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
APPEARANCES

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

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

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

We’re picking up the schedule as it was in place prior to the hold. Please note that the applicants who were scheduled to interview on Monday and Tuesday of this week will be rescheduled for a later time, later time and date on a Friday to come. All other applicants will be interviewed at their originally scheduled time.
We’d like to thank all applicants for their dedication and adaptability as we navigate this unique and unforeseen situation.

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

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

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

That’s all I have. Thank you.

CHAIR DICKISON: Okay, good morning. Before we
start with our interview, I just need to make a few announcements. For those in the room, please ensure your cell phones are muted. If you need to take a call, please take it out in the hallway. For the public, the restrooms are outside the hall and to the left. And in case of an emergency, just follow the CSA staff instructions.

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

MR. DAWSON: Thank you, Madam Chair.

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

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

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

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

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

Mr. Morgan, are you ready?

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

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

What skills or competencies should the Commission possess collectively?

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

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

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

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

I believe the skills I have -- everything all right there? I believe the skills I have that would contribute to the Commission is I have a lot of experience being a liaison with different groups and different cultures. I’ve also served on the Civil Grand Jury. I’m on the Human Rights Commission. And I spent a long time as
a Major in the military, in the Army on planning groups, where we planned things out. So, I have the skill set of knowing how to analyze information.

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

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

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

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

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

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

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

And that’s the end of my question.
MR. DAWSON: Thank you. Question three. What is the greatest problem the Commission could encounter, and what actions would you take to avoid or respond to this problem?

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

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

And the third I could see is not as big of -- it’s like if some of the information we talked about got on social media and things like that, that kind of stuff always makes things unclear. And so, the way you solve that is by telling people or making sure you are not
sharing certain information, except for the information that is publicly available to everybody.

And that’s the end of my question.

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

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

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

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

And the way that I facilitated writing, or getting the reports done to the satisfaction of the majority of the group was looking at -- working on the process at the beginning. Looking at the timeline. You know, how much time are we going to spend on research?
What kind of questions are we going to ask? And agreeing on the simple things and so once it came to the area where there is more differences of opinion we had agreed on a lot of things, so it was much easier to move through these agreements that we had, or come to agreements and work together. So, that would be one project.

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

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

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

If you are selected as a Commissioner, what skills and attributes will make you effective at interacting with people from different backgrounds and who have a variety of different perspectives?
What experiences have you had that will help you be effective at understanding and appreciating people and communities of different backgrounds and who have a variety of perspectives?

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

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

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

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

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

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

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

CHAIR DICKISON: Good morning, Mr. Morgan.

MR. MORGAN: Morning.

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

MR. MORGAN: That is correct, yes.

CHAIR DICKISON: Okay. Did you serve in the National Guard until 2017 or was there some change in there?
MR. MORGAN: Yes, because I was deployed four times. And so, on some occasions I was part of the National Guard and on other occasions I was a reservist. And that just has to do with technical terms.

CHAIR DICKISON: Okay.

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

CHAIR DICKISON: Okay, okay. That makes sense.

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

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

MR. MORGAN: Yes, I did.

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

MR. MORGAN: I believe so very strongly. And I think part of it has to do with the kind of information that I had to gather, present to different groups, and being able to do different -- I have a background in epidemiology, and lots of statistical background. And so, a lot of that information involved looking at populations, looking at areas, geographical areas and coming with
different conclusions. So, be it looking at infant
mortality rates, and looking at the different wellbeing,
especially like in the northern region that we were in.

CHAIR DICKISON: Okay.

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

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

MR. MORGAN: Well, I never thought about it, but
when I finished my military service, because I did a lot of
that when -- once 9/11 happened, I was pretty very much
involved with it. I always wanted to own a business in um-
-- where I live. We have a different economy up here and I
thought that having a business would be a good way to keep
a living. And so, I was debating between having a
residential care facility or -- but then, a friend of mine,
who I would windsurf with quite often, was selling her business and it was a good deal. So, it’s a woman’s clothing store. And I’ve owned it for three to four years, now. And right now, of course, they’re not going well. But things were going well. And it’s something I enjoy. I like being part of the community. Actually, after traveling a lot, I very much enjoy being here for the last four years. Or five years now, sorry, five years.

CHAIR DICKISON: Okay.

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

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

And then, a good friend of mine a long time ago twisted my arm and made me join the Elks. And I always
thought, oh, I don’t want to join the Elks because that’s where old people go. But that was a very interesting experience involved with that, and going to different Elks and working on different projects with them also has appreciated how different our California is.

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

MR. MORGAN: That’s correct.


MR. MORGAN: Uh-hum.

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

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

So, my job consisted -- well, it was two parts. First was to go out and find out how open and accessible election booths were to people. So, I would go and talk to the Roma community and ask them, well, do you feel safe voting? And do you feel -- and so, I would do a survey and
ask them those kinds of questions. And then, I would go to the -- I had this very interesting experience where I went to this one village, which was Serbian control, and they said that they were not going to let any Muslim people vote in their city. And so, I had to report on that.

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

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

MR. MORGAN: That is very correct.

CHAIR DICKISON: What about those experiences prompted that?

MR. MORGAN: Well, I think the bottom line was I felt a little hypocritical because I was in a foreign country helping democracy, and then I thought, well, what have you done for your own community. And so when -- because between deployments, so when I came back I volunteered at our local precinct and made sure that the elections booth worked smoothly. Actually have a team that we meet every time. And just being able to put the equipment together and helping some of them maybe elderly
people that have to carry stuff, and just counting the
numbers and doing things. Some very pleasurable, it’s a
great way to meet different people from the community and
it’s just the right thing to do. I can’t say anything more
about that. I think everybody should volunteer for that.

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

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

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

CHAIR DICKISON: Thank you. In your impartiality
essay you talked about as an Army Lieutenant you had to do reports of survey to account for an assigned responsibility for military property. Can you explain how this example shows your ability to be impartial?

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

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

And my realization is sometimes soldiers made mistakes and they stole something or they lost something, or they broke something, they did something stupid. But if you did a fair investigation and then there was a fair
outcome, at the end of the day that made the unit stronger. So, yes, you know, such and such ran a Humvee through the wall. But once you’ve done the investigation and you show that there’s a fair system, it makes the whole system stronger.

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

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

MR. MORGAN: Yes.

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

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

MR. MORGAN: Well, let’s start -- so, and I’ve kept contact with many of the people that I -- the first
job I did, which was the farm safety, which was done all in Spanish. I did it at four o’clock in the morning, in the fields, where we would go over safety procedures, farm procedures. And so with that opportunity I got to know the rural population, the migrant population, but also the farmers because those were the people I was also working for in the Central Valley. And that gave me a great -- and then, also, I got to go to a lot of the farm shows and be part of that. So, I got to understand or got to know that particular Central Valley group, which I have a lot of respect for, and the challenges that they have in-depth.

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

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

Being the Director for Easter Seals, I had a lot of experience working with the disabled, people with disabilities, and people that help people with disabilities. That’s part of the reason I’m a member of
the Elks. And so, that’s more the Northern California, got to know a lot of single moms that had a kid with disability, and were divorced, and the challenges that they had. How healthcare was so important and how that worked in Northern California.

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

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

And then, in the National Guard, the National Guard is the entirety of California. So, you have people from Southern California, you have people from Compton, you have surfer boys from Pismo, you have Asians from the intelligence group up in Sacramento. And we all work together and we sleep and eat for two weeks at a time, and then we get deployed together. So, we spent a long time. So, I spent a lot of time with a group of -- and they call themselves Chicanos, and their perspective of L.A., and the problems that they have in L.A.
And then, my roommate was -- he had just gotten
married and the challenges that he had in the military with
going married with another man. He was my roommate for
four months. And he also was a Republican. So, that was
interesting to understand his point of view.

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

CHAIR DICKISON: Thank you.

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

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

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

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

MR. MORGAN: Thank you very much.

CHAIR DICKISON: Thank you.

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

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

CHAIR DICKISON: Oh, Mr. Belnap.

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

MR. MORGAN: So, I was -- I’ll do a little military jargon and I’ll explain it in civilian terms. I was on the G-5 planning and I was responsible for protection. So, a large part of my back -- is I’m a combat engineer. So, what that means is that at a division level, which we’re talking about 4,000 people that are supposed to be -- that can be self-sufficient and have the ability to keep a piece of ground in a hostile environment, I was the one that was responsible to make sure that all the protection defense lines were connected. I mean there’s a team that does that. But ultimately, do we have a
parameter and what are the different phases of the fence and, you know, what do we do if this happens and what happens if that happens?

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

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

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

Does that answer your question?

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

MR. MORGAN: Ah, good.

VICE CHAIR BELNAP: So, given that you’re looking at defense lines, I’m assuming that you’re using maps,
MR. MORGAN: Oh, yes.

VICE CHAIR BELNAP: Okay.

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

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

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

VICE CHAIR BELNAP: Yes, it does, thank you. I want to follow up, you indicated that you speak four languages. Which four are they?
MR. MORGAN: I speak Italian is my first language. I speak Spanish fluently and I speak Hebrew fluently. I think I speak English. And then there’s some other languages that I kind of understand.

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

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

VICE CHAIR BELNAP: Where was that last one?

MR. MORGAN: Guantanamo.

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

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

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

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

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

VICE CHAIR BELNAP: Thank you. How long have you
lived in Humboldt County?

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

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

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

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

    And I also have different circles. I have a lot
of friends at the college, and the professors there that we have parties together. So, I think I’ve made a concerted effort to knowing my population through different organizations, and also working here as the Director of Easter Seals.

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

CHAIR DICKISON: Thank you. Mr. Coe?

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

MR. MORGAN: Morning.

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

MR. MORGAN: So, it’s part of the university, so it’s part of Humboldt State, and that’s where they get the -- so, if you think of like the UC Davis, how you have different agricultural, and you have different groups that do different studies, that particular group is concerned in providing information to the university for the benefit of the rural population.
So, a good example of one of the things that that group has done is looked at the internet speeds and how having fast internet speeds for our area would help.

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

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

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

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

MR. MORGAN: Well, I think what the end product
of that -- those studies was to influence people’s decisions with data that we got from the community, from the rural areas, and from different studies, and then presenting that. So, we looked at different communities and different aspects of how those communities worked, and the influence and the importance they had. So, I think that very much correlates with redistricting because you’re looking at communities and how they -- how they’re represented, and what does that mean. So, I think there’s a lot of correlation between those, and that’s why I think that would help, that experience would help.

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

MR. MORGAN: Yeah, and we had the same problem with the--with-- in the military when we’re going to different -- you know, people don’t want to talk to Army
people, people don’t want to talk to government people. And I think there’s a two-prong way of going for that.

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

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

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

And the way I would go about doing that is I would always tell people stories of different countries, or
different places, and how we got to that, and so that way they could see that they’re part of a bigger picture and joining together.

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

MR. MORGAN: Uh-hum.

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

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

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

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

But depending on the situation, you try to make the best decision that’s available with the resources that you have.

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

MR. MORGAN: I think what I would enjoy the most is learning the system that’s in place, and meeting the people. And my wife tells me I’m too social. I love talking to people that I do not know and getting their opinions. And so, learning would be something that I love doing. I also like collecting data. I think data tells you a lot about different groups and things like that. And I’m always surprised and educated by how that works.
I think the challenge would be time. I think there’s certain objectives that we’re probably expected to meet and not having more time is -- but that’s just a reality, and that’s why it’s important to have that good discipline of decision making process, and following a schedule, and meeting your benchmarks when you want to make a decision.

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

CHAIR DICKISON: Thank you. Mr. Dawson?

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

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

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

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

MR. MORGAN: Yes, I do think that. I think it’s not something -- you have to practice it. It’s like
playing on a musical instrument, you just can’t -- you have to practice at it. So, yes, I do think it’s a teachable skill. I do think that certain characteristics might make it easier depending on the kind of personality, or traits that one has, or the skill sets that one has. But, yeah, I totally think it’s teachable. So, yeah, to answer your question, yes.

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

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

But during time you get better at these things. And so, yes, if you can put yourself in the shoe and explain, and debate the other person’s -- where they’re coming from, then I think that puts you in a much better way of what’s going on. And I think that’s a teachable thing.
And a really good, a good thing to do is change the situation. So, instead of making it about one situation or another, just change the scenarios but with the same problem. So, instead of being a Kosovar or Serbian thing, why don’t you make it a Palestinian/Israeli thing, or why don’t you make it a -- just something different. Instead of being a Northern California with water to the valley, make it a different -- you know, change the state or something like that. That really helps people communicate and understand the situation.

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

MR. MORGAN: Well, yeah, the way you do that is you compare it to other data sources. I think one way, if you look at the chamber of commerce, and how much commerce is going and how many people are shopping in a certain place. I mean there’s a lot of statistical information, once you do that data mining that either match or don’t
match. So, if you only have three people voting in a particular town, but there’s a big box store there, then something doesn’t make sense.

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

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

MR. DAWSON: Thank you. And that brings up something else for me. If you’d read the reports of the 2010 Commission there was an indication that oftentimes people would present themselves as representatives of grass roots groups, but they actually tended -- they tended to be folks who had maybe some sort of political backing, a particular perspective that they wanted to promote that
wasn’t necessarily a local one.

How would you address something like that?

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

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

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

MR. DAWSON: Thank you. You live in Humboldt County, which is a part of the state that doesn’t have a
lot of representation in the applicant group. How important do you think it is to have a representative from the north state, or maybe that has a small town and rural perspective?

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

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

MR. MORGAN: Definitely not. I think that would be unfair and it would affect the credulity of -- it would make it -- if it didn’t have small town. Because that’s what we’re about. That’s what the State of California is, there’s diversity and it comes in a lot of ways. And having a representation from all different sections is
important if we want to maintain that sense of being an
institution that is important to the -- that has a reason
to be. I mean, if we want to have a democracy and then a
republic then, yes, we need to make sure that we convey a
sense of legitimacy.

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

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

MR. MORGAN: Yes, I do. And it was interesting,
if you work the polls, there’s a lot of people that are
non-party affiliated. And I think it also brings a certain
balance. We talked about the bipartisanship. A lot of
people that know me, probably don’t know exactly -- or
don’t affiliate me with any particular party which is, I
think, a good thing. I think both parties bring a lot to
the state. I think having good competition between is
important. And so, I think having a group of people that
doesn’t wholeheartedly agree with one group or another is
very, very important because there’s very few systems that
are perfect so I would argue that neither party is perfect
and I don’t think it will ever happen. And that’s not
necessarily a bad thing. So, having somebody that is not
affiliated, that can see the good in both would bring a lot
to the committee.

MR. DAWSON: Thank you. That’s all the questions
I have.

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

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

MR. DAWSON: Great, thank you.

Are there any Panel follow ups?

CHAIR DICKISON: I do not have any follow ups.

Mr. Belnap?

VICE CHAIR BELNAP: I do not, either.

CHAIR DICKISON: Mr. Coe?

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

CHAIR DICKISON: No follow ups, Mr. Dawson.

MR. DAWSON: Great, thank you.

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

MR. MORGAN: Sure, and I won’t be too long. I
had the privilege of being born in the United States. I
did live abroad for a long time. And came to California
when I was 18 and joined the military, and was sent to
Germany after that. And I’ve always loved the State of California and always proud of telling people from different parts of the world and countries that I am a Californian in the United States. And I feel that part of that reason has to do with our democracy and our republic. And having the honor of being an impartial person that helps with -- or maintaining or redistricting the current situation would be beneficial.

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

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

MR. DAWSON: Thank you.

CHAIR DICKISON: Thank you, Mr. Morgan.

Our next interview this morning will be at 10:45. So, we’re going to recess this meeting until 10:44.
(Off the record at 10:03 a.m.)

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

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

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

CHAIR DICKISON: Okay.

(Pause)

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

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

MR. DAWSON: Thank you, Madam Chair.

Mr. Dozier, can you hear me?

MR. DOZIER: I can hear you.

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

MR. DOZIER: I am.

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

What skills or competencies should the Commission
possess collectively?

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

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

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

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

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

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

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

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

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

Of the skills that I’ve outlined, I believe to one degree or another I have all of those skills. I have
drafted legislation -- well, not legislation, but laws and ordinances for the City of Clovis when I worked there. Actually, for all of the local governments that I worked for there were time to time that I had to draw up ordinances and regulations.

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

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

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

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

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

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

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

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

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

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

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

I do have empathy. I look at others and try to see it from their standpoint. I can’t help that I’m a white male, but I believe that I can see things from a lot
of different angles, and I have friends of all types. And I hear what they have to say, I hear their experiences, and so I understand where they’re coming from. I try to be fair minded and give everybody the benefit of the doubt. What was it Reagan said: Trust but verify. I believe in that as well.

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

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

And I think it’s important that we collaborate. I’ll say collaboration a hundred times, maybe, in this interview. So, I really put a lot of eggs in the collaboration basket.
Respect, again, respecting those on the Commission, those in the public, staff and others.

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

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

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

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

Another problem and this is one that I’ve had to deal with a lot, and it’s gadflies at public hearings that try to monopolize the hearing. They come up with some of the weirdest things that they bring before you. Again, you
have to be respectful to them and show them the courtesy, but they’re always going to show up at meetings and they’re going to want to provide input. And generally, a lot of gadflies get past the five-minute rule. And throughout my career I’ve experienced the gadflies. And what I’ve found is that when you -- I don’t want to say make friends with them, but when you listen to them that that’s all that they’re really wanting you to do is listen and not, you know, just discount them or try to push them to the side. So, I think that’s going to be really important on the public meeting standpoint.

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

I think it’s going to be -- I don’t think it’s going to be necessarily too difficult, but I think it’s going to be before us that we’re going to have to determine fact from fiction. And anecdotal stories are sometimes more fictitious than they are fact driven, and so it’s really important to determine or decipher between the two.
And then, obviously having a consensus among the Commission will always be a potential problem. I don’t think it’s insurmountable, but it’s going to be there I’m sure.

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

So, that’s how I see that question.

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

MR. DAWSON: Thank you.

MR. DOZIER: Perfect.

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

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

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

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

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

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

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

And the one area that had a gap was community colleges through CTE. And there was a number of reasons for that, but one of the biggest was there wasn’t a lot of money put into CTE. CTE costs more. You can just imagine some of the machinery that the community colleges have to
buy. It’s hard to get instructors because the instructors can make more money in the private sector than they can teaching at a community college.

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

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

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

So, the Academic Senate, made up of -- well, I think it’s totally made up of the education side or the
academic side of community colleges. And some of this stuff kind of didn’t fit well with them. One was the hiring of the skills educators, or the instructors because they didn’t have master’s degrees. In some cases they didn’t even have bachelor’s degrees. But they had the experience in a particular field that was necessary to teach what needed to be taught -- or taught in the CTE classroom.

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

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

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

So, what did I learn from that? One is to rely
on others’ expertise to form a consensus. You need to stay in your lane so to speak, in that you need to know your role. You need to provide as much expertise when it’s your turn to provide that expertise and you need to listen to the expertise when someone else has more expertise in a particular subject.

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

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

And the worst case scenario is having a team of just fantastic players who all want to do the same thing and no one wants to follow, and everybody wants to lead, and it becomes chaotic.
So, I think -- well, I just want to throw that in from the standpoint of the team player. I’ve had teams that I’ve coached. One thing I always stressed was having fun when you coach. It wasn’t winning because winning is a byproduct of doing the right thing as far as a team goes. Knowing your role, doing your role, and giving kudos when necessary and anytime there needs to be criticism it needs to be constructive criticism. I’ve never been a yeller. I’ve never been someone who sends out negative comments. And I’ve made my parents stay with that as well in that it was all positive. So, I’ll leave that at that.

MR. DAWSON: Thank you. Madam Secretary --

MS. PELLMAN: We have five minutes remaining.

MR. DOZIER: Oh, boy.

MS. PELLMAN: Five minutes.

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

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

What experiences have you had that will help you be effective at understanding and appreciating people and
MR. DOZIER: Okay, I’ll go real quickly. I’m a collaborator. I think analytically. I respect others’ opinions. I have public meeting skills. And I have broad knowledge of subject matter in a number of different subjects. I have been fortunate enough to work in workforce development, economic development, transportation planning, water, clean energy, broadband, health, air quality. I’ve managed or established groups, regional groups in those areas.

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

From a state standpoint, the California Partnership of the San Joaquin Valley which was established by Governor Schwarzenegger, I was the lead executive there. There’s a 45-member board. Eight counties of the Valley are represented by an elected official from each one of those counties, a private sector from each county, and an expertise not necessarily from each county, but from the region as a whole that included workforce development, economic development, transportation planning, water, clean energy, pre-12 and higher education, health, broadband, air quality, housing, sustainable communities.
So, you can see that’s the broad breadth of knowledge that I bring to it. I can tell you I’m not an expert on every one of those. Some I am, some I’m not. But that I’ve been involved with it.

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

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

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

Do I have enough time? I can go into that a
little further, but it’s pretty much written out in my questions and answers.

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

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

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

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

MR. DOZIER: Thank you.

MR. DAWSON: Thank you. At this point we will go to Panel questions. Each Panel Member will have 20 minutes to ask his or her questions. We will start with the Chair,
CHAIR DICKISON: Good morning, Mr. Dozier. Can you hear me okay?

MR. DOZIER: I can, thank you.

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

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

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

So, that’s how I understand that question, but I don’t if I’m addressing in total because I don’t know what
the outcome is that you’re looking for. So, you’re asking
whether or not we find out there’s a community of interest
and they have an expression does that weigh against another
community in another area, that has another -- a different
set of issues and a different set of needs. And if that’s
the case, then you take a look at it from a whole. And
again, you look at the facts and take it from there.

Does that answer your question? I’m hoping it
does.

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

MR. DOZIER: Right.

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

MR. DOZIER: Well, okay, you look at the City of
Livingston. When I was there I think the official
population of Livingston was about 5,000. It was
predominantly Hispanic and it was AG oriented. You had
Foster Farms that was there. A lot of the people that
lived in the community worked at Foster Farms. But they
also worked at--in the surrounding farms as farm labor.
While the official listing was 5,000, we felt it was more like about 12,000 when it was harvest time or when the workers came in to work in the farms. And so, there were a number of issues dealing with housing, safe and sane housing. You know, it was appalling at some of the housing. So, we had to address it from that angle.

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

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

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

And then, in Clovis it’s totally different. Clovis is more of a upper-middle class community. It’s where I live right now. It’s predominantly white, but it still has a lot of diversification. And so, the issue here
is dealing with housing, dealing with businesses. You know, it doesn’t have -- Clovis doesn’t have the dire needs that communities, the rural communities have, especially like Atwater and Livingston. But here in Fresno County there are a number of rural communities that are just suffering. And they’re suffering for one reason or another. And those issues come to the forefront when you visit the different cities.

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

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

CHAIR DICKISON: So, based on your knowledge and what you’ve learned about the different communities and,
you know, in that area, what do you think you could bring
to the Commission as far as public outreach or public
meetings? What methods could you use to maybe get some of
those communities that are less likely to participate to
participate in those meetings?

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

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

And I’ll point to workforce development and
economic development. There are economic developers and
workforce developers throughout the valley. And trying to get them to work together, knowing that you’re not trying to tell them what to do, but that you’re actually trying to help them do what it is that they do and that took a lot of time to earn that trust, and they eventually came around to working together.

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

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

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

And so, not knowing the facts, not knowing -- listening to only one source and coming out with their opinions from that, and then not being willing to listen to reason. That’s a bias that I have. You know, I really
have difficulty with that. But again, I had the ability and have done so to be able to listen that -- the people that would hit my bias points and try to see it from their angle. Trying not to push my feelings onto them, but to listen to what it is that they have to say. And sometimes you just have to agree not to agree, and that’s happened, too. I have a lot of friends that have particular viewpoints that I don’t -- I don’t see or agree with, but we’re still friends. So, you know, that’s the one thing that really bugs me from that standpoint.

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

MR. DOZIER: All the things I mentioned before, whether or not they’re analytical thinkers, are they open-minded, do they have a willingness to learn, do they have a willingness to dedicate their time and efforts to the success of the Commission. And just I guess I would look for somebody who’s a team player, somebody who’s willing to collaborate with others. And you can pretty much see that through a discussion, whether or not they are open to different ideas and come at it from a nonpartisan standpoint.
CHAIR DICKISON: Thank you. Secretary, can I get a time check?

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

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

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

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

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

CHAIR DICKISON: Thank you.

MR. DOZIER: So, I think that’s probably the
CHAIR DICKISON: Thank you. I don’t have any further questions right now, so I’m going to turn it over to Mr. Belnap for his questions.

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

MR. DOZIER: Good morning.

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

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

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

And so, one of the things that I was charged with doing is bringing in a hotel. It took a little while. We brought in our first hotel. It was hugely successful,
right, and that was about 1994. Today Clovis has ten
hotels. So, it went from a -- and the hotels have 70
percent occupancy rate. So, it’s going from zero TOT to
where it’s about a million and a half, two million. And
so, I consider that to be a lasting legacy on my part is
all that money that goes in there, I feel like that’s my
contribution. That paid for my salary, alone. But that’s
not all that we did.

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

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

My belief is that if you want to determine, you
come from another state and you’re trying to identify a
community you want to work with, or you want to live in, or you want your business to be in there’s only two things you really need to do. And number one you need to look at the school district. And if that school district is good, has a good reputation that’s one aspect of it. That’s your mind, that’s the community’s brain.

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

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

So, basically, I look at -- and I love the economic development because you didn’t do the same thing twice. It seems like every day you can in and it was something different. It reminded me of playing the game Monopoly because you were building hotels, you were building houses, you know, commercial, all this other stuff, and you did it in a win -- I did it in a win/win
situation. I didn’t want it to be the developer or the business winning and the city losing, and I didn’t want the city winning and the businesses and the developers losing. It had to be win/win. You had to make it apparent that you were looking after their well-being, as well as others.

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

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

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

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

VICE CHAIR BELNAP: Okay, thank you. To what extent do you analyze data in your capacity as an economic development professional?
MR. DOZIER: Well, number one you need to look, and when I was at Clovis I was looking to see what our work skills were. So, what are the demographics in data as far as the skills of the workers within our community or within our smaller region, you know, 50 miles out. And you need to be able to understand what that information tells you.

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

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

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

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

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

And so, it changed our strategy understanding
what the data was. And so, we went from the attraction,
retention and expansion to business startup as a
philosophy.

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

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

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

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

As far as identifying and doing like parcel maps,
and master plans, specific plans, things of that nature, we
drew those up to try to provide an incentive, or give
developers, give businesses an idea of what’s going to take
place in that particular area and how it’s going to look.
So, we drew maps up from that standpoint.

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

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

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

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

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

VICE CHAIR BELNAP: All right, thank you.

MS. PELLMAN: We have four minutes remaining.

VICE CHAIR BELNAP: So, in your essay on appreciation for diversity you emphasize and describe a lot of your experiences in various sports teams. And I can
certainly appreciate that, I’ve been involved in sports. But can you provide us with a different example of your experiences working and learning from people from a variety of backgrounds and cultures. Not necessarily from sports, but from something else.

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

    I had a diverse staff and so we had people that spoke Spanish. So, when we went into a neighborhood that was predominantly Hispanic, we had them as interpreters. We had a lot of Southeast Asians in the area, and being able to find and work with people of that language.

    Working with, really just working with every segment.

    The Central Valley has I don’t know how many languages, but it’s -- the Fresno School District, there’s some astronomical number. I couldn’t believe how many
different languages that were spoken within just that school district, let alone the valley as a whole.

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

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

MS. PELLMAN: We have 55 seconds remaining.

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

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

CHAIR DICKISON: Thank you, Mr. Belnap.

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

MR. DOZIER: Okay.

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

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

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

And then, you also need from that standpoint, going along Maslow’s hierarchy of need is all the steps within Maslow’s hierarchy of need is everybody basically would love to self-actualize. And so, the importance of helping along the way, or understanding along the way that
there are different people at different one of those -- those steps. That’s getting a little bit off topic, but it’s basically just respecting people as human beings and not as whatever label they are.

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

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

PANEL MEMBER COE: I’m sorry, I said for the people of the state.

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

But number two, the only way you can learn anything about anything is by listening, and not by telling. You have to hear what it is that the issues are. About the only place in California that I don’t have as broad of an understanding is probably the North Coast area, the Eureka’s, and all that, that different area. The rest of the state I’ve dealt with in one way or another, so I understand a lot of the issues. I try to stay as current
as I possibly can on California. And just coming to it
with an open mind and an open ear.

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

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

And the issues are just really based on an
east/west grid, not a north/south. And if California ever
decided to become two states, it would be best to separate
them that way. Because one of the things that most of the
people west of the coast range feel is that they don’t have a voice. The populations predominantly are along the west side of the ranges, along the west coast. The east side has been overlooked in a lot of the administrations. That changed in the Schwarzenegger administration, and I’m glad to say that it has continued in the Brown, and now into the Newsome administration where they are focusing more on those areas. Understanding that the need sometimes is greater in the east, than it is in the west.

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

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

When I had hair, I had blond hair and they
thought I was a surfer. So, it comes down to that.

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

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

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

I was the Vice President of California Association of Economic Development. We met with economic developers throughout the state, heard what their issues
were, and I know where they are, and what’s different and
what’s the same.

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

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

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

PANEL MEMBER COE: Can you provide us of another
example of a time you had to make a difficult impartial
decision that involved setting aside your preference or
self-interest?
MR. DOZIER: There were a number of cases with
the partnership, the California Partnership for the San
Joaquin Valley where a particular board member would
express something, and it would be like, ah, a bunch of
follow through, you provide -- you provide the data, the
facts, and come back with a recommendation. It was that
way with the council. You’re never going to -- in today’s
world, if you can find somebody who agrees with you --
well, hell, I don’t agree with anybody in total. I don’t
even agree with my wife in total.

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

There have been friends that I’ve had to so-
called unfriend because of certain attitudes that I just
couldn’t live with. But, you know, and you asked for an
example, everything I’ve ever done in my professional
career, including back to the Air Force has been laced with
that type of deal. Working with people that don’t share
the same opinion, but still getting the job done and still
being able to carry on somewhat socially afterwards. It’s
just that you stay away from the topics that are going to
infuriate you.

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

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

The same would go with the Community College Task
Force that I mentioned. All of those things, which was
part of my Fresno State duties. But I also had to deal
with the president of the university, the provost, who were
my bosses, and then also all the deans and professors. It
was eye opening and it was very, very broad and it seemed like it was like -- it was like juggling about ten balls at one time. But it was never one of dislike. It was enjoyable. Sometimes there were times that weren’t enjoyable, but for the most part it was enjoyable and I’m proud of my career.

PANEL MEMBER COE: Thank you. If you were --
MS. PELLMAN: You have five --
PANEL MEMBER COE: I’m sorry, go ahead Madam Secretary.
MS. PELLMAN: Five minutes 32 seconds remaining.
PANEL MEMBER COE: Thank you. If you were to be appointed to the Commission, which aspects of that role do you think that you would enjoy the most and which aspects of that role do you think you might perhaps struggle with a little bit?
MR. DOZIER: I think the thing that I would enjoy the most is the espirit de corps, hopefully, of other Commissioners, of traveling and hearing, having public meetings at different areas, and hearing from different communities, and being educated about what’s going on.
I mentioned that I have a broad range of understanding of different communities in California. I’m sure that there’s a lot I can learn, so I enjoy that. I enjoy the -- I enjoy people.
The thing that I think would be the most
difficult, it’s certainly not insurmountable, it’s not one
that I necessarily look forward to but I always do, and
that is a lot of reading, a lot of research, and a lot of
analysis, and just the time it takes to do that. I think
that that will be -- I think that will be pretty heavy.
But it’s not -- you know, I’ve done it all my life. That
doesn’t mean that I -- I don’t read this stuff in my spare
time. It’s not quite like Huckleberry Finn.

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

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

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

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

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

But, you know, I think it’s important because I
-- I’m going to go back to the article I read about one party kind of ambushing the Commission at a public hearing. And there’s some difficulty with that, but there’s a string that happens. And whenever I look at something and whether or not it’s credible, or not credible, I start to look at, okay, who benefits from this? Who stands to benefit? And follow the money. We all heard that, follow the money.

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

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

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

MR. DAWSON: Thank you. I had another follow-up
question about one of your responses to -- and I think this was part of your discussion with Mr. Belnap. Your work on the California Partnership. The primary goal of the Partnership is centered on the three E’s, economy, environment and equity. And I think I understand the first two, but can you expand on the aspect of equity in this context?

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

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

So, it’s just as the word kind of sounds, it’s just doing it to -- providing it to the marginalized communities.
MR. DAWSON: Thank you. And, you know, continuing on that theme, you had -- and just sort of coincidentally you had mentioned your interaction with a member of the Sikh community. And interestingly enough in the 2010 Commission they noted in one of their reports that they seemed to be a bit surprised there was a large Sikh community in the Yuba/Sutter area.

MR. DOZIER: Yeah.

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

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

MR. DAWSON: Thank you.

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

I mean, I mentioned that we’d been marginalized in the Central Valley, but then each of the communities, there’s 64 communities in the Central Valley, in the eight counties, so I would say 50 of those, at least 50 of those
have been marginalized in one form or another. They haven’t been heard from. But we have, we’ve heard them, we’ve tried to address their needs and their issues, and I think they’re better off for it. But they’re still in difficult times regarding whether or not it’s good times or bad times in the other parts of California or the nation, those areas still suffer in different ways.

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

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

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

MS. PELLMAN: We have one minute remaining.

MR. DOZIER: They all need to be represented in one form or another. Well, the diversity, the demographic
side of it that needs to be addressed, and then the geographic side needs to be addressed. So, the answer’s no. No, I don’t think it -- and I’ve been looking at this. I’ve been looking at the other applicants. Frankly, you have a lot of really, really, really good applicants. I think there’s nine left from the Central Valley. I think there’s three in the decline to state categories. They all look really good.

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

MS. PELLMAN: That’s 90 minutes.

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

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

MR. DAWSON: Thank you.

CHAIR DICKISON: Okay, thank you.

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

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

(On the record at 1:14 p.m.)
CHAIR DICKISON: Good afternoon. Calling the Applicant Review Panel meeting back to order, the time being 1:14.

I’d like to welcome Dr. Lisa Shaffer for her interview.

MS. SHAFFER: Thank you.

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

MS. SHAFFER: Got it, thank you.

CHAIR DICKISON: Thank you.

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

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

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

What skills or competencies should the Commission possess collectively?

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

In summary, how will you contribute to the success of the Commission?
MS. SHAFFER: Well, thank you for setting this up by Zoom and allowing the process to continue. I appreciate the effort everybody’s gone to, to make this happen.

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

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

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

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

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

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

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

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

I’ve had lots of experience in consensus building and I’m often the one who comes up with a third way, or a new approach that incorporates the ideas of parties that were seemingly in conflict.
So, you know, I really believe in government. I believe in good government. I believe in fairness. I believe in people. And while I’m registered in a political party, I don’t think of myself as a partisan.

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

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

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

What will you do to ensure that the work of the Commission is not seen as polarized or hyperpartisan and avoid perceptions of political bias and conflict?
MS. SHAFFER: Well, I have experience in governing. I’ve sat on a dais and had to make decisions on a city council that had mixed political perspectives. And I’ve learned that I don’t have all the answers. I’ve got some good ideas. And other people bring their own perspectives and their expertise. So, I think it goes back to agreeing on our common objectives, that we really want good governance, and that we need to be able to accept an outcome other than what we might have had as a preconceived idea going in.

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

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

What we can do is to do our work well, to be transparent, and to have trust among us so that when we go
back to our respective constituencies, to our friends, to our community members we can say that it was a fair and honest process, and we can support the outcomes of the Commission.

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

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

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

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

So, I think the biggest problem we could encounter is producing a result that does not have the full support of the Commission. And if all the Commissioners can’t take ownership of the results and support what we
come up with, then the public will have trouble accepting it. And I think that can happen if we don’t have trust, and if we don’t have shared common goals, and we haven’t been honest in our conversations with each other.

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

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

Tell us the goal of the project, what your role in the group was, and how the group worked through any conflicts that arose.
What lessons would you take from this group experience to the Commission if selected?

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

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

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

So, as I mentioned in my application, the four years that I was on the city council I wrote a newsletter every week to explain what was going on, what we had voted on the previous week, and why I had voted the way I had,
and to explain what was coming up in the future meetings. And it was part of my preparation for the council meetings. If I couldn’t explain to somebody what the issue was, then I felt like I wasn’t really prepared to vote on it. So, it helped me to prepare for each week’s meeting.

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

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

I also tried to think outside the box. I went to the League of California Cities conferences, I met the guy
who builds tiny homes, and this was six years ago before tiny homes were as popular as they are now. And I invited him to bring a tiny home down to Encinitas and display it at our Encinitas Environment Day.

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

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

So, I invited them over to my house and said, you know, let’s just talk. What would make you feel good about what we’re doing? Do you have solutions? Trying to not have everything be on public display. Not violating the Brown Act or anything, because these were not elected officials. These were just members of the community. But people who I would typically not agree with just to listen to them, and to remember this adage about having two ears
and one mouth, and to use them in that proportion. And to
try to hear their solutions, instead of just trying to
convince them of mine.

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

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

And so, it was getting to know him as a person,
going beyond our labels, beyond just he’s from the other
party was an essential first step in understanding where he
was coming from and what he saw as the obstacles. And
then, making sure that, for instance this forum we had
reflected who he wanted to invite, as well as who I thought should be invited.

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

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

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

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

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

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

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

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

           As far as my experience goes, my grandfather was
an illiterate immigrant who fled oppression and ended up
owning a furniture store in Red Granite, Wisconsin. My
father was able to get an education thanks to public
schools and he became an economist who worked mostly on
economic development in poor and emerging countries. Before he started his international work he was at Tennessee Valley Authority, and I was born in Knoxville, Tennessee.

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

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

At UCSD currently, my students come from very diverse backgrounds. Many are first generation college students and the majority are non-white. When students act in ways that I might think are inappropriate, like one student who emailed me with, hey, Lisa, and then asked if I would be his mentor in a program for first generation college students, I responded by saying, well, I’ll talk to you. But the first thing you need to know is hey, Lisa is
not an appropriate way to ask a professor for a favor, especially if you’ve never met her before. So, if I become your mentor, I will tell you honestly what I think you need to know.

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

And when I was a Division Director at NASA, we were required to take diversity training. This was about 30 years ago. I thought I knew it all. I thought I was very aware and unbiased but, obviously, I didn’t know it all. And I had one of these ah-ha moments when the trainer gave an example about Jose and his work style. And he said that the boss’s job was not to turn Jose into Joseph, it was to make Jose successful as Jose using his own talents and style. And that message really stuck with me. I’ve
had a lot of employees who were not of the same cultural background as my own, and just whose work styles were different. And I tried to remember that, that they can succeed without trying to be my way, they can succeed their way. And when I teach I try to find ways for students to use their own life experiences to contribute their perspectives to the class discussion.

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

So, that’s -- those are my experiences I wanted to share.

MR. DAWSON: Thank you. We will now go to questions from the Panel. Each Panel Member will have 20
minutes to ask his or her questions. And we will start
with the Chair, Ms. Dickison.

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

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

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

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

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

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

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

MS. SHAFFER: Indirectly, yes. I mean I volunteer at the Community Resource Center, which is our social service agency in North Coastal San Diego. I help out at Christmastime, they have a big Holiday Baskets
Program where they serve the under-served community. And I’ve also done a lot of public relations work for the Community Resource Center. I’ve visited all of their programs, and talked to all of their staff, and worked with them to -- I went around with the truck that collects food for the Food Bank, and to understand how their programs work.

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

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

MS. SHAFFER: Yes.

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

MS. SHAFFER: E3. The E3 collaborative is a group of seven nonprofits that are in geographic proximity to the San Diego Botanic Garden, the Encinitas Union School District’s farm lab. They have a ten-acre farm that all the students go to. There’s the YMCA. There’s a
sustainable farm, nonprofit. Jewish Foundation, the Leichtag Foundation, and Seacrest Village, which is a retirement, senior living facility.

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

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

So, we’ve done things like -- the school district doesn’t have any buses, but the YMCA has school buses. And so, the YMCA provides school buses that the school district uses to bring kids to the farm every day, when whichever class, whichever school is going to the farm. And in return, the YMCA uses the farm as their after school location for their after school program. So, there’s no exchange of funds, but they traded assets of value as a
result of this collaboration. Trying to find other opportunities like that for the kids to go to the Botanic Garden and for the seniors to go to the Botanic Garden and have a chance to play in the dirt as a way to help them, and then also to help the garden with its public outreach efforts.

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

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

So, I think in a particular location we would contact the elected officials to ask them for their advice, because they presumably have an interest in knowing what communities are represented in their areas. We would look
to social organizations and nonprofit. We would try to talk to the school board and leadership in the educational system, and get the input of the people who are there on the ground.

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

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

MS. SHAFFER: Well, I guess it’s a challenge, but I think that spending time in these -- in particular locations, spending time getting to know state and regional leaders in particular, interest groups, getting their advice and their input, sort of vetting information. Just like good journalists do to look for multiple sources and say, hey, have you heard of this group? What do you think about them? Asking a lot of questions both of the organizations that come forward saying they’re representing this community of interest, but also doing our due
diligence and asking for verification from other organizations who also represent similar communities, maybe in another part of the state, or statewide organizations to say have you actually ever worked with this group? And do you know what they’re about?

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

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

MS. SHAFFER: Encinitas.

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

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

We have a homeless community in Encinitas. And because of our climate and our beaches, you know, it’s an
attractive place for people who are unsheltered. And we’ve
-- so that’s another community that we identified.

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

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

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

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

MS. SHAFFER: So, yeah, so we had -- there were
issues. Well, the housing element was a major issue for the whole time I was on the council and how you balance homeowners’ interests with -- if people wanted to protect so-called community character, you know, we don’t want any high-density housing in our neighborhood versus the people who are desperately looking for a place to live and can only afford something if it’s smaller and therefore higher density.

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

I guess that’s what comes to mind in answer to that question.

CHAIR DICKISON: Okay.

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

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

MS. SHAFFER: Well, I think people want representation that they can relate to. They want someone who either has lived a similar experience or at least shows
an understanding of the lifestyle, and life experience, and environment, and challenges that confront a person.

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

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

CHAIR DICKISON: Okay, thank you.

MS. SHAFFER: Uh-hum.

CHAIR DICKISON: So, the way the Commission’s selected, the first eight are selected randomly. And then, those eight will select the next six. If you were one of those first eight, what would you be looking for in the
other six commissioners?

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

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

CHAIR DICKISON: Thank you.

MS. SHAFFER: Uh-hum.

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

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

CHAIR DICKISON: Thank you.

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

CHAIR DICKISON: Yeah. So, I don’t have any further questions right now, so I’m going to turn it over to Mr. Belnap.
VICE CHAIR BELNAP: Good afternoon, Dr. Shaffer.

MS. SHAFFER: Hi there.

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

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

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

And underlying all of that is the idea that society has values. That the role of government is to
reflect the values of community, of society through who we
elect, and what laws get enacted and what gets supported.
That’s how -- that’s one way -- at local, state and federal
levels it’s one way that society reflects its values in
what we fund, what we don’t fund, what we support and who
we vote for.

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

And so, we talk about things like the Golden
Rule, like being honest, doing unto others as you would
want them to do unto you. So, a business should treat its
customers, its suppliers, its employees the way it would
want to be treated if it were a supplier, or the customer,
or the employee. And that you should do no intentional
harm that we’re all better off when we’re all dealing with
each other honestly. When you can have confidence that if
a package says one pound, it actually weighs -- there’s
actually one pound of contents in it, that if it says it’s
safe that it’s really safe. That if you hire somebody and
offer them a salary that you’re actually going to pay them
that salary, and so on. So, those are the basic ideas.
VICE CHAIR BELNAP: And how would you apply those ideas to your work as a Commissioner?

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

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

VICE CHAIR BELNAP: And who are the Commission’s stakeholders?

MS. SHAFFER: Well, ultimately, the citizens of California and more broadly of the country because
California has such a strong influence over what the rest of the country and the world do. But, yeah, it’s the citizens. But the elected officials have an interest, the people who are the incumbents, the people who are -- who feel unrepresented now. I mean, the citizens of California take cluster in many different shapes and forms, and communities of interest as we were talking about earlier. So, you know, broadly it’s everybody, but as they see themselves as members of political parties, as members of different ethnic groups, as members of different socioeconomic classes, and different kinds of occupations.

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

MS. SHAFFER: Well, the process was set up by the state with that in mind, I believe. I mean it’s why we’re going through such a long and complicated and, frankly, amazing process to even select who the Commissioners are. To make sure that political parties are represented, that diversity is respected, that you’re choosing people based on criteria that are aimed at having the best--its not non--multi-partisan, if you will, multi-perspective group of Commissioners, and then taking input from all over the state to make sure that the results reflect what the state needs. So, I think it’s sort of built into the structure.
And then, you have all the open government laws that pertain to this and other processes where meetings are held in public, you know, reports are available to everybody, you take public comment, and all of the things that go with that.

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

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

But I’m not a scientist or an engineer, so I didn’t do firsthand data analysis, although I took a couple of courses in remote sensing data analysis. But I spent many years working with scientists who were taking data from satellites and analyzing it, putting it through processing systems to identify and classify different types of land cover. And it sounds really mundane now because we
have so much better computing systems, and much more data info, but back in the day this was really cutting edge stuff to be able to say how much of Thailand, of their tropical rainforests -- how much of the country was forest and how much had been cut down over time, or to see where the Amazon flows in Brazil. It changes course depending on flooding and drought, even to be able to map that. And for Bolivia to do the first ever land use inventory to know how much of their country was in agricultural production, and how much was mountainous, and how much was urban.

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

So, I read lots of reports. I understood the reports. I also hosted lots of international visitors when they would go sit with the scientists at NASA to learn how to use this technology. I specifically focused on developing country relationships and worked with USIA, as well.
So, I can’t say that I could build the satellite or run -- I probably could have run the computer program. I didn’t, that wasn’t my job. But I understood what was going on, and how it was used, and why it mattered. And I was able to explain it to people who were not technical experts.

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

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

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

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

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

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

But my impression from then is that it’s probably a few hundred people at most, probably less than a hundred people read that. And as you may have noticed, almost all of the comments were anonymous. So, this is a group of people who are very critical of most everything, post anonymously, and often are just saying things that --
there’s some validity to some of the criticism. I accept that and I’ll talk about that in a second. But a lot of it is no matter what topic you looked at on Encinitas Undercover, you would find people complaining about something.

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

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

And so, in 2012 there was a referendum that agreed to directly elect the mayor starting in 2014. So, the year before the first directly elected mayor, we had to choose one of our five to serve as mayor, and whoever that was would be the incumbent when it was time to run for mayor. And we wanted, I thought, not to appoint the one person we thought was likely to run for mayor to be the incumbent going into that first ever direct election.
I lost that discussion and we ended up dividing the year 2013 into two six-month terms. And the first half was served by Theresa, who was not running for mayor, and the second half was going to Kristin, who we thought at the beginning was likely to run for mayor. And by June, we had to actually switch over. She had declared, I believe by then, that she was running for mayor.

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

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

All I wanted was to have a conversation and say do we still want to do this six-month thing or not. But it was misunderstood. It was taken as an attack on Kristin as she was about to take office. She brought her family, and her kids to the council, and her son who was like eight or nine years old stood up and scolding me during public
comment, that I should know to honor my word. And, you
know, his mother taught him that when you make a commitment
you stick to it.

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

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

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

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

VICE CHAIR BELNAP: Thank you. So, I want to
connect a couple thoughts, so, accountability to
stakeholders, but also this -- and stakeholders being the
California citizens, but also this experience that you had regarding criticisms from social media. So, what do you think the Commission should do if it starts receiving criticisms via social media from the citizens of California? How would it respond?

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

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

But beyond that I think it’s good to have open dialogue. I think it’s good to have channels for people to express themselves. I don’t think it’s necessary to respond to every single comment. Some definitely need response and somebody should be paying attention to if an issue keeps being brought up again and again then, clearly, there’s some problem we need to recognize or some additional work we need to do.
One individual, unhappy with some minor thing might not be a big deal, but if lots and lots of comments come in about the same thing, then that’s very useful feedback and I think it’s essential to have feedback. And we have to just have a little bit of thick skin and understand that sometimes people will say things that aren’t nice. They’ll say things that aren’t true. They’ll say things that are just reflecting their personal frustration because sometimes people think that if you didn’t agree with them it means you didn’t hear them or you didn’t understand them. And in truth, sometimes you can hear someone and you can understand what they’re saying and still have a different position. They need to know that you’ve heard them and that you’ve understood them, and they need to know why, for whatever reason, your choice, or your group’s decision, or your consensus is something a little bit different. At the end of the day they might or might not be happy with that, but that’s all you can do.

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

MS. SHAFFER: Thank you.

CHAIR DICKISON: Thank you, Mr. Belnap.

Mr. Coe?

PANEL MEMBER COE: Thank you, Madam Chair. Good afternoon, Dr. Shaffer, thank you for taking the time to
speak with us today. In your activity section of your
application you list several volunteer organizations that
you’re involved in, including the San Diego Botanic Garden,
as you mentioned already, and the Community Resource
Center, and serving on boards of several organizations such
as the Center for Sustainable Energy, Health Day Partners,
Kids versus Global Warming, among others.

What motivates you to seek out these types of opportunities?

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

Community Resource Center is -- you know, serves
people in need. I have lived a very privilege life and I
think it’s important to give back. I think it’s important
to share assets that I have partly through hard work,
partly through privilege, partly through, you know, having
good genes and good parents. And other people are not as
fortunate, so having the opportunity to help other people I
think makes sense, and is part of being a good person, and
a good citizen.
The Center for Sustainable Energy, the Director there asked me to be on the board. They were looking for new board members.

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

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

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

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

MS. SHAFFER: That’s a hard thing for me to
answer, not having gotten into the process yet. So, I
don’t really know the answer to that question. Because I
think there are going to be lots of different dimensions
that we need to take into consideration when thinking about
how district boundaries should be drawn. And without
really knowing more about the specifics, I’m reluctant to
say ahead of time what I think that should be. Yeah.

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

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

So, as a city council member, we’re the court of
last resort for planning department appeals. So, if
somebody wants to build an addition on their house, or
build something on a parcel of land they have to go to the
planning commission. If the planning commission approves
it, citizens can appeal to the city council, they can
appeal either an approval or disapproval by the planning
commission. So, there have been projects that I didn’t
like at all, that I thought were not -- didn’t fit in the
neighborhood, or that were unattractive, or whatever reason
not the way I would have chosen to use that particular piece of property. And I understood and was sympathetic to the neighbors' concerns about a new development.

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

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

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

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

And this quarter in particular, because of the virus and of the uncertainties about what was going on, so I made my final optional and students -- they were all ordered to be online, rather than in-person final exams.
And I had a couple of students who misunderstood what their -- anyway, they chose not to take the final exam. And then, when they saw that their grade was they contacted me and said, oh, gee, I didn’t realize that. I would have rather taken the final exam. So, or they just said, you know, I didn’t think that was right. And I said, what do you think was right? They said, I’d like the chance to take the final exam.

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

PANEL MEMBER COE: Okay, thank you. So, in your essays and some of your testimony today you’ve talked about having met and worked with diverse groups of people. What have you most learned about the perspectives, and preferences, and concerns about different groups of people that you’ve encountered that will help you be an effective
MS. SHAFFER: I’ve done a quite a bit of training and reading about racism, and anti-racism, and white privilege, and looked for opportunities to talk to people of color and to work with them.

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

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

And I’ve learned about, well, certainly first awareness of my privilege, which I think I always pretty much knew. As I said, I grew up in a household that was very active on civil rights issues. My daughter went to a
very multi-cultural school. The principal of her elementary school was an African American woman, a PhD. And I remember when Sally Ride was the first U.S. American woman astronaut and I told my daughter isn’t it exciting, you know, Sally Ride is going up there. And she goes, well, any girl can be an astronaut, I mean like she didn’t even think it was an issue.

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

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

PANEL MEMBER COE: Okay, thank you. A similar
question, but more geographic based. You’re based in San Diego. Talk about your experiences in other regions of California and what you may have learned from the people in those regions that would help make you an effective representative for them on this Commission?

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

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

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

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

PANEL MEMBER COE: Thank you.
MS. PELLMAN: We have five minutes, 49 seconds.
PANEL MEMBER COE: Thank you.
I want to go back really quick to the topic of communities of interest that Ms. Dickison brought up earlier. And her question was more geared towards finding
communities of interest throughout the state. I want to do
a little bit of a different spin on that.

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

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

And so, if we can make a compelling case about
what happens in Congress, and what happens in the State
Legislature, and how it affects their quality of life,
their environmental quality, their economic opportunities,
their educational opportunities, the amount of money that
comes into their districts and their ability to be
represented, perhaps by people from their own community,
and have an opportunity for those people to run for office
and to serve I think is the only way to get people engaged.
It can’t just be a theoretical discussion. It has to be related to really specific experiences that these communities are having and how we can relate the role of government to those interests.

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

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

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

Being able to use all the experience that I’ve
had, I’ve been in public service, I’ve been in the private
sector, I’ve been in academia. And I feel like I have a
skill set that would be helpful in doing this. I have
experience in bringing people together, and reaching
agreements, and finding consensus. And I’d like to see the
process work really well. I think I can contribute to that
and I get a lot of satisfaction out of doing good work and
having good outcomes from it.

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

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

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

CHAIR DICKISON: Thank you, Mr. Coe.

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

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

Dr. Shaffer, we talked a bit about your service
on the city council. Why did you decide to run?
MS. SHAFFER: I decided to run partly because I didn’t feel like I had a voice in Encinitas. I was relatively new there. I got involved with the campaign of another woman who was running for city council in 2006. And I started going to meetings and I was just amazed at how poorly run they were and how inefficient it seemed like the council was. They couldn’t even decide on whether Robert’s Rules of Order were mandatory or advisory. And I thought surely in my own community we can do better than this.

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

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

So, I was thinking about it and then a council member who had cancer, and was dying, came to me one day and said, Lisa, I’m not going to be alive when the 2012...
election comes around. I’ve been on the council for ten years and we need somebody to run for my seat and to represent the people who have always voted for me. Are you interested? And this was a beloved figure in Encinitas, and it was really hard to say no to her. So, the combination of wanting to have a voice and Maggie asking me to run, I said I’d be happy to work for somebody else who want to run. And nobody else wanted to run, so I said I would.

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

MR. DAWSON: Thank you.

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

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

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

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

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

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

    So, I would want to know, for instance, that
there were people who recognized that South Coastal
California was not represented in person and, therefore,
they would make an extra effort to make sure that they
spent more time maybe taking public input from this region.
No, I think you could do it. You’re going to have to sacrifice something and there’s nothing sacred about any of those dimensions if you can’t do all of them.

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

CHAIR DICKISON: I don’t have any follow-up questions.

Mr. Belnap, do you have any?

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

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

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

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

CHAIR DICKISON: Mr. Coe?

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

CHAIR DICKISON: Okay.

MR. DAWSON: Madam Secretary, how much time do we
have left?

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

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

   MS. SHAFER:  Sure.  Thank you.  So, first of all I’m delighted to have gotten this far and I’m extremely impressed with the process and with the diligence with which all of you are conducting yourselves and with the slate of candidates that you’re considering.

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

   And so, following my own advice I want to tell you that I think I have something to offer to the Commission as we go forward.  I really have a fundamental, abiding commitment in government, in governance.  I believe in the importance of having a government that’s elected through a fair process.  I think that it’s important for people to trust that the public officials that are in office got there honestly, appropriately, and really
represent and reflect the communities that they were elected to serve. And I think having a fair districting, redistricting process is an essential element in order to accomplish that.

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

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

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

MS. SHAFFER: Thank you.

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

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

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

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

MR. CAPISTRANO: Capistrano.

CHAIR DICKISON: Capistrano, thank you. Robert
Capistrano for his interview. I’m going to turn the meeting over to Mr. Chris Dawson. He will read you the five standard questions to begin.

MR. CAPISTRANO: Thank you.

MR. DAWSON: Thank you, Madam Chair.

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

MR. CAPISTRANO: Yes.

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

What skills or competencies should the Commission possess collectively?

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

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

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

MR. DAWSON: Yes, please.

MR. CAPISTRANO: Okay, yeah. I think in terms of the attributes that every Commissioner should have, I think first of all it should be a commitment to having, as a product, a representative set of redistricting maps, which really -- you know, that’s the overall attribute that
everyone should have. That means that everyone should be at least, what do I want to say -- they should definitely have an open mind, but at the same it should be evidence-based I think at the end. You know, not necessarily data driven, but certainly an appreciation that data has certain significance so that, you know, you aren’t just coming to decisions based on, you know, something purely subjective.

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

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

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

Now, in terms of myself, well I think that I do have each of those. I think, certainly, the main motivation for me actually putting in my name for the Commission was because, you know, I believe in the ability
of all, you know, residents of the State of California to have an equal say in the political process. And I think that my -- you know, my career has shown that.

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

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

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

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

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

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

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

And if you start with that, then, you know, a
commitment to that particular principle, then I think it’s,
you know, it’s a question of being able to dialogue,
compromise. You know, one of the things that is important,
I think, is in the statute itself, in the Constitutional
statutes, the idea that, you know, a simple majority or
even a super majority is not going to cut it. In order to
have a district plan actually, what, adopted, you have to
have basically a majority within the three different camps,
the Democrats, the Republicans, and the non-major parties.
Now, that’s a very important I think structural, what, a
structural thing that will, I think allay some of this hyperpartisanship. Because people have to realize, you know, from the beginning that, hey, compromise is the name of the game here. It’s not simply, you know, somebody can just basically batter their way through.

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

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

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

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

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

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

But I could see that as potentially being a
problem in this particular phase.

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

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

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

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

Now, the beauty of it was that I think that -- and mind you, this was a situation where our organization, the Legal Aid organization had actually fused with three other organizations. So, you had, in terms of the membership of the union on the other side you had, you know, interests that, you know, might have reflected different histories. Not the same entity, but different
histories coming together, a brand-new organization. And, of course, I was on the other side.

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

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

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

And then, try to tackle those which are, you know, the low-hanging fruit so to speak, so that you can get a general sense of, you know, of commitment. You know, and you sort of eat away and eventually you can get to what are the -- you know, obviously, the contested issues that
are going to obviously be, you know, at the end. And in
our case it was financial, right.

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

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

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

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

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

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

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

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

So, you know, day in and day out, you know, you
interacted with people with different backgrounds. You
know, that was the beauty perhaps with the draft, I suppose, in those days.

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

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

Like I remember one time, you know, as a Legal Aid lawyer, you know, and sitting up there you think, well, the Presidential Hotel. Well, we sued the Federal Reserve Bank, right. So, having to interact, actually, with a big firm of lawyers. You know, and of course you make contacts
like that and then, of course, there are some social circles that you deal with.

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

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

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

MR. CAPISTRANO: Well, I think I always had a social services commitment. And certainly growing up as I did in the -- you know, I’m going to graduate from high school in 1967 and, you know, at that time, you know, the Civil Rights Act had just been enacted. There was a certain amount of, you know, optimism in this country, even though the Vietnam War was there and looming in the background.
And I think through my college years, you know, that was a time when a lot of social programs were created in 1965, you know, with the war on poverty and what have you. But, you know, I felt that, you know, that -- well, to me, I just wanted to give. I really wanted to do what I could to help people, really I thought, try to achieve a certain level of success. You know, like my parents were not rich by any means, you know, but the fact is that I had chances and I managed to use those chances. And there are a lot of people who don’t have those chances.

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

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

MR. CAPISTRANO: Right.

CHAIR DICKISON: And you’re the Director of Advocacy. What is that?

MR. CAPISTRANO: Well, I was. I was.
CHAIR DICKISON: Was. Okay, you were the Director of Advocacy. What is -- what was your role as the Director of Advocacy?

MR. CAPISTRANO: Well, it was -- I originally started out with the San Francisco Neighborhood Legal Assistance Foundation, which became Bay Area Legal Aid. And my title with the original organization was Director of Advocacy, Training and -- eventually for advocacy and training, okay.

So, on the one hand I mean the idea was to engage in some sort of work that would produce some sort of systemic change for our clients.

You know, for example, you know, I mean in the general assistance program and, you know, in the 80s there were just rampant, all sorts of problems which really ended up with people losing their benefits, you know. And if you lose your benefits I a place like San Francisco, you know, you’re really in bad shape.

And so, you know, we would go in and we would try to -- you know, we were using lawsuits, we were using advocacy at the commission level, the board of supervisors, what have you to try to change the actual ordinances, right, in order to help people. And we’ve done that in a lot of different areas.

So, my role eventually was to try to be -- try to
push that, try to encourage people to get into that, try to identify issues and try to build the structures, you know, through training and what have you, which is the other half that I carried, which is the Director of Training.

And there, you know, I mean for example we would have these almost year-long, nine-month-long training sessions where once a month, you know, we would have a pretty intense training on some aspect of litigation, or administrative hearing practice or, you know, whatever the case might be. So, yeah, that was my role.

And also, not only that but, you know, I had to do things like establish, you know, policies for, you know, simple things like opening cases, file maintenance, you know, things of that sort. You know, it’s sort of the nitty-gritty types of things that you have to do in order to have an efficient and effective practice, you know, just day to day. And just in timekeeping. You know, I mean it would be, you know, the case management system.

You know, so, it wasn’t just something that was highfaluting getting, you know, going around, you know, advocacy of that type. But also, the nitty-gritty sort of structural work, trying to make sure that you had systems in place so that you could actually help the clients help themselves. And that was the whole point of our work.

CHAIR DICKISON: Okay, thank you. Thank you for
laying that out for me, that was helpful.

So, I noticed you served on the Board of Directors for ACLU Northern California, and its audit committee-- also, the Legal Aid Association of California, and a few other things. What have you learned in working with those organizations that would help you or assist you in work as a Commissioner?

MR. CAPISTRANO: Well, I think listening is, you know, I think that’s a major thing when you have different viewpoints. Just being able to listen, and evaluate, and really put your -- you know, only throw in your two cents worth if you’ve got something to say. You know, I think that’s really important and I think that sort of allows you, you know, to deflect sort of artificial things that get in the way, like personalities, you know.

I mean, I think that’s really important and that’s, well, that’s one of the things that really I actually learned just having to negotiate, you know, as a lawyer and listening to landlords. Like, you know, I mean you just can’t -- you know, you can’t come in all gangbusters, right. You really have to, you know, what, you know, you have to appreciate that, you know, somebody else is coming from a different point of view but, you know, they might have a point there. And so, you have to absorb that and then, you know, evaluate that. So, that’s
why I say evidence-based decision making is really what I think is important.

CHAIR DICKISON: Okay.

MR. CAPISTRANO: Yeah.

CHAIR DICKISON: So, you talked in your essay about your career in adjusting -- addressing systematic issues facing your client communities and representing, you know, different communities that are disadvantaged, the homeless, and others. How would those experiences assist in identifying communities of interest?

One of the things the Commission needs to do is identify the communities of interest when it’s drawing lines. So, how will your experiences with these different communities and groups assist the Commission in identifying communities of interest in different regions throughout the state?

MR. CAPISTRANO: Well, I think, you know -- well, one thing I think is that I would have certainly a greater appreciation I think for, you know, some of the humdrum statistics, like unemployment rates and, you know, where -- you know, the workforce, you know, what are the -- you know, for example, you know, I mean low wage workers and, you know, if it’s a community that has an awful lot -- you know, tourists, tourism for example. Well, then, you’re talking about, you know, restaurants and hotels. I mean
that’s a certain population there, you know, that I think
is also reflected in the demographics.

And if you look at, you know, some community and
say, oh, you know, it’s 20 percent Latino or, you know, 30
percent African American, or whatever the case might be,
well, what does that mean in terms of their life, you know?
How do they make a living? You know, so in terms of
identify the community of interest I think that’s
important. It’s not the fact that, you know, that it has,
you know, a big -- a big group of hotels, or restaurants,
or things of that sort, but actually it’s the people who
work there. You know, what’s happening? What does that
mean in terms of their ability to affect the political
process, you know.

Obviously, what we’re doing is not going to be
something that, you know, there’s a direct correlation
there. But certainly you can -- you would have to have --
get the feel of the community and you have to look at the
economics of, you know, of the entire community, you know,
including those at the bottom of the workforce, you know,
and those immediately above.

You know, it’s one less -- you know, so it won’t
be essentially middle class interests essentially, or upper
class interests. Which I think that, you know, certainly
in the old days when you think about redistricting, you
know, it was certainly what ruled the redistricting process, really, you know, where the money was.

CHAIR DICKISON: Okay, thank you. Some of my questions you’ve answered already. So, I want to read a sentence from your first essay and just have you kind of explain what you mean by it -- this, or expand on the idea. You said: Delegating reapportionment to an independent Commission has undermined the influence of incumbents, but not necessarily partisanship. Can you expand on that a little bit?

MR. CAPISTRANO: Well, yeah, I mean I -- I think -- well, okay, obviously under the old system, you know, where the whole idea was to make sure that the incumbents kept their job, you know, well, that’s one, there’s a certain personal -- well, a personal interest involved there.

But I think that even in this Commission, I mean to the extent that there is, hopefully not hyperpartisanship, but certainly there’s going to be partisanship, right. I mean, so when you have ideological interests you can’t -- you know, you can’t separate that. Just like you can’t separate my opinions, you know, from me, you can’t separate the opinions of other Commissioners, you know.

But what I would hope would be that if we all
have a shared goal, you know, which was basically, you
know, as representative a series of maps as we could
possibly get, then I think that we can go, certainly go a
long way. You know, the beauty of it is that we don’t have
the personal interests involved, you know. But, you know,
I mean, you know, society is society. You know,
everybody’s got their own opinions. It’s a free country,
right? Otherwise you wouldn’t have a First Amendment. And
so, but everybody’s going to come in with baggage, right.

But like I say one good thing is that the voting
system, that’s in Article 21, actually, you know, is trying
to deal with that to some degree, you know.

But still, hopefully, that we can through working
together collegially, we can get over some of the things
that I think are almost -- we can come to some sort of
compromises, you know, even though everyone’s going to have
their opinions and nobody’s going to have -- most of their
opinions change, I think.

CHAIR DICKISON: Okay.

MS. PELLMAN: We have six minutes and 39 seconds.

CHAIR DICKISON: Okay, thank you.

So, on the Commission, the way the Commissioners
are selected, the first eight Commissioners are selected by
-- are selected randomly. And then, they select the next
six. If you were selected as one of the first eight, what
would you be looking for in those other six?

MR. CAPISTRANO: Well, yeah, you know, again it’s sort of hard to glean many things off of a paper or, you know, even if you had interviews. What I think I would -- what would be the most important thing is sort of an idea of the commitment that each applicant actually has to this, to the product, really, to the idea of fair representation in California, you know. That to me, that’s probably the most important thing, you know.

And then, after that I think would be really an appreciation of really the -- really the breadth of the types of communities there are in the state, you know, both economically, ethnically, you know, language and what have you.

And then, of course to me probably next would be really the ability to get along, the ability to dialogue. The ability to, you know, to hear the other person, you know, and be objective. Yeah, I think those -- I think that’s the key thing. Probably, you know, the most important thing to me is just commitment to the process and then, you know, everything else hopefully, you know, will fall into place.

CHAIR DICKISON: Okay, thank you. I don’t have any further questions at this moment, so I’m going to turn it over to Mr. Belnap.
MR. CAPISTRANO: Thank you.

CHAIR DICKISON: Thank you.

VICE CHAIR BELNAP: Good afternoon, Mr. Capistrano.

MR. CAPISTRANO: Good afternoon.

VICE CHAIR BELNAP: So, you indicate in your application that as a public interest attorney you have had to defend the rights of people whose views you do not agree with, necessarily agree with.

Can you provide us with an example and discuss how you set aside your views to fairly represent your client?

MR. CAPISTRANO: Well, just something that leaps to mind, and I remember one of the first cases that I had was actually a fair housing case where I had to represent, really, a poor landlord, right, who had, you know, I think discriminated in denying an apartment. And those were the days when we really no case acceptance guidelines, right.

So, you know, as a new lawyer, you know, we took everything that came in through the door. And I think at that time there was, what, you know, a commitment to the process, to the legal system, you know, and that was one example.

And then, at other times, you know, I mean especially when I was a tenants lawyer, I mean there were
people when I had to -- there were times when I had to represent people -- these weren’t necessarily ideas that I disagreed with but, you know, for example, evicting somebody -- or, rather, representing somebody who’s being evicted for being a nuisance, when I could quite clearly see they were nuisances, you know. But trying to deal with that and still trying to keep the client in the house. So, in a sense negotiating both with my client, as well as with the landlords.

So, yeah, I mean those are two things that come to mind in terms of my representation.

VICE CHAIR BELNAP: Okay, thank you. You indicated in your application that for 12 years you served with ACLU North. So, I’m assuming, and please expand on this, that you traveled throughout Northern California, is that correct, and how much did you travel?

MR. CAPISTRANO: Oh, no, no, I was just a board member, so the board met in San Francisco. You know, and I went to meetings for example in, you know, Berkeley or San Jose, but I don’t consider that traveling, you know.

VICE CHAIR BELNAP: Okay. So, you were on the board, okay.

MR. CAPISTRANO: Right.

VICE CHAIR BELNAP: So, going back to the question of your clients and how you represented them, and
when they had views that didn’t align with yours, tell me about how you set those -- your views aside and still fairly represented them?

MR. CAPISTRANO: Well, you know, for example when I represented the landlady who had denied housing to somebody else, well, you know, what you’re trying to do is get the best possible outcome for her. Now, in her particular case really the best possible outcome was to get the other side to dismiss the case. And so, the things that I did, now which was fairly new, was basically to show that, look, the only thing that this woman had was the house. You know, at that time, you know, you could safeguard, really, the equity in that house by -- I can’t even remember which one you could file, but with the recorder’s office, that basically would safeguard, you know, $50,000. And the house could sell, because it may be worth, you know, $75,000 or so forth.

But basically, to show to the other side that, you know, that this was not an economically viable case. So, the idea was, really, to use whatever was available, right, in order to achieve the outcome that, you know, my client and I decided would be the best given all the circumstances, and given the posture of the case. And, you know, the ability to defend or not defend it.

VICE CHAIR BELNAP: Okay. So, your time as a
public interest attorney is one of the things you talk about as demonstrating your impartiality. So, if you are representing your client and doing a good job for them, how is that necessarily being impartial?

MR. CAPISTRANO: Well, to start with, you know, I think even before you take their case there is an evaluative process. You know, you have to think about, I mean is this -- you know, and we had the luxury with Legal Aid, certainly, because, you know, there was no pecuniary interest involved, at least for Legal Aid, you know, and in many cases even for the client, right.

And so, we were able to step back and think about not only the issue of whether or not a case was winnable or not winnable, but also what was -- you know, what overall was at stake, the importance of it, evaluating how that could be presented.

So, I think that, you know, it’s not impartial in the sense that you’re still representing a client, but it is impartial in the sense that what you’re looking at is the higher almost -- not necessarily the higher interest of society, necessarily, but certainly the interest of whatever the value that was expressed in the law that you were trying to enforce, right. Whether it’s a housing discrimination law, whether it was a benefits statute, whether it was, you know, rent control. You know, it
wouldn’t matter what the case was. The fact is the law did
give you sort of a baseline standard and it was up to --
and impartiality in the sense of, well, was this really a
breach, right, that’s the first step. And if it certainly
looked there was a breach well, of course, then I think the
decision is made to represent the client.

VICE CHAIR BELNAP: So, in your experience as a
public interest attorney did you ever deal with any voting
rights cases or anything similar to it?

MR. CAPISTRANO: No, I never did. Never did.

VICE CHAIR BELNAP: Okay.

MR. CAPISTRANO: You know, aside from, you know,
there might have been somebody just coming up as a board
member of the ACLU, but certainly not as a Legal Aid
lawyer.

VICE CHAIR BELNAP: Yeah. All right, thank you.

No further questions.

MR. CAPISTRANO: Thanks.

CHAIR DICKISON: Thank you. Mr. Coe?

PANEL MEMBER COE: Thank you, Madam Chair. Good
afternoon, Mr. Capistrano.

MR. CAPISTRANO: Good afternoon.

PANEL MEMBER COE: Thank you for taking the time
to speak with us this afternoon.

In your essay on analytical skills, you state
that for years you have studied economics, politics, and social and geographic stratification. Can you expand on this a little bit? Did you study those things separately, or how those things interacted with one another maybe affected each other?

MR. CAPISTRANO: Well, I think it’s really an interest that I had. It doesn’t do necessarily with schooling, you know. Sure, I got a poly sci degree. But I think that because I’ve been always interested in history, economics, and things of that sort that, you know, it is one of the things that I just kept getting into as the years went by. You know, I read a lot of history, a lot of economics books. You know, some of the -- you know, whoever might -- you know, Piketty, or Krugman, or whoever the case might be. You know, that sometimes those books would interest me. You know, I read the Economist cover to cover, you know. But not just the Economist, but I mean I read a lot of things. I don’t really watch that much TV, you know. My interests, you know -- I guess I’m sort of a -- I learn by reading, you know, and thinking as opposed to, you know, absorbing it by watching television.

So, yeah, so that’s really where that interest came from and it has kept going for years, and years, and years.

PANEL MEMBER COE: How do you think that your
years of study on the topics of economics, politics, social and geographic stratification could be an asset to the work of this Commission?

MR. CAPISTRANO: Well, I think it’s -- as background, I think that it’s -- you know, I think that I can interject sort of ideas different ways, looking at a particular phenomenon, it’s not just simply -- you know, it’s not just simply demographics, right? It’s not just simply looking at some statistics that are, say, you know, Census data or anything else like that.

But I think that, you know, you can look at the -- say, the demographics of a community. You know, were it got there, you know. Like the shipyards in Richmond, and that connection with the African American community that lives here in Richmond. Or in L.A., you know, with the old aviation plants, right, and the residue after, you know, the rust belt came, and those industries left, but a lot of people were left stranded. You know, maybe it’s not the rust belt type of situation, but you do have those types of, you know, the remnants of really history, right. The history, both economic history, and social history of a particular area, you know.

I mean, if you go down to, you know, say areas in the Central Valley, I mean like a -- I know this one particular case where, you know, it was a Mexican American
community and for some reason, you know, they didn’t have a
heck of a lot of social services, water, what have you. You
know, and that really was an issue of, really, the
aftermath of, you know, the economy that existed way back,
you know, in the 30s and 40s, and in today. You know, it
resulted actually in the fair housing, where the city was
forced to actually put in the various services.
And so, you know, I think that’s the -- that’s
where I think that knowledge, you know, sort of dry,
supposedly dry history, or economics, or whatever, but that
has -- that helps, I think, explain to me, I think, the
structures that you have to deal with when you’re talking
about communities of interest in, you know, in developing
these Assembly seats, or Senate seats, districts.

PANEL MEMBER COE: Thank you. In your essay on
impartiality you discussed your role as a supervising
attorney and how you had to mediate disputes. You state
you had to listen, elicit relevant facts, and timely decide
the dispute as objectively as possible.

How would you elicit relevant facts as a
Commissioner?

MR. CAPISTRANO: Well, you know, I think you’ve
got the data that you have from the Census, but I think
beyond that I think that -- that, you know, there might be
certainly the public hearings. You know, I’m sure people
are going to come in with comments, both written and oral. I think they’re -- you know, that’s one source.

And I know that as background, you know, there are things like, for example, the Association of Bay Area Governments for example puts out an awful lot of, you know, different documents, studies, whatever, the economic trends and what have you in a particular area. Now, that may or may not be relevant depending on, you know, the location that you’re talking about.

But, you know, those things are there and, you know, I think I have a certain familiarity with that type of, what, research, and right, analyzing those types of trends that you can get from those sources of data.

PANEL MEMBER COE: Can you give us an example of a time where you did this type of research and were eliciting these facts, and through that exercise it caused you to maybe change your mind on a conclusion you had drawn before doing that research?

MR. CAPISTRANO: Yeah, well, I’m trying to -- yeah, well, there was a time for example when, you know, when the -- you know, the housing authority, you know, under a statute that’s probably since been amended, you know, the housing authorities had the issue of utility allowances to their tenants, and those allowances had to reflect the actual cost of utilities.
And, you know, clients came to me and they said, oh, boy, you know, these utility allowances, they really aren’t -- they aren’t robust enough. You know, I have to pay this, I have to pay this over and above what the allowances are. Well, okay, so, you know, I mean it seemed like the type of thing that really had merit it because, you know, I could see that certainly in San Francisco, you know, in wintertime it gets cold here.

So, in order to get the basic data, I went and looked at the PG&E, what do you call it, the rate sheets, you know. I looked at the rate sheets and I looked at the weather bureau records, you know, in terms of temperature ranges over particular periods of time. And out of that, you know, I realized that number one there were different -- there were pockets of the city that were more affected than others, right. But also that the actual allowances were not that far off, right. And so, that really -- I mean, obviously, you know, you can’t -- you know, that certainly made me change my mind in terms of my initial opinion as far as the merits of the client’s case.

PANEL MEMBER COE: Okay, thank you. In your essays and some of your testimony today you’ve given some examples of having worked with or represented diverse groups of people. What did you learn about the preferences, the concerns, and the needs of people of
various backgrounds that will make you an effective representative for them on this Commission?

MR. CAPISTRANO: Oh, let’s see. Well, I think that overall probably the one thing that a lot of my clients felt was basically being ignored. It was not even so much being -- you know, being more of an afterthought. You know, I think that for a lot of, certainly for a lot of poor people because the -- you know, you’re only talking about 10, maybe 12 percent of the population it’s easy to overlook them and their particular needs. And so, you know, for example until recently, you know, with the housing crisis, you know, only now you have -- do you have a lot of communities looking at things such as, you know, rent control or some way of addressing these issues that have, you know, long plagued certain portions of the population.

Now, it happened earlier in some cities, you know, like in San Francisco and Berkeley, but that’s back in the 70s. But only recently, you know, with the housing problems becoming so extreme has that, you know, have those issues risen in public consciousness. And really, the Legislature and what have you trying to deal with that, or the local boards of supervisors more likely.

Let’s see, I actually forgot where I was going with that. What was your question again?
PANEL MEMBER COE: The question was in your experience working with people of diverse backgrounds, what have you learned about their needs, and preferences, and concerns --

MR. CAPISTRANO: Oh, okay, yeah. Yeah.

PANEL MEMBER COE: -- representative.

MR. CAPISTRANO: So, I think that there is an idea or a feeling of being ignored, of their particular interests not being all that important. And so, you know, how that could be addressed? Well, I think that, you know, to some degree I think I’d like -- on the redistricting level, you know, you’re almost at sort of a higher, more abstract plane to deal with, you know, the issues that some of those, you know, feel in terms of representation or their ability to affect the process.

But I think that, you know, to the extent that, you know, you can ensure that certainly, you know, a larger community of interest is reflected somehow in the drawing of these districts that you do have the ability of, you know, representatives being elected who at least, you know, have the possibility of -- you know, the higher possibility of being able to, you know, knowing about those particular issues. And I think, hopefully, will, you know perhaps in the long run, but hopefully in the medium term, you know, allow people to feel that they have actually a stake in the
political process.

You know, and I think a lot of social problems that you see, you know, with whether it’s drug addiction or what have you really comes from a sense of hopelessness, really. And the idea that, you know, you really don’t count in society. Now, that to me was a feeling that I felt from a lot of poor people, you know, from various diverse backgrounds.

Now, whether that was a minority opinion, you know, so hopefully yes. You know, and there were people who were actually moving out of that situation and, yeah, they have more of a stake in the process. But I think that that is a long-standing issue, I think, of feeling that, you know, you really don’t count in society.

PANEL MEMBER COE: So, on the topic of communities of interest, some communities are less engaged, maybe don’t feel comfortable coming forward to engage with government organizations like the Commission, for one reason or another. What would you do as a Commissioner to make these communities feel more comfortable coming forward and sharing their perspective to help inform the Commission when they’re drawing the lines?

MR. CAPISTRANO: Well, you know, I don’t know what, you know, what -- you know, how much -- how much the Commission itself is involved in, you know, whatever, the
publicity of the meetings, you know, the literature that’s being distributed, the public service announcements, things of that sort. I would hope that, you know, through being sensitive to those types of issues in terms of language access, in terms of ensuring that certainly the ethnic media, you know, is aware of these things. I think in terms of, you know, to the extent that we have influence on, you know, where meetings are held or, you know, things of that sort. You know, the community TV stations, you know, broadcasting hearings or what have you.

You know, this is all new to me, but I would think that that’s where I think I would have a certain sensitivity to those types of issues that, you know, may not necessarily be true of, you know, the majority of the Commission just because of, you know, where I spent my career, you know, working in terms of those communities.

PANEL MEMBER COE: So, if you were to be appointed to the Commission, which aspects of that role do you think you would enjoy the most and, conversely, with aspects of that role do you think you might perhaps struggle with a little bit?

MR. CAPISTRANO: Okay. Well, I think that -- I think that I really would enjoy getting into the -- delving into this whole issue of communities of interest, right. Because that’s, you know, it’s -- you know, the way it’s
written in the statute it’s vague, it’s amorphous. You know, community of interest, you know, because it reflects the reality of a community, you know, that to me is really -- you know, is really interesting. And how that then is reflected, you know, through the prism of the statutory requirements in terms of the Voting Rights Act and, you know, the Constitution, equal protection in terms of, you know, one person/one vote, you know, those types of issues.

You know, I enjoy actually trying to crunch data through the -- you know, the legal standards and trying to, you know, trying to come to some sort of --

(Phone ringing)

MR. CAPISTRANO: Uh-oh. Excuse me, let me --

MS. PELLMAN: We have three minutes and 40 seconds remaining.

MR. CAPISTRANO: Sorry, I had to -- this phone call came in. Now, I’m not quite sure how to make this whole screen come back the way it was.

MR. DAWSON: Well, we can see you, Mr. Capistrano.

MR. CAPISTRANO: Oh, good. Okay, okay, then it doesn’t matter then, I guess.

MR. DAWSON: Mr. Coe, you want to repeat your question?

PANEL MEMBER COE: Do we have time?
MS. PELLMAN: Yes, we still have three minutes and eight seconds.

PANEL MEMBER COE: Okay. So, I think the half of the questions that maybe you hadn’t gotten to, yet, Mr. Capistrano, is which aspect of the role of Commissioners do you think you might struggle with a little bit.

MR. CAPISTRANO: Oh, right. Well, you know, what would I have trouble with, you know, I mean -- you know, I certainly have a -- I’m wondering, you know, with -- you know this has sort of been something that’s been coming up as a thought to me. To the extent that, you know, you do have, you know, I guess I want to say hyperpartisanship, you know, but I don’t know. You know, I mean hopefully that won’t be an issue. But, you know, having to deal with that, having that type of -- I don’t want to say confrontational because I don’t -- you know, I think confrontation’s the wrong way to deal with issues like that.

But, you know, being able to deal with that. I mean, to me, you know, I suppose the best analogy might be, you know, when you’re a lawyer and you’re dealing with opposing counsel who, you know, is not the most cordial person, so to speak. You know, I think that might be something that, you know, might be troubling. But I don’t know that there really are, you know, anything that -- you
know, maybe the travel, you know.

But in terms of the process itself, I don’t think so. You know, I think it’s a challenge, it would be an interesting challenge.

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

MR. CAPISTRANO: Thanks.

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

MR. DAWSON: Yes, thank you, Madam Chair.

Mr. Capistrano, if I understood, you had mentioned that you grew up on Army bases?

MR. CAPISTRANO: Yes.

CHAIR DICKISON: So, did you come to California to go to Hastings?

MR. CAPISTRANO: I did, yes. I was living in Colorado at the time, I went to the University of Colorado.

MR. DAWSON: So --

MR. CAPISTRANO: That’s where my father retired, actually, Fort Carson.

MR. DAWSON: Oh. Did you always want to be a lawyer?

MR. CAPISTRANO: No, that’s something that came to me, I think, in undergraduate school. You know, certainly I got an appreciation of the law and what the law
could do, you know, through probably, certainly when the Civil Rights Act was passed. You know, the end of the segregation in schools. And, of course, that was a long fight. But, you know, just the power of the law, I think, and the ability I think to, you know, address real problems in society.

MR. DAWSON: So, it sounds like at least after the point where you decided you wanted to go to law school and become a lawyer, your path was towards public interest law, is that correct?

MR. CAPISTRANO: Yes, I’d say so, yeah. Yeah, I definitely -- yeah.

MR. DAWSON: So, staying a little bit on your legal career, I see that you represented clients all the way up from administrative hearings to appellate work. Did you do much trial work?

MR. CAPISTRANO: In my early days, yes. You know, mainly unlawful detainers, defense, family law.

MR. DAWSON: Jury trials?

MR. CAPISTRANO: A few jury trials, yeah, did a few jury trials.

MR. DAWSON: So, I’m curious, do you -- thinking back to your time of picking juries, what was your strategy there and do you think that that’s a perspective that would be useful to you on the Commission, especially as you are
evaluating folks who are going to be coming forward and representing themselves as part of a community?

MR. CAPISTRANO: Well, I have to -- you know, that was -- we didn’t do that many jury trials. I think I only had maybe five, and so my experience, you know, I can’t say that I was ever an expert at it. And so, you know, I sort of bumbled my way through. But, you know, I think that, you know, what I tried to do, you know, through the extent you can you’ve got voir dire questions, the judge is not going to let you get away with everything.

But, you know, it was a lot of gut sense, I think, just, you know, getting a sense of the -- with respect to the juror, you know, in terms of shifting and so forth.

Now, you know, whether I was reading the body language right or wrong, I don’t know. But, you know, certainly I was glad when I won a case, I’ll tell you that. And, you know, talking to the jurors afterwards, it’s sort of -- you know, the cases that I won anyway, it’s sort of, what, confirmed, sort of my initial sense of these jurors, you know, of the people who I thought might be, you know, good on my jury.

But I, by no means would I say I was an expert.

Oh, no.

MR. DAWSON: Okay, thank you. I wanted to follow
up on your essay number four, when you talked about your analytical skills. And I’m just going to paraphrase, but you had said that you faced -- often the issues I faced involved arcane technical questions, such as the adequacy of housing authority, utility allowances, or federal earmark or rent standards, and you use raw data like meteorology, records, and rate-setting orders.

During this analytical work did you use mapping software?

MR. CAPISTRANO: No, that’s one thing I never got into. I’ve never -- you know, I let the experts do that. You know, that came in after I’d been a lawyer for, what, maybe 30 years or so. And so, I let the young Turks, who were more familiar with technology deal with those -- deal with mapping. But I certainly use the product, but I never really, you know -- I mean, I downloaded the stuff, but I can’t say that, you know, I really would have progressed very far in it.

MR. DAWSON: But it would be fair to say that you feel pretty comfortable using a map and --

MR. CAPISTRANO: Oh, yeah.

MR. DAWSON: -- all that goes into it?

MR. CAPISTRANO: Yeah, yeah, I’d say so.

MR. DAWSON: I wanted to follow up on your answer to essay three. Let’s see, I thought this was a very
interesting sentence. You said: Working with advocates from throughout the state, I was struck by both the common issues faced by poor and minority constituencies, but also the cluster of problems unique to rural, suburban, and intercity communities.

Can you expand on that and talk to me about what those unique clusters were?

MR. CAPISTRANO: Well, you know, what comes to mind immediately is certainly the issues that farmworkers face, you know, something totally different than what, you know, poor residents of Oakland or San Francisco would face.

And so, their issues, probably the principle one is employment issues, you know, wages, hours, conditions. You know, it’s true there are serious housing issues, and so forth. And, of course, the issue of, you know, if you’re a migrant worker you’re traveling here and there and, you know, those types of issues.

But employment was something that was -- that’s probably the key issue for those communities. Whereas in the intercities, I think, you know, the issues are housing. That’s the key one, housing and of course income, and particularly disability income. So, you know, so the demographics really are different. You know, you might have certainly a large proportion of low income people in
the cities are Latinos, right, and probably the great majority of farmworkers are Latinos. But the issues that -- you know, in those particular regions were really different. You know, employment versus other issues, like that arise in the city.

MR. DAWSON: Thank you. I don’t have any other follow-up questions. Do any of the Panel Members have any follow ups?

CHAIR DICKISON: I do not have any follow-up questions.

Mr. Belnap?

VICE CHAIR BELNAP: I do not.

CHAIR DICKISON: Mr. Coe?

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

CHAIR DICKISON: No further follow-up questions.

MR. DAWSON: All right, thank you.

Mr. Capistrano, at this point -- oh, Madam Secretary, could I have a time check, please?

MS. PELLMAN: Yes, we have 21 minutes and 38 seconds remaining.

MR. DAWSON: Thank you.

Mr. Capistrano, at this point I would like to offer you the opportunity to make a closing statement to the Panel, if you wish.

MR. CAPISTRANO: Okay, thank you. Well, I think
what I’d like to close, you know, is that, you know, I mean
I -- you have a very important job and I think the key task
before you, I think, is to choose a Panel that really buys
into the idea of full and fair representation. And, you
know, I think if the -- if every Panelist has that, then I
think we can roll with the punches in terms of, you know,
the other issues that come up.

I think what I bring, though, is well a couple of
things. One is I think, I imagine that, you know, there
might be others, but in terms of a feel for particular
sector of the population of California, certainly urban
California and namely, you know, the urban poor, I think
that I’ve got -- you know, that’s really what I would bring
to this process.

And I feel, I think, for the, what, the
particular issues that are faced by the sectors of their
report, the ethnic minorities, women with children, you
know, and those types of issues that maybe are not the type
of thing that would be, you know, addressed immediately by
the Redistricting Commission. But I think that just the
overarching feeling that, or feel that I think is necessary
if you’re really going to have a representative of the
legal process in the state. I think that’s what I would
bring.

And thank you for the opportunity for, really,
you know, applying for this position. Thanks.

CHAIR DICKISON: Thank you, Mr. Capistrano.

Our next interview is tomorrow morning at 9:00 o’clock, so we’re going to recess until 8:59 tomorrow.

(Thereupon, the Applicant Review Panel meeting recessed at 4:11 p.m.)
REPORTER’S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of April, 2020.

PETER PETTY
CER**D-493
Notary Public
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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber.

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IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of April, 2020.

Barbara Little
Certified Transcriber
AAERT No. CET**D-520