



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

October 26, 2011

Commissioner Colleen Mathis, Chair
Commissioner Jose Herrera
Commissioner Scott Freeman
Commissioner Linda McNulty
Commissioner Richard Stertz

Independent Redistricting Commission
1100 W. Washington Street
Phoenix, AZ 85007

Commissioners:

In accordance with my Constitutional authority and responsibility pursuant to the Arizona Constitution Art. 4, Pt. 2, §1(10), this letter is written notice of allegations that you have committed substantial neglect of duty and gross misconduct in office while serving on the Independent Redistricting Commission (IRC). I am duty bound to ensure that Arizona's redistricting process is constitutionally sound and worthy of the full faith and confidence of Arizona voters. The IRC has violated constitutional requirements by abandoning the required grid-like pattern during the initial process of drawing congressional districts in Maricopa County, drawing draft congressional District 9 in Maricopa County using competitiveness as the first or primary factor, engaged in gerrymandering that disregards requirements of compact and contiguous districts that respect communities of interest, and requiring three border districts as a goal. Furthermore, the IRC has refused to cooperate with the Arizona Attorney General's investigation (even refusing to answer questions when someone innocent of wrongdoing should be willing to respond), pre-arranged votes in violation of open meeting requirements and principles, and committed procurement improprieties in order to manipulate the selection of specific vendors.

I believe good-faith answers can cast much-needed light upon the actions of the IRC. This is your opportunity to respond to the issues raised above and to the following list of IRC actions contributing to substantial neglect of duty and gross misconduct in office. I request that each of you individually and independently provide a direct and thorough response. If you do not believe these allegations apply to you individually, please explain why in your response.

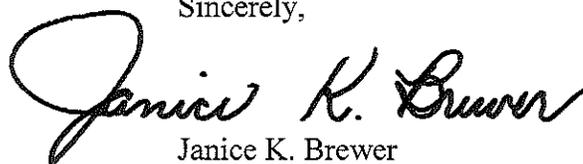
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1. IRC commissioners had conversations with other IRC commissioners, outside of a meeting open to the public, to pre-arrange voting for and awarding the IRC mapping consultant contract to Strategic Telemetry.
2. IRC commissioners had conversations with other IRC commissioners, outside of a meeting open to the public, to discuss a unanimous IRC vote awarding the IRC mapping consultant contract to Strategic Telemetry.
3. IRC commissioners had conversations with other IRC commissioners about awarding a perfect evaluation score to Strategic Telemetry during the procurement process to guarantee the selection of a specific mapping consultant for the IRC and commissioners ultimately awarded a perfect evaluation score to Strategic Telemetry.
4. IRC commissioners have refused to cooperate with Attorney General Horne's investigation of the IRC.
5. During the commencement of the mapping process for congressional districts and state legislative districts, the Arizona Constitution requires the creation of districts of equal population in a grid-like pattern across the State of Arizona. The IRC abandoned using the required grid-like pattern into and through Maricopa County when drafting congressional or state legislative maps and instead improperly utilized an initial map that included what has been described as a "donut hole." The IRC then drew draft congressional District 9 in Maricopa County improperly using competitiveness as the first or primary factor.
6. District 1 and District 4 on the draft congressional map also do not comply with the Arizona Constitution and (i) are not geographically compact and contiguous; (ii) do not respect communities of interest, and (iii) were not drawn using visible geographic features.
7. The IRC does not have the legal authority, using public monies at a considerable cost to the taxpayers, to retain multiple attorneys to represent certain IRC Commissioners individually to litigate and seek the disqualification of the Attorney General's office from pursuing an investigation of the IRC.

Your response to the foregoing must be received no later than 8:00 a.m., Arizona time, on October 31, 2011. I request that your response also include a written Declaration signed by you stating that you "certify under penalty of perjury that my response to all questions and requests are true and correct." Furthermore, failure to respond will be taken as an admission.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer". The signature is written in black ink and is positioned above the printed name and title.

Janice K. Brewer
Governor