

1 have to be respectful to them and show them the courtesy,
2 but they're always going to show up at meetings and they're
3 going to want to provide input. And generally, a lot of
4 gadflies get past the five-minute rule. And throughout my
5 career I've experienced the gadflies. And what I've found
6 is that when you -- I don't want to say make friends with
7 them, but when you listen to them that that's all that
8 they're really wanting you to do is listen and not, you
9 know, just discount them or try to push them to the side.
10 So, I think that's going to be really important on the
11 public meeting standpoint.

12 I believe that pressure from one party or another
13 might be a difficulty that we experience. I read an
14 article about the 2010 Commission and something that one of
15 the parties tried to pull, where they filled public
16 meetings with their minions, or their staff, and dominated
17 the public hearing. I think it's important to see through
18 that and try to get as much as you can other than that one
19 point of view.

20 I think it's going to be -- I don't think it's
21 going to be necessarily too difficult, but I think it's
22 going to be before us that we're going to have to determine
23 fact from fiction. And anecdotal stories are sometimes
24 more fictitious than they are fact driven, and so it's
25 really important to determine or decipher between the two.

1 And then, obviously having a consensus among the
2 Commission will always be a potential problem. I don't
3 think it's insurmountable, but it's going to be there I'm
4 sure.

5 What actions would I do is I would do my
6 homework. I would communicate as clearly and honestly as
7 possible about my position or what I believe has taken
8 place. I would definitely, a hundred percent, avoid any
9 attempts to be lobbied by any one group or another. And I
10 would defend the work of the Commission. I think it's
11 really important. We're all in this. We come to a
12 consensus whether or not I agree with that particular
13 issue, or district, or whatever the issue is that once the
14 vote is taken that you support the Commission's vote.
15 Again, whether or not you're a hundred percent behind that
16 or you voted against it, you still need to support it.

17 So, that's how I see that question.

18 MS. PELLMAN: We have 14 minutes and 25 seconds
19 remaining.

20 MR. DAWSON: Thank you.

21 MR. DOZIER: Perfect.

22 MR. DAWSON: Question four. If you are selected,
23 you will be one of 14 members of the Commission which is
24 charged with working together to create maps of the new
25 districts. Please describe a situation where you had to

1 work collaboratively with others on a project to achieve a
2 common goal.

3 Tell us the goal of the project, what your role
4 in the group was, and how the group worked through any
5 conflicts that arose.

6 What lessons would you take from this group
7 experience to the Commission if selected?

8 MR. DOZIER: Okay. So, I have two examples,
9 really. One's a -- I'll put the second one -- well, the
10 second one won't be last, but I'll try to be as succinct as
11 possible on that one and I think you'll see where I'm
12 coming from.

13 I was appointed to the Community College Board of
14 Governors Task Force for a Strong Workforce about three or
15 four years ago. And what they did is they brought
16 representation from throughout California, and it would be
17 representing a lot of different segments of California.
18 There were a number of people from community colleges,
19 obviously. There were a number of presidents of community
20 colleges. There were staff, there were professors
21 throughout the community college network. There was the
22 State Chamber of Commerce President was on the task force.
23 I represented the Central Valley and I also represented it
24 from an economic development standpoint with workforce
25 development as kind of a secondary skill or expertise in

1 that matter.

2 And the goal was to come up with recommendations
3 to the board regarding CTE, which is Career Technical
4 Education. And the way that came about is over the years
5 manufacturers and businesses have expressed that the two
6 biggest things that they face are, number one, the
7 workforce. There just isn't the workforce in California to
8 take over the jobs or to do the jobs that a lot of
9 manufacturers do. The second one is just the cost of doing
10 business in California.

11 The one we addressed was, okay, how can we
12 provide the workforce experience on a career ladder to
13 manufacturers? And by career ladder, you're talking about
14 high school, community college, universities, both
15 bachelor's and then a master's, and PhD if that's what
16 you've determined to be. So, along that educational ladder
17 where do you get off? Where does someone get off? And are
18 all the bases being touched as far as providing the
19 manufacturers the skill level, skilled workforce that they
20 need.

21 And the one area that had a gap was community
22 colleges through CTE. And there was a number of reasons
23 for that, but one of the biggest was there wasn't a lot of
24 money put into CTE. CTE costs more. You can just imagine
25 some of the machinery that the community colleges have to

1 buy. It's hard to get instructors because the instructors
2 can make more money in the private sector than they can
3 teaching at a community college.

4 And so, what we did is we came out with these
5 recommendations. And I think the best recommendation they
6 came out with is to provide \$200 million to CTE that would
7 be distributed \$1 million to each one of the community
8 colleges to work on their CTE. And then, there would be
9 money left over where any of the community colleges could
10 submit a grant for particular programs or projects that
11 they were doing. So far it's working very well. The
12 manufacturers have come to the table very well, so it's
13 bridged that gap between business and education. And
14 throughout California I see that happening.

15 It's especially happening here in the San Joaquin
16 Valley. I've not been involved in it for two years, but I
17 continue to get information, emails, and whatnot from all
18 the parties. And I'm really happy to say that they're
19 moving along very well.

20 So, some of the conflicts included the Academic
21 Senate that was -- I just got a thing saying to start my
22 video. So, I'm going to start my video again. Okay, there
23 I am.

24 So, the Academic Senate, made up of -- well, I
25 think it's totally made up of the education side or the

1 academic side of community colleges. And some of this
2 stuff kind of didn't fit well with them. One was the
3 hiring of the skills educators, or the instructors because
4 they didn't have master's degrees. In some cases they
5 didn't even have bachelor's degrees. But they had the
6 experience in a particular field that was necessary to
7 teach what needed to be taught -- or taught in the CTE
8 classroom.

9 And so, there were concerns that they were going
10 to be marginalized as a result of that. Also, their main
11 focus was on moving from community college on to the
12 university, in that career path from an academic standpoint
13 and not from a technology standpoint.

14 And we got their buyoff, but we had to include
15 them and I'm glad we did, we included them in all the
16 discussions.

17 And so, we just had to meet the needs of
18 everybody along that process. And the representation in
19 that room gave different views and angles as to what the
20 needs were. And so, I believe we can out with a really
21 good product that addressed the situations that are
22 occurring in the work skills. There's still a lot to be
23 done, but at least it's in everybody's thought process
24 moving forward.

25 So, what did I learn from that? One is to rely

1 on others' expertise to form a consensus. You need to stay
2 in your lane so to speak, in that you need to know your
3 role. You need to provide as much expertise when it's your
4 turn to provide that expertise and you need to listen to
5 the expertise when someone else has more expertise in a
6 particular subject.

7 I also learned that it's okay not to know
8 everything or not to know something. But it's not okay not
9 to ask a question about what it is so that you can form an
10 opinion on it. So, those were the big issues with the
11 Community College Board of Governors, the Task Force.

12 The second one I'm going to be real quick with
13 and it's a sports analogy, baseball. I'm 64 years old, so
14 basically I played organized baseball or softball for about
15 58 years. And I've coached Little League. And all the
16 things that happened with--in life with respect to
17 organizations, and commissions like this are seen in a
18 baseball field. Everyone comes to the team with a
19 different skill set. Somebody's a pitcher, somebody can
20 catch the ball better from the outfield, some in the
21 infield. And it's just a matter of determining it.

22 And the worst case scenario is having a team of
23 just fantastic players who all want to do the same thing
24 and no one wants to follow, and everybody wants to lead,
25 and it becomes chaotic.

1 So, I think -- well, I just want to throw that in
2 from the standpoint of the team player. I've had teams
3 that I've coached. One thing I always stressed was having
4 fun when you coach. It wasn't winning because winning is a
5 byproduct of doing the right thing as far as a team goes.
6 Knowing your role, doing your role, and giving kudos when
7 necessary and anytime there needs to be criticism it needs
8 to be constructive criticism. I've never been a yeller.
9 I've never been someone who sends out negative comments.
10 And I've made my parents stay with that as well in that it
11 was all positive. So, I'll leave that at that.

12 MR. DAWSON: Thank you. Madam Secretary --

13 MS. PELLMAN: WE have five minutes remaining.

14 MR. DOZIER: Oh, boy.

15 MS. PELLMAN: Five minutes.

16 MR. DAWSON: Question five. A considerable
17 amount of the Commission's work will involve meeting with
18 people from all over California who come from a very
19 different backgrounds and a wide variety of perspectives.

20 If you are selected as a Commissioner, what
21 skills and attributes will make you effective at
22 interacting with people from different backgrounds and who
23 have a variety of different perspectives?

24 What experiences have you had that will help you
25 be effective at understanding and appreciating people and

1 communities of different backgrounds and who have a variety
2 of perspectives?

3 MR. DOZIER: Okay, I'll go real quickly. I'm a
4 collaborator. I think analytically. I respect others'
5 opinions. I have public meeting skills. And I have broad
6 knowledge of subject matter in a number of different
7 subjects. I have been fortunate enough to work in
8 workforce development, economic development, transportation
9 planning, water, clean energy, broadband, health, air
10 quality. I've managed or established groups, regional
11 groups in those areas.

12 The example that I would give from a local
13 standpoint is the development of an economic development
14 strategy that is community oriented and community written.

15 From a state standpoint, the California
16 Partnership of the San Joaquin Valley which was established
17 by Governor Schwarzenegger, I was the lead executive there.
18 There's a 45-member board. Eight counties of the Valley
19 are represented by an elected official from each one of
20 those counties, a private sector from each county, and an
21 expertise not necessarily from each county, but from the
22 region as a whole that included workforce development,
23 economic development, transportation planning, water, clean
24 energy, pre-12 and higher education, health, broadband, air
25 quality, housing, sustainable communities.

1 So, you can see that's the broad breadth of
2 knowledge that I bring to it. I can tell you I'm not an
3 expert on every one of those. Some I am, some I'm not.
4 But that I've been involved with it.

5 From a national standpoint, I was the PI on the
6 Investing in Manufacturing Communities Partnership, which
7 is-- included all of the Central Valley from Redding down
8 to Bakersfield. We had the largest region. There are 24
9 regions in the world -- in the world -- in the nation and
10 we were one of two in California. USC was the other one in
11 aeronautics. Ours was AG and food processing.

12 We met with the rest of the groups, each one of
13 those groups had a different focus on manufacturing. This
14 was established by the Obama administration. And so, we
15 all worked really well together from different areas of the
16 country, on different subjects or different manufacturing
17 clusters.

18 We also worked with every single federal agency
19 individually and as groups that would help us in trying to
20 bolster the clusters within the district that we had. We
21 had the largest district of the 24. I think it's 75,000
22 square miles. I was the lead PI, but we had partners out
23 of Chico State, out of Sacramento, and then the Central
24 Mountain.

25 Do I have enough time? I can go into that a

1 little further, but it's pretty much written out in my
2 questions and answers.

3 MS. PELLMAN: We have one--about 53 seconds
4 remaining.

5 MR. DOZIER: Fifty-three seconds, okay. So, from
6 the economic development strategy understand that I've
7 written five of these with the purpose of getting the
8 community to determine what it is that they want from a
9 strategy for economic development. It was represented by
10 every segment of the community. It included large
11 manufacturers, small businesses, large retailers, small
12 retailers, chamber of commerce, senior citizens, high
13 school students, and just community groups as a whole.
14 There were 25 members on this committee. They were
15 educated for the first six months on what economic
16 development is. What are the tools?

17 And then, after that six months they sat down and
18 said, okay, here's what we want to see in Clovis or
19 whatever community it was. It was highly successful.

20 MS. PELLMAN: Okay, and that's 20 minutes
21 completed.

22 MR. DOZIER: Thank you.

23 MR. DAWSON: Thank you. At this point we will go
24 to Panel questions. Each Panel Member will have 20 minutes
25 to ask his or her questions. We will start with the Chair,

1 Ms. Dickison.

2 CHAIR DICKISON: Good morning, Mr. Dozier. Can
3 you hear me okay?

4 MR. DOZIER: I can, thank you.

5 CHAIR DICKISON: Okay. So, I want to touch on
6 what you were just talking about with all the different
7 organizations you've worked with. So, one of the things
8 that -- and the different types of positions you've had.

9 So, one of the things that the Commission's going
10 to need to do when it's drawing district lines is identify
11 communities of interest. So, based on your professional
12 experiences what have you learned about the various needs
13 of different communities and how will that knowledge assist
14 the Commission in identifying communities of interest?

15 MR. DOZIER: Well, it's always a listening -- an
16 exercise in listening, number one. And taking it from that
17 depending on, you know, what was said there based on what
18 conflicts would take place, and simply asking questions
19 about what it is that is most concerning or what it is that
20 is forefront of their minds as a community. You know,
21 there may be one or two people within that community that
22 express one thing, but when it's a consensus of a community
23 then it has a lot more credibility and weight.

24 So, that's how I understand that question, but I
25 don't if I'm addressing in total because I don't know what

1 the outcome is that you're looking for. So, you're asking
2 whether or not we find out there's a community of interest
3 and they have an expression does that weigh against another
4 community in another area, that has another -- a different
5 set of issues and a different set of needs. And if that's
6 the case, then you take a look at it from a whole. And
7 again, you look at the facts and take it from there.

8 Does that answer your question? I'm hoping it
9 does.

10 CHAIR DICKISON: I think so. A little further on
11 that, so you worked in different communities. I see here
12 that you've worked with the City of Livingston, the City of
13 Atwater, the City of Clovis, just to name some.

14 MR. DOZIER: Right.

15 CHAIR DICKISON: So, based on your work in each
16 of those areas can you tell us about the concerns of those
17 different communities, and describe how certain concerns
18 may identify them as a community of interest?

19 MR. DOZIER: Well, okay, you look at the City of
20 Livingston. When I was there I think the official
21 population of Livingston was about 5,000. It was
22 predominantly Hispanic and it was AG oriented. You had
23 Foster Farms that was there. A lot of the people that
24 lived in the community worked at Foster Farms. But they
25 also worked at--in the surrounding farms as farm labor.

1 While the official listing was 5,000, we felt it
2 was more like about 12,000 when it was harvest time or when
3 the workers came in to work in the farms. And so, there
4 were a number of issues dealing with housing, safe and sane
5 housing. You know, it was appalling at some of the
6 housing. So, we had to address it from that angle.

7 The issues in Livingston were very much different
8 than the issues in Atwater. Atwater was, at the time I was
9 there, it was Castle Air Force Base was there. So, Atwater
10 was oriented to the base. It didn't have a lot of retail.
11 It was predominantly a middle class city. Not a lot of
12 rich people, some poor but not a lot of poor. The
13 demographics were predominantly white. So, the issues were
14 different.

15 And addressing those issues from a standpoint of
16 redevelopment it took on a whole different need than they
17 did in Livingston.

18 I'll say that Livingston and Atwater, Atwater
19 particularly today, you know, they're not -- they're rather
20 poor communities. And where you might find one party in
21 Livingston, you'll find a different party focus in Atwater.

22 And then, in Clovis it's totally different.
23 Clovis is more of a upper-middle class community. It's
24 where I live right now. It's predominantly white, but it
25 still has a lot of diversification. And so, the issue here

1 is dealing with housing, dealing with businesses. You
2 know, it doesn't have -- Clovis doesn't have the dire needs
3 that communities, the rural communities have, especially
4 like Atwater and Livingston. But here in Fresno County
5 there are a number of rural communities that are just
6 suffering. And they're suffering for one reason or
7 another. And those issues come to the forefront when you
8 visit the different cities.

9 And I've worked with every one of those cities.
10 Matter of fact I've worked with just about every community
11 in the San Joaquin Valley, from Arvin to the south, up to
12 Linden and Lodi to the north. So, I've got a pretty good
13 grasp of what the issues dealing with water, dealing with
14 employment and just poverty.

15 You know, you look at some place like San
16 Joaquin, there may be 6 percent unemployment in Clovis and
17 there will be 53 percent unemployment in the City of San
18 Joaquin. So, the rural areas suffer a lot more than
19 Clovis. Fresno's kind of in between there. There's a lot
20 of rich people in Fresno. And it's a bifurcated city, the
21 north being predominantly white and higher income, and the
22 south being predominantly Hispanic, and black, and lower
23 income.

24 CHAIR DICKISON: So, based on your knowledge and
25 what you've learned about the different communities and,

1 you know, in that area, what do you think you could bring
2 to the Commission as far as public outreach or public
3 meetings? What methods could you use to maybe get some of
4 those communities that are less likely to participate to
5 participate in those meetings?

6 MR. DOZIER: Well, I believe that my strongest
7 suit is the ability to diffuse difficult situations, to
8 come off as trustworthy, to be as honest as possible. And
9 when you do that, you get people to open up more, to let
10 their guard down as far as what's being -- what's taking
11 place. A lot of that has happened through my years with
12 local government. And any time you work in a governmental
13 office there's always the perception for the public that
14 the government's trying to pull one over on you. You need
15 to get past that and you do that by being open, honest, and
16 engaging with the public as a whole. And the last thing
17 you want to do is be belligerent or disconcerting, and not
18 listen to what's going on.

19 So, I mean I have a lot of experience in that
20 both, you know, from a regional standpoint and trying to
21 get experts, so to speak, to collaborate so that they --
22 you're not giving them the impression that you're trying to
23 take over what they're doing.

24 And I'll point to workforce development and
25 economic development. There are economic developers and

1 workforce developers throughout the valley. And trying to
2 get them to work together, knowing that you're not trying
3 to tell them what to do, but that you're actually trying to
4 help them do what it is that they do and that took a lot of
5 time to earn that trust, and they eventually came around to
6 working together.

7 So, it's a combination of at the local level and
8 the expertise as well in understanding that you're not
9 trying to pull something over their eyes.

10 CHAIR DICKISON: Thank you. In response to one
11 of the earlier questions you mentioned that everyone has
12 biases. Could you tell us what your biases are and how
13 will you ensure they don't influence your decisions as a
14 Commissioner?

15 MR. DOZIER: Well, I think my biggest bias is
16 ignorance, and people that don't look at both sides. Well,
17 that's not my biggest bias. My biggest bias is against, I
18 guess people that just, you know, are racist, or sexist, or
19 whatever because it just -- you know, they seem to exude
20 hate. But beyond that, and mostly racists and sexists, and
21 all the other "ists" they come from a basis of ignorance.

22 And so, not knowing the facts, not knowing --
23 listening to only one source and coming out with their
24 opinions from that, and then not being willing to listen to
25 reason. That's a bias that I have. You know, I really

1 have difficulty with that. But again, I had the ability
2 and have done so to be able to listen that -- the people
3 that would hit my bias points and try to see it from their
4 angle. Trying not to push my feelings onto them, but to
5 listen to what it is that they have to say. And sometimes
6 you just have to agree not to agree, and that's happened,
7 too. I have a lot of friends that have particular
8 viewpoints that I don't -- I don't see or agree with, but
9 we're still friends. So, you know, that's the one thing
10 that really bugs me from that standpoint.

11 CHAIR DICKISON: Thank you. So, of the 14-member
12 Commission, the first eight are selected randomly and then
13 they will be tasked with selecting the next six. If you're
14 one of the first eight Commissioners selected, what will
15 you be looking for in the final six?

16 MR. DOZIER: All the things I mentioned before,
17 whether or not they're analytical thinkers, are they open-
18 minded, do they have a willingness to learn, do they have a
19 willingness to dedicate their time and efforts to the
20 success of the Commission. And just I guess I would look
21 for somebody who's a team player, somebody who's willing to
22 collaborate with others. And you can pretty much see that
23 through a discussion, whether or not they are open to
24 different ideas and come at it from a nonpartisan
25 standpoint.

1 CHAIR DICKISON: Thank you. Secretary, can I get
2 a time check?

3 MS. PELLMAN: Yes, we have 6 minutes, 17 seconds.

4 CHAIR DICKISON: Thank you. One last question,
5 what would you like to see the Commission ultimately
6 accomplish?

7 MR. DOZIER: Well, the goal is to draw lines,
8 identify districts. And I would like to see that done with
9 a unanimous vote of the Commission, the backing of the
10 Commission. Whether that happens, I don't know, but that's
11 what I'd like to see.

12 I'd like to see the communities that are affected
13 by the district lines accept the district lines, approve
14 the district lines, and back the lines. That's not going
15 to happen. I know that's not going to happen. But if we
16 can get a large majority to do that, I think that's
17 important.

18 I think it's important that all the parties
19 understand the lines and don't feel like they've been
20 slighted, or at least that they -- there's going to an
21 expression of being slighted one way or another, but that
22 they understand the process. They understand what it is
23 that we did, why we did it, and come to accept it.

24 CHAIR DICKISON: Thank you.

25 MR. DOZIER: So, I think that's probably the

1 goal.

2 CHAIR DICKISON: Thank you. I don't have any
3 further questions right now, so I'm going to turn it over
4 to Mr. Belnap for his questions.

5 VICE CHAIR BELNAP: Great, thank you Madam Chair
6 and good morning, Mr. Dozier.

7 MR. DOZIER: Good morning.

8 VICE CHAIR BELNAP: You've had a long career as
9 an economic development professional serving cities, as
10 well as CSU Fresno. What does an economic development
11 professional do?

12 MR. DOZIER: We're rainmakers. Our job and it
13 depends on the community that you're in, our job is to
14 identify the needs of the community and to increase the
15 revenue to the city without increasing taxes.

16 So, for example in Clovis the strategies that we
17 did, at one point we had no hotels in the city. And the
18 transit occupancy tax that come off of hotels goes right
19 into the general fund. We had zero in TOT that went into
20 the general fund. The nice part about the TOT is it's not
21 paid for by the community, it's paid by the people that's
22 stay at hotels.

23 And so, one of the things that I was charged with
24 doing is bringing in a hotel. It took a little while. We
25 brought in our first hotel. It was hugely successful,

1 right, and that was about 1994. Today Clovis has ten
2 hotels. So, it went from a -- and the hotels have 70
3 percent occupancy rate. So, it's going from zero TOT to
4 where it's about a million and a half, two million. And
5 so, I consider that to be a lasting legacy on my part is
6 all that money that goes in there, I feel like that's my
7 contribution. That paid for my salary, alone. But that's
8 not all that we did.

9 I also set up -- as an economic developer you're
10 working with a team. So, I apologize, number one for
11 saying I. Because when I say I, understand that I was a
12 part of that and I led it in some cases, but this was a
13 team process. And again, it takes planners, it takes
14 engineers, it takes the city manager, it takes the finance
15 director, all those people to be on board with what it is
16 you're doing.

17 So, another aspect is identifying land, getting
18 land zoned for industrial, providing opportunity for
19 residential -- I mean, yeah, not residential. For retail
20 and office commercial. And then, other quality of life
21 amenities because what people don't understand, from an
22 economic development is that people go where there's a
23 quality of life, where there's a good quality of life.

24 My belief is that if you want to determine, you
25 come from another state and you're trying to identify a

1 community you want to work with, or you want to live in, or
2 you want your business to be in there's only two things you
3 really need to do. And number one you need to look at the
4 school district. And if that school district is good, has
5 a good reputation that's one aspect of it. That's your
6 mind, that's the community's brain.

7 The other is downtown. Take a look at the
8 downtown because that's the heart of the community, that's
9 the heart and the soul of the community. So, if those two
10 things are working well, then you've got a community that
11 is desirous to others.

12 We worked very well with our K through 12 school
13 district, Clovis Unified School District, one of the best
14 in the state. We worked with them on a number of different
15 projects and supported them on just about everything. We
16 had a great relationship with them. We made our downtown
17 great. It's one of the best downtowns, we call it Old
18 Town, in California for cities under 150,000 population.

19 So, basically, I look at -- and I love the
20 economic development because you didn't do the same thing
21 twice. It seems like every day you can in and it was
22 something different. It reminded me of playing the game
23 Monopoly because you were building hotels, you were
24 building houses, you know, commercial, all this other
25 stuff, and you did it in a win -- I did it in a win/win

1 situation. I didn't want it to be the developer or the
2 business winning and the city losing, and I didn't want the
3 city winning and the businesses and the developers losing.
4 It had to be win/win. You had to make it apparent that you
5 were looking after their well-being, as well as others.

6 And in different communities it's different
7 things that you're looking for. Our clusters of industry
8 were different. You need to understand the clusters of
9 industry. You need to understand what the workforce is.
10 So, you pretty much have to be kind of a jack of all trades
11 type, and you need to -- you're not necessarily an expert
12 in anything in economic development, but you need to know
13 who the experts are and you need to establish a
14 relationship and trust with them.

15 I teach or have taught the Intro to Economic
16 Development course through California Association of Local
17 Economic Development. And one of the first things I tell
18 them when we get in there is there's only two things that
19 you need to know as an economic developer, and everything
20 will fall into place after those two things. Number one,
21 you need to have good customer service. And I mean
22 Nordstrom's type customer service. You need to be willing
23 to apologize, even when it isn't--you don't think it's your
24 fault, you need to be able to hear what somebody says and
25 say, okay, let me get on that, and get back and give them

1 the information as soon as you possibly can.

2 The second thing that you need to have is a
3 network. You need to have a network of colleagues that you
4 can bounce ideas off that you can ask them what they're
5 doing in their different communities. Have they ever had
6 an issue that you're needing to address and what was the
7 resolution? You need to have a network of economic
8 development tools. So, you need to have a good
9 relationship with the brokerage community. You have a good
10 relationship with the educational community, the chamber of
11 commerce, staff as a whole. There's like 20 different
12 groups that you really need to have a network with and to
13 be able to call on when you need them for a particular
14 issue.

15 And the rest of it falls into place. Doing
16 deals, you really need to identify what the deal points are
17 and then you need to rely on your attorney to be able to
18 draw that deal up. So, again, without going into it in
19 great detail, it really does come down to those two
20 components. But it's looking at how to bring revenue to
21 your community, jobs to your residents, and then also
22 homes, affordable housing.

23 VICE CHAIR BELNAP: Okay, thank you. To what
24 extent do you analyze data in your capacity as an economic
25 development professional?

1 MR. DOZIER: Well, number one you need to look,
2 and when I was at Clovis I was looking to see what our work
3 skills were. So, what are the demographics in data as far
4 as the skills of the workers within our community or within
5 our smaller region, you know, 50 miles out. And you need
6 to be able to understand what that information tells you.

7 I'll give you an example of something that I did
8 back in 2001, our staff did, our office did, is we were
9 noticing a lot of people -- a lot of people that were
10 coming to Clovis. And, we were getting, you know, 1,500
11 housing units a year and people couldn't come fast enough
12 it seemed. So, our population increased to like 20,000
13 over a five-year period.

14 So, we were trying to determine, okay, where are
15 they coming from because they can't all come from here.
16 So, we sent out a survey, asked a number of questions,
17 where you came from, what do you do, why did you come here?
18 It was like eight questions. Out of that we found that 20
19 percent of the people that were I Clovis were coming from
20 the Bay Area. Another 20 percent were coming from L.A.
21 And then, there were people within the 50-mile range that
22 were moving in, and that came to about 30 percent. And
23 then, the rest of them came from throughout the United
24 States.

25 The ones that came from L.A., and San Francisco,

1 or the Bay Area, we called them equity refuges. In other
2 words, what happened around 2001, 2002 is that they saw
3 that the home that they may have bought for \$150,000 was
4 now worth \$1.5 million. And so, they could come to a city
5 like Clovis, get a place for \$300,000 that was three times
6 as big as the place that they had, and they basically were
7 retiring. Or, if they weren't retiring, they were
8 commuting and different types of commute. Not daily
9 commute, but bringing their family down here and going up
10 there, and living in those areas during the week, and then
11 coming back on weekends, extended weekends and whatnot.

12 So, what I felt that we needed to do is take a
13 look at all of the people that were coming here that were
14 either retiring or commuting, knowing that they were going
15 to get burned out on that commuting before too long, and
16 knowing that if they were retired a lot of them had skills
17 that maybe they wanted to start a business.

18 And so, we started working on providing
19 incentives for business startups. We worked with a
20 developer who developed what you would call executive
21 offices, incubator style of offices, there were 50 of them.
22 We were pleasantly surprised that all 50 of those were a
23 hundred percent occupied, that's what all means. They were
24 all occupied within a three-month period.

25 And so, it changed our strategy understanding

1 what the data was. And so, we went from the attraction,
2 retention and expansion to business startup as a
3 philosophy.

4 And I have to say that from a local standpoint, I
5 believe that attracting businesses to the community should
6 be the last thing you try to do. The first thing you
7 should try to do is retention, and then help those that are
8 retained to expand because they're already here. And then,
9 business startups is a third. And if you do those three
10 things, other businesses will want to be there because it's
11 healthy.

12 So, yeah, we always look at data and try to base
13 our strategies on that data.

14 VICE CHAIR BELNAP: Okay. And how much do you
15 use -- in your capacity as an economic developer, how much
16 do you use maps either developing the maps or just
17 utilizing them for your work?

18 MR. DOZIER: Well, right now I don't do that at
19 all. But at the City of Clovis we did that, we addressed
20 the city by drawing maps and creating neighborhoods
21 throughout the city. So, the southeast area of the city
22 was called Loma Vista. The northwest area had another
23 name. So, we labeled each one of those, drawing those maps
24 and identifying them.

25 As far as identifying and doing like parcel maps,

1 and master plans, specific plans, things of that nature, we
2 drew those up to try to provide an incentive, or give
3 developers, give businesses an idea of what's going to take
4 place in that particular area and how it's going to look.
5 So, we drew maps up from that standpoint.

6 With Fresno State, not so much map drawing as it
7 is with data creation. Understanding industrial clusters
8 and things of that nature. I don't draw maps. I have
9 drawn parcel maps. I have outline maps and other things,
10 but I'm not a -- I'm not a cartologist, so I don't do it in
11 that standpoint. But I have done it from an economic
12 development standpoint.

13 VICE CHAIR BELNAP: So, in Clovis, when you were
14 designating various neighborhoods, what was the purpose
15 behind that and how did you choose which areas to call a
16 neighborhood?

17 MR. DOZIER: Well, the -- I was working with the
18 planning department and so they were the ones with input
19 from all of the departments. They were the ones that would
20 put aside a certain area and say, okay, what do we call
21 this. I'd like to be able to tell you what every
22 neighborhood name is, but I can't think of it at this
23 particular moment. The only one I can think about is Loma
24 Vista.

25 But the reason that they were done is because you

1 wanted to have a neighborhood identity. To be able to say,
2 hey, I'm from Loma Vista, so you automatically knew where
3 Loma Vista was. The amenities in that area were different
4 than other areas. So, the streetlights might be different,
5 the signage would be different, the architect would be
6 different, architectural styles would be different. And
7 working with the developers on meeting those and sometimes
8 that's really difficult to do. But if you hold your ground
9 and you have a good counsel, you end up able to do it.

10 The naming of it, basically we went -- most of
11 them were historical in nature. You know, there was the
12 Sugar Pine Railroad Trail, for example, that goes through
13 Clovis was an old railroad track, so you named it after
14 that. And so, depending on what that neighborhood --
15 there's been a couple of neighborhoods that we don't call
16 them by their name, but the rest of the community calls
17 them by a name. So, you can kind of figure out they have
18 somewhat of a meaning name to it. But we tried to change
19 those names so that it doesn't become a derogatory term and
20 more of an inclusionary area

21 VICE CHAIR BELNAP: All right, thank you.

22 MS. PELLMAN: We have four minutes remaining.

23 VICE CHAIR BELNAP: So, in your essay on
24 appreciation for diversity you emphasize and describe a lot
25 of your experiences in various sports teams. And I can

1 certainly appreciate that, I've been involved in sports.
2 But can you provide us with a different example of your
3 experiences working and learning from people from a variety
4 of backgrounds and cultures. Not necessarily from sports,
5 but from something else.

6 MR. DOZIER: Yeah, right. Well, I use sports
7 because it's easily understood by a lot of people. But the
8 California Partnership for the San Joaquin Valley was
9 extremely diverse. One of the things that we paid especial
10 attention to was marginalized communities. And, you know,
11 they're marginalized because people don't think of them or
12 just, you know, they haven't been asked what the issues
13 are, they tend not to -- we based everything on the three
14 E's of equality, economics, and environment. And so, we
15 tried to work with all of the communities under the same
16 basis.

17 I had a diverse staff and so we had people that
18 spoke Spanish. So, when we went into a neighborhood that
19 was predominantly Hispanic, we had them as interpreters.
20 We had a lot of Southeast Asians in the area, and being
21 able to find and work with people of that language.
22 Working with, really just working with every segment.

23 The Central Valley has I don't know how many
24 languages, but it's -- the Fresno School District, there's
25 some astronomical number. I couldn't believe how many

1 different languages that were spoken within just that
2 school district, let alone the valley as a whole.

3 But the Sikh community, worked a lot with the
4 Sikh community. In building a hotel, one of the hotel
5 developers was Sikh and he ended up being one of my best
6 friends as a result of that. And one of the things he told
7 me when I sent him to different areas, he said, yeah,
8 they're not treating me right. They're being -- they're
9 discounting me, they're marginalizing me. And so, I found
10 other ways for him to find property and work in that, and
11 that created a friendship.

12 So, and I hate to even use that as an example
13 because it sounds like the old some of my best friends are
14 type of answer. And I'm not one that appreciates that very
15 much. I just have friends and they just happen to be in
16 different persuasions. But we've worked with every one of
17 them. We've worked with them --

18 MS. PELLMAN: We have 55 seconds remaining.

19 MR. DOZIER: Okay. We worked with every one of
20 them within the valley, without the county, and within the
21 City of Clovis. And we did it with great success.

22 VICE CHAIR BELNAP: Okay, thank you. No further
23 questions.

24 CHAIR DICKISON: Thank you, Mr. Belnap.

25 Mr. Coe?

1 PANEL MEMBER COE: Thank you. Good afternoon I
2 see that it is now, Mr. Dozier. I'd like to stick to the
3 topic of your essay on appreciation for diversity, since
4 that was the last one, the last topic brought up by Mr.
5 Belnap. And I wanted to read something from it and then
6 ask you a question on it.

7 MR. DOZIER: Okay.

8 PANEL MEMBER COE: In that essay you say: I was
9 brought up to respect all people, regardless of race,
10 religion or gender. Everyone has the same needs and
11 desires and we are all created equal.

12 Can you please expand on what you mean when you
13 say that everyone has the same needs and desires?

14 MR. DOZIER: Well, we all -- when you look at
15 Maslow's hierarch of need, that bottom rung, we all need
16 that. We all need air, we all need food, we all need
17 water, and we all need -- well, throw in sex, too. But
18 those things are the primary needs of individuals and it
19 doesn't matter whether you're a white male, a black female,
20 an Asian male, those are the things that you need.

21 And then, you also need from that stand point,
22 going along Maslow's hierarchy of need is all the steps
23 within Maslow's hierarchy of need is everybody basically
24 would love to self-actualize. And so, the importance of
25 helping along the way, or understanding along the way that

1 there are different people at different one of those --
2 those steps. That's getting a little bit off topic, but
3 it's basically just respecting people as human beings and
4 not as whatever label they are.

5 PANEL MEMBER COE: Okay, thank you for that. So,
6 if you were a Commissioner, how would you go about learning
7 and understanding the varying needs and desires of the
8 diverse cultures of the state that would make you an
9 effective representative for these people?

10 MR. DOZIER: Well, number one I think I have.
11 Were you saying something else, I'm sorry.

12 PANEL MEMBER COE: I'm sorry, I said for the
13 people of the state.

14 MR. DOZIER: Well, I think I have a pretty good
15 understanding of a lot of different areas of California, of
16 a lot of different groups and diversities. I think I bring
17 that to the table, number one.

18 But number two, the only way you can learn
19 anything about anything is by listening, and not by
20 telling. You have to hear what it is that the issues are.
21 About the only place in California that I don't have as
22 broad of an understanding is probably the North Coast area,
23 the Eureka's, and all that, that different area. The rest
24 of the state I've dealt with in one way or another, so I
25 understand a lot of the issues. I try to stay as current

1 as I possibly can on California. And just coming to it
2 with an open mind and an open ear.

3 PANEL MEMBER COE: So, you mentioned having a
4 good understanding of various regions of California, maybe
5 the North Coast being a weak point for you. Can you tell
6 us about your experiences in those different regions, the
7 people you've met, and how the perspectives and the
8 concerns may differ across the various regions of the
9 state?

10 MR. DOZIER: Oh, yeah, I'd love to. California
11 is not, in my opinion, separated north/south. It's
12 separated east/west. And if you go to the coastal ranges,
13 all the coastal communities from San Francisco, at least,
14 down to San Diego, they all have a different set of needs
15 and just a different lifestyle than those west of the
16 coastal ranges. So, it doesn't matter whether you're down
17 in Imperial County, Riverside County, in the Central Valley
18 or in the North, a lot of those issues are pretty much the
19 same. It's agrarian based. Riverside, San Bernardino not
20 so much now. But it still has the poor part of the state.
21 The coastal communities are the richer parts of the state.

22 And the issues are just really based on an
23 east/west grid, not a north/south. And if California ever
24 decided to become two states, it would be best to separate
25 them that way. Because one of the things that most of the

1 people west of the coast range feel is that they don't have
2 a voice. The populations predominantly are along the west
3 side of the ranges, along the west coast. The east side
4 has been overlooked in a lot of the administrations. That
5 changed in the Schwarzenegger administration, and I'm glad
6 to say that it has continued in the Brown, and now into the
7 Newsome administration where they are focusing more on
8 those areas. Understanding that the need sometimes is
9 greater in the east, than it is in the west.

10 But the issues of telecommunication -- or
11 information technology, tourism, all those things that are
12 predominant in biotech, in the coastal areas aren't here in
13 the east side. The work force is different. Lower
14 education attained. Higher poverty level, lower incomes.

15 You know, it's just -- when people think of
16 California, the people I know outside of California, when
17 they think of California, they sure don't think of Fresno,
18 California. They don't think of the farms. And sometimes
19 friends and relatives of mine that I explain that we have
20 the largest agricultural area in the world, the highest
21 farm gate in the world, they're amazed that we even have
22 farms. You know, because all they've done is looked at San
23 Francisco, L.A., and San Diego, and all the areas in
24 between and they think that's California.

25 When I had hair, I had blond hair and they

1 thought I was a surfer. So, it comes down to that.

2 Now, southern--the southern eastern part of
3 California is somewhat different. It has different crops.
4 It has some of the same demographics but, you know, you're
5 looking at Riverside and San Bernardino County and that's
6 turned into a logistics center. And then--But Northern
7 California and then south of there is still agricultural
8 based, predominantly agricultural based.

9 I can tell you the crops all the way down from
10 San Bernardino -- I mean San Bernardo -- from Redding down
11 to Bakersfield and even Imperial what the main crops are,
12 and they change. And so, that's the West Coast, you'll
13 find in the West Coast their issues are clean air, which is
14 ironic because they have cleaner air than we do. It will
15 be environmentally -- environmental issues, clean energy.
16 They're more apt to be on that cutting edge than the east
17 side.

18 And the eastern side is really -- hey, look.
19 Look at it from the Maslow's hierarchy of need, and you can
20 see that -- I would say that the west, the coastal areas
21 are about three rungs above the eastern side. So, there's
22 -- it's throughout.

23 I was the Vice President of California
24 Association of Economic Development. We met with economic
25 developers throughout the state, heard what their issues

1 were, and I know where they are, and what's different and
2 what's the same.

3 PANEL MEMBER COE: Thank you. I'd like to switch
4 topics for a moment to your essay on impartiality. And in
5 that essay you give an example of a time where you had to
6 work with someone whose views you found to be offensive.
7 How were you able to have a successful working relationship
8 with this person to meet the end goal of your project?

9 MR. DOZIER: The issue was with a developer who
10 was rather crass and, again, he probably wouldn't consider
11 himself a racist, but I did. A sexist, but I did. And so,
12 in working with him, he was developing a huge project in
13 the city and it wasn't as if I could say, look, I'm not
14 working with you. I had to pretty much work with him on
15 the project.

16 And so, the way that I got around it is any time
17 a topic was on race, politics, or anything like that, to
18 get out of that subject and back on to the project, and
19 leave it at that. So, it's basically just finding a common
20 agreement and not bringing up the ones that you just don't
21 agree with. And that's the best I can answer that.

22 PANEL MEMBER COE: Can you provide us of another
23 example of a time you had to make a difficult impartial
24 decision that involved setting aside your preference or
25 self-interest?

1 MR. DOZIER: There were a number of cases with
2 the partnership, the California Partnership for the San
3 Joaquin Valley where a particular board member would
4 express something, and it would be like, ah, a bunch of
5 follow through, you provide -- you provide the data, the
6 facts, and come back with a recommendation. It was that
7 way with the council. You're never going to -- in today's
8 world, if you can find somebody who agrees with you --
9 well, hell, I don't agree with anybody in total. I don't
10 even agree with my wife in total.

11 But I mean we've been so polarized and so -- just
12 it's like facts don't matter. It's become such a nightmare
13 in a lot of cases. And everything you do today has to be
14 just like I said. There are friends of mine, there are
15 colleagues of mine that have particular opinions that I
16 don't like, that I don't care for but they're still my
17 friends, they're still my colleagues and I agree with them
18 on a lot of other things. And so, you try to just stay on
19 those topics that you agree with.

20 There have been friends that I've had to so-
21 called unfriend because of certain attitudes that I just
22 couldn't live with. But, you know, and you asked for an
23 example, everything I've ever done in my professional
24 career, including back to the Air Force has been laced with
25 that type of deal. Working with people that don't share

1 the same opinion, but still getting the job done and still
2 being able to carry on somewhat socially afterwards. It's
3 just that you stay away from the topics that are going to
4 infuriate you.

5 PANEL MEMBER COE: Thank you. In your
6 application and in your discussions today you've mentioned
7 a lot of experience you've had in the area of economic
8 development. And I'm curious, if you had to pick one which
9 of your experiences or endeavors in your career most
10 prepared you to be an effective Commissioner on this
11 Commission?

12 MR. DOZIER: Interestingly enough, I don't think
13 it's economic development that did that. It was my job at
14 Fresno State, and being the lead executive of the
15 California Partnership for the San Joaquin Valley. I had
16 to deal with a lot of subject matter, a lot of different
17 people, a lot of different groups of people, diversity to
18 the max. And just the -- just getting from day to day, it
19 was every day was similar to what this Commission is like
20 or what I perceive this Commission to be like.

21 The same would go with the Community College Task
22 Force that I mentioned. All of those things, which was
23 part of my Fresno State duties. But I also had to deal
24 with the president of the university, the provost, who were
25 my bosses, and then also all the deans and professors. It

1 was eye opening and it was very, very broad and it seemed
2 like it was like -- it was like juggling about ten balls at
3 one time. But it was never one of dislike. It was
4 enjoyable. Sometimes there were times that weren't
5 enjoyable, but for the most part it was enjoyable and I'm
6 proud of my career.

7 PANEL MEMBER COE: Thank you. If you were --

8 MS. PELLMAN: You have five --

9 PANEL MEMBER COE: I'm sorry, go ahead Madam
10 Secretary.

11 MS. PELLMAN: Five minutes 32 seconds remaining.

12 PANEL MEMBER COE: Thank you. If you were to be
13 appointed to the Commission, which aspects of that role do
14 you think that you would enjoy the most and which aspects
15 of that role do you think you might perhaps struggle with a
16 little bit?

17 MR. DOZIER: I think the thing that I would enjoy
18 the most is the esprit de corps, hopefully, of other
19 Commissioners, of traveling and hearing, having public
20 meetings at different areas, and hearing from different
21 communities, and being educated about what's going on.

22 I mentioned that I have a broad range of
23 understanding of different communities in California. I'm
24 sure that there's a lot I can learn, so I enjoy that. I
25 enjoy the -- I enjoy people.

1 The thing that I think would be the most
2 difficult, it's certainly not insurmountable, it's not one
3 that I necessarily look forward to but I always do, and
4 that is a lot of reading, a lot of research, and a lot of
5 analysis, and just the time it takes to do that. I think
6 that that will be -- I think that will be pretty heavy.
7 But it's not -- you know, I've done it all my life. That
8 doesn't mean that I -- I don't read this stuff in my spare
9 time. It's not quite like Huckleberry Finn.

10 PANEL MEMBER COE: Thank you. No further
11 questions, Madam Chair.

12 CHAIR DICKISON: Thank you. Mr. Dawson, do you
13 have any follow-up questions?

14 MR. DAWSON: Yes, I do. Thank you, Madam Chair.

15 Let's see, Mr. Dozier, I wanted to follow up on a
16 question -- or excuse me, a response to your standard
17 question three, where you talked about having to deal with
18 gadflies at public meetings. How do you identify and
19 assess the motivations of folks who show up to public
20 meetings who may not be who they say they are.

21 MR. DOZIER: Well, it becomes -- in my experience
22 it becomes pretty apparent after a while. The five-minute
23 rule helps in that they can only express themselves for
24 that period of time.

25 But, you know, I think it's important because I

1 -- I'm going to go back to the article I read about one
2 party kind of ambushing the Commission at a public hearing.
3 And there's some difficulty with that, but there's a string
4 that happens. And whenever I look at something and whether
5 or not it's credible, or not credible, I start to look at,
6 okay, who benefits from this? Who stands to benefit? And
7 follow the money. We all heard that, follow the money.

8 And so, it starts to be -- I think that there's a
9 pattern, it's identifying that pattern, identifying what's
10 being said and how it's being said. And then, whether or
11 not they are who they say they are, they provide their
12 name, they provide their residency, I am assuming in the
13 meeting. And so, if you start to get a little antsy about
14 somebody and what they're doing, you find out. You do a
15 little background check and find out who they are. Who are
16 they? And what's their motive? I think that's important.

17 I think you do that as a group and not as an
18 individual, though. I think you express that to the group
19 and get the feedback. Because what I might see as a
20 pattern, the rest of the Commission may go, nah, I don't
21 think so.

22 So, I think it becomes apparent, then you have to
23 do a little research as to who they are, where they're
24 coming from, who's feeding them.

25 MR. DAWSON: Thank you. I had another follow-up

1 question about one of your responses to -- and I think this
2 was part of your discussion with Mr. Belnap. Your work on
3 the California Partnership. The primary goal of the
4 Partnership is centered on the three E's, economy,
5 environment and equity. And I think I understand the first
6 two, but can you expand on the aspect of equity in this
7 context?

8 MR. DOZIER: Well, its--there's -- it's trying --
9 or, not trying, it is addressing the marginalized community
10 to give them the same footing as those communities that are
11 not marginalized. That have -- for example, I mentioned
12 that east of the coastal range for a long time didn't get
13 the attention from Sacramento that the coastal areas have,
14 or the higher population areas have.

15 We worked very hard to make sure that there was
16 an equity balance and that we got the same attention in the
17 east side as the west side. So, that's an example of that.
18 But it comes from social justice, environmental justice,
19 and then economic equity. So that you're trying to provide
20 an equal amount along all different areas as much as
21 possible. Bring some areas, keep other areas where they
22 are or help them come up when needed.

23 So, it's just as the word kind of sounds, it's
24 just doing it to -- providing it to the marginalized
25 communities.

1 MR. DAWSON: Thank you. And, you know,
2 continuing on that theme, you had -- and just sort of
3 coincidentally you had mentioned your interaction with a
4 member of the Sikh community. And interestingly enough in
5 the 2010 Commission they noted in one of their reports that
6 they seemed to be a bit surprised there was a large Sikh
7 community in the Yuba/Sutter area.

8 MR. DOZIER: Yeah.

9 MR. DAWSON: What insight do you have on perhaps
10 other marginalized communities maybe in the Central Valley
11 that tend to be overlooked?

12 MS. PELLMAN: And we have three minutes and 30
13 seconds remaining.

14 MR. DAWSON: Thank you.

15 MR. DOZIER: Every community outside of the 14
16 communities over 50,000 population has been marginalized at
17 one point or another. They're rural communities. They
18 don't have the city services and staff that the other
19 places have. They tend to be low income. They tend to be
20 high Hispanic or Asian communities. And it's just they're
21 all that way. You can take it from large down to small.

22 I mean, I mentioned that we'd been marginalized
23 in the Central Valley, but then each of the communities,
24 there's 64 communities in the Central Valley, in the eight
25 counties, so I would say 50 of those, at least 50 of those

1 have been marginalized in one form or another. They
2 haven't been heard from. But we have, we've heard them,
3 we've tried to address their needs and their issues, and I
4 think they're better off for it. But they're still in
5 difficult times regarding whether or not it's good times or
6 bad times in the other parts of California or the nation,
7 those areas still suffer in different ways.

8 MR. DAWSON: Thank you. I think I know the
9 answer to this question, but do you think that the
10 Commission could be successful if it didn't have a
11 perspective from the Central Valley?

12 MR. DOZIER: No. Absolutely not. I don't think
13 the Commission would be successful if it didn't have
14 representation from every sector of California. And I say
15 that, and I think it puts me behind, kind of behind the 8-
16 ball because I'm a white male. And I think that the
17 Commission should be made up of all demographics, both -- a
18 diversity of demographics and a diversity of geography. I
19 think it's really hard to not have somebody from each of
20 the areas of California.

21 How big that area becomes, offhand I can't
22 remember how you broke it up, but they all --

23 MS. PELLMAN: We have one minute remaining.

24 MR. DOZIER: They all need to be represented in
25 one form or another. Well, the diversity, the demographic

1 side of it that needs to be addressed, and then the
2 geographic side needs to be addressed. So, the answer's
3 no. No, I don't think it -- and I've been looking at this.
4 I've been looking at the other applicants. Frankly, you
5 have a lot of really, really, really good applicants. I
6 think there's nine left from the Central Valley. I think
7 there's three in the decline to state categories. They all
8 look really good.

9 You know, I really wanted to go and shoot holes
10 through them. And if I could shoot holes through them, I
11 wouldn't tell you who they were or what the holes were.
12 But just for my own ego, I guess, is the best way of
13 putting. I've looked at all of these and I'm --

14 MS. PELLMAN: That's 90 minutes.

15 MR. DAWSON: Oh, thank you. Well, I think, then,
16 we will have to wrap it up there. Thank you, Mr. Dozier,
17 we really appreciate you being able to make yourself
18 available to speak to us today.

19 MR. DOZIER: Oh, thank you. I appreciate it.

20 MR. DAWSON: Thank you.

21 CHAIR DICKISON: Okay, thank you.

22 So, we are going to -- our next interview is at
23 1:15, so we will recess this meeting until 1:14.

24 (Off the record at 12:26 p.m.)

25 (On the record at 1:14 p.m.)

1 CHAIR DICKISON: Good afternoon. Calling the
2 Applicant Review Panel meeting back to order, the time
3 being 1:14.

4 I'd like to welcome Dr. Lisa Shaffer for her
5 interview.

6 MS. SHAFFER: Thank you.

7 CHAIR DICKISON: Welcome. And so, the first
8 thing we're going to do is turn the meeting over to Mr.
9 Chris Dawson and he will read you the five standard
10 questions.

11 MS. SHAFFER: Got it, thank you.

12 CHAIR DICKISON: Thank you.

13 MR. DAWSON: Good afternoon, Dr. Shaffer. I'm
14 going to read you five standard questions that the Panel
15 has requested that each applicant respond to. Are you
16 ready, ma'am?

17 MS. SHAFFER: Yes, I am. Thank you.

18 MR. DAWSON: The first question. What skills and
19 attributes should all Commissioners possess?

20 What skills or competencies should the Commission
21 possess collectively?

22 Of the skills, attributes and competencies that
23 each Commissioner should possess, which do you possess?

24 In summary, how will you contribute to the
25 success of the Commission?

1 MS. SHAFFER: Well, thank you for setting this up
2 by Zoom and allowing the process to continue. I appreciate
3 the effort everybody's gone to, to make this happen.

4 So, I think the skills and competencies that the
5 Commission needs start with integrity and purpose. We need
6 to be here for the right reason, for the greater good to
7 make sure that we come up with a fair process that's not
8 ruined by any particular person or partisan perspectives.

9 And the COVID-19 experience shows us how
10 important it is for people to believe that their elected
11 officials actually represent them and have their best
12 interests in mind. And I think fair districting is an
13 essential element to accomplishing this.

14 So, all of the Commissioners have to understand
15 that this is our purpose to come up with a fair process to
16 get elected officials who represent the voters in their
17 districts.

18 So, we need to have commitment and availability.
19 We need to be willing to do the work, we need to be willing
20 to invest the time. We need to communicate and clearly
21 express our views, be able to give evidence or reasons for
22 our ideas, and at the same time we have to be open minded.
23 We have to be able to honestly consider the ideas of others
24 and be open to changing our position in light of new
25 information or better ideas that someone else might have.

1 Bless you, whoever that was.

2 We need humility. We need to understand that
3 none of us has all the right answers. And when we might
4 not get our way on every issue but, ultimately, the results
5 will be much better because they reflect the input from a
6 diversity of perspectives.

7 We need to be able to do a reality check and to
8 know when it's time to move on. That sometimes we might
9 get stuck and it's clear that further discussion isn't
10 going to change the outcome. We need to let go and keep
11 moving with our tasks.

12 And then, of course, we need to have the
13 analytical skills to see patterns, and trends, and
14 understand what the statistics and the data mean.

15 So, those are the main attributes I think we need
16 to have. And I think I have all of them to some degree.
17 I'm far from a perfect person and lots of growing room, but
18 I have experience and training that gives me those skills.
19 And I will argue my case with passion, I will. But I'll
20 also accept a different outcome if I think the process was
21 a fair one and that I've had a chance to be heard.

22 I've had lots of experience in consensus building
23 and I'm often the one who comes up with a third way, or a
24 new approach that incorporates the ideas of parties that
25 were seemingly in conflict.

1 So, you know, I really believe in government. I
2 believe in good government. I believe in fairness. I
3 believe in people. And while I'm registered in a political
4 party, I don't think of myself as a partisan.

5 So, what I will contribute to the success of the
6 Commission is to carry my weight. I'll do the work. I'm a
7 doer, I like to get things done. I like to build
8 consensus. I'll bring my intellectual capabilities, and my
9 ideas, and I'll also bring my open mind to consider other
10 points of view because I really want California, and the
11 whole country, but California to have a fair and
12 transparent process that allows voters' preferences to
13 actually be reflected in who gets elected.

14 MR. DAWSON: Thank you. Question two. Work on
15 the Commission requires members of different political
16 backgrounds to work together. Since the 2010 Commission
17 was selected and formed, the American political
18 conversation has become increasingly polarized, whether in
19 the press, on social media, and even in our own families.

20 What characteristics do you possess, and what
21 characteristics should your fellow Commissioners possess,
22 that will protect against hyperpartisanship?

23 What will you do to ensure that the work of the
24 Commission is not seen as polarized or hyperpartisan and
25 avoid perceptions of political bias and conflict?

1 MS. SHAFFER: Well, I have experience in
2 governing. I've sat on a dais and had to make decisions on
3 a city council that had mixed political perspectives. And
4 I've learned that I don't have all the answers. I've got
5 some good ideas. And other people bring their own
6 perspectives and their expertise. So, I think it goes back
7 to agreeing on our common objectives, that we really want
8 good governance, and that we need to be able to accept an
9 outcome other than what we might have had as a preconceived
10 idea going in.

11 And I think we need trustworthiness and
12 frankness. We need to build a team of Commissioners who
13 feel comfortable trusting each other with their honest
14 opinions, and being able to speak frankly about their
15 views, and why they hold them, and to listen respectfully
16 to what others have to say.

17 I can't -- I don't think there is anything you
18 can do to ensure that the work of the Commission is not
19 seen by some as polarized or hyperpartisan. There will be
20 people who will not accept any outcome that's not exactly
21 what they wanted, no matter how fair, how open, how
22 transparent the process is, and we can't do anything about
23 that.

24 What we can do is to do our work well, to be
25 transparent, and to have trust among us so that when we go

1 back to our respective constituencies, to our friends, to
2 our community members we can say that it was a fair and
3 honest process, and we can support the outcomes of the
4 Commission.

5 And I think it's important, just as this process
6 of selection has been incredibly open and transparent, so
7 does the process of the Commissioners, the Commission that
8 you select.

9 And we need to make sure that the members of the
10 public who aren't part of the Commission also feel like
11 their voices have been heard and that they have been
12 treated respectfully.

13 MR. DAWSON: Thank you. Question three. What is
14 the greatest problem the Commission could encounter, and
15 what actions would you take to avoid or respond to this
16 problem?

17 MS. SHAFFER: Well, from today's perspective,
18 after these questions were written, I think the greatest
19 problem we could encounter is if the nation fails to deal
20 with the Coronavirus. But I don't think that's what you
21 had in mind with the question.

22 So, I think the biggest problem we could
23 encounter is producing a result that does not have the full
24 support of the Commission. And if all the Commissioners
25 can't take ownership of the results and support what we

1 come up with, then the public will have trouble accepting
2 it. And I think that can happen if we don't have trust,
3 and if we don't have shared common goals, and we haven't
4 been honest in our conversations with each other.

5 So, to flip that around, what we do to avoid or
6 respond to the problem is to work really hard at the
7 beginning to get to know each other as human beings, as
8 individuals with very complex identities that go well
9 beyond just our party affiliation, and find that common
10 ground and find that basis of commitment that we -- we've
11 all been through a lot to get to this point and, hopefully,
12 that means that we're all committed to the same goal of
13 coming out with good, fair districting for the state. And
14 that's really essential to build that foundation so that
15 when we go forward we know we're working in good faith and
16 with integrity.

17 MR. DAWSON: Thank you. Question four. If you
18 are selected, you will be one of 14 members of the
19 Commission which is charged with working together to create
20 maps of the new districts. Please describe a situation
21 where you had to work collaboratively with others on a
22 project to achieve a common goal.

23 Tell us the goal of the project, what your role
24 in the group was, and how the group worked through any
25 conflicts that arose.

1 What lessons would you take from this group
2 experience to the Commission if selected?

3 MS. SHAFFER: This is an interesting question and
4 I had so many different ideas of how to answer it. But
5 I'll start with the process of getting a certified housing
6 element approved for the City of Encinitas. And I was
7 hesitant to share this because we still haven't -- we
8 didn't succeed while I was on the city council. But as a
9 city council member that was part of my job, the City of
10 Encinitas was out of compliance. And we had a lot of
11 conflicts that are still being worked through today.

12 But what I did was to try to identify the
13 obstacles that kept us from reaching agreement. It seemed
14 to me that the state mandate was clear, but it was
15 complicated and the city had been out of compliance for 20
16 years.

17 So, we had to start with educating ourselves and
18 the community about what was really required and why it
19 mattered. We needed to bring the issue to individual
20 people to understand what it meant to them, and not have
21 just a hypothetical or a theoretical idea.

22 So, as I mentioned in my application, the four
23 years that I was on the city council I wrote a newsletter
24 every week to explain what was going on, what we had voted
25 on the previous week, and why I had voted the way I had,

1 and to explain what was coming up in the future meetings.
2 And it was part of my preparation for the council meetings.
3 If I couldn't explain to somebody what the issue was, then
4 I felt like I wasn't really prepared to vote on it. So, it
5 helped me to prepare for each week's meeting.

6 So, I tried to use that newsletter to educate
7 people about the issues. And then, I reached across the
8 aisle as it were, even though the city council is
9 technically nonpartisan, I had colleagues who had very
10 different perspectives than mine, who I disagreed with on
11 just about everything. But I thought we needed to have
12 some public forums and I wanted them to be open and
13 nonpartisan. So, I asked a colleague, with whom I disagree
14 on almost everything, if he would co-host a forum with me
15 at the public library. And I figured if he and I both
16 invited people to come to the same event, everyone would
17 feel safe coming to it, and not that it was being hijacked
18 by one perspective or another.

19 So, we invited someone from Housing and Community
20 Development Agency, from the Building Industry Association,
21 and a couple of local people to be on a panel at the
22 library. And it was a very -- a full house and it was very
23 informative for people.

24 I also tried to think outside the box. I went to
25 the League of California Cities conferences, I met the guy

1 who builds tiny homes, and this was six years ago before
2 tiny homes were as popular as they are now. And I invited
3 him to bring a tiny home down to Encinitas and display it
4 at our Encinitas Environment Day.

5 And we had another forum at that site, again with
6 housing experts to try to educate people and to see what
7 small houses look like, and so on, to not just work through
8 the formal city council meeting process, but to participate
9 in public events.

10 I also reached out to other cities to learn what
11 they were going through and how they had faced the issue of
12 housing elements. And invited -- there were a couple of
13 people in our community, not elected officials, but active
14 citizens who were frequently criticizing just about
15 everything, and speaking at public comments, and just
16 having nothing good to say about anything the council was
17 doing.

18 So, I invited them over to my house and said, you
19 know, let's just talk. What would make you feel good about
20 what we're doing? Do you have solutions? Trying to not
21 have everything be on public display. Not violating the
22 Brown Act or anything, because these were not elected
23 officials. These were just members of the community. But
24 people who I would typically not agree with just to listen
25 to them, and to remember this adage about having two ears

1 and one mouth, and to use them in that proportion. And to
2 try to hear their solutions, instead of just trying to
3 convince them of mine.

4 And then, ultimately, I voted the way I thought I
5 should. Unfortunately, we had a public referendum that
6 required our housing element to go to a public vote. So,
7 even though we got the council to all agree on it, the
8 citizens did not approve it, and so the effort failed. But
9 it was a long, hard slog and eventually we'll get there.

10 What I learned from it was personal relationships
11 really matter and have to be built on trust. The first
12 year, when I was first elected to the council, I would not
13 have approached my colleague with whom I disagreed, because
14 I went in there with preconceived ideas that, you know, he
15 was not somebody I could work with. And I realized through
16 watching how the process unfolded and being part of it that
17 I needed to change that attitude. I needed to have a
18 relationship with everybody so that we could work together,
19 because we were all trying to get this housing element
20 approved on behalf of the whole city.

21 And so, it was getting to know him as a person,
22 going beyond our labels, beyond just he's from the other
23 party was an essential first step in understanding where he
24 was coming from and what he saw as the obstacles. And
25 then, making sure that, for instance this forum we had

1 reflected who he wanted to invite, as well as who I thought
2 should be invited.

3 We need to understand where people are coming
4 from, what they perceive as challenges, find solutions that
5 everybody can own and ask for help when needed. We also
6 need to constantly check the process and make sure that no
7 one feels left out or unheard.

8 MR. DAWSON: Thank you. Question five.
9 A considerable amount of the Commission's work will involve
10 meeting with people from all over California who come from
11 very different backgrounds and a wide variety of
12 perspectives.

13 If you are selected as a Commissioner, what
14 skills and attributes will make you effective at
15 interacting with people from different backgrounds and who
16 have a variety of different perspectives?

17 What experiences have you had that will help you
18 be effective at understanding and appreciating people and
19 communities of different backgrounds and who have a variety
20 of perspectives?

21 MS. SHAFFER: So, I come to this possible role
22 with enormous curiosity and humility. I have a lot of book
23 learning. I have a lot of life experience. And in recent
24 years, I have a lot of awareness of my own privilege. I
25 live in an affluent, predominantly white, well-educated

1 community and I teach at a major university.

2 But I recognize that my life is actually
3 dependent on people of many different backgrounds, and
4 perspectives, and skills. And again, with this COVID virus
5 we see it even more starkly that the people who grow my
6 food, who clean the buildings, who build the houses,
7 deliver the coffee, work in the hospitals, these people are
8 important elements in the community and their needs and
9 opinions are just as important as mine.

10 One of my life principles is respecting the
11 inherent work and dignity of all people, no exceptions. I
12 try to practice appreciative inquiry, wanting to know what
13 other people see and believe, and to understand how they
14 came to hold those views. And my role is not to convince
15 everybody that I'm right, but to approach things with
16 curiosity and to understand how they came to hold different
17 views than mine.

18 I've done a lot of things in my life, but there
19 are a whole lot more things that I haven't done, that other
20 people have done, and I have a lot to learn from them.

21 As far as my experience goes, my grandfather was
22 an illiterate immigrant who fled oppression and ended up
23 owning a furniture store in Red Granite, Wisconsin. My
24 father was able to get an education thanks to public
25 schools and he became an economist who worked mostly on

1 economic development in poor and emerging countries.

2 Before he started his international work he was at
3 Tennessee Valley Authority, and I was born in Knoxville,
4 Tennessee.

5 My mother integrated the League of Women Voters
6 in Knoxville. My father hired the first black economist
7 there. And while I was too young to appreciate this at the
8 time, throughout my life my parents were active in the
9 civil rights movement. My mother worked as a housing
10 discrimination tester for the National Urban League, and
11 then created programs to promote vocational education and
12 union membership for minority students.

13 We lived in Brazil and Bolivia when I was young
14 and I spent a lot of my career in international relations
15 working with people from other countries. Around our
16 dinner table when I was growing up there were often people
17 from other walks of life and from other countries.

18 At UCSD currently, my students come from very
19 diverse backgrounds. Many are first generation college
20 students and the majority are non-white. When students act
21 in ways that I might think are inappropriate, like one
22 student who emailed me with, hey, Lisa, and then asked if I
23 would be his mentor in a program for first generation
24 college students, I responded by saying, well, I'll talk to
25 you. But the first thing you need to know is hey, Lisa is

1 not an appropriate way to ask a professor for a favor,
2 especially if you've never met her before. So, if I become
3 your mentor, I will tell you honestly what I think you need
4 to know.

5 And so, we met, and it ended up being a very
6 productive relationship for both of us, and he went on to
7 graduate school and earned a PhD. And I think I played an
8 important role in helping him. But my first inclination
9 was almost, oh, come on, anybody who doesn't know enough to
10 address a professor -- you know, to not address a professor
11 as hey, Lisa, doesn't deserve my time. And then I thought,
12 well, wait a minute, these people are here to get an
13 education. I can't assume they already know this stuff.
14 They didn't have the benefit of what my parents taught me
15 about protocol, and how to deal with these things. So, I
16 try to keep that in mind.

17 And when I was a Division Director at NASA, we
18 were required to take diversity training. This was about
19 30 years ago. I thought I knew it all. I thought I was
20 very aware and unbiased but, obviously, I didn't know it
21 all. And I had one of these ah-ha moments when the trainer
22 gave an example about Jose and his work style. And he said
23 that the boss's job was not to turn Jose into Joseph, it
24 was to make Jose successful as Jose using his own talents
25 and style. And that message really stuck with me. I've

1 had a lot of employees who were not of the same cultural
2 background as my own, and just whose work styles were
3 different. And I tried to remember that, that they can
4 succeed without trying to be my way, they can succeed their
5 way. And when I teach I try to find ways for students to
6 use their own life experiences to contribute their
7 perspectives to the class discussion.

8 And then, finally, I'm part of a blended family.
9 I'm on my second marriage and this husband is a retired
10 Marine helicopter pilot who became a public school teacher.
11 When he was flying helicopters, I was protesting against
12 the war in Vietnam. And for me, to see past his military
13 background and the stereotypes that I associated with it,
14 and to see the person he is was a huge step for me. I
15 remember the shock my family had when I told them I was
16 dating a guy who was a retired Marine, which was
17 inconceivable. But I realized that, you know, it wasn't
18 fair to label people with these perspectives that I had
19 from growing. You know, he was doing what he thought was
20 right and I was during what I thought was right during the
21 war, and that wasn't all there was to him or me.

22 So, that's -- those are my experiences I wanted
23 to share.

24 MR. DAWSON: Thank you. We will now go to
25 questions from the Panel. Each Panel Member will have 20

1 minutes to ask his or her questions. And we will start
2 with the Chair, Ms. Dickison.

3 CHAIR DICKISON: Well, good afternoon, Dr.
4 Shaffer. So, the first thing I wanted to talk about, in
5 your impartiality essay you provided a number of different
6 examples. Could you provide an example of a time when you
7 put aside your own personal interest or your view when
8 making a decision?

9 MS. SHAFFER: Gosh, there are so many. The thing
10 about, for instance, the work I did in Washington at NASA,
11 and at NOAA when I was negotiating international
12 agreements, I made it a point not to have a personal
13 opinion about what I wanted the agreement that we were
14 working on to look like. What I wanted was for both sides,
15 for NASA and our international counterpart, to be satisfied
16 with the results. And so, I didn't -- I tried not to have
17 a preconceived idea or not to have an outcome that I
18 specifically wanted.

19 On the city council there were lots of
20 compromises. We put in term limits for commissioners and I
21 got most of what I wanted, but not everything. I thought
22 we should -- so, we have public commissioners, as most of
23 these do. You know, Environment Commission, Parks and
24 Recreation, those sorts of things, and there have been
25 people on those commissions for 10 or 15 years, friends of

1 the council members and so on.

2 And I thought we needed to open it up to more
3 voices and give more opportunities for people in the
4 community to serve. But it's hard to tell somebody who's
5 been volunteering on the Parks and Rec Commission for ten
6 years sorry, we don't want you anymore.

7 So, I proposed that we have term limits so that
8 the people would automatically rotate off the commissions
9 and then we would have a chance to appoint new people. I
10 didn't get exactly what I wanted, but the compromise was
11 good enough. And we allowed everybody to stay on for
12 another six years if they wanted to, before the term limits
13 hit. But eventually, you know, they all had to rotate off.

14 If I think of another example, can I come back to
15 that one?

16 CHAIR DICKISON: You can. So, when I was looking
17 through the application, specifically at your essays, I
18 noticed in the diversity essay you talked about your
19 experiences and they were pretty much discussing travel,
20 and people you've known, and your students. Do you have
21 any experiences working with marginalized communities?

22 MS. SHAFFER: Indirectly, yes. I mean I
23 volunteer at the Community Resource Center, which is our
24 social service agency in North Coastal San Diego. I help
25 out at Christmastime, they have a big Holiday Baskets

1 Program where they serve the under-served community. And
2 I've also done a lot of public relations work for the
3 Community Resource Center. I've visited all of their
4 programs, and talked to all of their staff, and worked with
5 them to -- I went around with the truck that collects food
6 for the Food Bank, and to understand how their programs
7 work.

8 I haven't been on the front line working with the
9 homeless population, or the underprivileged directly. You
10 know, I've been more at the policy level and at the
11 advocacy level working in nonprofits. I work with the
12 Encinitas Environmental Education Collaborative, which is a
13 group of nonprofits in our community and helping them with
14 their programs, but I have not done front line like case
15 work, or anything like that.

16 CHAIR DICKISON: So, for the Encinitas
17 Environmental Education Cooperative, did I get that right?

18 MS. SHAFFER: Yes.

19 CHAIR DICKISON: What kind of work did you do
20 with that?

21 MS. SHAFFER: E3. The E3 collaborative is a
22 group of seven nonprofits that are in geographic proximity
23 to the San Diego Botanic Garden, the Encinitas Union School
24 District's farm lab. They have a ten-acre farm that all
25 the students go to. There's the YMCA. There's a

1 sustainable farm, nonprofit. Jewish Foundation, the
2 Leichtig Foundation, and Seacrest Village, which is a
3 retirement, senior living facility.

4 And what I've tried to do, I'm the coordinator,
5 so I bring together the heads of those organizations. They
6 all have adjacent properties in Encinitas. And trying to
7 advocate with the city for improvements, for instance, in
8 safe traffic and public safety, so to slow down the speed
9 limits on the roads that front both of those. There are
10 two main roads that are in front of these organizations.
11 To try to get crosswalks.

12 And then, to try to build more relationships with
13 other community organizations we hosted a luncheon, a
14 partnership luncheon that I proposed and organized, where
15 we invited all the other nonprofits in the region to come
16 and learn about our group, and to see where we could
17 collaborate further.

18 So, we've done things like -- the school district
19 doesn't have any buses, but the YMCA has school buses. And
20 so, the YMCA provides school buses that the school district
21 uses to bring kids to the farm every day, when whichever
22 class, whichever school is going to the farm. And in
23 return, the YMCA uses the farm as their after school
24 location for their after school program. So, there's no
25 exchange of funds, but they traded assets of value as a

1 result of this collaboration. Trying to find other
2 opportunities like that for the kids to go to the Botanic
3 Garden and for the seniors to go to the Botanic Garden and
4 have a chance to play in the dirt as a way to help them,
5 and then also to help the garden with its public outreach
6 efforts.

7 CHAIR DICKISON: Okay. Okay. So, one of the
8 things the Commission's going to need to do when they're
9 drawing these district lines is identify communities of
10 interest. You know, based on the work that you've done and
11 collaborations what methods do you think the Commission can
12 use to reach these communities in the various regions
13 throughout the state?

14 MS. SHAFFER: I think it's important to find the
15 local leaders and the local organizations in each of these
16 communities. And I guess as a -- on the city council, for
17 instance, we gave community grants and a number of
18 nonprofit organizations apply every year to the city and
19 come and tell us what their programs are. There are
20 organizations everywhere doing amazing work and
21 representing different communities.

22 So, I think in a particular location we would
23 contact the elected officials to ask them for their advice,
24 because they presumably have an interest in knowing what
25 communities are represented in their areas. We would look

1 to social organizations and nonprofit. We would try to
2 talk to the school board and leadership in the educational
3 system, and get the input of the people who are there on
4 the ground.

5 CHAIR DICKISON: Thank you. So, something that
6 they noted, that the last Commission noted was that during
7 their public meetings, their public comments they had
8 individuals or groups that would say they were part of the
9 grass roots organizations, or representing a group, a
10 community of interest, but they were really looking out for
11 their own political gain.

12 How would you try to identify those types of
13 groups and ensure that you were working with groups that
14 were looking for or working with the communities of
15 interest?

16 MS. SHAFFER: Well, I guess it's a challenge, but
17 I think that spending time in these -- in particular
18 locations, spending time getting to know state and regional
19 leaders in particular, interest groups, getting their
20 advice and their input, sort of vetting information. Just
21 like good journalists do to look for multiple sources and
22 say, hey, have you heard of this group? What do you think
23 about them? Asking a lot of questions both of the
24 organizations that come forward saying they're representing
25 this community of interest, but also doing our due

1 diligence and asking for verification from other
2 organizations who also represent similar communities, maybe
3 in another part of the state, or statewide organizations to
4 say have you actually ever worked with this group? And do
5 you know what they're about?

6 So, it takes some leg work to ask a lot of
7 questions and to try to verify sources, and see if we can
8 really calibrate the information that we're getting from
9 them.

10 CHAIR DICKISON: Thank you. So, you served on
11 the city council in the City of Encinatas [sic]?

12 MS. SHAFFER: Encinitas.

13 CHAIR DICKISON: Encinitas. So, based on that
14 experience can you tell us about the concerns of the
15 different communities in that area and describe how certain
16 concerns may identify them as a community of interest?

17 MS. SHAFFER: Sure. We have a Latino community
18 in Encinitas, about 18 percent I think Latinx residents.
19 And there were some community organizations that represent
20 those folks, who we have relationships with both in terms
21 of social services, and making sure that all of our
22 communications we had a Spanish translation for all of our
23 official documents and processes.

24 We have a homeless community in Encinitas. And
25 because of our climate and our beaches, you know, it's an

1 attractive place for people who are unsheltered. And we've
2 -- so that's another community that we identified.

3 We have seniors, we have a lot of seniors. We
4 have a lot of people who are challenged in terms of housing
5 because Encinitas has become a very popular place and
6 housing prices have gone through the roof. There's not
7 very much open space and housing affordability is a major
8 challenge. So, we have both young families and seniors who
9 are concerned about housing.

10 We have on the not challenged groups, but
11 communities of interest we have the surfers, skateboarders
12 and triathletes are a very strong part of our community and
13 of the community culture, as well as the healing arts.
14 We're the home of the Self-Realization Fellowship of
15 Yogananda. And we have, I think, the highest density of
16 yoga studios per capita and a big issue about teaching yoga
17 in the schools was a big issue a few years ago, with
18 lawsuits and so on.

19 So, can you -- you asked how we identified the
20 communities and then you asked another part of your
21 question. What was the other part of the question?

22 CHAIR DICKISON: Yeah, how those -- how certain
23 concerns may identify certain groups as a community of
24 interest?

25 MS. SHAFFER: So, yeah, so we had -- there were

1 issues. Well, the housing element was a major issue for
2 the whole time I was on the council and how you balance
3 homeowners' interests with -- if people wanted to protect
4 so-called community character, you know, we don't want any
5 high-density housing in our neighborhood versus the people
6 who are desperately looking for a place to live and can
7 only afford something if it's smaller and therefore higher
8 density.

9 We had issues, fights over parks, public parks,
10 and were we going to have passive recreation or were we
11 going to spend a million plus dollars on a skateboard park?
12 And another million plus dollars on artificial turf for a
13 soccer field as opposed to spending the money on something
14 else that might have been--served a different community.

15 I guess that's what comes to mind in answer to
16 that question.

17 CHAIR DICKISON: Okay.

18 MS. PELLMAN: We have six minutes, 14 seconds.

19 CHAIR DICKISON: Thank you. So, based on that
20 information what do you believe could influence a person's
21 preference when they're looking for representation and how
22 could that differ through the various regions in the state?

23 MS. SHAFFER: Well, I think people want
24 representation that they can relate to. They want someone
25 who either has lived a similar experience or at least shows

1 an understanding of the lifestyle, and life experience, and
2 environment, and challenges that confront a person.

3 So, having come from -- they want somebody who
4 understands the regions. For some people it's an
5 occupational thing, like I'm a farmer, I want somebody who
6 understands farming. For some people it's a cultural
7 thing. I have a particular ethnic background and I want
8 somebody who has a similar ethnic background or who at
9 least, I think respects -- understands and respects my
10 ethnic background. For some it may be a socioeconomic
11 thing. I grew up poor. I want somebody who understands
12 what it's like to grow up poor. Or, I'm a self-made
13 business person and I want somebody who understands the
14 power of capitalism and the importance of the free market
15 system.

16 So, depending on what the driving forces are in a
17 person's life and their own self-identity, they're going to
18 look for somebody who they think can relate to them on that
19 particular characteristic.

20 CHAIR DICKISON: Okay, thank you.

21 MS. SHAFFER: Uh-hum.

22 CHAIR DICKISON: So, the way the Commission's
23 selected, the first eight are selected randomly. And then,
24 those eight will select the next six. If you were one of
25 those first eight, what would you be looking for in the

1 other six commissioners?

2 MS. SHAFFER: Well, I think the importance of
3 diversity can't be overstated and I think the whole process
4 is aimed at trying to get diversity on all the different
5 characteristics that you all have used in screening people
6 to this point. So, you want geographic diversity, you want
7 political diversity, you want ethnic, socioeconomic,
8 gender, age diversity.-

9 Obviously six people and 14 people altogether
10 can't represent all of those different dimensions uniquely.
11 But I think we need to come as close to touching all those
12 bases as we can with the final Panel.

13 CHAIR DICKISON: Thank you.

14 MS. SHAFFER: Uh-hum.

15 CHAIR DICKISON: What would you ultimately see
16 the Commission accomplish?

17 MS. SHAFFER: I would like to see the Commission
18 draw the district boundaries for all the different purposes
19 for which we're chartered. I mean for state offices and
20 Congress in a way that we can all support and be proud of.

21 CHAIR DICKISON: Thank you.

22 MS. SHAFFER: Thank you. I hope you feel better.

23 CHAIR DICKISON: Yeah. So, I don't have any
24 further questions right now, so I'm going to turn it over
25 to Mr. Belnap.

1 VICE CHAIR BELNAP: Good afternoon, Dr. Shaffer.

2 MS. SHAFFER: Hi there.

3 VICE CHAIR BELNAP: I'm just going to go through
4 some of the history in your application and ask you a
5 question. So, after obtaining a PhD from George Washington
6 University in 1994, you later went on to obtain an MBA from
7 UC San Diego and began lecturing at the same university,
8 teaching courses in ethics. What are a few of the concepts
9 you teach in your courses on ethics and how would you apply
10 these concepts to the work of the Commission?

11 MS. SHAFFER: Yeah, so I teach a course now
12 called Business Ethics and Corporate Social Responsibility.
13 And the basic concept behind corporate social
14 responsibility is ADO stakeholders that corporations are
15 accountable to their owners, their shareholders, but also
16 to other stakeholders which include their communities,
17 their employees, their management, government entities that
18 have responsibility for oversight.

19 And so, the idea of strategic corporate social
20 responsibility is to understand the interests of all those
21 different stakeholders and find the best way to balance
22 their interests and align them with the goals of the
23 company's business.

24 And underlying all of that is the idea that
25 society has values. That the role of government is to

1 reflect the values of community, of society through who we
2 elect, and what laws get enacted and what gets supported.
3 That's how -- that's one way -- at local, state and federal
4 levels it's one way that society reflects its values in
5 what we fund, what we don't fund, what we support and who
6 we vote for.

7 And so, companies have to comply with the laws
8 and regulations that come out of government. And
9 corporations also are a stakeholder in government and try
10 and influence how those things come out. But we have to
11 start with what kind of a society do we want to live in and
12 what are the underlying values that we all share.

13 And so, we talk about things like the Golden
14 Rule, like being honest, doing unto others as you would
15 want them to do unto you. So, a business should treat its
16 customers, its suppliers, its employees the way it would
17 want to be treated if it were a supplier, or the customer,
18 or the employee. And that you should do no intentional
19 harm that we're all better off when we're all dealing with
20 each other honestly. When you can have confidence that if
21 a package says one pound, it actually weighs -- there's
22 actually one pound of contents in it, that if it says it's
23 safe that it's really safe. That if you hire somebody and
24 offer them a salary that you're actually going to pay them
25 that salary, and so on. So, those are the basic ideas.

1 VICE CHAIR BELNAP: And how would you apply those
2 ideas to your work as a Commissioner?

3 MS. SHAFFER: Well, I mean I think ethics is
4 ethics. There's no such thing as sort of business ethics
5 and other ethics. I think you are what you are when you
6 are home, when you're out in the community and when you're
7 at work. And so, having integrity, working with honesty
8 and purpose is essential no matter what.

9 And so, as a Commissioner, as I said earlier I
10 think that having trust among the Commissioners that we can
11 all trust each other to be honest, and respectful, and work
12 together in that spirit toward a common goal, and to treat
13 the communities that we're serving in the same way is how
14 those things would be applied. And to recognize that there
15 are multiple stakeholders, there's no right answer that
16 we're going to pull out of the air that's going to make
17 everybody happy. There will be compromises and there will
18 be tradeoffs. And we need to use our judgment, informed by
19 all of the work that we're going to do, and all of the work
20 that's gone before to make the tradeoffs in the best way we
21 can to serve the public interest.

22 VICE CHAIR BELNAP: And who are the Commission's
23 stakeholders?

24 MS. SHAFFER: Well, ultimately, the citizens of
25 California and more broadly of the country because

1 California has such a strong influence over what the rest
2 of the country and the world do. But, yeah, it's the
3 citizens. But the elected officials have an interest, the
4 people who are the incumbents, the people who are -- who
5 feel unrepresented now. I mean, the citizens of California
6 take cluster in many different shapes and forms, and
7 communities of interest as we were talking about earlier.
8 So, you know, broadly it's everybody, but as they see
9 themselves as members of political parties, as members of
10 different ethnic groups, as members of different
11 socioeconomic classes, and different kinds of occupations.

12 VICE CHAIR BELNAP: So, as a practical matter how
13 would the Commission hold itself accountable to its
14 stakeholders?

15 MS. SHAFFER: Well, the process was set up by the
16 state with that in mind, I believe. I mean it's why we're
17 going through such a long and complicated and, frankly,
18 amazing process to even select who the Commissioners are.
19 To make sure that political parties are represented, that
20 diversity is respected, that you're choosing people based
21 on criteria that are aimed at having the best--its not non--
22 multi-partisan, if you will, multi-perspective group of
23 Commissioners, and then taking input from all over the
24 state to make sure that the results reflect what the state
25 needs. So, I think it's sort of built into the structure.

1 And then, you have all the open government laws
2 that pertain to this and other processes where meetings are
3 held in public, you know, reports are available to
4 everybody, you take public comment, and all of the things
5 that go with that.

6 VICE CHAIR BELNAP: Okay, thank you. So, in your
7 application you describe a long career at NASA, NOAA, and
8 the University of California. Please describe some of your
9 work experience that involved data analysis, including any
10 geospatial analysis you may have completed?

11 MS. SHAFFER: Okay. Well, at NASA and NOAA I
12 worked with the Earth Remote Sensing Satellite System. So,
13 back in the day before there was Google Earth, when it was
14 a really amazing thing to have a picture of a particular
15 location taken from a satellite, I started working on the
16 Landsat Program in the 1970s, 1976. We didn't even have
17 computers, desktop computers, or email, or any of those
18 things.

19 But I'm not a scientist or an engineer, so I
20 didn't do firsthand data analysis, although I took a couple
21 of courses in remote sensing data analysis. But I spent
22 many years working with scientists who were taking data
23 from satellites and analyzing it, putting it through
24 processing systems to identify and classify different types
25 of land cover. And it sounds really mundane now because we

1 have so much better computing systems, and much more data
2 info, but back in the day this was really cutting edge
3 stuff to be able to say how much of Thailand, of their
4 tropical rainforests -- how much of the country was forest
5 and how much had been cut down over time, or to see where
6 the Amazon flows in Brazil. It changes course depending on
7 flooding and drought, even to be able to map that. And for
8 Bolivia to do the first ever land use inventory to know how
9 much of their country was in agricultural production, and
10 how much was mountainous, and how much was urban.

11 So, I was responsible for the foreign
12 investigators who were using data from NASA satellites to
13 do their particular research, whatever it was. And so my
14 job in part was to read their reports and to report back to
15 my bosses here's a significant discovery that somebody
16 accomplished using data from our satellite, because we were
17 trying to justify why this was a good investment for the
18 taxpayers to keep paying for these expensive satellites,
19 and to help people learn how to use the data from them.

20 So, I read lots of reports. I understood the
21 reports. I also hosted lots of international visitors when
22 they would go sit with the scientists at NASA to learn how
23 to use this technology. I specifically focused on
24 developing country relationships and worked with USIAD, as
25 well.

1 So, I can't say that I could build the satellite
2 or run -- I probably could have run the computer program.
3 I didn't, that wasn't my job. But I understood what was
4 going on, and how it was used, and why it mattered. And I
5 was able to explain it to people who were not technical
6 experts.

7 The same thing with weather satellite data when I
8 was at NOAA, I've worked with a lot of different types of
9 data.

10 And then, in Encinitas, on a completely different
11 scale working on the housing element we had to understand
12 what our housing inventory was, our land use inventory was
13 in the city, where there was open space, where it was, you
14 know, different densities, different zoning
15 classifications.

16 I also was part of creating our first City
17 Arborist position and doing -- working on the city
18 treescape. And we have a GIS system for the City of
19 Encinitas that's actually quite sophisticated. And every
20 tree that the city is responsible for is identified and
21 mapped in our city GIS. And so, I worked with -- when we
22 were trying to figure out where we could put trees, where
23 we could cut trees down because, as somebody said, tree is
24 a four-letter word in Encinitas. There's lots of
25 controversy whenever anybody wanted to take out a mature

1 tree.

2 So, I've worked with the city's GIS system on
3 issues of housing and forest management.

4 VICE CHAIR BELNAP: Okay, thank you. So, I'm
5 sure you're aware that during the background check process
6 CSA staff identified a number of negative comments
7 regarding your performance as a council member. I'm not
8 trying -- I've read those comments. I'm not trying to
9 signal any concern on my part, but I do want to give you an
10 opportunity to respond to those comments. Are you aware of
11 the negative comments and have you seen them?

12 MS. SHAFFER: Yes, your staff sent them to me.
13 And I had a little PTSD flashback of the trauma of being on
14 the city council. So, yeah, so first I wanted to say that
15 Encinitas Undercover, which is the blog that your
16 background check people discovered, is a very small piece
17 of social media. I was looking to see if I could find any
18 data on how many people actually read it or participate in
19 it, and I couldn't find anything official.

20 But my impression from then is that it's probably
21 a few hundred people at most, probably less than a hundred
22 people read that. And as you may have noticed, almost all
23 of the comments were anonymous. So, this is a group of
24 people who are very critical of most everything, post
25 anonymously, and often are just saying things that --

1 there's some validity to some of the criticism. I accept
2 that and I'll talk about that in a second. But a lot of it
3 is no matter what topic you looked at on Encinitas
4 Undercover, you would find people complaining about
5 something.

6 And when people say, oh, Shaffer's newsletter's
7 full of lies, you know, I stand by what I wrote in my
8 newsletter. I had many more people thanking me for writing
9 it and appreciating what I did, than the people who are
10 posting in Encinitas Undercover.

11 But that said, the particular issue that they
12 were talking about had to do with our mayor situation. So,
13 Encinitas used to have a rotational mayor, so one member of
14 the council would serve as the mayor every year by vote of
15 the city council. And it was supposed to be a rotation,
16 but it got to be very political, and some people were
17 passed over and other people served for multiple times.

18 And so, in 2012 there was a referendum that
19 agreed to directly elect the mayor starting in 2014. So,
20 the year before the first directly elected mayor, we had to
21 choose one of our five to serve as mayor, and whoever that
22 was would be the incumbent when it was time to run for
23 mayor. And we wanted, I thought, not to appoint the one
24 person we thought was likely to run for mayor to be the
25 incumbent going into that first ever direct election.

1 I lost that discussion and we ended up dividing
2 the year 2013 into two six-month terms. And the first half
3 was served by Theresa, who was not running for mayor, and
4 the second half was going to Kristin, who we thought at the
5 beginning was likely to run for mayor. And by June, we had
6 to actually switch over. She had declared, I believe by
7 then, that she was running for mayor.

8 So, what I did was put an agenda item on the --
9 put an item on the agenda that said should we reconsider
10 our decision to divide the year into two six-month terms,
11 and reconsider who would be serving as mayor going into the
12 next election.

13 We have a provision in Encinitas where any
14 council member can put something on the agenda. The first
15 thing you do when you get to that agenda item is vote on
16 whether the rest of the council wants to take it up or not.
17 And so, that's what I did and the council decided they did
18 not want to take it up. So, it died, it died right there
19 and then.

20 All I wanted was to have a conversation and say
21 do we still want to do this six-month thing or not. But it
22 was misunderstood. It was taken as an attack on Kristin as
23 she was about to take office. She brought her family, and
24 her kids to the council, and her son who was like eight or
25 nine years old stood up and scolding me during public

1 comment, that I should know to honor my word. And, you
2 know, his mother taught him that when you make a commitment
3 you stick to it.

4 I thought it was okay to ask that the question be
5 rediscussed without necessarily saying I don't want Kristin
6 to be the mayor. I just thought we should reconsider it
7 six months later. It was clearly not well done on my part.
8 It provoked a very strong backlash. And if I had it to do
9 it over again I might not have done it, or I certainly
10 would have tried to do it differently. But that's what the
11 background was of those comments.

12 So, you know, you can't please everybody on the
13 city council. You know, I could have sent you lots and
14 lots of nice things that people said about my service on
15 city council. And when I said I wasn't going to run for a
16 second term, I had lots of people pushing and encouraging
17 me to reconsider and asking me if I would run for another
18 term. So, you know, you balance it out. That's just part
19 of being an elected office.

20 VICE CHAIR BELNAP: Okay, thank you. So --

21 MS. PELLMAN: Sorry. We have four minutes, 51
22 seconds.

23 VICE CHAIR BELNAP: Thank you. So, I want to
24 connect a couple thoughts, so, accountability to
25 stakeholders, but also this -- and stakeholders being the

1 California citizens, but also this experience that you had
2 regarding criticisms from social media. So, what do you
3 think the Commission should do if it starts receiving
4 criticisms via social media from the citizens of
5 California? How would it respond?

6 MS. SHAFFER: I think that it's important to have
7 a vehicle for people to provide commentary and I think
8 there are ways to do it. For instance, there are a number
9 of online platforms for civic engagements that have
10 requirements, for instance, to put your identity. You
11 know, to be verified as to who you are and that you're
12 posting not anonymously, so that people are owning their
13 commentaries. It's really easy to throw darts when you're
14 hiding behind anonymity.

15 I think that it's important to have some kind of
16 moderation to make sure people are treating each other
17 respectfully and civilly.

18 But beyond that I think it's good to have open
19 dialogue. I think it's good to have channels for people to
20 express themselves. I don't think it's necessary to
21 respond to every single comment. Some definitely need
22 response and somebody should be paying attention to if an
23 issue keeps being brought up again and again then, clearly,
24 there's some problem we need to recognize or some
25 additional work we need to do.

1 One individual, unhappy with some minor thing
2 might not be a big deal, but if lots and lots of comments
3 come in about the same thing, then that's very useful
4 feedback and I think it's essential to have feedback. And
5 we have to just have a little bit of thick skin and
6 understand that sometimes people will say things that
7 aren't nice. They'll say things that aren't true. They'll
8 say things that are just reflecting their personal
9 frustration because sometimes people think that if you
10 didn't agree with them it means you didn't hear them or you
11 didn't understand them. And in truth, sometimes you can
12 hear someone and you can understand what they're saying and
13 still have a different position. They need to know that
14 you've heard them and that you've understood them, and they
15 need to know why, for whatever reason, your choice, or your
16 group's decision, or your consensus is something a little
17 bit different. At the end of the day they might or might
18 not be happy with that, but that's all you can do.

19 VICE CHAIR BELNAP: Okay, thank you. No further
20 questions.

21 MS. SHAFFER: Thank you.

22 CHAIR DICKISON: Thank you, Mr. Belnap.

23 Mr. Coe?

24 PANEL MEMBER COE: Thank you, Madam Chair. Good
25 afternoon, Dr. Shaffer, thank you for taking the time to

1 speak with us today. In your activity section of your
2 application you list several volunteer organizations that
3 you're involved in, including the San Diego Botanic Garden,
4 as you mentioned already, and the Community Resource
5 Center, and serving on boards of several organizations such
6 as the Center for Sustainable Energy, Health Day Partners,
7 Kids versus Global Warming, among others.

8 What motivates you to seek out these types of
9 opportunities?

10 MS. SHAFFER: Mostly they've sought me out,
11 rather than me seeking them out. But, so, the San Diego
12 Botanic Garden is literally a block from my house, so that
13 was a no brainer that I like going there, and they needed
14 volunteers, so I help with special events. And it's just
15 part of being a good community citizen and it's something
16 that I think is a really important asset in our community.

17 Community Resource Center is -- you know, serves
18 people in need. I have lived a very privilege life and I
19 think it's important to give back. I think it's important
20 to share assets that I have partly through hard work,
21 partly through privilege, partly through, you know, having
22 good genes and good parents. And other people are not as
23 fortunate, so having the opportunity to help other people I
24 think makes sense, and is part of being a good person, and
25 a good citizen.

1 The Center for Sustainable Energy, the Director
2 there asked me to be on the board. They were looking for
3 new board members.

4 Kids Versus Global Warming was a 12-year-old kid
5 who saw a talk that I gave on climate change and his mother
6 asked if I would meet with him. And he committed to stop
7 global warming in his lifetime. He'd seen an inconvenient
8 truth at age 12 and got really concerned about it. And
9 then, he formed this organization. He's now 20 something
10 years old, maybe close to 30 at this point.

11 And so, I feel like if somebody asks for my help
12 and I'm in a position that I can help them, I have
13 something that would be of use to them that I have an
14 obligation and an opportunity -- I don't do it as a bad
15 thing. It's an obligation and an opportunity to make a
16 contribution where I can.

17 PANEL MEMBER COE: Okay, thank you. I want to
18 switch topics to your essay on impartiality for a moment.
19 In that essay you say that the Commission will need to come
20 to conclusions that are data driven, whether or not we like
21 the implications.

22 Multiple questions in relation to this, so the
23 first is what do you think is the most important data that
24 should drive decision making in the redistricting process?

25 MS. SHAFFER: That's a hard thing for me to

1 answer, not having gotten into the process yet. So, I
2 don't really know the answer to that question. Because I
3 think there are going to be lots of different dimensions
4 that we need to take into consideration when thinking about
5 how district boundaries should be drawn. And without
6 really knowing more about the specifics, I'm reluctant to
7 say ahead of time what I think that should be. Yeah.

8 PANEL MEMBER COE: Okay. Well, can you maybe
9 provide us with an example of a time where you had to make
10 a data-driven decision, where you may not have liked the
11 implications coming out of that data?

12 MS. SHAFFER: Yes, sure. And this actually goes
13 back to Ms. Dickison's question about something where I had
14 to put my views aside, and I think I mentioned it in my
15 application.

16 So, as a city council member, we're the court of
17 last resort for planning department appeals. So, if
18 somebody wants to build an addition on their house, or
19 build something on a parcel of land they have to go to the
20 planning commission. If the planning commission approves
21 it, citizens can appeal to the city council, they can
22 appeal either an approval or disapproval by the planning
23 commission. So, there have been projects that I didn't
24 like at all, that I thought were not -- didn't fit in the
25 neighborhood, or that were unattractive, or whatever reason

1 not the way I would have chosen to use that particular
2 piece of property. And I understood and was sympathetic to
3 the neighbors' concerns about a new development.

4 But the rules are--the law is that property
5 owners have certain rights and we have zoning guidelines.
6 And if what you're building fits the guidelines and it's
7 consistent with the zoning classification for that parcel
8 and it fits the design guidelines, you get to build it
9 whether the neighbors like it or not. We don't get to tell
10 our next door neighbor not to paint their house blue, or to
11 put the second story on if they're legally entitled to
12 paint their house whatever color they want and put a second
13 story on their house.

14 So, you know, you get a lot of really emotional
15 neighbors coming in and talking about how -- what a blight
16 this project is going to be in their neighborhood and, yet,
17 the property owner is following all the rules and has the
18 right to build what it is that they want to build. So, you
19 have to vote the way the law says you have to vote, even
20 though, you know, if I were a king or queen I might change
21 the zoning rules or something, but I don't have that
22 authority. We have to apply the law as it stands. So, we
23 had a lot of unhappy people when we turned down appeals of
24 planning commission decisions.

25 PANEL MEMBER COE: Thank you. In your experience

1 as a city council member or in any other experience in
2 making decisions have you ever come across a scenario where
3 you had an intermix of data times, meaning more of the hard
4 data, something like Census information that is what it is,
5 and then having to also mix into that kind of squishier
6 information, mainly perspectives and feelings of
7 stakeholders? And if you have had those experiences, how
8 did you consider both of those different elements in your
9 decision making process?

10 MS. SHAFFER: Well, the response that comes to
11 mind is actually grading student papers where -- and coming
12 up with final grades at the end of the quarter. And we
13 just finished a quarter last week. And so, a student does
14 -- you know, gets certain grades on the assignments in
15 class. And then, when you get to the end and you calculate
16 their grade you might think, well, this kid really was
17 engaged and showed up every class, and participated in
18 class, and maybe they were having a bad day when the
19 midterm was given or something. And I might give a little
20 leeway up or down, usually up, to take that into
21 consideration.

22 And this quarter in particular, because of the
23 virus and of the uncertainties about what was going on, so
24 I made my final optional and students -- they were all
25 ordered to be online, rather than in-person final exams.

1 And I had a couple of students who misunderstood what their
2 -- anyway, they chose not to take the final exam. And
3 then, when they saw that their grade was they contacted me
4 and said, oh, gee, I didn't realize that. I would have
5 rather taken the final exam. So, or they just said, you
6 know, I didn't think that was right. And I said, what do
7 you think was right? They said, I'd like the chance to
8 take the final exam.

9 And so, actually, tomorrow I'm reoffering the
10 final exam for four of my students. And if I was strictly
11 playing by the rules I'd say tough luck. You know, you
12 made your choice, this is your grade. But I was trying to
13 take into consideration the emotional trauma that all these
14 kids are going through with not knowing where they're going
15 to live, where they're going to be in school, and having to
16 switch formats, and to give them credit for the softer side
17 of things, if you will, and their commitment and their
18 earnestness in trying to learn what we were trying to
19 teach.

20 PANEL MEMBER COE: Okay, thank you. So, in your
21 essays and some of your testimony today you've talked about
22 having met and worked with diverse groups of people. What
23 have you most learned about the perspectives, and
24 preferences, and concerns about different groups of people
25 that you've encountered that will help you be an effective

1 representative for them on this Commission?

2 MS. SHAFFER: I've done a quite a bit of training
3 and reading about racism, and anti-racism, and white
4 privilege, and looked for opportunities to talk to people
5 of color and to work with them.

6 My husband has a high school friend, an African
7 American man, who they played basketball together. And
8 he's -- this man is now -- they're in their early 70s.
9 He's got health issues, he's got financial issues. And he
10 comes to our house very often to visit. He's stayed
11 overnight here a number of times. He's living in Tijuana
12 because he can't afford to live in San Diego.

13 And he is--I try to listen to him and he's very
14 vocal about racism and white privilege, and has no
15 hesitation on calling us out on anything and everything.
16 And even though it makes me uncomfortable sometimes, I
17 welcome the chance to experience that and to have someone
18 who feels comfortable in calling us out, and speaking the
19 things that I think often go unspoken between different
20 groups when there might be some perception of racism or
21 discrimination.

22 And I've learned about, well, certainly first
23 awareness of my privilege, which I think I always pretty
24 much knew. As I said, I grew up in a household that was
25 very active on civil rights issues. My daughter went to a

1 very multi-cultural school. The principal of her
2 elementary school was an African American woman, a PhD.
3 And I remember when Sally Ride was the first U.S. American
4 woman astronaut and I told my daughter isn't it exciting,
5 you know, Sally Ride is going up there. And she goes,
6 well, any girl can be an astronaut, I mean like she didn't
7 even think it was an issue.

8 So, I think I've learned that, as I said a couple
9 of times, I don't know it all, I haven't experienced it
10 all. I can't really be -- I don't have the lived
11 experience that these other people have. And I think the
12 awareness that that's true, and that I need to listen and
13 try to understand as best I can what it feels like from
14 their perspective, and not assume that they're supposed to
15 conform to my expectations is the best I can do. It's
16 being honest, and open, and trustworthy that, you know, if
17 they tell me their concerns I hold that, I honor it. I
18 hold space for it. I don't try to say, oh, you shouldn't
19 feel that way, you know, you're just complaining. I mean,
20 I need to appreciate that this is their reality and their
21 reality is very different, may be very different from mine.

22 You know, I can't be them. I can't make myself
23 into a minority and live their life, but I can accept that
24 that is their truth.

25 PANEL MEMBER COE: Okay, thank you. A similar

1 question, but more geographic based. You're based in San
2 Diego. Talk about your experiences in other regions of
3 California and what you may have learned from the people in
4 those regions that would help make you an effective
5 representative for them on this Commission?

6 MS. SHAFFER: Okay. This is -- well, first of
7 all, I'm not a native Californian. I came here about 20
8 years ago because of a job at Scripps Institution of
9 Oceanography. So, I'm not one of these people who always
10 dreamed of being -- living in California, nor am I a person
11 who just happened to be born here and took for granted that
12 I lived in California. I made a choice to come here
13 because of the job and once I got here I was just amazed at
14 what this state is all about, and made a commitment that
15 I'm not going back. I spent 25 years in Washington, D.C.,
16 I would much rather be in San Diego, and have every
17 intention of staying here.

18 I will be honest with you, I don't have deep
19 knowledge of other parts of the state. I have traveled.
20 One of my step-daughters lived in Visalia for a while and
21 was dating the son of a nut farmer and, you know, we went
22 and visited and, you know, I was curious. As I said, I
23 have a lot of curiosity about what that's like and what his
24 life was like.

25 I have friends in the Bay Area. I have a friend

1 in Eureka. But--and one of my kids, two of them went to
2 Cal Poly San Luis Obispo, and one went to UC Santa Cruz, so
3 I've been to those places, I've spent some time there. But
4 I can't say that -- and I have a friend who lives in
5 Auburn. But I can't say that I have deep understanding of
6 the other parts of the state and I don't want to, you know,
7 try to bluff my way through. I have book learning. I
8 have, you know, superficial visitation experiences there,
9 and I have an awareness that it's an area that I will have
10 to be, you know, working to understand.

11 But I also -- you know, this might sound like an
12 excuse, but I think it might be good to not have a
13 preconceived idea of what each of those regions is like.
14 That I can start with pretty much of a blank slate in my
15 brain, I hate to say that, but as far as knowing what to
16 expect in a particular area, and so I can be open to
17 learning, you know, what the people there have to say, and
18 what the other Commissioners have to offer and learning
19 from them.

20 PANEL MEMBER COE: Thank you.

21 MS. PELLMAN: We have five minutes, 49 seconds.

22 PANEL MEMBER COE: Thank you.

23 I want to go back really quick to the topic of
24 communities of interest that Ms. Dickison brought up
25 earlier. And her question was more geared towards finding

1 communities of interest throughout the state. I want to do
2 a little bit of a different spin on that.

3 Certain communities may not be normally involved
4 in processes like this. They may be uncomfortable with it,
5 they maybe not be engaged for one reason or another. How
6 could the Commission make these communities feel more
7 comfortable engaging in the process so that they can get
8 their perspectives in their work, as they draw the
9 boundaries of the state?

10 MS. SHAFFER: I think that this idea of
11 appreciative inquiry of meeting with leaders, perhaps
12 you're talking about first nation people, or other groups
13 like that, of meeting with their leaders and trying to help
14 them relate what we're doing as a Commission to their
15 interests. I mean people do things that they can
16 understand have an impact on them.

17 And so, if we can make a compelling case about
18 what happens in Congress, and what happens in the State
19 Legislature, and how it affects their quality of life,
20 their environmental quality, their economic opportunities,
21 their educational opportunities, the amount of money that
22 comes into their districts and their ability to be
23 represented, perhaps by people from their own community,
24 and have an opportunity for those people to run for office
25 and to serve I think is the only way to get people engaged.

1 It can't just be a theoretical discussion. It has to be
2 related to really specific experiences that these
3 communities are having and how we can relate the role of
4 government to those interests.

5 And I should say one thing I forgot earlier, when
6 you asked my experience with diversity, I did spend a
7 summer on the Navajo reservation when I was in high school.
8 Working with the Bureau of Indian Affairs, we were a high
9 school group and we were tutoring in an adult education
10 program. So, I have some familiarity with the Navajo
11 Nation from that experience.

12 PANEL MEMBER COE: Thank you. If you were
13 appointed as a Commissioner, which aspects of that role do
14 you think that you would enjoy the most and, conversely,
15 which aspects of the role do you think you might perhaps
16 struggle with a little bit?

17 MS. SHAFFER: I think the whole thing is so
18 important that just knowing I was part of the process would
19 be really rewarding, and the opportunity to learn from
20 these diverse communities, geographically diverse, and
21 diverse in other ways. To learn more about the state and
22 about all the different communities that need to be served
23 by the government. I think that would be the most exciting
24 part of it.

25 Being able to use all the experience that I've

1 had, I've been in public service, I've been in the private
2 sector, I've been in academia. And I feel like I have a
3 skill set that would be helpful in doing this. I have
4 experience in bringing people together, and reaching
5 agreements, and finding consensus. And I'd like to see the
6 process work really well. I think I can contribute to that
7 and I get a lot of satisfaction out of doing good work and
8 having good outcomes from it.

9 The hard part, you know, there's going to be some
10 struggle and some disagreement among the Commissioners and
11 working through that is both challenging, frustrating, and
12 ultimately, hopefully satisfying when we reach consensus.
13 But, you know, it would be nice if the whole world thought
14 the same way and we could easily make decisions about this,
15 but that's not the real world we work in.

16 So, just working through those disagreements is
17 both a challenge and not pleasant to go through, but
18 satisfying to come out the other end.

19 PANEL MEMBER COE: Okay, thank you. No further
20 questions, Madam Chair.

21 CHAIR DICKISON: Thank you, Mr. Coe.

22 Mr. Dawson, do you have any follow-up questions?

23 MR. DAWSON: Yes, a few. Thank you, Madam Chair.

24 Dr. Shaffer, we talked a bit about your service
25 on the city council. Why did you decide to run?

1 MS. SHAFFER: I decided to run partly because I
2 didn't feel like I had a voice in Encinitas. I was
3 relatively new there. I got involved with the campaign of
4 another woman who was running for city council in 2006.
5 And I started going to meetings and I was just amazed at
6 how poorly run they were and how inefficient it seemed like
7 the council was. They couldn't even decide on whether
8 Robert's Rules of Order were mandatory or advisory. And I
9 thought surely in my own community we can do better than
10 this.

11 So, I applied to be on the environmental
12 commission and I was turned down. They chose someone who
13 said her experience was, her qualifications were that she
14 saved rubber bands and tin foil as a result of her parents
15 being in the depression, and that was her environmental
16 qualifications. So, it turned out she was a friend of the
17 council majority and they appointed her over me and over
18 several other candidates who were probably even more
19 qualified than I was.

20 And I thought I'm never going to have a voice
21 unless those three people were different people on the dais
22 making those decisions by majority vote.

23 So, I was thinking about it and then a council
24 member who had cancer, and was dying, came to me one day
25 and said, Lisa, I'm not going to be alive when the 2012

1 election comes around. I've been on the council for ten
2 years and we need somebody to run for my seat and to
3 represent the people who have always voted for me. Are you
4 interested? And this was a beloved figure in Encinitas,
5 and it was really hard to say no to her. So, the
6 combination of wanting to have a voice and Maggie asking me
7 to run, I said I'd be happy to work for somebody else who
8 want to run. And nobody else wanted to run, so I said I
9 would.

10 You know, somebody's going to be up on the dais
11 in those five seats, and if it's not me it's going to be
12 somebody else, so I might as well give it a shot.

13 MR. DAWSON: Thank you.

14 MS. SHAFFER: And can I just add, I ran on a
15 platform that said I would tell the truth, play by the
16 rules, and be honest. Work hard -- work hard, play by the
17 rules, and tell the truth. And I said, I don't know
18 Encinitas that well, I had only lived there for seven years
19 at the time, but I was smart and I would do my best. And I
20 came in first. I got more votes than anybody had ever
21 gotten in an Encinitas city council election. And I ran on
22 a platform of ethics. I was teaching ethics and people
23 said how can you be a politician if you're doing ethics?
24 And I said, you think all politicians are the same, you get
25 the same old politicians. If you want something different

1 vote for me, and it worked, I came in first.

2 MR. DAWSON: Well, you perfectly anticipated what
3 my follow up to my follow up was.

4 MS. PELLMAN: Mr. Dawson, we have 12 minutes, 56
5 seconds remaining.

6 MR. DAWSON: Thank you. Dr. Shaffer, in your
7 response to Ms. Dickison's question, you stated that it was
8 important that the Commission comprise as broad a diversity
9 as possible, and that includes multiple dimensions,
10 geographic, cultural, age.

11 My question to you is could the Commission be
12 successful if it did not include a representative from the
13 South Coast?

14 MS. SHAFFER: Sure. I think the right Commission
15 -- the right Commission -- I have confidence in the process
16 of selecting the Commissioners. And I think that if you
17 found that in order to get balance in the other dimensions
18 you had to sacrifice a geographic balance thing -- you've
19 only got 14 slots to fill. You've only got eight slots to
20 fill. You know, you can't have everything.

21 So, I would want to know, for instance, that
22 there were people who recognized that South Coastal
23 California was not represented in person and, therefore,
24 they would make an extra effort to make sure that they
25 spent more time maybe taking public input from this region.

1 No, I think you could do it. You're going to
2 have to sacrifice something and there's nothing sacred
3 about any of those dimensions if you can't do all of them.

4 MR. DAWSON: Thank you. That's all I have. Do
5 any of the Panel Members have any follow-up questions?

6 CHAIR DICKISON: I don't have any follow-up
7 questions.

8 Mr. Belnap, do you have any?

9 VICE CHAIR BELNAP: I have one bit of curiosity.
10 So, seeing the mural behind you, is there a story behind
11 the painting?

12 MS. SHAFFER: Well, this is my home office and I
13 invited a woman, who's a mural artist, to come and make me
14 a little sanctuary. So, I have a landscape painted on all
15 four walls of my home office, and it just makes me feel
16 good.

17 VICE CHAIR BELNAP: Well, it's been a great
18 backdrop for your interview.

19 MS. SHAFFER: Thank you. I'm going to be
20 teaching from this room, too, so you know, I'm trying it
21 out on you guys.

22 CHAIR DICKISON: Mr. Coe?

23 PANEL MEMBER COE: I have no follow-up questions.

24 CHAIR DICKISON: Okay.

25 MR. DAWSON: Madam Secretary, how much time do we

1 have left?

2 MS. PELLMAN: We have 10 minutes and 35 seconds.

3 MR. DAWSON: Okay. Dr. Shaffer, at this point
4 there are no more follow-up questions and we'd like to
5 offer you the opportunity to make a closing statement to
6 the Panel, if you wish.

7 MS. SHAFFER: Sure. Thank you. So, first of all
8 I'm delighted to have gotten this far and I'm extremely
9 impressed with the process and with the diligence with
10 which all of you are conducting yourselves and with the
11 slate of candidates that you're considering.

12 When I counsel students who are job hunting, I
13 tell them that they shouldn't approach an employer by
14 saying if you let me work for you, it will fulfill my
15 lifelong dreams. Don't talk about what it's going to do
16 for you, talk about what you have to offer to the
17 prospective employer.

18 And so, following my own advice I want to tell
19 you that I think I have something to offer to the
20 Commission as we go forward. I really have a fundamental,
21 abiding commitment in government, in governance. I believe
22 in the importance of having a government that's elected
23 through a fair process. I think that it's important for
24 people to trust that the public officials that are in
25 office got there honestly, appropriately, and really

1 represent and reflect the communities that they were
2 elected to serve. And I think having a fair districting,
3 redistricting process is an essential element in order to
4 accomplish that.

5 And I think that I bring -- I'm not everything to
6 everybody. I haven't been everywhere and done everything.
7 There are obvious weak spots in terms of all the things
8 you're looking for in a Commissioner. But I think I'm
9 aware of what I know and what I don't know, and open to
10 learning as much as I possibly can to fill in those
11 deficiencies.

12 And to follow the same platform I used when I ran
13 for city council. I'll work hard, tell the truth, and play
14 by the rules, and give it all that I've got. Thank you.

15 CHAIR DICKISON: Thank you. So, our next
16 interview starts at 3:00 o'clock, so we are going to go
17 into recess now until 2:59. Thank you.

18 MS. SHAFFER: Thank you.

19 (Off the record at 2:37 p.m.)

20 (On the record at 2:59 p.m.)

21 CHAIR DICKISON: Bringing the Applicant Review
22 Panel meeting back to order, the time being 2:59.

23 I'd like to welcome Mr. Robert Castrano [sic].

24 MR. CAPISTRANO: Capistrano.

25 CHAIR DICKISON: Capistrano, thank you. Robert

1 Capistrano for his interview. I'm going to turn the
2 meeting over to Mr. Chris Dawson. He will read you the
3 five standard questions to begin.

4 MR. CAPISTRANO: Thank you.

5 MR. DAWSON: Thank you, Madam Chair.

6 Mr. Capistrano, I'm going to read you five
7 standard questions that the Panel has requested each
8 applicant respond to. Are you ready, sir?

9 MR. CAPISTRANO: Yes.

10 MR. DAWSON: The first question. What skills and
11 attributes should all Commissioners possess?

12 What skills or competencies should the Commission
13 possess collectively?

14 Of the skills, attributes and competencies that
15 each Commissioner should possess, which do you possess?

16 In summary, how will you contribute to the
17 success of the Commission?

18 MR. CAPISTRANO: Okay, so I should just go ahead
19 and answer, now?

20 MR. DAWSON: Yes, please.

21 MR. CAPISTRANO: Okay, yeah. I think in terms of
22 the attributes that every Commissioner should have, I think
23 first of all it should be a commitment to having, as a
24 product, a representative set of redistricting maps, which
25 really -- you know, that's the overall attribute that

1 everyone should have. That means that everyone should be
2 at least, what do I want to say -- they should definitely
3 have an open mind, but at the same it should be evidence-
4 based I think at the end. You know, not necessarily data
5 driven, but certainly an appreciation that data has certain
6 significance so that, you know, you aren't just coming to
7 decisions based on, you know, something purely subjective.

8 And then, in addition I think that what everyone
9 should have is I think an appreciation of the different
10 communities, the diverse communities that exist in the
11 State of California, including in terms of income, and
12 class. So that, you know, you really can have a true
13 possibility of political participation from the majority of
14 the people.

15 And then, finally, I think that what everyone
16 should have is the ability to work collaboratively. The
17 ability to, you know, to compromise, to dialogue, to you
18 know, consider everyone's opinions, and which means of
19 course that you've got to have patience.

20 So those, I think, are probably, you know,
21 something that everyone should have.

22 Now, in terms of myself, well I think that I do
23 have each of those. I think, certainly, the main
24 motivation for me actually putting in my name for the
25 Commission was because, you know, I believe in the ability

1 of all, you know, residents of the State of California to
2 have an equal say in the political process. And I think
3 that my -- you know, my career has shown that.

4 Certainly, you know, I've had to have an open
5 mind in order to deal with the different issues that I've
6 had to deal with, both as a practicing lawyer but also as,
7 you know, a member of community groups. You know,
8 participating in various political campaigns, not
9 necessarily for public office but, for example, initiatives
10 at the local level, you know, here in the City of Richmond
11 and in the county. You know, so I certainly feel that.

12 Appreciation for diversity, I think that that
13 really has been what I've had to do, what's kept me
14 interested I think in being a legal aid lawyer for 40
15 years. Certainly, to make sure that, you know, just to the
16 extent that I could that people actually could participate
17 economically, and well as politically, you know, in
18 society.

19 So, yeah, yeah, so, you know, certainly patience,
20 and being collaborative. You know, I mean that's been my
21 game plan, I guess, my entire career.

22 MR. DAWSON: Thank you. Question two. Work on
23 the Commission requires members of different political
24 backgrounds to work together. Since the 2010 Commission
25 was selected and formed, the American political

1 conversation has become increasingly polarized, whether in
2 the press, on social media, and even in our own families.

3 What characteristics do you possess, and what
4 characteristics should your fellow Commissioners possess,
5 that will protect against hyperpartisanship?

6 What will you do to ensure that the work of the
7 Commission is not seen as polarized or hyperpartisan and
8 avoid perceptions of political bias and conflict?

9 MR. CAPISTRANO: Well, again, this I think goes
10 back to your first question, which, you know, I think the
11 important thing is that everyone that's on this Commission
12 I would think would have to be committed to, you know,
13 ensuring that there's full political participation from all
14 sectors of the State of California.

15 And if you start with that, then, you know, a
16 commitment to that particular principle, then I think it's,
17 you know, it's a question of being able to dialogue,
18 compromise. You know, one of the things that is important,
19 I think, is in the statute itself, in the Constitutional
20 statutes, the idea that, you know, a simple majority or
21 even a super majority is not going to cut it. In order to
22 have a district plan actually, what, adopted, you have to
23 have basically a majority within the three different camps,
24 the Democrats, the Republicans, and the non-major parties.
25 Now, that's a very important I think structural, what, a

1 structural thing that will, I think allay some of this
2 hyperpartisanship. Because people have to realize, you
3 know, from the beginning that, hey, compromise is the name
4 of the game here. It's not simply, you know, somebody can
5 just basically batter their way through.

6 And I would think, I would hope that the fact
7 that that is written right there in the statute would at
8 least curb to some degree, make people realize that, hey,
9 you know, what we're talking about is really working
10 together.

11 So, what are the other -- I forget the rest of
12 the question, but let me see, I think I actually have it
13 here. Okay, yeah, so what characteristics do I possess?
14 Well, think I've had to -- you know, as an advocate, as
15 someone who has had to represent people in various venues,
16 you know, I've had to be able to talk to the other side, to
17 essentially achieve a win/win situation so that you could
18 have something long lasting that both sides can live with,
19 and that I myself can live with. In terms of, you know, my
20 own morale and things of that sort.

21 So, yeah, I think that the fact that I've done
22 that for four decades, you know, until I retired, you know,
23 has helped me achieve that.

24 MR. DAWSON: Thank you. Question three. What is
25 the greatest problem the Commission could encounter, and

1 what actions would you take to avoid or respond to this
2 problem?

3 MR. CAPISTRANO: Well, you know, one thing that
4 comes to mind and that is very immediate is with COVID-19,
5 and what that does in terms of the Census. You know, when
6 you have Census workers who can't get out there to go door
7 to door, I think that you're going to have -- potentially,
8 potentially some issues maybe with the data. Now, and
9 maybe not. But the potential is there and that, I think,
10 can create, what, you know, whether it's true or not true,
11 you know, some lever for those who wanted to push a
12 particular idea. Not necessarily within the Commission
13 itself. But certainly, when you start getting out in the
14 public meetings and things of that sort, I think that
15 that's -- you know, that could be used perhaps.

16 And so, I think that what the Commission would
17 have to do, certainly, would be to obviously work with what
18 we have, but ensure, you know, that the integrity of the
19 data, the integrity of the Census that we can -- you know,
20 that might mean actually, you know, having to compare, you
21 know, the results of the Census here with other parts of
22 the country to see if -- you know, to see what the problems
23 are. You know, that has to be done up front, I would
24 think.

25 But I could see that as potentially being a

1 problem in this particular phase.

2 MR. DAWSON: Thank you. Question four. If you
3 are selected, you will be one of 14 members of the
4 Commission which is charged with working together to create
5 maps of the new districts. Please describe a situation
6 where you had to work collaboratively with others on a
7 project to achieve a common goal.

8 Tell us the goal of the project, what your role
9 in the group was, and how the group worked through any
10 conflicts that arose.

11 What lessons would you take from this group
12 experience to the Commission if selected?

13 MR. CAPISTRANO: Well, the one experience that
14 kind of -- that comes to mind was both collaborative and to
15 some degree antagonistic in terms of there being actually
16 two sides. And that was when I was the lead negotiator,
17 actually the sole negotiator of a union contract at Legal
18 Aid.

19 Now, the beauty of it was that I think that --
20 and mind you, this was a situation where our organization,
21 the Legal Aid organization had actually fused with three
22 other organizations. So, you had, in terms of the
23 membership of the union on the other side you had, you
24 know, interests that, you know, might have reflected
25 different histories. Not the same entity, but different

1 histories coming together, a brand-new organization. And,
2 of course, I was on the other side.

3 But I think one thing that everyone shared was
4 the idea -- well, first of all, I think that most people
5 believed that the other side was acting good faith. Okay,
6 that's very important, okay.

7 Second I think is that everyone shared the common
8 goal, which was, you know, to -- in our case to achieve
9 some sort of baseline, you know, wages, and benefits and,
10 you know, that would ensure, you know, not only the
11 financial integrity of the organization, but also the
12 ability to recruit and keep lawyers in the future.

13 And so, you now, that was -- so, with that goal
14 then, it's true that, you know, we started out very wide
15 apart in terms of, you know, the financial packages and
16 things of that sort. But I think the way we dealt with and
17 I think it is something that's transferrable to really
18 almost any negotiation, or any process like the
19 redistricting process, is to, you know, break the problem
20 up into different -- into small bites, right.

21 And then, try to tackle those which are, you
22 know, the low-hanging fruit so to speak, so that you can
23 get a general sense of, you know, of commitment. You know,
24 and you sort of eat away and eventually you can get to what
25 are the -- you know, obviously, the contested issues that

1 are going to obviously be, you know, at the end. And in
2 our case it was financial, right.

3 Here, I don't know. I would imagine that
4 probably the biggest question that's going to come up with
5 for the Redistricting committee is the fact that chances
6 are California's going to lose one or two Congressional
7 seats. Okay, well, what does that mean? Well, that means
8 that that's definitely going to be a hard issue to grapple
9 with.

10 You know, on the other hand there are other
11 issues like, you know, a certain, you know, Assembly
12 district, or Senate districts or, you know, things of that
13 sort that, you know, demographically maybe there hasn't
14 been all that much change in the last ten years. You know,
15 and so those might be easier issues to deal with. You
16 know, I don't know.

17 But I think that is something that is -- that
18 could be used, which is to break down the problem and then
19 tackle in, you know, manageable bites so to speak.

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

25 If you are selected as a Commissioner, what

1 skills and attributes will make you effective at
2 interacting with people from different backgrounds and who
3 have a variety of different perspectives?

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

8 MR. CAPISTRANO: Well, I think both in my work
9 and in my, you know, employment, as well as my community
10 involvement, as well as my life, really. You know, I
11 really have been exposed to a lot of different -- a lot of
12 different communities. I mean I won't -- I won't go into
13 it but, I mean, probably one of the most important things
14 to me I think was the fact that I grew up on Army bases.
15 And, you know, back then, in the 1950s and the 1960s, and
16 you think about the United States that was probably the
17 most integrated section of American society.

18 You know, you had blacks, Asians, Latinos, you
19 know, white people, everybody is going to the same schools,
20 living in the same barracks, you know, in different ranks,
21 you know. So, my father was an enlisted man, you know, so
22 I don't know about the officer's quarters, but certainly
23 among the enlisted men, you know.

24 So, you know, day in and day out, you know, you
25 interacted with people with different backgrounds. You

1 know, that was the beauty perhaps with the draft, I
2 suppose, in those days.

3 But then, you know, after, you know, when I went
4 into college it was the same sort of thing. And then, when
5 I actually went to work, you know, one of the things that I
6 did that -- you know, I started out actually as a Vista
7 volunteer in San Francisco. It's basically representing
8 poor people. And, you know, where at that time San
9 Francisco was still affordable. You know, all of my
10 clients, obviously they were poor, but they were from all
11 sectors of society. I mean, you know, probably the
12 plurality of my clients were African America, certainly
13 Latinos, limited English-speaking, Spanish speakers,
14 lesbian and gays. You know, a lot of women with families.

15 You know, so I became very -- you know, my day-
16 to-day work involved the types of situations that poor
17 people can get into and the barriers that they faced. And,
18 of course, I had to interact with the representatives of,
19 you know, the landlords, the banks, you know, and certainly
20 in settlement discussions.

21 Like I remember one time, you know, as a Legal
22 Aid lawyer, you know, and sitting up there you think, well,
23 the Presidential Hotel. Well, we sued the Federal Reserve
24 Bank, right. So, having to interact, actually, with a big
25 firm of lawyers. You know, and of course you make contacts

1 like that and then, of course, there are some social
2 circles that you deal with.

3 So, I would say I had tremendous exposure to all
4 sorts of different people in different sections of society
5 from, you know, from the poorest, to the middle class
6 people, certainly the ethnic minorities. You know, anyway,
7 you know, I mean my whole career, I guess, as dealing with
8 and representing diverse populations.

9 MR. DAWSON: Thank you. At this point we'll go
10 to Panel questions. Each Panel Member will have 20 minutes
11 to ask his or her questions. And we will start with the
12 Chair, Ms. Dickison.

13 CHAIR DICKISON: So, going on what you have --
14 what you just talked about, how most of your career has
15 been working with diverse populations, what -- what kind of
16 drove you to that type of work when you first got out of
17 law school?

18 MR. CAPISTRANO: Well, I think I always had a
19 social services commitment. And certainly growing up as I
20 did in the -- you know, I'm going to graduate from high
21 school in 1967 and, you know, at that time, you know, the
22 Civil Rights Act had just been enacted. There was a
23 certain amount of, you know, optimism in this country, even
24 though the Vietnam War was there and looming in the
25 background.

1 And I think through my college years, you know,
2 that was a time when a lot of social programs were created
3 in 1965, you know, with the war on poverty and what have
4 you. But, you know, I felt that, you know, that -- well,
5 to me, I just wanted to give. I really wanted to do what I
6 could to help people, really I thought, try to achieve a
7 certain level of success. You know, like my parents were
8 not rich by any means, you know, but the fact is that I had
9 chances and I managed to use those chances. And there are
10 a lot of people who don't have those chances.

11 And so, for example, in Legal Aid one of our
12 mission statement that we adopted in 1980 was to the extent
13 possible help people get themselves out of poverty. You
14 know, that's a pretty -- that's a pretty important thing
15 and I think that's one of the reasons that I adopted sort
16 of as my own mission statement. And that's one of the
17 reasons why I kept in legal aid until I retired, which is
18 basically trying to help people just better their
19 situation.

20 CHAIR DICKISON: So, I see here that you worked
21 for the Bay Area Legal Aid.

22 MR. CAPISTRANO: Right.

23 CHAIR DICKISON: And you're the Director of
24 Advocacy. What is that?

25 MR. CAPISTRANO: Well, I was. I was.

1 CHAIR DICKISON: Was. Okay, you were the
2 Director of Advocacy. What is -- what was your role as the
3 Director of Advocacy?

4 MR. CAPISTRANO: Well, it was -- I originally
5 started out with the San Francisco Neighborhood Legal
6 Assistance Foundation, which became Bay Area Legal Aid.
7 And my title with the original organization was Director of
8 Advocacy, Training and -- eventually for advocacy and
9 training, okay.

10 So, on the one hand I mean the idea was to engage
11 in some sort of work that would produce some sort of
12 systemic change for our clients.

13 You know, for example, you know, I mean in the
14 general assistance program and, you know, in the 80s there
15 were just rampant, all sorts of problems which really ended
16 up with people losing their benefits, you know. And if you
17 lose your benefits in a place like San Francisco, you know,
18 you're really in bad shape.

19 And so, you know, we would go in and we would try
20 to -- you know, we were using lawsuits, we were using
21 advocacy at the commission level, the board of supervisors,
22 what have you to try to change the actual ordinances,
23 right, in order to help people. And we've done that in a
24 lot of different areas.

25 So, my role eventually was to try to be -- try to

1 push that, try to encourage people to get into that, try to
2 identify issues and try to build the structures, you know,
3 through training and what have you, which is the other half
4 that I carried, which is the Director of Training.

5 And there, you know, I mean for example we would
6 have these almost year-long, nine-month-long training
7 sessions where once a month, you know, we would have a
8 pretty intense training on some aspect of litigation, or
9 administrative hearing practice or, you know, whatever the
10 case might be. So, yeah, that was my role.

11 And also, not only that but, you know, I had to
12 do things like establish, you know, policies for, you know,
13 simple things like opening cases, file maintenance, you
14 know, things of that sort. You know, it's sort of the
15 nitty-gritty types of things that you have to do in order
16 to have an efficient and effective practice, you know, just
17 day to day. And just in timekeeping. You know, I mean it
18 would be, you know, the case management system.

19 You know, so, it wasn't just something that was
20 highfaluting getting, you know, going around, you know,
21 advocacy of that type. But also, the nitty-gritty sort of
22 structural work, trying to make sure that you had systems
23 in place so that you could actually help the clients help
24 themselves. And that was the whole point of our work.

25 CHAIR DICKISON: Okay, thank you. Thank you for

1 laying that out for me, that was helpful.

2 So, I noticed you served on the Board of
3 Directors for ACLU Northern California, and its audit
4 committee-- also, the Legal Aid Association of California,
5 and a few other things. What have you learned in working
6 with those organizations that would help you or assist you
7 in work as a Commissioner?

8 MR. CAPISTRANO: Well, I think listening is, you
9 know, I think that's a major thing when you have different
10 viewpoints. Just being able to listen, and evaluate, and
11 really put your -- you know, only throw in your two cents
12 worth if you've got something to say. You know, I think
13 that's really important and I think that sort of allows
14 you, you know, to deflect sort of artificial things that
15 get in the way, like personalities, you know.

16 I mean, I think that's really important and
17 that's, well, that's one of the things that really I
18 actually learned just having to negotiate, you know, as a
19 lawyer and listening to landlords. Like, you know, I mean
20 you just can't -- you know, you can't come in all
21 gangbusters, right. You really have to, you know, what,
22 you know, you have to appreciate that, you know, somebody
23 else is coming from a different point of view but, you
24 know, they might have a point there. And so, you have to
25 absorb that and then, you know, evaluate that. So, that's

1 why I say evidence-based decision making is really what I
2 think is important.

3 CHAIR DICKISON: Okay.

4 MR. CAPISTRANO: Yeah.

5 CHAIR DICKISON: So, you talked in your essay
6 about your career in adjusting -- addressing systematic
7 issues facing your client communities and representing, you
8 know, different communities that are disadvantaged, the
9 homeless, and others. How would those experiences assist
10 in identifying communities of interest?

11 One of the things the Commission needs to do is
12 identify the communities of interest when it's drawing
13 lines. So, how will your experiences with these different
14 communities and groups assist the Commission in identifying
15 communities of interest in different regions throughout the
16 state?

17 MR. CAPISTRANO: Well, I think, you know -- well,
18 one thing I think is that I would have certainly a greater
19 appreciation I think for, you know, some of the humdrum
20 statistics, like unemployment rates and, you know, where --
21 you know, the workforce, you know, what are the -- you
22 know, for example, you know, I mean low wage workers and,
23 you know, if it's a community that has an awful lot -- you
24 know, tourists, tourism for example. Well, then, you're
25 talking about, you know, restaurants and hotels. I mean

1 that's a certain population there, you know, that I think
2 is also reflected in the demographics.

3 And if you look at, you know, some community and
4 say, oh, you know, it's 20 percent Latino or, you know, 30
5 percent African American, or whatever the case might be,
6 well, what does that mean in terms of their life, you know?
7 How do they make a living? You know, so in terms of
8 identify the community of interest I think that's
9 important. It's not the fact that, you know, that it has,
10 you know, a big -- a big group of hotels, or restaurants,
11 or things of that sort, but actually it's the people who
12 work there. You know, what's happening? What does that
13 mean in terms of their ability to affect the political
14 process, you know.

15 Obviously, what we're doing is not going to be
16 something that, you know, there's a direct correlation
17 there. But certainly you can -- you would have to have --
18 get the feel of the community and you have to look at the
19 economics of, you know, of the entire community, you know,
20 including those at the bottom of the workforce, you know,
21 and those immediately above.

22 You know, it's one less -- you know, so it won't
23 be essentially middle class interests essentially, or upper
24 class interests. Which I think that, you know, certainly
25 in the old days when you think about redistricting, you

1 know, it was certainly what ruled the redistricting
2 process, really, you know, where the money was.

3 CHAIR DICKISON: Okay, thank you. Some of my
4 questions you've answered already. So, I want to read a
5 sentence from your first essay and just have you kind of
6 explain what you mean by it -- this, or expand on the idea.
7 You said: Delegating reapportionment to an independent
8 Commission has undermined the influence of incumbents, but
9 not necessarily partisanship. Can you expand on that a
10 little bit?

11 MR. CAPISTRANO: Well, yeah, I mean I -- I think
12 -- well, okay, obviously under the old system, you know,
13 where the whole idea was to make sure that the incumbents
14 kept their job, you know, well, that's one, there's a
15 certain personal -- well, a personal interest involved
16 there.

17 But I think that even in this Commission, I mean
18 to the extent that there is, hopefully not
19 hyperpartisanship, but certainly there's going to be
20 partisanship, right. I mean, so when you have ideological
21 interests you can't -- you know, you can't separate that.
22 Just like you can't separate my opinions, you know, from
23 me, you can't separate the opinions of other Commissioners,
24 you know.

25 But what I would hope would be that if we all

1 have a shared goal, you know, which was basically, you
2 know, as representative a series of maps as we could
3 possibly get, then I think that we can go, certainly go a
4 long way. You know, the beauty of it is that we don't have
5 the personal interests involved, you know. But, you know,
6 I mean, you know, society is society. You know,
7 everybody's got their own opinions. It's a free country,
8 right? Otherwise you wouldn't have a First Amendment. And
9 so, but everybody's going to come in with baggage, right.

10 But like I say one good thing is that the voting
11 system, that's in Article 21, actually, you know, is trying
12 to deal with that to some degree, you know.

13 But still, hopefully, that we can through working
14 together collegially, we can get over some of the things
15 that I think are almost -- we can come to some sort of
16 compromises, you know, even though everyone's going to have
17 their opinions and nobody's going to have -- most of their
18 opinions change, I think.

19 CHAIR DICKISON: Okay.

20 MS. PELLMAN: We have six minutes and 39 seconds.

21 CHAIR DICKISON: Okay, thank you.

22 So, on the Commission, the way the Commissioners
23 are selected, the first eight Commissioners are selected by
24 -- are selected randomly. And then, they select the next
25 six. If you were selected as one of the first eight, what

1 would you be looking for in those other six?

2 MR. CAPISTRANO: Well, yeah, you know, again it's
3 sort of hard to glean many things off of a paper or, you
4 know, even if you had interviews. What I think I would --
5 what would be the most important thing is sort of an idea
6 of the commitment that each applicant actually has to this,
7 to the product, really, to the idea of fair representation
8 in California, you know. That to me, that's probably the
9 most important thing, you know.

10 And then, after that I think would be really an
11 appreciation of really the -- really the breadth of the
12 types of communities there are in the state, you know, both
13 economically, ethnically, you know, language and what have
14 you.

15 And then, of course to me probably next would be
16 really the ability to get along, the ability to dialogue.
17 The ability to, you know, to hear the other person, you
18 know, and be objective. Yeah, I think those -- I think
19 that's the key thing. Probably, you know, the most
20 important thing to me is just commitment to the process and
21 then, you know, everything else hopefully, you know, will
22 fall into place.

23 CHAIR DICKISON: Okay, thank you. I don't have
24 any further questions at this moment, so I'm going to turn
25 it over to Mr. Belnap.

1 MR. CAPISTRANO: Thank you.

2 CHAIR DICKISON: Thank you.

3 VICE CHAIR BELNAP: Good afternoon, Mr.
4 Capistrano.

5 MR. CAPISTRANO: Good afternoon.

6 VICE CHAIR BELNAP: So, you indicate in your
7 application that as a public interest attorney you have had
8 to defend the rights of people whose views you do not agree
9 with, necessarily agree with.

10 Can you provide us with an example and discuss
11 how you set aside your views to fairly represent your
12 client?

13 MR. CAPISTRANO: Well, just something that leaps
14 to mind, and I remember one of the first cases that I had
15 was actually a fair housing case where I had to represent,
16 really, a poor landlord, right, who had, you know, I think
17 discriminated in denying an apartment. And those were the
18 days when we really no case acceptance guidelines, right.

19 So, you know, as a new lawyer, you know, we took
20 everything that came in through the door. And I think at
21 that time there was, what, you know, a commitment to the
22 process, to the legal system, you know, and that was one
23 example.

24 And then, at other times, you know, I mean
25 especially when I was a tenants lawyer, I mean there were

1 people when I had to -- there were times when I had to
2 represent people -- these weren't necessarily ideas that I
3 disagreed with but, you know, for example, evicting
4 somebody -- or, rather, representing somebody who's being
5 evicted for being a nuisance, when I could quite clearly
6 see they were nuisances, you know. But trying to deal with
7 that and still trying to keep the client in the house. So,
8 in a sense negotiating both with my client, as well as with
9 the landlords.

10 So, yeah, I mean those are two things that come
11 to mind in terms of my representation.

12 VICE CHAIR BELNAP: Okay, thank you. You
13 indicated in your application that for 12 years you served
14 with ACLU North. So, I'm assuming, and please expand on
15 this, that you traveled throughout Northern California, is
16 that correct, and how much did you travel?

17 MR. CAPISTRANO: Oh, no, no, I was just a board
18 member, so the board met in San Francisco. You know, and I
19 went to meetings for example in, you know, Berkeley or San
20 Jose, but I don't consider that traveling, you know.

21 VICE CHAIR BELNAP: Okay. So, you were on the
22 board, okay.

23 MR. CAPISTRANO: Right.

24 VICE CHAIR BELNAP: So, going back to the
25 question of your clients and how you represented them, and

1 when they had views that didn't align with yours, tell me
2 about how you set those -- your views aside and still
3 fairly represented them?

4 MR. CAPISTRANO: Well, you know, for example when
5 I represented the landlady who had denied housing to
6 somebody else, well, you know, what you're trying to do is
7 get the best possible outcome for her. Now, in her
8 particular case really the best possible outcome was to get
9 the other side to dismiss the case. And so, the things
10 that I did, now which was fairly new, was basically to show
11 that, look, the only thing that this woman had was the
12 house. You know, at that time, you know, you could
13 safeguard, really, the equity in that house by -- I can't
14 even remember which one you could file, but with the
15 recorder's office, that basically would safeguard, you
16 know, \$50,000. And the house could sell, because it may be
17 worth, you know, \$75,000 or so forth.

18 But basically, to show to the other side that,
19 you know, that this was not an economically viable case.
20 So, the idea was, really, to use whatever was available,
21 right, in order to achieve the outcome that, you know, my
22 client and I decided would be the best given all the
23 circumstances, and given the posture of the case. And, you
24 know, the ability to defend or not defend it.

25 VICE CHAIR BELNAP: Okay. So, your time as a

1 public interest attorney is one of the things you talk
2 about as demonstrating your impartiality. So, if you are
3 representing your client and doing a good job for them, how
4 is that necessarily being impartial?

5 MR. CAPISTRANO: Well, to start with, you know, I
6 think even before you take their case there is an
7 evaluative process. You know, you have to think about, I
8 mean is this -- you know, and we had the luxury with Legal
9 Aid, certainly, because, you know, there was no pecuniary
10 interest involved, at least for Legal Aid, you know, and in
11 many cases even for the client, right.

12 And so, we were able to step back and think about
13 not only the issue of whether or not a case was winnable or
14 not winnable, but also what was -- you know, what overall
15 was at stake, the importance of it, evaluating how that
16 could be presented.

17 So, I think that, you know, it's not impartial in
18 the sense that you're still representing a client, but it
19 is impartial in the sense that what you're looking at is
20 the higher almost -- not necessarily the higher interest of
21 society, necessarily, but certainly the interest of
22 whatever the value that was expressed in the law that you
23 were trying to enforce, right. Whether it's a housing
24 discrimination law, whether it was a benefits statute,
25 whether it was, you know, rent control. You know, it

1 wouldn't matter what the case was. The fact is the law did
2 give you sort of a baseline standard and it was up to --
3 and impartiality in the sense of, well, was this really a
4 breach, right, that's the first step. And if it certainly
5 looked there was a breach well, of course, then I think the
6 decision is made to represent the client.

7 VICE CHAIR BELNAP: So, in your experience as a
8 public interest attorney did you ever deal with any voting
9 rights cases or anything similar to it?

10 MR. CAPISTRANO: No, I never did. Never did.

11 VICE CHAIR BELNAP: Okay.

12 MR. CAPISTRANO: You know, aside from, you know,
13 there might have been somebody just coming up as a board
14 member of the ACLU, but certainly not as a Legal Aid
15 lawyer.

16 VICE CHAIR BELNAP: Yeah. All right, thank you.
17 No further questions.

18 MR. CAPISTRANO: Thanks.

19 CHAIR DICKISON: Thank you. Mr. Coe?

20 PANEL MEMBER COE: Thank you, Madam Chair. Good
21 afternoon, Mr. Capistrano.

22 MR. CAPISTRANO: Good afternoon.

23 PANEL MEMBER COE: Thank you for taking the time
24 to speak with us this afternoon.

25 In your essay on analytical skills, you state

1 that for years you have studied economics, politics, and
2 social and geographic stratification. Can you expand on
3 this a little bit? Did you study those things separately,
4 or how those things interacted with one another maybe
5 affected each other?

6 MR. CAPISTRANO: Well, I think it's really an
7 interest that I had. It doesn't do necessarily with
8 schooling, you know. Sure, I got a poly sci degree. But I
9 think that because I've been always interested in history,
10 economics, and things of that sort that, you know, it is
11 one of the things that I just kept getting into as the
12 years went by. You know, I read a lot of history, a lot of
13 economics books. You know, some of the -- you know,
14 whoever might -- you know, Piketty, or Krugman, or whoever
15 the case might be. You know, that sometimes those books
16 would interest me. You know, I read the *Economist* cover to
17 cover, you know. But not just the *Economist*, but I mean I
18 read a lot of things. I don't really watch that much TV,
19 you know. My interests, you know -- I guess I'm sort of a
20 -- I learn by reading, you know, and thinking as opposed
21 to, you know, absorbing it by watching television.

22 So, yeah, so that's really where that interest
23 came from and it has kept going for years, and years, and
24 years.

25 PANEL MEMBER COE: How do you think that your

1 years of study on the topics of economics, politics, social
2 and geographic stratification could be an asset to the work
3 of this Commission?

4 MR. CAPISTRANO: Well, I think it's -- as
5 background, I think that it's -- you know, I think that I
6 can interject sort of ideas different ways, looking at a
7 particular phenomenon, it's not just simply -- you know,
8 it's not just simply demographics, right? It's not just
9 simply looking at some statistics that are, say, you know,
10 Census data or anything else like that.

11 But I think that, you know, you can look at the
12 -- say, the demographics of a community. You know, were it
13 got there, you know. Like the shipyards in Richmond, and
14 that connection with the African American community that
15 lives here in Richmond. Or in L.A., you know, with the old
16 aviation plants, right, and the residue after, you know,
17 the rust belt came, and those industries left, but a lot of
18 people were left stranded. You know, maybe it's not the
19 rust belt type of situation, but you do have those types
20 of, you know, the remnants of really history, right. The
21 history, both economic history, and social history of a
22 particular area, you know.

23 I mean, if you go down to, you know, say areas in
24 the Central Valley, I mean like a -- I know this one
25 particular case where, you know, it was a Mexican American

1 community and for some reason, you know, they didn't have a
2 heck of a lot of social services, water, what have you.
3 You know, and that really was an issue of, really, the
4 aftermath of, you know, the economy that existed way back,
5 you know, in the 30s and 40s, and in today. You know, it
6 resulted actually in the fair housing, where the city was
7 forced to actually put in the various services.

8 And so, you know, I think that's the -- that's
9 where I think that knowledge, you know, sort of dry,
10 supposedly dry history, or economics, or whatever, but that
11 has -- that helps, I think, explain to me, I think, the
12 structures that you have to deal with when you're talking
13 about communities of interest in, you know, in developing
14 these Assembly seats, or Senate seats, districts.

15 PANEL MEMBER COE: Thank you. In your essay on
16 impartiality you discussed your role as a supervising
17 attorney and how you had to mediate disputes. You state
18 you had to listen, elicit relevant facts, and timely decide
19 the dispute as objectively as possible.

20 How would you elicit relevant facts as a
21 Commissioner?

22 MR. CAPISTRANO: Well, you know, I think you've
23 got the data that you have from the Census, but I think
24 beyond that I think that -- that, you know, there might be
25 certainly the public hearings. You know, I'm sure people

1 are going to come in with comments, both written and oral.
2 I think they're -- you know, that's one source.

3 And I know that as background, you know, there
4 are things like, for example, the Association of Bay Area
5 Governments for example puts out an awful lot of, you know,
6 different documents, studies, whatever, the economic trends
7 and what have you in a particular area. Now, that may or
8 may not be relevant depending on, you know, the location
9 that you're talking about.

10 But, you know, those things are there and, you
11 know, I think I have a certain familiarity with that type
12 of, what, research, and right, analyzing those types of
13 trends that you can get from those sources of data.

14 PANEL MEMBER COE: Can you give us an example of
15 a time where you did this type of research and were
16 eliciting these facts, and through that exercise it caused
17 you to maybe change your mind on a conclusion you had drawn
18 before doing that research?

19 MR. CAPISTRANO: Yeah, well, I'm trying to --
20 yeah, well, there was a time for example when, you know,
21 when the -- you know, the housing authority, you know,
22 under a statute that's probably since been amended, you
23 know, the housing authorities had the issue of utility
24 allowances to their tenants, and those allowances had to
25 reflect the actual cost of utilities.

1 And, you know, clients came to me and they said,
2 oh, boy, you know, these utility allowances, they really
3 aren't -- they aren't robust enough. You know, I have to
4 pay this, I have to pay this over and above what the
5 allowances are. Well, okay, so, you know, I mean it seemed
6 like the type of thing that really had merit it because,
7 you know, I could see that certainly in San Francisco, you
8 know, in wintertime it gets cold here.

9 So, in order to get the basic data, I went and
10 looked at the PG&E, what do you call it, the rate sheets,
11 you know. I looked at the rate sheets and I looked at the
12 weather bureau records, you know, in terms of temperature
13 ranges over particular periods of time. And out of that,
14 you know, I realized that number one there were different -
15 - there were pockets of the city that were more affected
16 than others, right. But also that the actual allowances
17 were not that far off, right. And so, that really -- I
18 mean, obviously, you know, you can't -- you know, that
19 certainly made me change my mind in terms of my initial
20 opinion as far as the merits of the client's case.

21 PANEL MEMBER COE: Okay, thank you. In your
22 essays and some of your testimony today you've given some
23 examples of having worked with or represented diverse
24 groups of people. What did you learn about the
25 preferences, the concerns, and the needs of people of

1 various backgrounds that will make you an effective
2 representative for them on this Commission?

3 MR. CAPISTRANO: Oh, let's see. Well, I think
4 that overall probably the one thing that a lot of my
5 clients felt was basically being ignored. It was not even
6 so much being -- you know, being more of an afterthought.
7 You know, I think that for a lot of, certainly for a lot of
8 poor people because the -- you know, you're only talking
9 about 10, maybe 12 percent of the population it's easy to
10 overlook them and their particular needs. And so, you
11 know, for example until recently, you know, with the
12 housing crisis, you know, only now you have -- do you have
13 a lot of communities looking at things such as, you know,
14 rent control or some way of addressing these issues that
15 have, you know, long plagued certain portions of the
16 population.

17 Now, it happened earlier in some cities, you
18 know, like in San Francisco and Berkeley, but that's back
19 in the 70s. But only recently, you know, with the housing
20 problems becoming so extreme has that, you know, have those
21 issues risen in public consciousness. And really, the
22 Legislature and what have you trying to deal with that, or
23 the local boards of supervisors more likely.

24 Let's see, I actually forgot where I was going
25 with that. What was your question again?

1 PANEL MEMBER COE: The question was in your
2 experience working with people of diverse backgrounds, what
3 have you learned about their needs, and preferences, and
4 concerns --

5 MR. CAPISTRANO: Oh, okay, yeah. Yeah.

6 PANEL MEMBER COE: -- representative.

7 MR. CAPISTRANO: So, I think that there is an
8 idea or a feeling of being ignored, of their particular
9 interests not being all that important. And so, you know,
10 how that could be addressed? Well, I think that, you know,
11 to some degree I think I'd like -- on the redistricting
12 level, you know, you're almost at sort of a higher, more
13 abstract plane to deal with, you know, the issues that some
14 of those, you know, feel in terms of representation or
15 their ability to affect the process.

16 But I think that, you know, to the extent that,
17 you know, you can ensure that certainly, you know, a larger
18 community of interest is reflected somehow in the drawing
19 of these districts that you do have the ability of, you
20 know, representatives being elected who at least, you know,
21 have the possibility of -- you know, the higher possibility
22 of being able to, you know, knowing about those particular
23 issues. And I think, hopefully, will, you know perhaps in
24 the long run, but hopefully in the medium term, you know,
25 allow people to feel that they have actually a stake in the

1 political process.

2 You know, and I think a lot of social problems
3 that you see, you know, with whether it's drug addiction or
4 what have you really comes from a sense of hopelessness,
5 really. And the idea that, you know, you really don't
6 count in society. Now, that to me was a feeling that I
7 felt from a lot of poor people, you know, from various
8 diverse backgrounds.

9 Now, whether that was a minority opinion, you
10 know, so hopefully yes. You know, and there were people
11 who were actually moving out of that situation and, yeah,
12 they have more of a stake in the process. But I think that
13 that is a long-standing issue, I think, of feeling that,
14 you know, you really don't count in society.

15 PANEL MEMBER COE: So, on the topic of
16 communities of interest, some communities are less engaged,
17 maybe don't feel comfortable coming forward to engage with
18 government organizations like the Commission, for one
19 reason or another. What would you do as a Commissioner to
20 make these communities feel more comfortable coming forward
21 and sharing their perspective to help inform the Commission
22 when they're drawing the lines?

23 MR. CAPISTRANO: Well, you know, I don't know
24 what, you know, what -- you know, how much -- how much the
25 Commission itself is involved in, you know, whatever, the

1 publicity of the meetings, you know, the literature that's
2 being distributed, the public service announcements, things
3 of that sort. I would hope that, you know, through being
4 sensitive to those types of issues in terms of language
5 access, in terms of ensuring that certainly the ethnic
6 media, you know, is aware of these things. I think in
7 terms of, you know, to the extent that we have influence
8 on, you know, where meetings are held or, you know, things
9 of that sort. You know, the community TV stations, you
10 know, broadcasting hearings or what have you.

11 You know, this is all new to me, but I would
12 think that that's where I think I would have a certain
13 sensitivity to those types of issues that, you know, may
14 not necessarily be true of, you know, the majority of the
15 Commission just because of, you know, where I spent my
16 career, you know, working in terms of those communities.

17 PANEL MEMBER COE: So, if you were to be
18 appointed to the Commission, which aspects of that role do
19 you think you would enjoy the most and, conversely, with
20 aspects of that role do you think you might perhaps
21 struggle with a little bit?

22 MR. CAPISTRANO: Okay. Well, I think that -- I
23 think that I really would enjoy getting into the -- delving
24 into this whole issue of communities of interest, right.
25 Because that's, you know, it's -- you know, the way it's

1 written in the statute it's vague, it's amorphous. You
2 know, community of interest, you know, because it reflects
3 the reality of a community, you know, that to me is really
4 -- you know, is really interesting. And how that then is
5 reflected, you know, through the prism of the statutory
6 requirements in terms of the Voting Rights Act and, you
7 know, the Constitution, equal protection in terms of, you
8 know, one person/one vote, you know, those types of issues.

9 You know, I enjoy actually trying to crunch data
10 through the -- you know, the legal standards and trying to,
11 you know, trying to come to some sort of --

12 (Phone ringing)

13 MR. CAPISTRANO: Uh-oh. Excuse me, let me --

14 MS. PELLMAN: We have three minutes and 40
15 seconds remaining.

16 MR. CAPISTRANO: Sorry, I had to -- this phone
17 call came in. Now, I'm not quite sure how to make this
18 whole screen come back the way it was.

19 MR. DAWSON: Well, we can see you, Mr.
20 Capistrano.

21 MR. CAPISTRANO: Oh, good. Okay, okay, then it
22 doesn't matter then, I guess.

23 MR. DAWSON: Mr. Coe, you want to repeat your
24 question?

25 PANEL MEMBER COE: Do we have time?

1 MS. PELLMAN: Yes, we still have three minutes
2 and eight seconds.

3 PANEL MEMBER COE: Okay. So, I think the half of
4 the questions that maybe you hadn't gotten to, yet, Mr.
5 Capistrano, is which aspect of the role of Commissioners do
6 you think you might struggle with a little bit.

7 MR. CAPISTRANO: Oh, right. Well, you know, what
8 would I have trouble with, you know, I mean -- you know, I
9 certainly have a -- I'm wondering, you know, with -- you
10 know this has sort of been something that's been coming up
11 as a thought to me. To the extent that, you know, you do
12 have, you know, I guess I want to say hyperpartisanship,
13 you know, but I don't know. You know, I mean hopefully
14 that won't be an issue. But, you know, having to deal with
15 that, having that type of -- I don't want to say
16 confrontational because I don't -- you know, I think
17 confrontation's the wrong way to deal with issues like
18 that.

19 But, you know, being able to deal with that. I
20 mean, to me, you know, I suppose the best analogy might be,
21 you know, when you're a lawyer and you're dealing with
22 opposing counsel who, you know, is not the most cordial
23 person, so to speak. You know, I think that might be
24 something that, you know, might be troubling. But I don't
25 know that there really are, you know, anything that -- you

1 know, maybe the travel, you know.

2 But in terms of the process itself, I don't
3 think so. You know, I think it's a challenge, it would be
4 an interesting challenge.

5 PANEL MEMBER COE: Okay, thank you. No further
6 questions, Madam Chair.

7 MR. CAPISTRANO: Thanks.

8 CHAIR DICKISON: Thank you. Mr. Dawson, do you
9 have any follow-up questions?

10 MR. DAWSON: Yes, thank you, Madam Chair.

11 Mr. Capistrano, if I understood, you had
12 mentioned that you grew up on Army bases?

13 MR. CAPISTRANO: Yes.

14 CHAIR DICKISON: So, did you come to California
15 to go to Hastings?

16 MR. CAPISTRANO: I did, yes. I was living in
17 Colorado at the time, I went to the University of Colorado.

18 MR. DAWSON: So --

19 MR. CAPISTRANO: That's where my father retired,
20 actually, Fort Carson.

21 MR. DAWSON: Oh. Did you always want to be a
22 lawyer?

23 MR. CAPISTRANO: No, that's something that came
24 to me, I think, in undergraduate school. You know,
25 certainly I got an appreciation of the law and what the law

1 could do, you know, through probably, certainly when the
2 Civil Rights Act was passed. You know, the end of the
3 segregation in schools. And, of course, that was a long
4 fight. But, you know, just the power of the law, I think,
5 and the ability I think to, you know, address real problems
6 in society.

7 MR. DAWSON: So, it sounds like at least after
8 the point where you decided you wanted to go to law school
9 and become a lawyer, your path was towards public interest
10 law, is that correct?

11 MR. CAPISTRANO: Yes, I'd say so, yeah. Yeah, I
12 definitely -- yeah.

13 MR. DAWSON: So, staying a little bit on your
14 legal career, I see that you represented clients all the
15 way up from administrative hearings to appellate work. Did
16 you do much trial work?

17 MR. CAPISTRANO: In my early days, yes. You
18 know, mainly unlawful detainers, defense, family law.

19 MR. DAWSON: Jury trials?

20 MR. CAPISTRANO: A few jury trials, yeah, did a
21 few jury trials.

22 MR. DAWSON: So, I'm curious, do you -- thinking
23 back to your time of picking juries, what was your strategy
24 there and do you think that that's a perspective that would
25 be useful to you on the Commission, especially as you are

1 evaluating folks who are going to be coming forward and
2 representing themselves as part of a community?

3 MR. CAPISTRANO: Well, I have to -- you know,
4 that was -- we didn't do that many jury trials. I think I
5 only had maybe five, and so my experience, you know, I
6 can't say that I was ever an expert at it. And so, you
7 know, I sort of bumbled my way through. But, you know, I
8 think that, you know, what I tried to do, you know, through
9 the extent you can you've got voir dire questions, the
10 judge is not going to let you get away with everything.

11 But, you know, it was a lot of gut sense, I
12 think, just, you know, getting a sense of the -- with
13 respect to the juror, you know, in terms of shifting and so
14 forth.

15 Now, you know, whether I was reading the body
16 language right or wrong, I don't know. But, you know,
17 certainly I was glad when I won a case, I'll tell you that.
18 And, you know, talking to the jurors afterwards, it's sort
19 of -- you know, the cases that I won anyway, it's sort of,
20 what, confirmed, sort of my initial sense of these jurors,
21 you know, of the people who I thought might be, you know,
22 good on my jury.

23 But I, by no means would I say I was an expert.
24 Oh, no.

25 MR. DAWSON: Okay, thank you. I wanted to follow

1 up on your essay number four, when you talked about your
2 analytical skills. And I'm just going to paraphrase, but
3 you had said that you faced -- often the issues I faced
4 involved arcane technical questions, such as the adequacy
5 of housing authority, utility allowances, or federal
6 earmark or rent standards, and you use raw data like
7 meteorology, records, and rate-setting orders.

8 During this analytical work did you use mapping
9 software?

10 MR. CAPISTRANO: No, that's one thing I never got
11 into. I've never -- you know, I let the experts do that.
12 You know, that came in after I'd been a lawyer for, what,
13 maybe 30 years or so. And so, I let the young Turks, who
14 were more familiar with technology deal with those -- deal
15 with mapping. But I certainly use the product, but I never
16 really, you know -- I mean, I downloaded the stuff, but I
17 can't say that, you know, I really would have progressed
18 very far in it.

19 MR. DAWSON: But it would be fair to say that you
20 feel pretty comfortable using a map and --

21 MR. CAPISTRANO: Oh, yeah.

22 MR. DAWSON: -- all that goes into it?

23 MR. CAPISTRANO: Yeah, yeah, I'd say so.

24 MR. DAWSON: I wanted to follow up on your answer
25 to essay three. Let's see, I thought this was a very

1 interesting sentence. You said: Working with advocates
2 from throughout the state, I was struck by both the common
3 issues faced by poor and minority constituencies, but also
4 the cluster of problems unique to rural, suburban, and
5 intercity communities.

6 Can you expand on that and talk to me about what
7 those unique clusters were?

8 MR. CAPISTRANO: Well, you know, what comes to
9 mind immediately is certainly the issues that farmworkers
10 face, you know, something totally different than what, you
11 know, poor residents of Oakland or San Francisco would
12 face.

13 And so, their issues, probably the principle one
14 is employment issues, you know, wages, hours, conditions.
15 You know, it's true there are serious housing issues, and
16 so forth. And, of course, the issue of, you know, if
17 you're a migrant worker you're traveling here and there
18 and, you know, those types of issues.

19 But employment was something that was -- that's
20 probably the key issue for those communities. Whereas in
21 the intercities, I think, you know, the issues are housing.
22 That's the key one, housing and of course income, and
23 particularly disability income. So, you know, so the
24 demographics really are different. You know, you might
25 have certainly a large proportion of low income people in

1 the cities are Latinos, right, and probably the great
2 majority of farmworkers are Latinos. But the issues that
3 -- you know, in those particular regions were really
4 different. You know, employment versus other issues, like
5 that arise in the city.

6 MR. DAWSON: Thank you. I don't have any other
7 follow-up questions. Do any of the Panel Members have any
8 follow ups?

9 CHAIR DICKISON: I do not have any follow-up
10 questions.

11 Mr. Belnap?

12 VICE CHAIR BELNAP: I do not.

13 CHAIR DICKISON: Mr. Coe?

14 PANEL MEMBER COE: I have no follow-up questions.

15 CHAIR DICKISON: No further follow-up questions.

16 MR. DAWSON: All right, thank you.

17 Mr. Capistrano, at this point -- oh, Madam
18 Secretary, could I have a time check, please?

19 MS. PELLMAN: Yes, we have 21 minutes and 38
20 seconds remaining.

21 MR. DAWSON: Thank you.

22 Mr. Capistrano, at this point I would like to
23 offer you the opportunity to make a closing statement to
24 the Panel, if you wish.

25 MR. CAPISTRANO: Okay, thank you. Well, I think

1 what I'd like to close, you know, is that, you know, I mean
2 I -- you have a very important job and I think the key task
3 before you, I think, is to choose a Panel that really buys
4 into the idea of full and fair representation. And, you
5 know, I think if the -- if every Panelist has that, then I
6 think we can roll with the punches in terms of, you know,
7 the other issues that come up.

8 I think what I bring, though, is well a couple of
9 things. One is I think, I imagine that, you know, there
10 might be others, but in terms of a feel for particular
11 sector of the population of California, certainly urban
12 California and namely, you know, the urban poor, I think
13 that I've got -- you know, that's really what I would bring
14 to this process.

15 And I feel, I think, for the, what, the
16 particular issues that are faced by the sectors of their
17 report, the ethnic minorities, women with children, you
18 know, and those types of issues that maybe are not the type
19 of thing that would be, you know, addressed immediately by
20 the Redistricting Commission. But I think that just the
21 overarching feeling that, or feel that I think is necessary
22 if you're really going to have a representative of the
23 legal process in the state. I think that's what I would
24 bring.

25 And thank you for the opportunity for, really,

1 you know, applying for this position. Thanks.

2 CHAIR DICKISON: Thank you, Mr. Capistrano.

3 Our next interview is tomorrow morning at 9:00
4 o'clock, so we're going to recess until 8:59 tomorrow.

5 (Thereupon, the Applicant Review Panel meeting
6 recessed at 4:11 p.m.)

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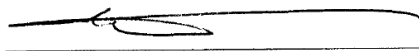
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Barbara Little
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