

BEFORE THE
CALIFORNIA BUREAU OF STATE AUDITS (BSA)

In the matter of

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

555 Capitol Mall, Suite 300
Sacramento, CA 95814

TUESDAY, September 7, 2010
9:15 A.M.

Reported by:
Peter Petty

APPEARANCES

Members Present

Nasir Ahmadi, Chair

Mary Camacho, Vice Chair

Kerri Spano, Panel Member

Staff Present

Stephanie Ramirez-Ridgeway, Panel Counsel

Diane Hamel, Executive Secretary

Candidates

Kathryn J. Tobias

Daniel J. Levin

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P R O C E E D I N G S

MS. RAMIREZ-RIDGEWAY: Good morning, it's 9:20.

We have all parties present, as well as our next Applicant, Kathryn Tobias. We've had some technical difficulties this morning that will prevent us from live-streaming, however, the interview will be recorded both by a Stenographer, as well as on film or digital recording mechanisms, whatever we use these days, and I understand that we will have the ability to upload the video from the interview, we just cannot live stream it at this time. So, with those minor inconveniences out of the way, Ms. Tobias, despite the rigors of the morning, are you ready to begin?

MS. TOBIAS: I am.

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

MS. TOBIAS: Thank you. I'm happy to be here this morning. I'm very impressed by the process that you're all going through and the amount of time that you're spending on it, so I think it's really great for the State

1 of California.

2 The specific skills that I think need to be
3 possessed by a Commission, or the Commissioners, first of
4 all, I think respect is probably the most important one,
5 respect for the process that we're going to be going
6 through, respect for fellow Commissioners, for their
7 opinions, their backgrounds, what they bring to the
8 process, respect for the public and for that kind of great
9 amorphous mass that is out there that is made up of
10 millions of people with their own hopes and dreams.

11 I think it is also important that Commissioners
12 come with respect for staff and the ability to listen
13 carefully to trust that staff has brought forward, the
14 information that needs to be brought forward. I also
15 think that trust is based on experience of having a good
16 staff and having adequate material and timely material
17 submitted to the Commission, and I think, again, as I
18 said, respect for the process. I think that if everybody
19 maintains the idea that we're all here for a kind of
20 greater good, I think that will help answer a lot of the
21 questions that you brought forward in terms of how do we
22 resolve conflicts, how do we work on common goals, how do
23 we deal with timeliness. A lot of that is based on
24 respect. And to a certain extent, that's a little tricky
25 with the new Commission because you have a lot of people

1 coming together who have not worked before, but I think,
2 and we will see as I answer questions that, I think
3 underlying that is a foundation of respect.

4 Some of the other abilities that a Commissioner
5 should have is the ability to listen, to listen with an
6 open mind, to seek to understand, to not pre-judge, but to
7 really hear what people are saying to understand what
8 their communities of interest are, or how they think, that
9 the process has either not met their needs in the past, or
10 that it could meet their needs in the future. I think we
11 need to be able to synthesize ideas and to handle complex
12 analysis, but I think that, given that the Commission is a
13 cross-section of a number of people, I think some people
14 will come in with more of that ability; but I think, with
15 a good staff, I think we're able to bring a lot of people
16 along. So, I suspect that most people who have indicated
17 an interest in this are people who can basically do that,
18 or they will come along with the rest of the Commission,
19 as well. I think that one of the things that we need to
20 be able to do is to balance patience and, for lack of a
21 better word, moving on. I did participate in one
22 redistricting exercise and I think, just from my
23 experience with working with a number of Commissioners,
24 Boards of Supervisors, etc., there is a tendency to hear
25 the same thing over and over, but I also think that people

1 need to be heard, or need to at least feel that they've
2 been heard. So, I think, to a certain extent, we need to
3 bring both our patience, but also an ability to indicate
4 when we think we've heard enough and to be able to move on
5 and meet these tight timeframes.

6 Then, the last skill I would say is we need an
7 ability to communicate, we need to be able to put forward
8 not only what we think, or what we bring to the
9 Commission, but also, we need to be able to communicate
10 with the other Commissioners, we need to be able to
11 communicate with the public.

12 And so, of those what I possess, a lot of my
13 skills are based on my past job experiences as Chief
14 Counsel of a state agency, as appearing before a number of
15 elected and appointed Boards over the years, serving on
16 several Boards of Directors, and being trained as both a
17 Planner and as an Attorney. So, based on those, I will
18 say I believe I'm a quick study in terms of being able to
19 absorb new issues and to be able to put together issues,
20 understand complex relationships. I've handled a high
21 level of complex issues as a Planner, as an Attorney, as a
22 Chief Counsel. I also think that one of my skills is as a
23 translator in the sense that, because I didn't go to law
24 school first, I went to planning school first, I think I'm
25 good at being able to translate legal concepts into common

1 language, or into common English, and I think that will
2 help as we deal with citizens across the State, to be able
3 to either do that translation, or to make sure that I
4 believe that they are actually understanding the process,
5 understanding the law, and being able to bridge that.

6 Which do I not have? I'm probably a little
7 challenged on the patience level, I tend to be a pretty
8 high energy person, and so sometimes my quick study
9 ability affects my patience level, of wanting to move on
10 and hear the next person, and I've learned that, even if I
11 think that I know where somebody is going with an answer
12 or with an idea or a position, that it's really important
13 to let them have their say, to feel like they have been
14 heard, that they've been acknowledged. And so I basically
15 school myself with warnings of patience and basically
16 relaxing and letting - having a natural rhythm to the
17 proceedings. I would also say that I would be able to
18 perform all the duties of a Commissioner.

19 MS. RAMIREZ-RIDGEWAY: Describe a circumstance
20 from your personal experience where you had to work with
21 others to resolve a conflict or difference of opinion.
22 Please describe the issue, and explain your role in
23 addressing and resolving this conflict. If you are
24 selected to serve on the Citizens Redistricting
25 Commission, tell us how you would resolve conflicts that

1 may arise among the Commissioners.

2 MS. TOBIAS: Thank you. I spend most of my day
3 actually resolving conflicts or differences of opinions as
4 in-house counsel to a State agency. I'm usually in the
5 middle of differing opinions and, often, I'm there to
6 provide the legal basis for one opinion or another.

7 At work, my example at work is that we had to take
8 a proactive approach to an issue that was likely to be
9 litigated. I identified the problem over time, I had been
10 reading about it, I knew that there were different issues
11 I had heard from people from our district, that they were
12 starting to have problems with this particular issue. I
13 researched possible solutions; I did some legal research
14 in terms of not only what the problem was, but what we
15 could do about possible solution. I eventually talked to
16 several people who needed to be in on the decision, the
17 decision-makers, if you will, and then I went ahead and
18 set up a meeting to basically discuss this. I prepared a
19 set of bullet points prior to the meeting so that
20 everybody would be on the same page, and that we would be
21 discussing the issue at least from a common ground to an
22 extent that is possible. And I also prepared a set of
23 bullet points about what other similarly situated agencies
24 had done in the same situation. And so we had the
25 meeting, we discussed the issues, and by doing the

1 homework, talking to people, I had a lot of agreement on
2 my proposed solution; however, I realized about half way
3 through the meeting that, although I talked to a lot of
4 the actual decision-makers, I had not talked to all the
5 staff who would be advising the decision-makers. And I
6 realized that, in the meeting, I had a staffer who really
7 disagreed with not only my proposed solution, but with the
8 identification of a problem; he did not see it as a
9 problem, really had a very different viewpoint on it. So,
10 at that point, the meeting started to go awry because he
11 was fairly vociferous and dismissive about whether there
12 was even a problem. So, we all kind of stepped back, we
13 were able to allow him to talk about it, to basically draw
14 him out, and just to say, "Well, how do you see it? What
15 kinds of issues do you see with this?" And everybody kind
16 of just took a step back.

17 We eventually, once he calmed down and perceived
18 that he was being heard, but there was actually some room
19 to move, that we weren't going to just move ahead with the
20 solution, regardless of whether he agreed with it or not,
21 we actually ended up tasking him to come back to the group
22 with a - not a restatement of the problem, but with
23 basically his viewpoints, after he met with the opposing
24 parties that we had, and that he basically was able to
25 verify for himself what the issues were, whether these

1 were actually serious litigants.

2 And so, I think, you know, part of what I did in
3 the meeting was basically let go of a solution. I
4 realized that this person needed more time to work on
5 this. I know, generally, that he is a pretty good problem
6 solver, so the fact that I know a lot of the staff, and I
7 know how they're going to come up with the solutions, how
8 long they hang on to a problem, and whether they can, once
9 they felt heard, whether they can kind of let go, as well.
10 So it actually has turned out where he is meeting with the
11 opposition. I still kind of thing that we'll be doing the
12 solution in the long run that we've heard about, but it
13 was really a way of making sure that that staff person
14 could buy into the solution and not moving so fast, but
15 that we basically shut him off, which means generally that
16 he would come back somewhere else, it would be a problem
17 all the way along.

18 So, things that I could have done in that
19 situation is I could have met with everybody, I could have
20 met, you know, instead of relying on the fact that I had
21 talked to decision-makers, I think staff a lot of times
22 has their own viewpoints, even when they're advising their
23 decision-makers, so I think it's important to give them a
24 chance to get out their ideas or their proposed solutions,
25 or in this case whether they even thought there was a

1 problem. We could have started the meeting by getting
2 more buy-in about what the problem was in the beginning.
3 I think that I felt we had gotten to a crisis point by the
4 actions of another agency where we needed to start talking
5 about a proposed solution to this problem, but, in fact,
6 as I could see halfway through the meeting, there were
7 people who were not on the same page. So, I think a lot
8 of times starting, you know, a contested issue, one way to
9 do that is to basically go around and make sure that
10 everybody is agreeing on that solution, or on that
11 problem, and if they're not, to continue to talk about
12 that before you really try to get to problem solving.

13 I had an advantage in this situation. I had a
14 somewhat open-ended timeline, I perceived that there was a
15 crisis in this situation, but we haven't been sued yet, so
16 I think, even though I had a suggested solution, there
17 wasn't strong enough and crisis enough for me to have to
18 deal with it. I think that's a little bit different with
19 a Commission that has the tight timeframes that this
20 Commission has, we don't always have time to say, "Okay,
21 fine, you know, go ahead and research your problem and
22 come back." And so, I think one of the things that is
23 important is that you know and respect the other
24 Commissioners. I think that's tricky at the start, but I
25 think, again, this process looks to me, and I think it

1 looks to a lot of people, like it's been a fair one, and
2 so I think there is the ability to come in initially and
3 trust that the other Commissioners are bringing their best
4 to the problem. And, you know, on more practical types of
5 solutions, if you can take a break or move on to a
6 different issue, if you're having a conflict, sometimes
7 people just need time to be able to buy in. You can back
8 off and brainstorm the issue so that you don't have people
9 quite so stuck to their own issue. A lot of times, once
10 people perceive that they've been heard, that they're able
11 to kind of let go and move forward, but if they can't get
12 a word in edgewise, or they can't get their idea out on
13 the floor, they're not hearing anybody else. So sometimes
14 just do a simple brainstorming and backing up will allow
15 that conflict to kind of dissipate to a certain extent.

16 You can go around the group and basically ask each
17 person to express their point, that takes one person maybe
18 dominating the conflict off center stage and I think,
19 then, you have to go back if you still have a conflict,
20 back to the purpose of the statutory language.

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

1 MS. TOBIAS: I think that if a State is divided
2 into rational, evenly-divided Districts, as opposed to
3 gerrymandered Districts, that it may reduce the extreme
4 representation that sometimes we see with a safe seat, and
5 I think, even more importantly, it may reaffirm the
6 citizens' belief in the process of electing people to
7 represent them, so you don't have legislators selecting
8 their voters, but you have voters selecting their
9 registration [sic] - their voters [sic].

10 I think it will be more middle of the road,
11 perhaps, appealing to a greater number of people. I think
12 the transparency of the process, compared to the old
13 process, is substantial. I think it will help keep the
14 communities of interest together. And, because I teach
15 Local Government Law, I've been doing a lot of thinking
16 about the idea that we tend to experiment at the local
17 government level, and we look at where certain decision-
18 making decisions should lie, and I think the key to a
19 Democracy is a place to experiment, I think that we're not
20 doing enough experimentation right now of how things work
21 and don't work, so I think redistricting is a good example
22 of an experiment in Democracy. I think that it will make
23 sure that all citizens feel that they have not been shut
24 out of the process.

25 MS. RAMIREZ-RIDGEWAY: Describe a situation where

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

9 MS. TOBIAS: Given my timeframe, I think I'm going
10 to start with the things I learned from working with a
11 common goal. I've worked on several boards and
12 commissions, it is fairly common to be working on
13 different kinds of goals, and I think that, in the private
14 sector with boards and commissions, we use team building;
15 we use the ability to get together and basically get to
16 know the other people, not necessarily their positions,
17 but just who they are. I think that most people, when
18 they meet other people, generally find something that they
19 liked about the person, that they can understand where
20 they're coming from, and I think that helps a lot of times
21 when you're discussing contested types of issues, to trust
22 whether that person represents a certain area, they come
23 from a certain place, and that really helps working on a
24 common goal. Sometimes on a common goal, you have to
25 raise the issues higher if you're disagreeing on

1 something, sometimes you have to pull it up to the next
2 level and you have to keep pulling it up until you can get
3 to a point where everybody agrees. We should have a
4 rational basis for redistricting in the State that
5 reflects what the law requires, and then start stepping
6 down from there until you get to the point of conflict
7 where you can really see why people are having a hard time
8 agreeing. If, with that seek to understand skill that I
9 brought up, I think that if everybody comes prepared with
10 that, I think that that ability to put yourself in someone
11 else's shoes, or to be able to communicate, even though
12 somebody is being very tough, or didactic, or just frozen
13 in place, you can basically give them the benefit of the
14 doubt and work on that.

15 On my Boards and Commissions, we basically - I
16 think an Executive Director helps a lot in terms of that,
17 good staff work helps a lot in terms of meeting a goal,
18 and sometimes it helps to have a neutral timekeeper, it's
19 not the Chair cutting you off, but it's a timekeeper that
20 basically says time is up on that particular situation.

21 MS. RAMIREZ-RIDGEWAY: Should we extend time?

22 CHAIR AHMADI: Yes.

23 MS. RAMIREZ-RIDGEWAY: We will go five more
24 minutes. A considerable amount of the Commission's work
25 will involve meeting with people from all over California

1 who come from very different backgrounds and very
2 different perspectives. If you are selected to serve on
3 the Commission, tell us about the specific skills you
4 possess that will make you effective in interacting with
5 the public.

6 MS. TOBIAS: Thank you. I like people, I find
7 them interesting, and I can sit down next to anyone on a
8 bus or in a park, in a meeting, and basically find
9 something in common with them. It's just - I think that's
10 just my nature, I'm the oldest in a large family, I'm
11 pretty used to talking to anybody. I kind of enjoy
12 differences of opinion, I like hearing where people come
13 from, I like understanding where they come from, I am a
14 process person, I am basically somebody who is probably a
15 little more interested in the process than the final
16 product because I think it's so fascinating to get where
17 you're going with this.

18 I have been to a lot of places in California, I
19 know the State pretty well, I've traveled with business
20 over the last 20, 25, 30 years. I've vacationed in most
21 parts of California. I've lived in several different
22 parts of California. And I really do like the State's
23 diversity. I like living in Sacramento where we have -
24 the City of Sacramento is one of the most diverse cities
25 in the U.S. I like our schools, my son attends a public

1 school that is very diverse, and that was important in our
2 decision-making, to get him to that school. So I think
3 that basically I've sat in a lot of public meetings, I've
4 been in front of different Boards, I've sat on Boards, and
5 I think I have an appreciation for the fact that what
6 makes up this state is the diversity, is different ideas.
7 I think it's one of the reasons that the State is so
8 strong is because we've always had lots of new people
9 coming in, and so I basically think this is a wonderful
10 place to live, and I appreciate the people who live here.

11 MS. RAMIREZ-RIDGEWAY: Mr. Ahmadi.

12 CHAIR AHMADI: Thank you. Good morning, Ms.
13 Tobias. Let me start off with a few quick questions I
14 have based on your application material. You are
15 currently employed on a full time basis?

16 MS. TOBIAS: I am.

17 CHAIR AHMADI: I'm just interested to know if you
18 would be comfortable to put the time that the Commission
19 needs should you be selected as a Commissioner.

20 MS. TOBIAS: I would be taking a leave of absence,
21 a partial one, if I was selected, so I don't exactly what
22 the percentage time would be at this point, but I would be
23 able to do that.

24 CHAIR AHMADI: So you are comfortable with putting
25 in the time?

1 MS. TOBIAS: Uh huh.

2 CHAIR AHMADI: Thank you so much. In response to
3 the standard questions, I have a few follow-up questions.

4 MS. TOBIAS: Okay.

5 CHAIR AHMADI: Well, let me ask you first, you
6 mentioned that you have been a member of some Boards and
7 Commissions. Are any of these Boards or Commission
8 positions being appointed by the State Legislature, or the
9 Governor, for example?

10 MS. TOBIAS: No, they're all private Boards, like
11 one of the Boards I served on, and this is more than 10
12 years ago, was the Sacramento Child Advocates Board that
13 provides legal assistance to children who were in the
14 Juvenile system. But, my son is 15 and, so, what I've
15 done for the last 15 years is more team mom positions and,
16 you know, working with the schools. I'm on the Site
17 Council at the high school that he belongs to, and so
18 that's really where I've put my efforts for the last 15
19 years.

20 CHAIR AHMADI: Okay, thank you so much. In
21 response to the last question, number 5, you mentioned
22 that you are a process person in that you're looking at
23 the process not so much at the final product. Could you
24 elaborate on that? Within the context of the Commission,
25 how would you apply that attitude, or that approach to the

1 work of the Commission?

2 MS. TOBIAS: So, I don't mean to indicate that I
3 don't think the product is important because, of course,
4 in this situation, the product is everything. But I think
5 what I find fascinating is the process that you knit
6 things together. From the time when I sat in the
7 redistricting effort last time, and I was just - it was a
8 short piece of it in the City of Sacramento - I really
9 found it fascinating how many different groups came out
10 and had so many different ideas and issues that they
11 represented, and I think, as a Planner, we're exposed to
12 that, as well, in terms of realizing how many different
13 groups need something, from new immigrant groups, to old
14 established neighborhoods that don't want any change, and
15 it's just stunning to me, the number of different
16 interests and issues that need to be balanced in that
17 situation. So, I had expected to not be very interested
18 because I was pretty interested in my own issue, and I
19 found myself, you know, staying much longer at the
20 meetings to hear what other people were saying. So, I
21 like the process, I like hearing and seeing how we all get
22 together, and how you end up with protecting these
23 communities' interests while you're meeting the
24 requirements of the law. And so, it's just a fascinating
25 process to me and I enjoy it. Does that answer your

1 question?

2 CHAIR AHMADI: Yes, yes. Thank you so much. In
3 your application, you also mention that you found your
4 experience with the City redistricting being fascinating.
5 Could you tell us in some more detail about the
6 significant things that you learned from that experience
7 that you can apply to the Commission's work?

8 MS. TOBIAS: Well, I don't think I really knew
9 anything about redistricting when I started that process.
10 I was a member of the Sacramento Old City Association,
11 which is a Historic Preservation group, and I also live in
12 the next neighborhood, south of Downtown Sacramento. And
13 we had realized for quite a while that the Central City
14 was divided upon among several different politicians, so
15 it made it very difficult to get somebody to represent our
16 Historic Preservation issues because, if we got one
17 interested in it, the other two weren't. So, we never
18 really had anybody who we felt was really looking out for
19 the Central City and for the Historic Preservation issues
20 that went on with that. And so we decided to be active in
21 the redistricting effort to basically bring us up at least
22 to the attention of the decision-makers, and to see
23 whether there was a way. We knew we were probably a
24 little doomed from the start because, of course, on the
25 other side of things, each council person really liked

1 having a part of the Central City as part of their
2 district, it gave them the ability to deal with Central
3 City issues, redevelopment, business, what was going on in
4 terms of big projects, and that kind of thing. So, I
5 learned that probably historic preservation issues were
6 not very high on the list of anybody's list of important
7 issues, but I did learn a lot in terms of the idea of the
8 community of interest and how it was really applied. I
9 saw different ethnic groups coming in with their
10 representatives, asserting a community of interest, which
11 was interesting because sometimes they weren't all living
12 in the same place, they were - especially when they were
13 dispersed across the city, that made it very difficult to
14 basically find the community of interest, but nevertheless
15 they were there in the process, asking that that be
16 somehow considered. It was very interesting to see how
17 you might have - you know, whether you could keep a city
18 together, or, in keeping a county together whether you had
19 to keep the city together, what size was the city and
20 could it really not be kept together, so how would you
21 divide it, and even 10 years ago, the computer access that
22 we had, which I don't think is anything like what we've
23 got right now, but even 10 years ago, it was interesting
24 to be able to switch things around and to see what it
25 really did to the representation. It was also probably a

1 little disturbing to me to see the huge bias in terms of
2 incumbency aspect to it, but it certainly appeared to me
3 that status quo was quite high and the most important
4 thing for most of those people who were making the
5 decisions. So, after a while, it seemed a little bit like
6 the fox guarding the henhouse, we were all in there
7 advocating for change, for representation, but it became
8 pretty apparent that really what was most important was
9 that everybody keep their seat, and a seat that they might
10 be running for in the future, so it was one of those wake-
11 up call types of situations.

12 CHAIR AHMADI: Could you tell us, you mentioned
13 that the community of interest sometimes was spread
14 throughout the larger area. Could you tell us how it was
15 handled? What was the decision of that?

16 MS. TOBIAS: I think it was ignored. I don't
17 think it was really acknowledged at all. And, in fact, I
18 really felt like most of the groups who had put a fair
19 amount of time into learning how to use the computers and
20 the mapping techniques that we had 10 years ago, it seemed
21 to me that they had spent a huge amount of time. For
22 instance, most of the minority communities had some help
23 from different groups, and it looked to me like they had
24 spent a huge amount of time really working on their
25 proposals. But one of the drawbacks to almost each one of

1 their proposals was that they really did not have the
2 ability to go beyond their particular interests, so when
3 they were in basically asking for, you know, "Would you
4 recognize this community of interest," they weren't
5 dealing with all the rest of the communities of interest,
6 so it was really easy for the politicians, in the
7 vernacular, to kind of pick them off because they could be
8 dismissed. Well, yes, this would be basically a Black
9 area, but you didn't take into account what we needed to
10 with the Asians, you know, Caucasians, Latinos, whatever,
11 so, "Thank you, but we're not going to be able to do much
12 about that." And so, I think that one of the things that
13 I would have liked to have seen the last time was - and I
14 don't even know if this is feasible - but it seems to me
15 that it would have been good to have had the ability as
16 these proposals came up from the local level, to have more
17 help for people who were coming in, asking to have a
18 community of interest recognized because the time was so
19 tight in what they were doing that there was hardly enough
20 time for them to deal with their own community of
21 interest, they couldn't really get together with other
22 groups and basically say, "Hey, let's see how this looks
23 if all the groups get together and do that." And we kind
24 of proposed that at one point, but everybody felt that
25 that was not - there was no time for that, and it really

1 wasn't staffing time, these organizations representing a
2 lot of the minority issues seemed really pressed for time,
3 really pressed for resources, so I feel like the community
4 of interest, as long as it wasn't hugely ignored or not
5 addressed, that it was basically left the same.

6 CHAIR AHMADI: What was the interest for these
7 communities?

8 MS. TOBIAS: What were the interests?

9 CHAIR AHMADI: Yes. What was bringing them
10 together?

11 MS. TOBIAS: Do you mean what brought all these
12 different representatives in front of the City Council?

13 CHAIR AHMADI: Yes.

14 MS. TOBIAS: Basically, the idea that the City
15 Council was going to come up and forward their ideas, and
16 so they wanted the City to basically do a map that would
17 reflect all these different interest groups, or
18 communities of interest, so they were looking for the City
19 to basically acknowledge it and send forward maps that
20 would reflect these areas.

21 CHAIR AHMADI: Do you anticipate similar
22 challenges for the Commission --

23 MS. TOBIAS: Absolutely.

24 CHAIR AHMADI: -- the Redistricting Commission?

25 MS. TOBIAS: Yes.

1 CHAIR AHMADI: How would you propose approaching
2 this challenge? Meeting this challenge?

3 MS. TOBIAS: Well, that's a good question. I
4 suppose that's really the \$64,000 question in front of the
5 Commission. I thought it was interesting looking at some
6 of the different approaches. I mean, there have been a
7 number of people who looked at different ways to
8 redistrict the State, everything from just taking blocks
9 and basically making sure that you have equal numbers of
10 people in each of those areas, and then adjusting as you
11 need to for the various requirements of the laws, to
12 starting with cities, or starting with counties, and then,
13 you know, breaking off pieces, or adding them back in.
14 I'm making a big assumption that staff would be bringing
15 in those types of ideas and proposals for the Commission,
16 but I think - and there are a number of experts that I
17 would assume we would hear from in terms of how we could
18 do it, why we would do certain things. I think taking off
19 the requirement for incumbency is going to make the job a
20 lot easier, where you don't have to basically worry about
21 where somebody lives and design a District for that
22 particular Legislator. One article I read said that there
23 is not really basically a good way to redistrict the State
24 fairly, but I think, you know, it's very important, those
25 couple of counties that are under the Voting Rights Act, I

1 think - Monterey, Yuba, Merced, I think, and one other,
2 those are going to be pretty tough, but those have to be
3 handled discretely, and then I think you have some
4 wherewithal to handle the rest of the State. So, did that
5 answer your question?

6 CHAIR AHMADI: Yeah, so it sounds to me like, I
7 don't know, nobody has worked on the State's Redistricting
8 at this level, but it sounds like you mentioned that you
9 will start with the four counties that are under the
10 Section 2 of the Voting Rights Act and also, if I heard
11 you correctly, you mentioned something about starting with
12 the City boundaries and County boundaries. Okay.

13 Can you tell us how residents of a particular
14 city, or county, or locality, may share interests when you
15 compare one city to another? What would be some of the
16 similarities or differences, and how would you handle
17 that?

18 MS. TOBIAS: Well, I think we tend to think first
19 - I tend to think first that the communities of interest
20 tend to be more of a racial issue and, because I think
21 those interests have been so long unaddressed, I think
22 that it's been very difficult, and I think the past
23 redistricting efforts have really not addressed to a great
24 extent how to make sure that there is representation from
25 different minority groups, so I think that is one

1 community of interest. I think you have other communities
2 of interest such as conservatives, liberals, different
3 political parties. I think you can have, as we did with a
4 group like mine, some kind of functional issue like
5 Historic Preservation where, because your issue area is
6 divided up among politicians, that it negates really being
7 able to address that in any kind of coherent or cohesive
8 way, so that would basically - I think there are lots of
9 different kinds of communities of interest and I expect to
10 hear a lot of different kinds of those at the meetings.

11 CHAIR AHMADI: Okay, thank you so much. No more
12 questions at this point.

13 MS. RAMIREZ-RIDGEWAY: Ms. Camacho.

14 VICE CHAIR CAMACHO: Thank you. Hello, Ms.
15 Tobias. To get a little bit of clarification on your
16 redistricting endeavors, did you have some experience in
17 the 1990 redistricting and the 2000? Or was this just the
18 2000?

19 MS. TOBIAS: It was just the 2000.

20 VICE CHAIR CAMACHO: Okay. Did your experience
21 with Sacramento, of seeking a change in District lines,
22 encourage or discourage you about the work that awaits the
23 Commission?

24 MS. TOBIAS: I think it really encouraged me
25 because I think this approach that the Proposition put

1 forward and the voters approved really has the potential
2 to completely change - or, not completely change, to
3 really affect how people perceive their government. I
4 think right now things to me seem very cut and dried,
5 there is kind of a line in Sacramento, you know, you go to
6 the Planning Commissioner, you go to the School Board, and
7 you wait for a City Council seat to open up, and then you
8 wait for either the Supervisor's District to open up, or
9 you run for Assembly, and so it really means that, at the
10 very bottom level, if we don't have more open elections
11 and more the ability for other people to run, then I think
12 what happens is the people check out of the process. I
13 think they feel like they're standing on the sidelines,
14 they have nothing to say about it, they may not know much
15 about their Council person or their supervisor, and so I
16 think, with this, with the redistricting effort where
17 people can go on computers, they can play with blocks and
18 figure out how they would like to try to reorganize it,
19 it's clearly not as easy as it looks. In fact, I found it
20 very very difficult. But I think it has the possibility
21 for radical change.

22 VICE CHAIR CAMACHO: When you were saying that it
23 was a little bit difficult, did you use the computer
24 program to try to redraw some lines?

25 MS. TOBIAS: We did. It was pretty rudimentary, I

1 think, at that point, it was not real easy to shift things
2 around, but I think as soon as you start shifting things
3 around, you start to see that you are going to affect, you
4 know, another area. And that's why, in the middle of the
5 process we actually went to some of the groups, well,
6 myself and another person went to some of the groups,
7 saying, "You know, if we could all get together and we all
8 have different goals, maybe we could come up with a map
9 that we could suggest to the City that would meet our
10 goals, even if it doesn't meet the politicians' goals."
11 But their resources, as I mentioned, were so strained, and
12 they were so busy trying to just get their positions
13 forward, that there wasn't that ability to really join in
14 a group, and I really think that would have helped. I
15 think we could have worked a lot of things out in terms of
16 satisfying different goals for recognizing minority
17 interests, as well as maybe some geographical types of
18 issues such as what we were dealing with.

19 VICE CHAIR CAMACHO: What were some of the other
20 groups? Or, who were some of the other groups that you
21 reached out to try to have a combined effort?

22 MS. TOBIAS: There were mostly different groups
23 like the Latino groups, the Black groups, I think there
24 was a Southeast Asian group that was trying to get an area
25 recognized, and, you know, I don't want to make that sound

1 like more than what it was, we really at meetings could
2 kind of catch people and say, you know, "We'd kind of be
3 interested in this." To be honest, I think most of them
4 perceived our issue as being a little miniscule in the
5 whole scheme of getting different ethnic groups recognized
6 in the redistricting process. I also think they perceived
7 us as being somewhat - not very powerful, which I think
8 was also accurate, so I think we were kind of like, "Okay,
9 well," you know, we've got bigger fish to fry here than
10 can start reservation [phon]."

11 VICE CHAIR CAMACHO: With these conflicting, like
12 you were saying, not so much conflicting, but with these
13 various needs competing, how will that affect you when you
14 go in as a Commissioner to draw these lines? How will you
15 feel comfortable drawing them?

16 MS. TOBIAS: Well, I've thought about that and I
17 guess one of the things that I don't know, that we rely on
18 staff for, is the extent to which you can balance in one
19 place or another, so I mean, I'm kind of going out on a
20 limb here because I don't know if you can do this, but it
21 seems to me that, if you can recognize a community of
22 interest in one place where it may not be recognized in
23 another, that we will at least have a better recognition
24 of that community of interest, even if it's not in every
25 place. So, let's say, for example, let's take a Latino

1 population, for example, you know, if we can't get six
2 areas that are basically able to recognize six communities
3 of interest across the State, is it enough that we
4 recognize five in different areas? Or is it enough that
5 we recognize four? I don't know to what extent we can do
6 that balancing. But I guess it seems unlikely that we're
7 going to be able to recognize every community of interest,
8 given all the requirements, including compactness, and
9 everything else that we have to recognize. So, I think
10 the upside is we're looking at a very big state, a very
11 diverse state, you know, the down side is, is it because
12 it's big and diverse there are lots of communities of
13 interest who would expect to be recognized? So, I guess I
14 see some balancing, for lack of a better approach. I'm
15 certainly interested in what staff will be able to
16 recognize. I think there is lots of - I mean, I felt like
17 I barely touched the literature on redistricting in
18 preparing for this, I think there is lots of academic
19 discussions out there that really bear looking at in terms
20 of what they've already tried to do. I think one study
21 basically said that, unless you let go of the incumbency
22 requirement and the City and County boundaries, so that
23 there was really no way to fulfill all the other
24 requirements, just because of the size of the state, the
25 different communities of interest, and all that; so, I'm

1 assuming there will be a balancing of communities,
2 interest of geographic types of requirements, of the
3 nesting requirements of all the four counties that kind of
4 need to be addressed by themselves, so very complex.
5 It'll be interesting.

6 VICE CHAIR CAMACHO: With one of the answers that
7 you provided Mr. Ahmadi, was that racial groups should be
8 looked at for communities of interest and shared
9 interests, but you also said political parties. How would
10 you use political parties in the redistricting process?

11 MS. TOBIAS: Well, I don't know if I said
12 political parties or if I said "conservative liberals,"
13 but that might be the same thing. I'm not - I guess in
14 saying that, let me think whether I want to retract that -
15 I think there will be people who - I will use the example
16 from Sacramento, I guess, you know, the City of Sacramento
17 is generally Democratic, the county is generally
18 Republican, those are big gross generalizations, and so I
19 think that it'll be interesting to see whether you put,
20 you know, say, for example, if you're going to get two
21 districts out of the City and County of Sacramento, do you
22 basically put one District that's mostly the City, so
23 that, you know, it tends to be more reflective of a
24 certain group of people who live in the City of
25 Sacramento? And then one District that's mostly the

1 County, which tends to be reflective of a certain
2 political party? I think there are certain groups you can
3 look at in terms of who tends to be in which parties,
4 again, on a really gross generalization basis, so a lot of
5 times, rural voters seem to be more considerable, city
6 dwellers seem to be more liberal, etc. I don't know
7 whether I'd want to make any gross generalizations about
8 different ethnic groups in terms of their political
9 allegiance, because I think that is shifting a lot at this
10 point. So the question would be, would it be better to
11 have two districts that are really evenly balanced between
12 the City and County? Or would it be better to have a
13 District that reflects the City and a District that
14 reflects the County? I don't know the answer to that, but
15 I do think that would reflect a community of interest in
16 terms of that you have certain people who tend to vote a
17 particular way, and certain people who tend to vote
18 another way in a different area.

19 VICE CHAIR CAMACHO: If per chance the law says
20 that you cannot look at the individual's political
21 affiliations, would you be comfortable of not drawing
22 District lines that have consideration into how, if people
23 vote Republican, Liberal, Democrat?

24 MS. TOBIAS: That would be pretty low on my
25 community of interest list, I think, in that sense. I

1 think there are other community interests that are really
2 much more important to address, and I guess that's not
3 exactly my idea of what we're here. I think the Voters
4 FIRST really talks more about voters choosing their
5 Legislators, rather than us setting up Districts where,
6 you know, it would be kind of clear where that District
7 was going to be in terms of a party. I think the more we
8 can get a balanced District, where there are a lot of
9 people whose needs come together and basically find some
10 commonality, I think the better that will be for problem
11 solving once they get to Sacramento. So, I would like to
12 see some balancing of interests. And I don't know, other
13 than some gross generalizations, rural tend to be
14 conservative, cities tend to be liberal, I don't know how
15 easy it is to really guesstimate, you know, what political
16 parties those are. So I would probably be looking at
17 other kinds of indicators. Did I answer that?

18 VICE CHAIR CAMACHO: Uh huh. One of the factors,
19 if you are looking at the Voting Rights Act and you can
20 make a District Latino, or African-American, or not, what
21 would your option be?

22 MS. TOBIAS: Well, as I understand it, under the
23 Voters Rights Act, what we're really looking for is
24 discriminatory voting practices. I understand that there
25 are four counties in the State that are under some kind of

1 preclearance, if you will, where they need to basically be
2 looked at because of past practices in those four. So,
3 what are you asking again, under the Voters Rights Act,
4 given that?

5 VICE CHAIR CAMACHO: If you are sitting and
6 drawing District lines and you can have a majority Latino
7 constituency, or an African-American constituency, would
8 you opt for those Districts and state that those are
9 Districts that should be drawn with those majorities?

10 MS. TOBIAS: So, it is the Majority-Minority, what
11 is referred to as Majority-Minority Districts at times?

12 VICE CHAIR CAMACHO: Yeah.

13 MS. TOBIAS: You know, I think I would be trying
14 to look across the State, first, to see how we were going
15 to be able to address those kinds of concerns. I think
16 there might be places where we need to do that. I don't
17 think it's a guarantee of who is going to get that seat.
18 I think some of the studies have looked at some of these
19 Majority-Minority seats, and it doesn't always come out
20 the way you think it's going to come out, but maybe, you
21 know, one of the things that the Voters Rights Act of '65
22 does, I think, it tries to remedy past wrongs, and I don't
23 know - I would expect to have a discussion with the
24 Commission on to what extent would we go more in one
25 direction to address past wrongs, or whether we're talking

1 about a clean slate, and we just basically say that there
2 might have been problems in the past, there might have
3 been under-represented or non-represented interests, but,
4 you know, we're going to start clean and we'll just go
5 from there? And so, I think that would be something that
6 would be a really good discussion to have. I think there
7 will be several kinds of concepts like that on, you know,
8 first getting out people's interest in using, for
9 instance, a technique like majority-minority districts.
10 Whether we want to take a risk that they actually work the
11 way that some people have proposed that they would work,
12 so I guess I find it a technique, something that might
13 rectify past wrongs. I think it's a somewhat - has a risk
14 factor to it, and it may be something that needs to be
15 done this time around.

16 VICE CHAIR CAMACHO: Thank you. What are some of
17 the risk factors that you've identified?

18 MS. TOBIAS: Well, one of the risk factors, as I
19 said, is that it doesn't work, that there's still, you
20 know, that the district basically still elects somebody
21 from a different race than what the seat was set up to be.
22 I think another risk factor is, the more that you try to
23 select out certain areas, the more you run a risk with the
24 rest of the voters on saying, "Well, why is that - is that
25 as impartial as you can get?" Or, "Are you trying to

1 rectify the past wrongs?" So, I think it may introduce a
2 level of suspicion into the process of, you know, "Why is
3 that particular group being addressed in that particular
4 way?" And are you going to do that for everybody? Are
5 there going to be X number of Districts of Black voters,
6 Y, a number of Districts of Latino voters, Z, Asians,
7 whatever? So, I think the Commissioner really has to
8 talk about - I didn't really see this addressed in the
9 Voters FIRST, I know they have a whole list and it appears
10 to be in kind of an order of importance, in terms of
11 what's being addressed, but I don't know to what extent
12 we'd be dealing with past wrongs, or people who had been
13 under-represented for a long period of time, but I think
14 that's a good discussion for the Commission.

15 VICE CHAIR CAMACHO: Thank you, that was my last
16 question.

17 MS. TOBIAS: Thank you.

18 MS. RAMIREZ-RIDGEWAY: Ms. Spano.

19 PANEL MEMBER SPANO: Good morning.

20 MS. TOBIAS: Good morning.

21 PANEL MEMBER SPANO: You dropped a piece of paper
22 on the floor.

23 MS. TOBIAS: I know, I just didn't want to get up
24 and get it, so thank you.

25 PANEL MEMBER SPANO: Did you need water right now?

1 MS. TOBIAS: I'm fine.

2 PANEL MEMBER SPANO: Okay. You mentioned earlier
3 that you like the State's diversity and you like the
4 different ideas that people coming in bring to the State
5 of California. Can you elaborate on that a little bit for
6 me?

7 MS. TOBIAS: Well, I've lived in a lot of places
8 in California. I grew up in the San Fernando Valley. I
9 would say that, you know, my grammar school was at least
10 50 percent Latino, we lived in an area of the Valley that
11 was more agricultural than urban, so - and that was just
12 the way it was, it was probably a pretty idyllic
13 childhood, unlike today, you could pretty much go
14 anywhere. So we had a lot of friends, it was whoever
15 showed up, and so I kind of just grew up with that. When
16 we moved to a more rural town, still have all your Latino,
17 so I've just come to basically appreciate that culture,
18 the approach that kind of comes with it. I am a History
19 student, my Bachelors and Masters is in History,
20 California History, so I'm just pretty fascinated from the
21 very beginning of people crossing over the land bridge,
22 and we get a lot of that at State Parks, we have a heavy
23 archaeological impact, we deal a lot with archaeology, we
24 deal a lot with just, for instance, campgrounds that ended
25 up being built right on top of sacred sites because it was

1 a good place along the river. Everybody likes it, not
2 only was it important to Native Americans, but it was a
3 good place to pull your wagon aside. So, I guess as a
4 student of History, as a person who has traveled all over
5 the State, I've lived in San Diego, I went to college in
6 Stockton, which I think is a good representative city of
7 the Central Valley with all their problems with the
8 downtown that doesn't work, and the suburbs that have gone
9 out everywhere, including into the Delta. I think, as a
10 Land Use Planner, you just have an appreciation for the
11 different populations that make up the State. One of my
12 early jobs in the Planning Department was to drive around
13 the County and basically show what was on every parcel,
14 and so you just got to see a part of the area that you
15 would not really otherwise see. So, I think it's my
16 history background. My father was very interested in
17 History, and so, from a very young age, we drove around a
18 lot of the State looking at different areas. You know,
19 I've been on the Mission trip with my son in Fourth Grade.
20 So, California, I think, is just a really special place.
21 I think it would not be the place that it is without all
22 the different groups coming in. So, it is kind of hard to
23 say too much specific other than I really appreciate it, I
24 like it. I'm surprised that a lot of people my age are
25 talking about retiring and moving out of the State because

1 there will no longer be a White majority, or whatever, and
2 it's kind of - I really don't know where you could live
3 that would be any better.

4 PANEL MEMBER SPANO: Why is it important to have a
5 White majority, do you think?

6 MS. TOBIAS: Well, I don't think it's important to
7 have a White majority, in fact, I think it will be very
8 interesting to have a State that's not a White majority.
9 I think it's important to have a lot of different people
10 bringing their cultures, bringing their ideas, bringing
11 their backgrounds. My son's high school is basically
12 evenly divided among several races, with representation
13 from a number of others, and there's a reason he's at that
14 school, I think that's real world, that's California.

15 PANEL MEMBER SPANO: Why is appreciation for
16 California's diversity so important to redistricting?

17 MS. TOBIAS: Well, I think, in the past, I think
18 what we've had is a lot of redistricting that has not
19 recognized the diversity of California, and I don't think
20 that we can expect people to come in and participate in
21 Democracy unless they feel like they can be heard. So I
22 think it's integral. I think it's so important that it is
23 surprising to me that we haven't done something like this
24 before, but clearly I guess we had to get to a crisis
25 level to really be able to pull this apart and say, you

1 know, we're going to do this in a different way. But, I
2 think if you really expect people to pay attention to what
3 their water bills are, and then, necessarily, to what
4 their water conservation is, too, what the Legislature is
5 doing in terms of the Budget, you cannot expect people to
6 participate or care, even, unless they feel that they have
7 somebody that they can go to, who either looks like them,
8 or who understands what they're all about, otherwise, what
9 we get is a lot of people who are much more interested in
10 watching TV than they are in participating in Democracy,
11 and actually in this society, what we need is more people
12 participating. And I think maybe we'll see that someday
13 with computers, we might have direct Democracy where
14 people are actually asked to vote themselves, instead of
15 voting for a representative. But, until that time, I
16 think our representatives really need to reflect where our
17 population is, and it is certainly a diverse population.

18 PANEL MEMBER SPANO: What is the value you see in
19 having a diverse Commission?

20 MS. TOBIAS: Well, I think, for one thing, I think
21 when people tune in, I think when they read about it, they
22 will know that it wasn't just White males, with all due
23 respect, but there will be people taking their issues into
24 account, and their backgrounds. I'm just floored by the
25 number of people who applied for this, I thought the

1 outreach was incredible in terms of really trying to get
2 different people in, and when I look at the list, you
3 know, it's amazing. And I think that tells people that
4 California, at its very most foundational, is a very open
5 society, and I think that is really what's important.

6 PANEL MEMBER SPANO: Thank you. I got a sense
7 that I kind of understand why you became a history major,
8 you started out that way, what time periods of history
9 interest you the most? And why?

10 MS. TOBIAS: I'm pretty interested in two areas.
11 I'm interested when people enter an area for the first
12 time, and I'm interested in revolution. I'm interested in
13 the meeting of cultures when you have basically - you have
14 Europeans coming into the West for the first time and
15 interacting with the Native Americans. I'm interested in
16 what happens in that so-called clash of cultures. I'm
17 interested in what happens when you have different
18 immigrant groups coming in, you have the Europeans, many
19 of them Jews, coming in in the late 1800s, you have a lot
20 of the different Asian groups coming in for different
21 reasons, and I'm interested in how they were treated, and
22 dealt with, you know, and it's clearly a spectrum of
23 bringing people in for labor, and then, you know, the next
24 group comes in, and what happens to that group and how do
25 they basically deal with society. I'm also interested in

1 revolution in a historical sort of way because I think it
2 still has something to teach us about the way we make
3 change and how we blast ourselves out of complacency. So,
4 you know, I think right now with the budget and things
5 like that, we may not even be at a crisis level, as bad as
6 it seems, it doesn't appear that people are still willing
7 to really let go of how they've done the budget, or what
8 kinds of taxes they pay, or they don't pay. And I think
9 that crisis is when people act. So, clearly, by adopting
10 the proposition, people felt that there was a crisis in
11 representation here and, you know, how people were
12 represented and how those Districts were drawn. So, in a
13 way, it was a good thing, I think, that we had the 1980,
14 the 1990, and the 2000 where you had the Judges making a
15 determination in there because it made it more clear what
16 could really happen and what was happening in the times
17 when the Legislature was actually drawing the lines. So,
18 I think, you know, I'm interested in that crisis stage of
19 really when people choose to start to make a big change,
20 so it is kind of small "r" revolution, what makes you get
21 to that point, how long does it take before people really
22 let go of their own safety and their own intrinsic self-
23 interest, and start looking at a wider group and what else
24 they can do.

25 PANEL MEMBER SPANO: Thank you. What happened

1 that led you from your career as a Historian to becoming a
2 Planner?

3 MS. TOBIAS: Well, actually, I got my BA in three
4 years and I got a Masters degree my fourth year, and by
5 the time I'd gone to school straight through for four
6 years, and I was actually doing a study for my Major
7 Professor, who was a woman, and she had me going through
8 some historic journals, you know, that all the
9 universities put out, and she had me counting how many
10 women were involved in that. And, of course, this is in
11 the very early '70s, so she was looking for how many women
12 were on the Editorial Board, how many women were actually
13 putting in articles, and so at the same time that I was
14 doing the counting, I was also reading the want ads in the
15 back of the journals for PhDs in History, and it started
16 to dawn on me that perhaps there might be something else
17 to do since I saw very few women on the Editorial Boards,
18 very few women were putting articles in, and there were
19 very few PhD jobs for entry-level Professors, everybody
20 was looking for somebody with five years of experience, 10
21 years of experience. So, I did kind of a, you know, silly
22 thing, I went to the Career book and started looking up
23 things and I found this profession called "Planner," and
24 it almost seemed completely tailor made for me, it looked
25 at areas in kind of a comprehensive way, the idea that we

1 actually planned where certain uses were going to go, at
2 that point was a stunning revelation, so I just had had
3 enough of school, so I thought, "Well, I'll take a year
4 off and work at the Planning Department," and I never
5 looked back. So I really love my background in Planning.
6 It enables you to really look at a city or a county in a
7 comprehensive way, so I feel very lucky to have that
8 training. We have a little bit of quantitative training
9 in that, that I would probably bring to this in terms of,
10 you know, I'm pretty good with maps and pretty use to
11 Census tracts, and that kind of thing, so I think that
12 will help a little bit.

13 PANEL MEMBER SPANO: Your passion for Planning led
14 you to becoming an attorney?

15 MS. TOBIAS: It did. I realized that Planners did
16 not have as much power at the table, and when I looked
17 around the table to see who had that power, it pretty much
18 looked like it was the attorneys at the table, so I did,
19 but I've stayed in Land Use, that has been my major area.
20 So I pretty much do the same kinds of things from a
21 different seat at the table.

22 PANEL MEMBER SPANO: You also taught, correct?

23 MS. TOBIAS: I do teach.

24 PANEL MEMBER SPANO: You teach at CSUS and --

25 MS. TOBIAS: Yes.

1 PANEL MEMBER SPANO: -- you stated that your
2 teaching at CSUS has brought you into contact with
3 undergraduates in many different backgrounds. What led
4 you to teach at CSU Sacramento?

5 MS. TOBIAS: I've actually taught at several
6 schools. And the - basically, I got a lead on that job of
7 teaching planning. I find teaching to be highly
8 satisfactory. I always feel like I learn as much as I
9 hope the students learn from me. But, it's really a way
10 of keeping my skills, especially in land use, high because
11 I'm having to keep up on all the subjects, I'm having to
12 keep up on the recent law. But what I really like is the
13 give and take with the students. I've had some great
14 students, you know, some people - it's just so fun to be
15 involved in somebody taking on a new career and thinking
16 about what they would like to do, and I really enjoyed my
17 time as a Planner, so I feel like kind of a proselytizer
18 for Planning, to be able to encourage other people. I had
19 several students who were in real estate who, once they
20 took the land use class, said, "That's what I want to be."
21 You know, I didn't know exactly what I was going to do
22 with my degree, but I wanted to go into Planning.
23 Unfortunately, the job market is pretty poor right now,
24 but it's just - it puts me in a different role than I am
25 at work, so at work I'm an attorney, you know; at school,

1 I'm a teacher and I'm engaged in the back and forth. I
2 like to feel like my students would not really know where
3 I stand on issues, I like them to feel like, "Did she
4 agree with me? Or doesn't she agree with me," and to
5 basically feel free to express their opinions and to - I
6 like the class discussions. I also teach Local Government
7 Law at McGeorge.

8 PANEL MEMBER SPANO: What are the debatable issues
9 that are hot in your classroom?

10 MS. TOBIAS: Right now, lots of issues about the
11 use of injunctions for gangs, land use is always hot in
12 terms of how much real change are we going to have in
13 terms of densification of the cities, you know, whether
14 we'll be able to come back in and use land that's not
15 being used to its highest or most dense use, and building
16 more apartments, condos, things that would contribute to
17 mass transit. It really spans the gamut. I had somebody
18 in my class last semester write a paper on the new voting
19 procedure that the City of Berkeley is looking at using,
20 that basically you vote for your top three people, and so
21 it really covers everything from - I had another person
22 write on gun control. So it's pretty broad across the
23 gamut.

24 PANEL MEMBER SPANO: What did you learn about
25 individual and group diversity as a result of your

1 teaching experience?

2 MS. TOBIAS: Well, I think, again, that bringing
3 in a lot of people who come from different backgrounds
4 only means that you're strengthening your solutions, your
5 problem solving, because people are coming from very
6 different areas. I think the fact that we still continue
7 to have immigrants into the State of California means that
8 it keeps us from getting complacent, it keeps us from
9 thinking, "Well, this is the way it's always going to be,"
10 and I think that's important for a society to keep
11 changing. Regardless of what people think sometimes, I
12 don't think a static economy, or a static society is
13 really very interesting, so I think we can do a lot better
14 job on how we're bringing immigrants in and what we do
15 with them when they're here, but I still think that's a
16 strength for the State.

17 PANEL MEMBER SPANO: You talk about being a Judge
18 Pro Tem, Judge from Moot Court, and a Pro Bono Judge. Can
19 you tell me about your responsibilities in all those
20 aspects and how they differ, and how they are similar?

21 MS. TOBIAS: What I can tell you is that it's a
22 lot more difficult being a Judge than you might think.
23 And one of the reasons I put myself in situations like
24 that is to kind of test what I think; a lot of times I
25 learn something very different from doing the activity.

1 The Judge Pro Tem is actually at the Small Claims Court
2 for the County, and that's really dealing with kind of
3 minor level matters up to - it used to be \$10,000, I'm not
4 sure what the limit is right now, but you would see a lot
5 of landlord-tenant issues, a lot of car accidents that
6 were not covered by insurance, a lot of debts between
7 family members, and things like that. And I found that's
8 not as easy to tell who is telling the truth sometimes, if
9 people have a good story. And it really exposes you to
10 some of the issues in society that you don't see written
11 about, but that are caused by a poor economy where people
12 are just doing everything they can to get by. And some of
13 the kinds of issues we saw seem like they really could
14 have been dealt with by a better social services system.
15 But these people tended to be in the lower middle, you
16 know, they weren't basically supported by the safety net,
17 but they didn't make enough money to really have other
18 resources at their disposal. So, it was eye opening and
19 it was, I thought, hugely educational; in fact, I think
20 everybody - because I don't think you have to be an
21 attorney to be a Pro Tem Judge, I think everybody ought to
22 go work as a Pro Tem Judge and really see what that's
23 like. I think you bring a little bit different vision to
24 your life by seeing both what other people are going
25 through, and having to make a decision as to who is right

1 and who is wrong, and kind of knowing that will have
2 ramifications, as well. The Moot Court Judges are with
3 law students and they mostly everybody goes through that
4 where they argue an issue back and forth, and it's really
5 a way of building your skill, so you're basically judging
6 the students.

7 PANEL MEMBER SPANO: Do you find it very difficult
8 to remain impartial as a Judge Pro Tem when you're trying
9 to determine the truth of the matter?

10 MS. TOBIAS: I really didn't, in fact, I felt that
11 my tendency was more to want to step down from the bench
12 and sit down the parties and try to work it out, as
13 opposed to saying, "You're right, you're wrong."

14 PANEL MEMBER SPANO: A mediator role?

15 MS. TOBIAS: Right. I think it's actually very
16 difficult to, you know, basically take a side and say, you
17 know, "I choose this side." I'm really much more
18 interested in, again, that process of seeing if you could
19 find a way that everybody is in a win-win situation. I
20 know sometimes there's a right and a wrong, and I think
21 some of the cases were completely clear, you know,
22 somebody had done something right and somebody had done
23 something wrong.

24 MS. RAMIREZ-RIDGEWAY: You can go ahead and
25 finish.

1 MS. TOBIAS: There were a number of times where,
2 you know, everybody - it wasn't exactly as clean as it
3 could be, and so then you were really having to choose
4 which was the better of the situation, even though neither
5 of them was really quite clean on the issues. But I think
6 every time you take on another role like that, you're
7 broadening yourself, you're expanding your horizons,
8 you're seeing how lots of other people live, so I think
9 that's important.

10 PANEL MEMBER SPANO: Thank you.

11 MS. RAMIREZ-RIDGEWAY: Panelists, are there
12 follow-up questions?

13 CHAIR AHMADI: Not at this point.

14 VICE CHAIR CAMACHO: No.

15 MS. RAMIREZ-RIDGEWAY: Ms. Tobias, you have - you
16 worked as Chief Counsel for the Integrated Waste
17 Management Board, and you also have a letter of
18 recommendation from a Legislative staffer. I am wondering
19 if you can tell me the extent, if any, of you
20 relationships with either the Governor, past and present
21 members of the Legislature, past and present members of
22 the BOE, or any other staff?

23 MS. TOBIAS: Sure. As Chief Counsel of the Waste
24 Board, I was involved in legislation to the extent of
25 taking legal positions on that, so there were several

1 times where I testified in the Legislature on certain
2 issues, but it was really with respect to my
3 interpretation of the statute. And so, we did have former
4 Legislators and we might have had people who went on to
5 legislation, I don't remember anybody in particular, but
6 when they were on our Board, they were not in the
7 Legislature, they could not serve both areas, so I do know
8 some people in the Legislature, I do know some people on
9 staff from the years of being in Sacramento, and basically
10 working here. I don't have any particular relationship
11 with them, so, Mr. Detwiler who wrote one of my
12 recommendations is somebody I got to know in the Office
13 Planning and Research, so we just kind of hit it off, I've
14 known him since I got to Sacramento in 1978, so he's
15 somebody that I kind of use as a resource if I need to
16 know something for my classes, or something like that,
17 local government, I mean, he's a real big source for me in
18 terms of what local governments are trying to do. So, I
19 would say a lot of my work with him has actually been over
20 the classes, he also teaches at CSUS. And our classes
21 were not overlapping, but I taught undergrads and he
22 teaches graduate students. So, most of my relationship
23 with him has really been more over the years either a
24 personal one, or in teaching, as opposed to my subject
25 areas. I don't think I've ever talked to him about Waste

1 issues or Park issues.

2 MS. RAMIREZ-RIDGEWAY: So, if you were approached
3 by one of these individuals while seated on the
4 Commission, to talk about the Commission's work, how would
5 you handle that circumstance?

6 MS. TOBIAS: My understanding is that this has an
7 ex parte rule that we are not allowed to talk about
8 matters that the Commission is going to take up. I'm
9 pretty used to ex parte rules from the Waste Board. I've
10 seen some careers rise and fall on those issues, so I
11 don't have any problem, basically, stating what the law
12 is.

13 MS. RAMIREZ-RIDGEWAY: You talked a little with
14 Ms. Spano about your transition from careers, one career
15 to another to another, and with regard to your transition
16 from a Planner to an attorney, I wonder, which career do
17 you think will serve you best if you are seated on the
18 Commission?

19 MS. TOBIAS: I would say perhaps, even, that maybe
20 the Planner background just because it's made me so
21 sensitive to the issues that cities and counties deal
22 with, and what people expect from their city -- from their
23 government, I should say. I highly value my law degree, I
24 think it's sharpened my thinking, I think it'll really
25 help in terms of being analytical and all that, but I'm

1 not really, you know, I will have a Chief Counsel who I
2 think will be quite good at answering the legal types of
3 questions, so it might be that the Planning - it might be
4 the history in terms of what I bring to that and my sense
5 of the State, and what we're all about here in terms of -
6 I think probably the most important thing is the whole
7 reliance on making sure that we have a Democracy and that
8 people feel like they buy into it. I would say that
9 really underlies my whole interest in having this
10 position, is to make sure that we have buy-in from our
11 citizens into the process.

12 MS. RAMIREZ-RIDGEWAY: Tell me a little bit more
13 about your understanding of the concept of candidate of
14 choice, with regard to how it relates to minority groups.

15 MS. TOBIAS: Could you explain that a little bit
16 more?

17 MS. RAMIREZ-RIDGEWAY: Well, you were talking with
18 Ms. Camacho about minority - or majority-minority
19 districts and how they sometimes don't work. And I
20 wondered what you meant by that. Is it your understanding
21 that majority-minority Districts are designed to elect
22 representatives of a particular racial background?

23 MS. TOBIAS: I think they could. I think that you
24 could basically set it up so that you would have a
25 District where the majority of the people in it are a

1 minority, and it gives an opportunity for that particular
2 minority to get representation that they would not
3 otherwise have. And so, my sense is, and again, this is
4 really just been recent research, so I don't consider
5 myself an expert in this by any means -

6 MS. RAMIREZ-RIDGEWAY: No, you're not supposed to
7 be.

8 MS. TOBIAS: -- but, you know, I think that we
9 come up and I think the Academicians come up with
10 different ways to try to address how we can make sure that
11 everybody is represented in the process, but that's really
12 difficult, I think, because a lot of times, even in places
13 like Sacramento which is pretty diverse, there might not
14 be a community of interest that is all in the same place.
15 You may have a great deal of difficulty designing that
16 majority minority district. Once you design it, I think
17 that's an interesting question for the minority in the
18 majority-minority district because, what does that say?
19 We basically put people, you know, in one particular
20 District where we're hoping that the minority interest is
21 now the majority will get elected -- I hope that we're
22 tracking that. And so I think that, for solutions like
23 that, if they work and they're worth the trade-off of
24 other people feeling like they got lumped into a District
25 and they didn't - you know, they don't have representation

1 now, or if you do a majority-minority District, and it's
2 not a minority person who is elected in that District,
3 then we've sacrificed some of our - we've sacrificed some
4 of our ability to draw equal Districts to effectuate
5 something that didn't work. So, to me, there's a tradeoff
6 that the Commission is going to have to do there, and
7 that's what I was talking about in terms of are we going
8 to try to address past wrongs, to what extent is our
9 charge? Or, is our charge just kind of blank slate, to
10 start and just say we're going to do the best job of
11 having compact Districts that have a geographical formula
12 to them, that are done in such a way that nobody
13 dominates? I think it's a tough question and I don't know
14 the answer to that. But I do think that one of the things
15 that we have to take into account is, often with trying to
16 address past wrongs, you can end up creating new wrongs,
17 and so you have to address that risk factor. If it's a
18 guarantee, you know, if the Academicians tell us that,
19 absolutely, if we try this it'll work, well, then we might
20 want to do that. If they say, "Here's a great idea," and
21 then we look at the risks, then the Commission basically
22 has to look at that and say, "How's that going to fly?
23 Does that look impartial to the citizens of California?
24 Does it look like we really tried our best to make equal
25 Districts and Districts that meet all these qualifications

1 that meet our Constitutional rights of being represented
2 on one person, one vote type of basis?" So, I guess all I
3 can say is I think that's something for the Commission to
4 talk about and that's going to be an interesting
5 conversation.

6 MS. RAMIREZ-RIDGEWAY: You talked, I believe, with
7 Mr. Ahmadi about your prior experience with redistricting
8 and you said that minority groups struggled both with time
9 and resources and their efforts to participate in the
10 process. What can the Commission do to encourage the
11 participation of minorities in California's Redistricting?

12 MS. TOBIAS: I think that that's an issue that
13 cuts across - we deal with this at the high school - how
14 do we get people who are really just holding everything
15 together, how do we get them to come to meetings and
16 participate in the schools? And so, if it's a problem at
17 the school level, it's really a problem at this level. I
18 think there are a number of groups who basically - who are
19 ready to represent a lot of minorities, but I would hope
20 to actually hear from a lot of the individuals themselves
21 and not just the groups because I think the groups often
22 have a political take, as well. So, I don't know - I
23 think one of the ways to do that is to get out and talk to
24 people, to basically get out into different areas, to have
25 hearings where people are, I think that will include some

1 night meetings because I think you've got a lot of people
2 who are just doing as much as they can to work during the
3 day, so I think some meetings have to be at night, some
4 meetings may have to be out where people are in order to
5 have them take an hour of time, or whatever time it takes
6 to come and talk to the Commission. But I'm hoping we see
7 those people. I hope we see individuals who talk to us
8 about what it's like to live in California, you know, what
9 their hopes and dreams are, and how they expect to be
10 represented in the State.

11 MS. RAMIREZ-RIDGEWAY: You have been staff, as
12 well as, I believe, supervised staff for a Board. What
13 insights did that experience give you in evaluating the
14 role of support staff for the Commission, and also, what
15 will you look for when you are looking to hire those who
16 will support the Commission in this work?

17 MS. TOBIAS: That's a good question because I
18 think a lot of times you learn by what you don't like, as
19 opposed to an example of what you think is really
20 terrific. I think a lot of times it's hard not to just
21 get away from the people that you've worked with. I think
22 that, if you have a really good staff and a really good
23 Executive Director, I think that makes all the difference
24 in the world. I think that when staff is prepared, and
25 when they're ready to offer their best ideas to

1 Commissioners, I think that it's really important that the
2 Commissioners be able to take that information the way
3 it's offered. I think that, a lot of times when people
4 get frustrated, when Commissioners or Board members get
5 frustrated, it kind of gets put back on staff. So I think
6 if staff is prepared, I think if they are bringing forward
7 the best information that they can, then I think that it
8 would be the job of Commissioners to make sure that staff
9 is able to do that and not made wrong because there's some
10 kind of disagreement or they are opposed to a particular
11 idea that staff is bringing forward. But I do think a lot
12 of it rides on the Executive Director and the Chief
13 Counsel, to a certain extent. So, I think that is the
14 foundational aspect, just to make sure you have a good
15 Executive Director, somebody who is open-minded, who does
16 not have their own - I don't want to say "axe to grind,"
17 but who is not coming in with a preconceived idea, but who
18 is open to their Commission, but somebody who also knows
19 how to work a Commission. I would hope it would be
20 somebody who would have some experience because I've seen
21 people who have been able to work very well with
22 Commissioners and I've seen other people who really don't
23 have a clue on how to work with the Commission. It's a
24 skill, it's something that is kind of unique. Some people
25 are just automatically good at it, and some people could

1 sit there for 20 years and would never get how they were
2 supposed to be supporting what the Commissioners are
3 doing. Does that answer your question? Or was there one
4 in there that I didn't address?

5 MS. RAMIREZ-RIDGEWAY: I think so. I asked what
6 you'd look for in terms of hiring the staff. You've got
7 about a minute and a half to go.

8 MS. TOBIAS: Okay. Somebody who is very prepared,
9 as I said, very open-minded, somebody who is a very strong
10 personality, but not afraid to let the Commissioners be
11 themselves, and to bring out the best in those
12 Commissioners. I can't think of anything else right now.

13 MS. RAMIREZ-RIDGEWAY: Okay, we have just over a
14 minute, Panelists, are there additional questions?

15 CHAIR AHMADI: No.

16 VICE CHAIR CAMACHO: No.

17 MS. RAMIREZ-RIDGEWAY: Okay, with 57 seconds
18 remaining, if you'd like to make a closing statement?

19 MS. TOBIAS: I think this is a grand experiment,
20 I'm hoping very much to be involved in it, but even if I'm
21 not, I'll be watching it. I think that this is really an
22 opportunity to work at a foundational level in the State
23 of California. And I think if we can show that we can
24 address the redistricting issue, then I think that there
25 will be ways that other people can bring forward different

1 ideas on maybe how to deal with budgets and those larger
2 things. So I really appreciate all the work that you all
3 and your staff have put into this. Thank you.

4 CHAIR AHMADI: Thank you.

5 VICE CHAIR CAMACHO: Thank you.

6 PANEL MEMBER SPANO: Thank you.

7 MS. RAMIREZ-RIDGEWAY: Thank you for coming to see
8 us, Ms. Tobias. Let's recess until 10:59.

9 (Off the record at 10:51 a.m.)

10 (Back on the record at 11:00 a.m.)

11 MS. RAMIREZ-RIDGEWAY: The hour being 11:00 a.m.,
12 and the panel being present, we'll go back on record. Our
13 next Applicant is Daniel Levin. Welcome, Mr. Levin. Are
14 you ready to begin?

15 MR. LEVIN: I am.

16 MS. RAMIREZ-RIDGEWAY: Very good. Please start the
17 clock. What specific skills do you believe a good
18 Commissioner should possess? Of those skills, which do
19 you possess? Which do you not possess and how will you
20 compensate for it? Is there anything in your life that
21 would prohibit or impair your ability to perform all of
22 the duties of a Commissioner?

23 MR. LEVIN: Good morning. First, I want to say
24 thank you very much for giving me the opportunity to be
25 here today. You guys have been entrusted with a

1 monumental task, and you have handled it with grace and
2 with dignity, and you have applied a transparent process
3 that has helped to build confidence not only in the
4 selection process, but I think also in a Commission that
5 will eventually be seated. And for that, I applaud you.

6 Second, a brief comment on process. I'm going to
7 give fairly quick answers both to the standard five
8 questions and to any follow-on questions, and I'm going to
9 do that so that we, first of all, have as much time as
10 possible for you to direct the conversation wherever you'd
11 like to take it today, and also so I don't go way off in
12 the weeds before you can reel me back in, if I don't
13 understand the question. But, please, don't misinterpret
14 brevity as a lack of willingness to speak, and if you have
15 more questions or you want more information, just ask and
16 I'll give you as much detail as you'd like; now, on to the
17 question at hand.

18 In addition to the skills defined by the Act and
19 the related regulations, I see six skills that I think a
20 great Commissioner should possess, first and perhaps most
21 importantly, the ability to empathize, particularly with
22 those of differing backgrounds, from different
23 geographies, etc. Second is facilitative leadership, the
24 ability to help a group of people reach a conclusion
25 effectively and quickly. The third is active listening,

1 especially in public meeting contexts. The fourth is
2 experience with large and complex projects, particularly
3 large and complex projects involving lots of people and a
4 very hard deadline. The fifth is the ability to hire,
5 fire, and manage staff. And the sixth is the ability to
6 work well with a group of people because this is group
7 activity, this is not about how smart any one individual
8 is, it is about 14 people working together to do the right
9 thing for this State.

10 Of those key skills, the one that I have the least
11 experience is public meetings, particularly in a political
12 context, and I'm sure we'll talk about that more later. I
13 have lots of experience with public meetings of other
14 sorts, but I have essentially no political background at
15 all.

16 To answer the last part of the question, there is
17 nothing in my life that would prohibit or impair my
18 ability to perform all of the duties of a Commissioner.

19 MS. RAMIREZ-RIDGEWAY: Describe a circumstance
20 from your personal experience where you had to work with
21 others to resolve a conflict or difference of opinion.
22 Please describe the issue, and explain your role in
23 addressing and resolving the conflict. If you are
24 selected to serve on the Citizens Redistricting
25 Commission, tell us how you would resolve conflicts that

1 may arise among the Commissioners.

2 MR. LEVIN: In my role as a member of the Board of
3 Directors of the West Valley Flying Club, which is the
4 largest non-profit flying club in the country, we have
5 about a thousand members, I've been caught up in an 18-
6 month conflict over how the club should be managed, how it
7 should be run, essentially. A group of members, who
8 believe the club is not being well run, have conducted a
9 lengthy campaign to try and effect pretty significant
10 change, and they are opposed by both the current
11 Management of the club and by another group of members who
12 thinks that everything is just fine, and I'm sort of
13 caught in the middle. I was elected to the Board without
14 having been very involved in the way the club was run,
15 previously, about 18-months ago. And this whole thing
16 exploded about 17-months ago, and so here I am. I don't
17 particularly have a dog in this fight, I don't
18 particularly personally agree with either the people who
19 think there needs to be a lot of change, or the people who
20 think there doesn't need to be any change; but somehow,
21 I've had to work with the rest of the Board of Directors
22 to resolve this situation.

23 One of the first issues that I helped to tackle
24 was a lack of confidence in the Board, itself. The Board
25 met monthly, but two out of every three meetings were

1 conducted in private, and that was not very good in terms
2 of inspiring confidence and providing transparency and
3 openness going on. So one of the first things that I
4 tried to do, and was successful in doing, was opening up
5 all of the meetings at the Board of Directors to the
6 membership, except those meetings dealing specifically
7 with personnel issues and other privacy concerns. This -
8 I did this in order to make sure that everybody could be
9 heard, to provide an opportunity for public input into the
10 process, and also so that everybody could hear what was
11 going on, and this effort has resulted in a series of
12 large public meetings in which the Board has solicited
13 feedback from the membership on various proposals. And I
14 was so effective, both in helping to establish a more
15 transparent process, and in facilitating these meeting
16 that were held, that after our election in June, I was
17 asked to become the Chairperson of the Board and to
18 continue that in a more formal way.

19 There is a lot of energy on both sides of all this
20 stuff, but one of the issues that came up, in particular,
21 was a group of people who felt strongly that an individual
22 in the club, an employee of the club, should be fired.
23 And they felt extremely strongly about this, and the
24 problem was there was another group of people that felt
25 equally as strongly that this employee was very valuable

1 to the club, and was somebody that really needed to be
2 kept. And I was able to propose and then help to bring to
3 fruition a compromise whereby this employee left the
4 employment of the club, but continued to provide services
5 to the people who perceived him to be so valuable. And
6 like all sort of baby splitting solutions, this didn't
7 make anybody particularly happy, but it made everybody at
8 least somewhat happy, and maybe more importantly, it made
9 everybody feel like they'd been heard in the process.

10 As to the issue of resolving conflict, I believe
11 that conflicts such as those that might arise among the
12 Commissions, are really rooted in one of three things,
13 either, first, a lack of agreement on the goal, people are
14 solving for two different things, and so obviously they
15 arrive at different conclusions. Or, secondly, two people
16 who are solving for the same goal, they are trying to get
17 to the same place, but they have different data that
18 they're working with. Smart people, given different data,
19 will frequently arrive at different conclusions. That
20 data may be because of their history, something that
21 happened to them in the past, or it may be because they
22 heard something that was said in a different way than
23 another member of the group did. And the third thing
24 really boils down to interpersonal [sic], a lack of trust,
25 or some other interpersonal issue that prevents effective

1 communication.

2 Now, you've had a lot of people sitting in this
3 chair, who were basically individuals who worked by
4 themselves to accomplish things. And I'm not like that.
5 My job is to run big organizations. I've had 1,800 people
6 working for me. I don't do anything by myself. Every
7 significant action that I try to take professional
8 involves getting a group of people to work together, to
9 accomplish some big complicated thing. And if selected to
10 work on the Commission, I would first work hard to
11 establish a foundation of shared goals and objectives,
12 then I would work with the other Commissioners to
13 establish a process that we were confident - that we were
14 all confident - would get us to the outcome that we
15 desired, and then I would work hard to diagnose and help
16 solve any conflicts that did arise among the
17 Commissioners.

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

23 MR. LEVIN: If successful, the Commission's work
24 will accomplish two critical objectives, the first is the
25 obvious one, by creating a set of maps that are not

1 influenced by politics, and that are fair and unbiased.
2 The Commission will allow the election of representatives
3 who accurately reflect and represent the interests of the
4 people. And that's, I think, what this Commission is
5 trying to accomplish. And that will lead to commensurate
6 improvements in the governance of our State.

7 But perhaps just as importantly, by conducting its
8 business in a public and transparent way, by involving the
9 people of California deeply in the process, the Commission
10 will draw people into the political process, and
11 participation is what Democracy is all about. And at the
12 same time, we can help to reintroduce a degree of
13 confidence in the electoral process, a degree of
14 confidence that, in my opinion, is sorely lacking in this
15 State right now. And if we can do those two things, draw
16 more people into the electoral process, and increase their
17 confidence in it, that may be just as important as drawing
18 a great set of maps.

19 If unsuccessful, either because of poor process,
20 or a poor outcome, the Commission could further undermine
21 the public's confidence in the electoral process and in
22 future efforts to reform not only that process, but
23 governance in our State, more generally. And in my
24 opinion, that would be an extremely serious blow to our
25 Democracy.

1 MS. RAMIREZ-RIDGEWAY: Describe a situation where
2 you have had to work as part of a group to achieve a
3 common goal. Tell us about the goal, describe your role
4 within the group, and tell us how the group worked or did
5 not work collaboratively to achieve this goal. If you are
6 selected to serve on the Citizens Redistricting
7 Commission, tell us what you would do to foster
8 collaboration among the Commissioners, and ensure the
9 Commission meets its legal deadlines.

10 MR. LEVIN: I don't usually ever write anything
11 down, but these multi-part questions, I felt like I needed
12 a checklist to make sure I didn't miss anything important,
13 and that's why I'm referring to my notes. So, I was a
14 member, a founding member of the Diversity Council of a
15 very large technology company, a Fortune 1000 company.
16 And in that capacity, I worked with about 20 other senior
17 leaders to improve both the diversity of our workforce and
18 the culture of valuing diversity among that workforce. I
19 was up here with maybe 20 other people, I wasn't the
20 leader of this group. And the Council itself was quite
21 diverse, we had very broad geographic representation,
22 broad ethnic representation, and diversity on pretty much
23 every other possible dimension. And we were able to work
24 together very collaboratively to accomplish a long list of
25 goals. One example of accomplishment was a change to our

1 hiring processes, to reach out to organizations
2 representing those who are underrepresented in our work
3 force, such as the National Society of Black Engineers,
4 and also to change our recruitment practices so that we
5 intentionally went to places like the University of
6 Arizona at Tucson where there was a large Latino
7 population, to recruit. Now, we didn't establish quotas,
8 we didn't tell anybody who they had to hire, that was
9 anathema to our view of fairness. But what we did so was
10 we worked hard to increase the minority population in our
11 applicant pool. And that had the result of increasing the
12 number of minority applicants who got hired, and that was,
13 from our point of view, a very desirable outcome.

14 As I mentioned in an earlier answer, I feel that
15 facilitative leadership is a key skill for the
16 Commissioners, but one other thing that I would like to do
17 to foster collaboration is to encourage the Commission to
18 take advantage of the Bagley-Keene Act social occasion
19 exemption and to spend time getting to know each other,
20 without discussing the business of the Commission. Now,
21 this would obviously need to be supervised in some way
22 because there would otherwise be transparency concerns
23 that might arise, but I really feel that social time, time
24 getting to know each other, time understanding each
25 other's backgrounds and communication styles, is a

1 critical prerequisite for effective collaboration among a
2 group of people who otherwise don't know each other at
3 all, and will come from every part of the State and every
4 possible background.

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

12 MR. LEVIN: So I think there are at least two
13 different ways that the Commissioners are going to have to
14 interact with the public, and I'm going to speak to them
15 separately. The first is really outbound communication
16 and it is representing the interests of the Commission to
17 the public, and I think that will happen both through the
18 media and in the context of these public meetings. And in
19 this area, I have a great deal to offer. I have a large
20 amount of experience working with the Press, I've been a
21 spokesman for pretty much every company that I've worked
22 for, for the last 20 years. I've spoken in public to
23 groups ranging in size from 10 to 1,000 more times than I
24 can possibly count, all over the U.S. And I've been
25 trained both in public speaking and in Media Relations on

1 four separate occasions by three separate companies over
2 the course of the last 25 year.

3 But there will also be an element of listening to
4 the public in meetings that the Commission will create,
5 will host for that purpose. And I have a large amount of
6 experience in these kinds of settings, as well, although
7 none of it in a political context. Part of my job is to
8 reach out to employee populations and understand how
9 they're feeling about the culture they work in, how their
10 Management is doing, the physical plant that they're
11 employed in, etc. I've done that many times in lots of
12 different settings.

13 I've always been good at meeting and listening to
14 others, no matter how their background or interests might
15 differ from my own. I speak decent Spanish, not fabulous,
16 but good enough to get along, certainly good enough that I
17 wouldn't have to rely completely on an interpreter in a
18 Spanish speaking environment. And I've spent lots of time
19 in rural parts of the State. I own property in Tehama
20 County, way up in the wilderness down an eight-mile dirt
21 road, and I currently own property with a couple of other
22 families in Boonville, which is in Mendocino County,
23 another sort of mixed environment, there is a lot of
24 agriculture, ranching, there is also obviously a lot of
25 tourism, as well.

1 In my work, I've worked with and listened to large
2 groups of employees at our Call Center in Tucson, which
3 had a large LGBT population, as well as a big Latino
4 population, and also in Fredericksburg, Virginia, where we
5 had a large African-American population. I think all of
6 these experiences give me the tools that I'll need to be
7 an effective listener and an effective recipient of
8 information that will be presented by the public in these
9 various settings.

10 MS. RAMIREZ-RIDGEWAY: Mr. Ahmadi.

11 CHAIR AHMADI: Thank you. Good morning, Mr.
12 Levin.

13 MR. LEVIN: Good morning.

14 CHAIR AHMADI: I have a few quick follow-up
15 questions just to clarify for myself your responses for
16 the standard questions. First of all, you mentioned that,
17 in response to question 1, you mentioned that you have no
18 political background at all. Why do you think that's
19 important for the Commission?

20 MR. LEVIN: I don't think it's important for the
21 Commission. I think it's possible that people who have
22 more experience in the political process than I do could
23 be very effective Commissioners, probably not people who
24 have been Legislators. But I've watched a number of these
25 interviews and you've had a large number of community

1 activists and professors and lawyers who have touched the
2 political process in some way and, frankly, I'm jealous of
3 that in this context. I think it will help them be more
4 effective. I don't have that experience; I think it's a
5 mixed bag. I come to this process with a clean slate, a
6 clean piece of paper, but I lack the kind of understanding
7 of the way these types of Commissions might operate that I
8 would have if I'd been involved with them in the past.

9 CHAIR AHMADI: But in your mind, having - or for
10 the members of the Commission who may have this kind of
11 background, in what way is that going to be helpful? How
12 will that help their decision-making for the Commission?

13 MR. LEVIN: It won't help the decision-making, but
14 they'll have a little better handle on how the whole thing
15 works. For example, I have a lot of experience hiring
16 staff and dealing with staff in a corporate context, but I
17 have no experience dealing with public servants or with
18 staff that a Commission like this might hire. So,
19 frankly, I don't have any idea whether that's a feature,
20 or a bug, as we would say in Silicon Valley, an issue, or
21 a benefit. I simply noted it as a fact.

22 CHAIR AHMADI: Okay, thank you, sir. Another
23 follow-up question that I have - not actually a follow-up,
24 but just to have you tell us in a little more detail, in
25 response to question 2, when you were discussing the Wine

1 Club, the conflict that you resolved for the employees.

2 MR. LEVIN: The flying club.

3 CHAIR AHMADI: Yeah, yeah, sorry. You mentioned
4 that, if you give different datasets for two smart
5 individuals, the outcome may be different. Could you
6 elaborate on that and within the context of the
7 Commission's work? Of course, you'll be dealing with
8 data, Census data and other public input, and qualitative
9 data, as well. Can you give us a little more detail on
10 what you think is the best use of that kind of data, and
11 how is that going to impact the decision?

12 MR. LEVIN: So, I'm going to answer what I thought
13 was the question until the very end, and then please
14 follow-up.

15 CHAIR AHMADI: Okay, thank you.

16 MR. LEVIN: You know, I handed the three of you a
17 balance sheet, and I hope you're going to see exactly the
18 same thing because that's what you do, but not a balance
19 sheet, obviously, but you know what I mean. The members
20 of this Commission will, assuming that the Commission
21 follows the rules, receives exactly the same information,
22 each person will receive exactly the same information. And
23 so I think it is relatively unlikely that any issues will
24 crop up as a result of the Census data, or the information
25 that is presented in a public hearing. But these are

1 human beings and they're going to bring their histories to
2 this Commission, as well. They're going to bring their
3 backgrounds and their experiences, and I see all the time
4 people who react differently to the same facts because
5 they have different experiences. One person was involved
6 in a very similar situation and had a great outcome;
7 another person was involved in a very similar situation
8 had a terrible outcome. And so, they'll react differently
9 to the same data, and that's what I meant.

10 CHAIR AHMADI: Okay, so in your mind, can you give
11 us some hypothetical examples of what are some of the
12 potential risks by individuals' preferences, or
13 individuals' own approaches to interpreting the data in
14 making decisions - in what ways you see that coming into
15 play as part of the Commission's work, not necessarily
16 resulting in a conflict, but at least in the process of
17 making decisions, it has to be accounted for?

18 MR. LEVIN: So, I wouldn't use the word "risk," I
19 don't mean to suggest that it might - although I suppose
20 it could put the work of the Commission at risk, but it is
21 a risk for conflict, as you said. I'm a member of the
22 Commission, I come from a particular geography, I have my
23 own experiences with the inhabitants of that geography,
24 the population of that geography, we go to a public
25 hearing in that place, and I hear something that I think

1 is wrong, and all the other Commissioners hear it, but
2 they don't have any experience with this particular place,
3 and so they think it's the facts. And I raise my hand and
4 I say, "Wait a minute, I don't think that's a valid
5 point," and some other Commissioner says, "Well, the
6 member of the public said it, what makes you think it's
7 not a valid point?" And then we get into a conflict, a
8 disagreement, that's the kind of thing that I imagine
9 might happen as a result of people's backgrounds. Now,
10 there are a lot of much more horrible things that could
11 happen if somebody manages to get onto the Commission who
12 has a political bone to chew, but let's assume that's not
13 going to happen.

14 CHAIR AHMADI: So, hypothetically, should that
15 happen, what would be your approach to resolve it?

16 MR. LEVIN: The key in such situations is to
17 unearth the shared or unshared piece of information by
18 asking questions. "Why do you feel the way you feel? Can
19 you help us understand what it is in your experience that
20 causes you to feel this way? What did you hear that
21 person say? Play it back to me so I can make sure that I
22 heard the same thing." That's the way you unearth these
23 sort of root causes of conflict, bring them out onto the
24 table and into the open and then resolve them.

25 CHAIR AHMADI: Okay, thank you, sir. A question

1 that I was planning to ask was about your availability. I
2 know you are a very busy individual, you are the CEO and
3 staff at Box.net, and you are also self-employed, and
4 you're busy, and you do understand based on your
5 application material, and based on your comments now,
6 that, you know, time is one of the most valuable
7 resources. How would you manage your time?

8 MR. LEVIN: So, I recently joined Box as a full-
9 time employee, but in my conversation about that work, I
10 made it clear to them that the Commission was my priority
11 and that, in the event I was so fortunate as to be
12 selected, I would have to significantly reduce my
13 commitment to Box in order to make time for the
14 Commission's work. And I will spend as much time as is
15 necessary to execute the duties of the Commission fully,
16 up to and including full time and weekends, if that's what
17 it takes.

18 CHAIR AHMADI: And you are also self-employed for
19 the technology consulting firm?

20 MR. LEVIN: Yeah, not so much "also," you know,
21 many of us who work in the technology industry have a sort
22 of consulting business in between permanent jobs, if you
23 will, and that's really the situation here, it's not that
24 I have another client while I'm also working full-time at
25 Box. Box was my client when I was an advisor to them, and

1 now I'm an employee.

2 CHAIR AHMADI: What kind of business are they in,
3 Box.net?

4 MR. LEVIN: They are a cloud computing company, an
5 Internet company, about 100 people, Silicon Valley based
6 start-up.

7 CHAIR AHMADI: And are your clients in your own
8 business in the same area and the same profession? Like
9 computer, Internet?

10 MR. LEVIN: Yes. The only one that wasn't was a
11 company that was in the business of lending money under
12 the Small Business Association Guaranty Program that I was
13 on the Board of Managers for their company, for a period
14 of three years, maybe four or five years ago. So, they
15 wanted me because of my technology background, they
16 weren't strictly a technology company. All the rest of
17 them are small Silicon Valley start-ups.

18 CHAIR AHMADI: But none of your clients are like
19 the State government or government agencies?

20 MR. LEVIN: No, none of my clients are now, or
21 have ever been, associated with the governance of
22 California, or of any other political entity in the State
23 in any way.

24 CHAIR AHMADI: Okay, thank you, sir. In your
25 application, and also, as you mentioned now, you have had

1 responsibilities to hire employees, of contracting
2 employees for the different companies that you have been
3 associated with. Can you tell us if you ever had any
4 decision to resolve a performance issue with any employee,
5 or any contract employee, how did you approach it, and how
6 did you resolve it?

7 MR. LEVIN: Of course, I've had many. You know,
8 I've been doing this for 25 years. I've hired a lot of
9 people and I've unfortunately had to fire more than a few.

10 CHAIR AHMADI: I assumed that.

11 MR. LEVIN: You know, there is only one way to
12 resolve it, I think, and that is, first of all, to be
13 crystal clear on your expectations, write down what the
14 job description is, preferably before you hire the person,
15 do a good job of measuring their performance against those
16 expectations, and clearly communicating to that employee
17 how they're doing. I do that during the initial 30 or 60-
18 day long phase in a very hands-on way, and I will tend to
19 have a formal conversation at the 30 and 60-day point,
20 with a new employee, in which I review their performance
21 against my expectations and against the job description.
22 And if they're not meeting my expectations, I tell them
23 they're not meeting my expectations, and they need to
24 improve, and they need to improve in these areas, and here
25 are the tools that I'm going to give them to help them

1 improve, and if they don't improve, then they're gone.

2 CHAIR AHMADI: So what will be your expectation of
3 the other Commissioners? Not that they are your employee
4 or within that context, but in terms of expectation about
5 their performance, their availability, and their
6 effectiveness? What would you want to see in the other
7 Commissioners?

8 MR. LEVIN: Well, so those are different
9 questions. That one is much easier to answer than what
10 are my expectations.

11 CHAIR AHMADI: Then let's go over that one.

12 MR. LEVIN: Well, I mean, look, I view the work of
13 this Commission as being potentially hugely beneficial to
14 the governance of this State, and potentially able to set
15 an example that other States may eventually choose to
16 follow. I expect myself, and I would expect and hope that
17 the other Commissioners would bring nothing less than
18 their absolute fullest commitment to this endeavor, and
19 would work as hard as was necessary, and as
20 collaboratively as was necessary, to get the job done in
21 the timeframe allowed. It's not fair for me to have
22 expectations of them, they're individuals different from
23 me, they don't work for me, I don't manage them, I would
24 just be a peer. But I would hope that they would be as
25 dedicated as I hope to be to the work of the Commission.

1 CHAIR AHMADI: If one of them - just
2 hypothetically - if you have issues with one of the
3 Commissioners in terms of, you know, performance, or the
4 amount of time that they devote to make the work
5 successful, how would you approach that?

6 MR. LEVIN: It's a bit of a tricky question given
7 the requirements for public transparency, but my general
8 approach, which assuming counsel felt it was appropriate,
9 I would probably take in this situation, as well. And I
10 think it would be okay because a majority is involved and,
11 as long as I didn't then have meetings with the next seven
12 Commissioners, it would be all right. I would sit down
13 with them one-on-one, and I would ask what was going on.
14 I'm a big one for asking questions. There's almost always
15 a reason, you know, people don't just sort of misbehave
16 for fun, there's something going on, and I would try to
17 understand what it was and whether there was anything that
18 I could do to help. As I understand the law, there is no
19 provision for moving Commissioners, except for gross
20 negligence and that requires the Governor to act, so it is
21 not about getting rid of people, it's about trying to help
22 them be as effective as they can be.

23 CHAIR AHMADI: Okay, thank you. And along the
24 same line, do you think that a diverse Commission will
25 have a harder time reaching consensus?

1 MR. LEVIN: Absolutely.

2 CHAIR AHMADI: In what ways.

3 MR. LEVIN: I think that is wonderful. The whole
4 point of getting a diverse group of people together is
5 that they have different perspectives, they have different
6 opinions, they have different backgrounds, different
7 histories, and that's how you get great answers. You
8 know, you get a bunch of people who all think about
9 problems the same way, you don't get innovative, creative,
10 interesting answers, you get boredom. That doesn't mean
11 it's easy. And it's going to be even harder because the
12 public has a seat at the table, as well, and so
13 efficiency, as the Act says, efficiency is being
14 sacrificed to some degree in the interest of giving the
15 public a seat at the table. But that's how you get great
16 outcomes.

17 CHAIR AHMADI: Good. Thanks again. Another
18 question that I was planning to ask, what are your
19 personal biases and how could they impact your job as a
20 Commissioner?

21 MR. LEVIN: My only personal biases in this
22 instance are towards the Commission getting its job done,
23 on time, and as effectively as possible - "effectively"
24 includes both great maps and a great process. The one
25 potential detriment is the thing you alluded to earlier.

1 I mean, I have very high expectations. I intend to bring
2 my whole self to the work of this Commission and to
3 dedicate my time and energy to great outcome, and I would
4 hope that all the rest of the Commissioners would, as
5 well. And if one or more of them don't, that's not going
6 to be easy for me, but I'll deal with it.

7 CHAIR AHMADI: How would you deal with that?

8 MR. LEVIN: As we've already discussed. You know,
9 I can't - I have worked in many situations in which I was
10 the boss, or the manager, and many situations in which I
11 wasn't. I'm not unfamiliar with being a peer in a group
12 of people, and I'm not unfamiliar with situations where
13 some of those people don't meet my hopes for what they
14 would bring to the party. But you make the best of it.

15 CHAIR AHMADI: What do you think your role on the
16 Commission will be?

17 MR. LEVIN: So, I'm going to answer this question
18 quite differently than many other people. I'm not going
19 to tell you whether I think I should be the Chairperson or
20 not, I'm going to tell you what value I think I will
21 bring, and that is I am a very skilled facilitative
22 leader. I have been trained and I have a tremendous
23 amount of experience in helping groups of people get to
24 great outcomes on schedule. And to the degree that I have
25 a role, that is the role that I would hope to play,

1 helping the entire commission be as effective as it can
2 be, get done what it needs to get done, in the highest
3 possible quality way, and on the schedule -- the very
4 difficult schedule -- which has been allotted.

5 CHAIR AHMADI: So you mentioned effectiveness as
6 one of the goals, of course, it is. And also in your
7 application, I came across at least - I don't remember how
8 many times, but you do mention effectiveness being one of
9 the major focuses or goals for the Commission. And in
10 your mind, what is effectiveness? What makes the
11 Commission work effective? I can assume that I
12 understand, but --

13 MR. LEVIN: Well, the output of effectiveness is a
14 great process that makes the public feel that they have
15 complete vision into what's going on, and complete
16 involvement in what's going on, and a set of maps that
17 meet whatever criteria the Commissioners establish. And
18 the Act provides some structure, but the Commission is
19 going to have to decide what its priorities are for this
20 map creation process, on time, because being late is no
21 good. So that's what I would mean by effectiveness.

22 CHAIR AHMADI: Okay, thank you so much. No more
23 questions at this point.

24 MS. RAMIREZ-RIDGEWAY: Ms. Camacho.

25 VICE CHAIR CAMACHO: Thank you. Good morning, Mr.

1 Levin.

2 MR. LEVIN: Good morning, Ms. Camacho.

3 VICE CHAIR CAMACHO: Could you describe your
4 development of a three-year execution strategy for the
5 QuickBooks payroll business, and how is it similar to the
6 steps ahead for the redistricting Commission?

7 MR. LEVIN: Wow. Yes. So, I worked for six and a
8 half years at a large public software and technology
9 company. We used a set of what are called operating
10 mechanisms to run the business, that is to say, regularly
11 scheduled meetings and processes that had specific roles
12 to play in running the business effectively. One of those
13 was an annual process of crafting a three-year strategy
14 for each of the business units in the company, and at one
15 point the payroll business reported to me. In this
16 particular instance, the creation of the strategy for that
17 group rested primarily - responsibility rested primarily
18 on a person who worked with me, worked for me, reported to
19 me, who was the General Manager of that organization. So,
20 I first established for each of the General Managers who
21 reported to me a calendar that we were collectively going
22 to follow, and a process that we were going to
23 collectively follow, to get the three-year strategies
24 pulled together. And because I'm not a person who believes
25 in templates, particularly, I gave them some high level

1 guidance about what my expectations were and some examples
2 of what I thought great three-year strategies looked like
3 in the past, and then I left them to go off and create a
4 rough draft and bring it back to me. They obviously could
5 ask me questions if they had any questions. But at that
6 point, I had several business units reporting to me, and
7 so I wasn't in a position to work closely with each of
8 them in the day-to-day creation of this strategy. The guy
9 who ran the payroll group brought me back his proposed
10 presentation, I went through it with the rest of my team
11 because I am a big believer in everybody hearing the same
12 thing at the same time. We all gave this individual
13 comments and suggestions, he iterated a few times, and
14 then we presented elements of that strategy to the company
15 CEO, my boss, and the remainder of the strategy just to
16 the team that ran the small business group, and then they
17 went off and executed it. Is that an answer?

18 VICE CHAIR CAMACHO: Yes. Now, the second part.
19 How would this experience that you had with this three-
20 year plan help you ahead for the Redistricting Commission,
21 in meeting their goal?

22 MR. LEVIN: I mean, that particular three-year
23 planning process is one of probably 100 such activities
24 that I have been part of in the course of my career, they
25 all have in common that there's a lot of data involved,

1 that we were trying to make a good decision about how to
2 move forward, and that there were a group of people
3 involved. And I think all of those are things that relate
4 directly to the work of the Commission.

5 VICE CHAIR CAMACHO: How long did this process
6 take before your group had a plan?

7 MR. LEVIN: I don't remember exactly; the precise
8 situation you're referring to was five, or six, or seven
9 years ago, but it was probably two or three months.

10 VICE CHAIR CAMACHO: How much time do you think it
11 should take to have a plan for the Commission to meet
12 their goals, if you were on the Commission?

13 MR. LEVIN: So, there's a period of time before
14 the Census data is available, but after the Commission has
15 been seated. My view is there are a number of things that
16 need to be accomplished during that time, there is a staff
17 piece, there is a training piece, there is a getting to
18 know each other and being positioned to work well together
19 piece, and there is a what do we want the outcome to look
20 like, sort of what criteria are we going to use to score
21 maps, and then there is the, "Okay, well, what's our
22 plan?" What process are we going to use to try to get to
23 an outcome. I think all of those things, optimally, would
24 be done before the Census data becomes available.

25 VICE CHAIR CAMACHO: Okay, so this would be in

1 that plan?

2 MR. LEVIN: Right, that would be in that group of
3 tasks.

4 VICE CHAIR CAMACHO: Okay. You indicated that you
5 would be a Commissioner who can both do and delegate. For
6 what Commission activities would you roll up your sleeves
7 on?

8 MR. LEVIN: Well, I'll answer that, and then I'll
9 answer a related question. The answer to the question you
10 asked me is whatever needs to get done. You know, I have
11 led very large organizations and I have been involved at a
12 very high level in situations where I didn't roll up my
13 sleeves on anything. And I've also worked in very small
14 companies, even as recently as last year, I was the CEO of
15 a 20-person company, you know, being CEO of a 20-person
16 company means you unpack the drinks and put them in the
17 fridge, it means when pencils need to be sharpened, you
18 sharpen them, when somebody needs to go to the Post
19 Office, you go to the Post Office. I'm not averse to or
20 incapable of doing anything that needs to be done. You
21 know, I chop my own firewood. Where do I think I could
22 add the most value? I think it will depend on who else is
23 on the Commission because I can't rate my relative
24 strengths until I see the strengths of others, and until I
25 sit down with them and talk about where they would prefer

1 to focus their energies and where it might be best for me
2 to focus mine.

3 VICE CHAIR CAMACHO: Okay. There are some who
4 argue non-politicians have no business drawing lines,
5 dabbling in redistricting. What do you say about that?

6 MR. LEVIN: I feel rather strongly about this, so
7 I'm going to take just a moment to compose myself.

8 VICE CHAIR CAMACHO: Okay.

9 MR. LEVIN: You know, politics wasn't created for
10 Politicians; politics was created to represent the
11 interests of the population. I'm sort of shocked that it
12 took until 1860 whatever it was for Lincoln to coin the
13 phrase "Government by and for the People," but that's
14 always been a root concept of our Democracy. I'm trained
15 as a statistician, I'm deeply familiar with technology,
16 I'm very politically aware and thoughtful. I read I don't
17 know how many dozens of pages of material in preparation
18 for this interview, and I dare say that I will be as able
19 as any, including anybody with any background in
20 redistricting, to do an effective job among this
21 Commission. And I feel that, certainly, too much
22 experience with the political process is far more likely
23 to do harm than good in this Commission's work.

24 VICE CHAIR CAMACHO: Thank you. That was my last
25 question.

1 MS. RAMIREZ-RIDGEWAY: Ms. Spano.

2 PANEL MEMBER SPANO: Good morning.

3 MR. LEVIN: Good morning. You caught me in mid-
4 drink there.

5 PANEL MEMBER SPANO: I was going to ask you if you
6 wanted to take a drink. By the time they get to me, they
7 usually need a drink.

8 You received quite a few public comments. What
9 did you think about that?

10 MR. LEVIN: This process has been a very
11 challenging one, it was very constrained. And yet, as a
12 prospective Commissioner, I felt it was important that I
13 do everything that I could to help you understand who I
14 am, what I'm good at, and what I might be able to bring to
15 the Commission. One of the key duties of the Commission
16 and of the Commissioners is to use every technology and
17 medium at our disposal to advise the public of our
18 activities, and to invite the public to participate. And
19 I chose to use the public comment process as an example of
20 how I can do that. So, I used social networking,
21 Facebook, LinkedIn, to reach out to my community and to
22 encourage them to express their feelings about my
23 participation in this process. At one point, there were
24 about 900 public comments submitted on behalf of 4,500 or
25 so people who completed the Supplemental Application, and

1 of those 900, 30 of them were about me, so one in 4,500
2 Applicants, one in 30 public comments. And I did it in
3 part to demonstrate that I could and to show you that
4 having somebody on the Commission with a mastery of
5 technology could be a very valuable asset when it comes to
6 communicating effectively with the public. But I also did
7 it because I wanted you to understand me as well as you
8 could, I wanted to give as many people a voice as
9 possible, and I think many of those comments do a better
10 job than I ever could of explaining what I'm good at and
11 why I might be a good member of this Commission, and I
12 thought it was important for you to hear that.

13 PANEL MEMBER SPANO: Why did you feel the process
14 was constrained?

15 MR. LEVIN: Well, because, you know, six essays,
16 500 words, each. I mean, I sweated every word of those
17 500 words, for hours. There was a very limited channel
18 through which a prospective Applicant could communicate
19 with you, and justly so; I have absolutely no issue with
20 it, I think it was the right thing to have done. But it
21 forced us to value every opportunity we had to help you
22 understand who we are and how we thought.

23 PANEL MEMBER SPANO: Did you find yourself
24 especially touched by any of your public comments?

25 MR. LEVIN: Absolutely. You know, I didn't reach

1 out to particular individuals, and I didn't tell them - I
2 didn't tell them to only say good things. Some of them -
3 I tried to encourage them to be specific and to explain
4 why they knew me, some people did a better job of that
5 than others, but I was absolutely touched that some people
6 who, frankly, I've worked with, but I don't know all that
7 well personally, took the time to in some cases say things
8 that I thought were very valuable contributions to the
9 process.

10 PANEL MEMBER SPANO: It seems like you were
11 responding to many of them early in the process, and then
12 it stopped. Why is that?

13 MR. LEVIN: Again, it was a way for me to say
14 things that you would read, that wasn't as constrained,
15 and there were a few things I felt were important to say
16 and I could use the ability to respond to a public comment
17 to say them. Again, I'm trying to give you some insight.
18 You know, I'm a guy who thinks things through and who
19 really takes advantage of the possibilities that are
20 presented to me to get the outcome I want. But at some
21 point, I felt I'd said enough and I didn't want to abuse
22 the privilege, and I thought that you'd heard what you
23 needed to hear.

24 PANEL MEMBER SPANO: Thank you. I know one of
25 your comments said that you are refreshingly blunt and to

1 the point. Tell me how you feel about that.

2 MR. LEVIN: Conflict avoidance is at the root of
3 many conflicts. In my experience, if you tell people what
4 you think, you tell people how you feel, you're much more
5 likely to get a good outcome. It doesn't always work,
6 it's something I've worked on over the course of my
7 career, sometimes being blunt is not the right approach,
8 but I do think that being frank with people and telling
9 people what you think is generally speaking the right way
10 to get a good outcome. And when Mr. Ahmadi asked me about
11 how to deal with people who were underperforming, well, I
12 would just tell them they're underperforming, I don't beat
13 around the bush, and I don't take it personally and I
14 don't want them to take it personally. I treat them with
15 dignity and respect, but I tell them what my expectations
16 are and why they're not meeting them.

17 PANEL MEMBER SPANO: Do you have any political
18 aspirations?

19 MR. LEVIN: No.

20 PANEL MEMBER SPANO: If you're selected as a
21 Commissioner, how would you feel possibly being on a
22 Commission with Commissioners with equal decision-making
23 power, who may or may not have an Ivy League education?

24 MR. LEVIN: An Ivy League education is not a
25 prerequisite for being a great Commissioner, or for being

1 a great human being, or for having great ideas. In fact,
2 I think one could make a very good argument that diversity
3 on all dimensions is critical for this Commission, and
4 that would include educational background. I have never
5 had a problem dealing with anyone who was well intentioned
6 and honest, and working with them to get to a great
7 outcome.

8 PANEL MEMBER SPANO: Would you say you have a lot
9 of patience for people?

10 MR. LEVIN: No, honestly. I don't always have a
11 lot of patience for people, but my lack of patience is
12 usually rooted in intention, not in ability. As I said,
13 if somebody is well intentioned, if they're bringing
14 everything they can bring to the party, I generally have a
15 lot of patience for them. And people are going to need to
16 have patience with me, you know, I'm not an expert in
17 redistricting, despite the amount of effort I've been
18 willing to put into learning. I'm going to ask a lot of
19 stupid questions and I'm going to need a lot of help, so
20 I'm the last one to feel that I'm going to have to have
21 patience with everybody else and nobody is going to have
22 to have patience with me.

23 PANEL MEMBER SPANO: Has anyone ever approached
24 you and said, "You know, Dan, you're just a big know-it-
25 all, you have all this CEO experience, you're not willing

1 to listen to me?"

2 MR. LEVIN: Honestly, no.

3 PANEL MEMBER SPANO: Yeah.

4 MR. LEVIN: Look, intelligence is a very
5 complicated thing, right? It gets measured in lots of
6 ways, and I am by no means the smartest person in the room
7 on many of those measures. I'm pretty sharp on some of
8 them, and I don't make any bones about that. I try to be
9 the best I can be in everything that I do. But I also
10 think I do an exceptionally good job of listening to
11 people and involving other people in the process, I bring
12 them along my intellectual decision-making process. And I
13 think my brand is exactly that. And if you read the
14 comments that people made about my performance on the
15 Diversity Commission, for example, where we had a group of
16 people, some of whom worked in Call Centers and had never
17 gotten a four-year degree, you'll find that I was a very
18 effective participant and that everybody felt that I was
19 treating them with respect.

20 PANEL MEMBER SPANO: Can you tell me what
21 appreciation for California's diversity means to you?

22 MR. LEVIN: Just to reflect on that last point for
23 a second, you know, I'm not a professor, I don't get to be
24 the smartest guy in the room, I don't get to just work by
25 myself, I don't get to just do research projects. If I

1 can't help other people work with me effectively, then I'm
2 a failure.

3 What does an appreciation for diversity mean? You
4 know, I brought along a few choice bits of material
5 anticipating that we might eventually go in this
6 direction.

7 PANEL MEMBER SPANO: What does it mean to you?

8 MR. LEVIN: I've already reflected on what it
9 means to me. I think that diversity is the key to great
10 outcomes at any altitude. I think an appreciation for
11 California's diversity boils down to a very simple idea,
12 and that is representation, that every member of this
13 State's population deserves an opportunity to be heard and
14 to have their voice represented in the way we are
15 governed, and that's not just about geography, it's not
16 just about race and ethnicity, it is not just about sexual
17 preference, it is about diversity across all of its many
18 dimensions.

19 PANEL MEMBER SPANO: You've played a lot of
20 leadership roles and a lot of executive roles. Looking
21 back from your graduation in 1986 to now, what are the top
22 five things that have made the biggest difference in your
23 career?

24 MR. LEVIN: Wait, the top five, we're going to be
25 here for a long time. The top one is easy, I spent the

1 first 15 years or so of my career in very small companies,
2 and in small companies, the culture is a fairly conflict
3 oriented culture; there is a lot of room to be a verbally
4 aggressive person. When I first joined Intuit, I was
5 there for just a few months and I had my first review with
6 my boss, who was the CEO of the company. And he sat me
7 down and he said, "Dan, I love you, you're smart, you're
8 driving change, you make great decisions, and your
9 interpersonal style is so bad that if you don't fix it,
10 I'm going to fire you." And it was all about the things
11 you've been asking me about. Now, this was 10 years ago,
12 but it was all about do I listen well. Do I help
13 everybody feel heard? Do I treat everybody with dignity
14 and respect? And in my case, it wasn't about intention,
15 my intentions were great, but I had some elements of my
16 interpersonal style that rubbed some people the wrong way,
17 and if I wanted to be an effective leader, I was going to
18 have to fix that. And fortunately for me, my boss wanted
19 to help me fix it and he gave me both the feedback I
20 needed and the tools that I needed, and in particular, a
21 fabulous coach who helped me understand how some of the
22 things I was doing were affecting people negatively, to
23 make some real change. And I've been a much more
24 effective leader and, frankly -- and you could ask my wife
25 this -- a much more effective human being ever since. So,

1 that was definitely on my number 1 list. I'm not going to
2 give you five, but you can ask for a third if you want.
3 The other one is, you know, I've been through many
4 situations where we were not able to get the outcome we
5 needed on the schedule we needed, and I've learned a lot
6 about how groups of people fail to get from point A to
7 point B. And it's frequently the negative experiences
8 that are the best teachers and that help us become the
9 most effective leaders, and I think that was true for me,
10 certainly.

11 PANEL MEMBER SPANO: Do you believe your biggest
12 strength, you said, was facilitating, that you could bring
13 to the Commission. Is there any other unique skill or
14 ability that you have that you can bring to the
15 Commission's work, knowing that this is brand new, I know
16 you haven't done it before.

17 MR. LEVIN: You know, "unique" is a big word and
18 I'm not sure that I have any skills that are unique, but,
19 look, I have a degree in Statistics, I professionally work
20 with lots of data all the time, I'm very familiar with
21 using technology to analyze data, to map the data, to draw
22 pictures of the data, and I think that I may well be able
23 to help there both in the selection and use of tools and
24 technologies for data analysis, but also for the public
25 meetings themselves, the communication of those meetings,

1 but also possibly the running of those meetings. The
2 Bagley-Keene Act does permit for teleconference meetings
3 and I think that might be a tool that we would want to try
4 and use, and there are some interesting new technologies
5 available in that arena. Maybe I should leave it there
6 and see if you'd want to ask me any follow-ups.

7 PANEL MEMBER SPANO: You can elaborate, feel free.

8 MR. LEVIN: So I think that's one piece. And, you
9 know, I was asked earlier where would I roll up my
10 sleeves, I mean, that's certainly an area where I would be
11 willing to roll up my sleeves if it was the right thing,
12 and that really depends on the strengths of the other
13 Commissioners. I think the other big place is also
14 something I've alluded to at some length, and that is the
15 Commission needs a process for doing its job, and we need
16 some people on this Commission who understand how to run -
17 design and run a process that is going to involve
18 technical expertise coming from staff, it's going to
19 involve lots of public comment, and it's going to involve
20 14 very different people, all pulling in the same
21 direction, with a very hard deadline. And, again, I don't
22 know that I have unique strengths in that area, but it's
23 an area where I have a lot of skill and expertise and
24 where I would be very interested in helping.

25 PANEL MEMBER SPANO: What would you like to see in

1 an expert or consultant to assist the Commission?

2 MR. LEVIN: I think one of the interesting
3 questions, which I'm struggling with a little is whether
4 the Commission wants to hire intentionally biased staff,
5 presumably on both sides, so that they could get sort of
6 the 360° view, but let's assume we don't want to do that
7 because I think that would be a little risky. Look, I
8 think we need staff who are smart because we don't know
9 what the job is that we have to do; I mean, we know what
10 the end result is that we need to accomplish, but we're
11 going to need people who can learn, who can be flexible,
12 and we're going to need people who are experts,
13 particularly in some of these technical areas like the
14 Voting Rights Act. I mean, I have read the Act, I've read
15 various analyses of the Act, this one is from a
16 publication of the NAACP and the American-Asian Justice
17 Center, and the Mexican-American Legal Defense and
18 Education Fund, I mean, this is tough stuff, it's not -
19 and I deal with lawyers all the time, I read contracts on
20 a regular basis, I deal with the Federal Aviation
21 Administration, I deal with Federal Communications
22 Commission, not with the Commissions themselves, but with
23 the Regulations they promulgate. You know, we are going
24 to need people who are technical experts and who are able
25 to communicate that expertise to people who are not

1 experts. And that's the hard part in some ways, right? I
2 mean, finding somebody who really knows the Voting Rights
3 Act is one thing, finding somebody who can explain it in
4 small enough words that people like me are going to be
5 able to understand what it means to the way we need to do
6 our job is going to be tough. And obviously, I think this
7 whole process has been built around impartiality, it's
8 been built around an absence of political influence and
9 involvement, and it would be critical that we apply at
10 least the same standards to our staff that have been
11 applied to the Commissioners. So, I think those are three
12 of the key characteristics I would like to see.

13 PANEL MEMBER SPANO: Thank you. Do you think with
14 your extensive career that this is going to be the most
15 challenging task that you've ever faced?

16 MR. LEVIN: It could easily be. It's impossible
17 to know without meeting the other Commissioners and
18 without doing even more research on what the task entails,
19 but it could easily be - and I've dealt with some pretty
20 hard problems in the past.

21 PANEL MEMBER SPANO: Do you think it would be
22 particularly difficult, knowing you have never met these
23 people before, and you've got to pull out a project with
24 no forgiveness for a deadline?

25 MR. LEVIN: Absolutely.

1 PANEL MEMBER SPANO: Yeah.

2 MR. LEVIN: I mean, I think that's one of the - as
3 I said at the very beginning, I think that's one of the
4 key issues. So much of human interaction is reliant on
5 interpersonal relationships. What looks to you like a
6 perfectly reasonable statement on my part, may look to Ms.
7 Camacho like this most horrific thing she's ever heard
8 because you have different interpretations of my
9 intentions, because you don't know me, and you're not used
10 to my verbal style, you're not used to the way I am in the
11 world. Figuring out how to help these 14 people get to
12 know each other within the constraints of the process that
13 is defined by the Act, I think, is going to be very
14 important.

15 PANEL MEMBER SPANO: Yeah, I know you mentioned
16 social gathering of some sort to... You mentioned in your
17 application, you built this foundation by being trained in
18 applying a variety of process improvement and data
19 analysis tools, including the Six Sigma methodology. Not
20 in technical terms, can you tell me about how you've
21 integrated data analysis to this process improvement
22 methods?

23 MR. LEVIN: Yeah, they are unrelated - well,
24 they're related things, but they're not the same things,
25 so - Six Sigma is a process improvement methodology that

1 was very popular at General Electric, and my boss worked
2 at General Electric. And it's essentially all about two
3 things, one is what is the process that you use for
4 getting a project to work well. And a lot of my thinking
5 about clearly establishing what the goal is at the
6 beginning, for example, is abstracted out of that. So,
7 Six Sigma, you know, you can use it to improve process in
8 a nuclear reactor and that's not the sort of thing that I
9 do for a living, but I have drawn from it many of the
10 basic concepts, and I use them every day. One piece of
11 Six Sigma is various kinds of statistical techniques that
12 can be used to analyze data and to try and understand what
13 the data is telling you.

14 PANEL MEMBER SPANO: Did you say one minute? A
15 minute and a half, okay.

16 MR. LEVIN: And I also use those tools. You know,
17 an academic education in statistics is all well and good,
18 but most of the things you never apply in the real world,
19 whereas Six Sigma is all about using statistical and data
20 analysis techniques that can be applied by relatively
21 normal human beings to relatively real world problems.
22 And I certainly value those tools and use them from time
23 to time.

24 PANEL MEMBER SPANO: Do you think this is an
25 approach that the Commission may want to embrace?

1 MR. LEVIN: I think from a project management
2 perspective, there are some things, absolutely, that the
3 Commission could draw from this. As to the particular
4 analytical tools and techniques, I'm not sure at this
5 point.

6 PANEL MEMBER SPANO: Okay, thank you.

7 MR. LEVIN: Thank you.

8 MS. RAMIREZ-RIDGEWAY: Panelists, are there
9 follow-up questions?

10 CHAIR AHMADI: I don't have any at this point.

11 VICE CHAIR CAMACHO: No.

12 MS. RAMIREZ-RIDGEWAY: Well, it's a rarity, but
13 you've answered or one of the panelists has asked the
14 questions that I wanted to ask you today. So, if we don't
15 have further questions from the panel -

16 CHAIR AHMADI: I do have one.

17 MS. RAMIREZ-RIDGEWAY: Oh, okay, we do.

18 CHAIR AHMADI: I was just waiting for you, so...
19 Mary, do you have any questions, or Kerri?

20 PANEL MEMBER SPANO: I will check first.

21 CHAIR AHMADI: Let me just ask you a quick one and
22 it's about your Form 700 completion. I think you
23 mentioned that you have an investment in Host Hotels.

24 MR. LEVIN: Okay.

25 CHAIR AHMADI: What is the nature of that

1 investment?

2 MR. LEVIN: Oh, boy -

3 CHAIR AHMADI: If you can recall.

4 MR. LEVIN: It's most likely that I own some
5 preferred stock because that is typically the investment I
6 make in that type of a company.

7 CHAIR AHMADI: Thank you, sir. The reason I ask
8 is that area was incomplete, and so I just wanted to take
9 advantage.

10 MR. LEVIN: Ah, I apologize, as I am sure you
11 realize, the Form 700 is somewhat daunting.

12 CHAIR AHMADI: Yes.

13 MR. LEVIN: I did my level best.

14 CHAIR AHMADI: Thank you so much. No further
15 questions.

16 MS. RAMIREZ-RIDGEWAY: Ms. Spano?

17 PANEL MEMBER SPANO: Mary, did you say you didn't
18 have anything?

19 VICE CHAIR CAMACHO: No, don't have any.

20 PANEL MEMBER SPANO: How much time do I have?

21 MS. RAMIREZ-RIDGEWAY: Thirty-one minutes.

22 PANEL MEMBER SPANO: All right, let's talk. Let
23 me get some water. You mentioned that you're exactly the
24 kind of impartial, unbiased citizen that the voters
25 imagine serving on the Commission. Can you tell us more

1 about the kind of citizens you think the voters of
2 California imagine when they voted for a Citizens
3 Redistricting Commission?

4 MR. LEVIN: I can tell you what I hope they
5 imagined. I hope they imagine people who don't bring any
6 bias of any kind, no preconceptions of any kind to the
7 table, people who want the best possible outcome for the
8 citizens of the state, all of the citizens of the state,
9 and nothing more and nothing less. I think the framers of
10 the Voters FIRST Act imagined people like me, people who
11 have not had involvement in the political process, but who
12 care about it, people who don't have an axe to grind, who
13 don't have a preconceived position, who do have the tools
14 necessary to help the Commission do its work, and who care
15 deeply that the Commission have a great outcome, and
16 that's what I meant to say in that sentence.

17 PANEL MEMBER SPANO: Thank you. How did you hear
18 about the Citizens Redistricting Commission?

19 MR. LEVIN: Well, I heard about it because I voted
20 for it. I was reminded of it by the radio, a radio
21 announcement, an advertisement that I think this Office
22 ran when you were soliciting applicants back in February,
23 I guess it was.

24 PANEL MEMBER SPANO: What made you want to apply?

25 MR. LEVIN: So, there are lots of different ways

1 that people can contribute to society. But at the end of
2 the day, I only have one thing to contribute that's worth
3 anything, and that's my time. And I decided that, if this
4 was something I really cared about, if it was something
5 that I really thought would make a difference, then I
6 would be a hypocrite if I wasn't willing to commit my time
7 to trying to make it successful, and that's why I applied.

8 PANEL MEMBER SPANO: Do you have an interest in
9 the political process at all? And if so, when did it
10 begin?

11 MR. LEVIN: I have a deeply rooted interest in the
12 political process that dates back to childhood. I
13 remember watching Walter Cronkite in the late '60s on the
14 television, talking about the Vietnam War. I remember
15 Mock Constitutional Convention in 4th Grade when I was
16 Alexander Hamilton. I've always cared about the way our
17 Democracy operates and the way it's run, I've just never
18 been involved in the way it's run, except as a voter.

19 PANEL MEMBER SPANO: Have you ever had a really
20 bad experience in a group decision making process?

21 MR. LEVIN: I've never had a really bad experience
22 that was the result of a group malfunction, or
23 malfunction, or something bad happening that involved a
24 bunch of people. I have had a bad experience in a group
25 setting that was caused by one individual, in particular,

1 the instance I'm thinking of, it was a situation where, in
2 my opinion, a data driven decision was called for, and we
3 had a particular individual who brought a lot of emotional
4 perspective to the problem, and really wasn't interested
5 in the data, he was only interested in what he thought was
6 the right thing to do, and that was extremely difficult
7 because several of us, including myself, felt that the
8 decision should be made based on the data that was before
9 us, not on any one's opinions. I've never been part of
10 really dysfunctional group, maybe in part that is because
11 most of the groups that I am involved in are professional
12 in nature, and people who are dysfunctional in groups that
13 are professional in nature don't tend to be around very
14 long. And both of the nonprofits that I'm involved with,
15 the Flying Club, and the Soccer Club, the groups are very
16 effective at making good decisions. That isn't to say
17 that we don't disagree, we do from time to time, but we've
18 been quite effective at resolving those disagreements.

19 PANEL MEMBER SPANO: Is it because you got to know
20 these people in those groups, the soccer and the flying
21 club?

22 MR. LEVIN: No, in neither case did I know the
23 people ahead of time. In both cases, there was a very
24 strong shared interest, so all of the members of the Board
25 of the Soccer club have kids who either presently are, or

1 have been at some point in the past, playing on the teams
2 in the club, so our interests are all aligned. I mean, we
3 may see things differently and we may have disagreements,
4 but at the end of the day, we all want the best thing for
5 the kids. And it's very rare that the sort of one bad
6 thing that might happen happens. And that is, it is
7 possible that somebody could get tied up in a knot because
8 they think their kid's interests are at odds with
9 everybody else's interests; that just hasn't happened. At
10 the flying club, it is a little different. A flying club
11 is an organization that exists to make airplanes available
12 to pilots, and by the nature of the organization, you have
13 four different groups of people, you have people who own
14 airplanes and want to rent them out to pilots, you have
15 flight instructors who are in the business of teaching
16 people how to fly and trying to make money by doing that,
17 you have the pilot members who just want to learn and fly,
18 and then, in a large flying club, you have employees. And
19 they want a paycheck, they don't really care if anything
20 else happens. Well, of course, that's not true, but their
21 motivations are different than everybody else's. In that
22 particular Board, each of those groups is represented on
23 the Board, so there is a flight instructor member of the
24 Board, there's an owner's representative, there's the
25 general manager who is a representative of the employees,

1 and then there are four at-large members. I didn't know
2 them all before I joined the Board, but, again, at the end
3 of the day, if the club doesn't operate effectively, then
4 nobody's needs get met and so there are some push and
5 shove about whether the interests of one group should
6 predominate over the interests of another, and certainly
7 there have been disagreements, some of them rather
8 rancorous, but at the end of the day, everybody wants the
9 right thing for the club, and so we've generally been able
10 to get to a good outcome.

11 PANEL MEMBER SPANO: Are you the peacemaker?

12 MR. LEVIN: I am a peacemaker. I am a consensus
13 seeker. I'm somebody who asks questions in an attempt to
14 get everybody onto the same page, and proposes solutions
15 that I think might meet the needs of the differing groups.

16 PANEL MEMBER SPANO: You say you were selected as
17 the dispute officer for your soccer club, and because
18 everyone knows that you come to each matter without any
19 preexisting position or preferences for either side. How
20 does the role of dispute officer fit within the framework
21 of the Board in the League?

22 MR. LEVIN: Each member of the Board also has some
23 job, for example, one of the members of the Board - I
24 think he is a member of the Board - is the Referee
25 Coordinator, so he schedules all the referees for the

1 games. I know this is a little esoteric, but frankly, my
2 role as dispute officer gets invoked very uncommonly,
3 perhaps once or twice a year, and generally it involves a
4 situation where a parent or a manager of a team feels that
5 the club is making some decision that they don't agree
6 with, and that they can't get anybody to listen to them.
7 And my job is to listen, it's to listen to them, it's to
8 listen to whoever is opposing them, and then to try and
9 help everybody see each other's point of view and get to
10 some middle ground.

11 PANEL MEMBER SPANO: What types of issues?

12 MR. LEVIN: Every little fiddly thing you could
13 imagine. One of them had to do with scheduling fields, so
14 there was a team that really wanted to practice on a field
15 that was near the school where most of their kids went to
16 school, and at a time that was appropriate for the kids to
17 be able to walk to the field after school, but we
18 scheduled fields, as a matter of policy, using an age-
19 based algorithm, so the older kids get to pick which
20 fields they want and when they want them, and then the
21 younger kids follow in order and this team was a pretty
22 young team, and so they didn't get what they wanted. And
23 so they - you know, the guy in question is a CEO and a
24 very opinionated individual who is used to being heard,
25 and he didn't feel he was being heard. So, I went out to

1 lunch with him and I listened to what he had to say, and
2 then I went back to the Board of the club, and I frankly
3 don't even remember what the outcome was, but people felt
4 better.

5 PANEL MEMBER SPANO: A general positive outcome.

6 MR. LEVIN: One assumes. The team is still at the
7 club.

8 PANEL MEMBER SPANO: Well, that's good. Do you
9 act more like a mediator, you would say?

10 MR. LEVIN: In that context, I do. Yeah.

11 PANEL MEMBER SPANO: How easy is it to be
12 impartial?

13 MR. LEVIN: You know, it's very easy for me to be
14 impartial because, to me, impartiality is all about
15 timeframe. People get biased when they have a short term
16 view, in my opinion, when they're solving for some
17 immediate preference. But I almost never solve for an
18 immediate preference, I want the best long term outcome,
19 and the best long term outcome almost always comes from
20 being impartial, unbiased, from seeking ground that is not
21 polluted by any particular short term goal or perspective.
22 Also, I suppose it's just my personality.

23 PANEL MEMBER SPANO: I think that's it for me.

24 MS. RAMIREZ-RIDGEWAY: Further questions,
25 Panelists?

1 VICE CHAIR CAMACHO: No.

2 CHAIR AHMADI: I have one question since we have
3 time. What would you say to a person who thinks that your
4 personal aspirations may improperly influence your
5 decision on the Commission?

6 MR. LEVIN: I would ask them what aspirations they
7 thought I had that were influencing me - because I don't
8 have any aspirations that are influencing me. So, I mean,
9 this is one of the things that happens, right? People
10 misunderstand other people's goals or intentions.
11 Usually, it's intentions, so two people read one person
12 differently because one of them thinks the other person is
13 trying to be mean, and the other person thinks the person
14 is just trying to get an answer to their question, or
15 something like that. Since I have no aspirations that are
16 affecting my - or biasing my work for the Commission, the
17 first thing I would want to try to understand is, well,
18 how am I showing up that is making you feel that way?
19 What behavior do you see in me that is leading you to
20 believe I have some aspiration? And what do you think it
21 is? And how can I help you understand that it's not true?

22 CHAIR AHMADI: Okay. Thank you so much.

23 MS. RAMIREZ-RIDGEWAY: We have about 19 minutes
24 left, if you care to make a closing statement?

25 MR. LEVIN: I'm thinking. I know you can smell

1 the smoke. You know, we haven't talked at too much length
2 about diversity in the political process, or the
3 importance of communities of interest, so I'm going to say
4 just a few words to get on the record on that front.

5 One of these many pieces of paper before you is a
6 little tidbit that the ACLU of Northern California did on
7 the 40th anniversary of the Voting Rights Act of 1965. And
8 it reflected on the fact that the Voting Rights Act was
9 perhaps one of the most important civil liberties related
10 laws that's ever been passed in this country. And it
11 also, much to my fascination, reflected on the fact that
12 the Act was signed by a Democratic President, and then
13 renewed by four successive Republican Presidents,
14 including Ronald Reagan, who upheld the right to vote as
15 the crown jewel of American liberties. Prior to the
16 enactment of the Voting Rights Act, there were fewer than
17 300 African-Americans in public office in this country,
18 including just three in Congress. And today, well, on the
19 40th anniversary, which obviously is not today, there are
20 more than 9,000 elected African-American officials,
21 including 43 members of Congress.

22 Now, I wish we lived in a world where minorities
23 didn't need to be protected and where everybody had equal
24 opportunity, and I am honored to live and work in probably
25 the most diverse community on the planet. In Silicon

1 Valley, there is only one thing that matters, it's not the
2 color of your skin, or your religion, or where you went to
3 school, or even what kind of degree you have, it's whether
4 you're good at your job. And I value that tremendously.
5 And I wish our political process was more like it.

6 In the '90s, when the Supreme Court began to push
7 back on the idea of using race as a measure in
8 redistricting, the concept of communities of interest
9 began to arise. And today it's included by mention in
10 Proposition 11 and, if Proposition 20 passes, it will be
11 defined in more detail. And I think it is a great
12 challenge because, historically, redistricting has focused
13 on geography and, in fact, Proposition 11 and Proposition
14 20 both continue that focus on geography by asserting that
15 maintaining the integrity of cities and counties is a very
16 important element of what we do. But, at the end of the
17 day, if this Commission is going to serve the interests of
18 the people, the State, we have to do what we can to make
19 sure that everybody's voice is heard, not just in the four
20 counties that are covered by Section 5 of the Voting
21 Rights Act, but for all members of our State.

22 One of the things that we didn't touch on, and I
23 am exceedingly proud of, is the fact that, when we formed
24 Lesbian Gay Bisexual and Transgender Employee Network at
25 Intuit, they asked me if I would be their Executive

1 Sponsor. Now, I'm not a member of that community, and
2 nobody thought that I was, but they asked me anyway
3 because they knew that I cared deeply about that
4 community, as I do about every employee of that company,
5 as I did, and that I would do a great job as their sponsor
6 to help make that network as successful as it could be,
7 and help make the culture as supportive of that community
8 as possible. And I think that says a lot about me, but I
9 also think it says a lot about me that I responded by
10 saying, "Look, I would be honored. But, if we can find a
11 member of your community who can do as good a job, I think
12 it would make a more powerful positive statement to the
13 rest of the employees. And I think that would be a better
14 outcome for you and for the company." And we were able to
15 find somebody from that community who was an appropriate
16 Executive Sponsor. And that says a lot about two things,
17 1) it says a lot about the way I feel about diversity and
18 the importance of diversity; but it also says that I'm not
19 somebody who seeks the limelight, it wasn't about me, it
20 wasn't about whether I got to stand up in front of
21 everybody and celebrate the glory of my appreciation of
22 diversity, that wasn't the point, the point was the
23 outcome for those people. I wanted it to be the best it
24 could be. And that's the attitude that I would bring to
25 the work of this Commission, as well.

1 Thank you again very much for the time today. Any
2 last questions? We still have a few minutes.

3 CHAIR AHMADI: No.

4 MS. RAMIREZ-RIDGEWAY: Not from me.

5 MR. LEVIN: Thank you again. I cannot imagine how
6 you are doing this. I mean, I've done a lot of interviews
7 in my life, but 120 interviews with mostly the same
8 questions in the same room would be enough to try anyone's
9 patience and you're doing a fabulous job in this, as you
10 are in the rest of the work of your panel. And I
11 appreciate it. Whether I end up on the Commission or not,
12 I have a lot of confidence that it'll do a great job. And
13 I certainly look forward to living in a California that is
14 redistricted by a group of citizens and not by a group of
15 politicians. Thank you.

16 CHAIR AHMADI: Thank you, sir.

17 PANEL MEMBER SPANO: Thank you.

18 VICE CHAIR CAMACHO: Thank you.

19 MS. RAMIREZ-RIDGEWAY: Thank you so much for
20 coming to see us, Mr. Levin. Let's recess until 12:59.

21 (Recess at 12:18 p.m.)

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