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4  
5 LEGISLATIVE COMMITTEE

6 ON

7 REAPPORTIONMENT

8  
9 PUBLIC HEARING

10 JULY 27, 2023

11 1:37 p.m

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13  
14  
15 CERTIFIED STENOGRAPHER:

16 CAROL J. REYER (APEARING REMOTELY)

<p style="text-align: right;">Page 2</p> <p>1 PROCEEDINGS</p> <p>2 July 27, 2023 1:37 p.m.</p> <p>3</p> <p>4 THE CLERK: Senator Barfoot?</p> <p>5 SENATOR BARFOOT: Here.</p> <p>6 THE CLERK: Senator Bell?</p> <p>7 SENATOR BELL: Here.</p> <p>8 THE CLERK: Senator Chesteen?</p> <p>9 SENATOR CHESTEEN: Here.</p> <p>10 THE CLERK: Senator Figures?</p> <p>11 SENATOR FIGURES: Here.</p> <p>12 THE CLERK: Senator Livingston?</p> <p>13 SENATOR LIVINGSTON: Here.</p> <p>14 THE CLERK: Senator Orr?</p> <p>15 SENATOR ORR: Here.</p> <p>16 THE CLERK: Senator Roberts?</p> <p>17 SENATOR ROBERTS: Here.</p> <p>18 THE CLERK: Senator Scofield?</p> <p>19 SENATOR SCOFIELD: Here.</p> <p>20 THE CLERK: Senator Singleton?</p> <p>21 SENATOR SINGLETON: Here.</p> <p>22 THE CLERK: Senator Smitherman?</p> <p>23 SENATOR SMITHERMAN: Here.</p>	<p style="text-align: right;">Page 4</p> <p>1 REPRESENTATIVE LOVVORN: Here.</p> <p>2 THE CLERK: Representative</p> <p>3 Pringle?</p> <p>4 REPRESENTATIVE PRINGLE: Here.</p> <p>5 THE CLERK: And Representative</p> <p>6 Reynolds?</p> <p>7 REPRESENTATIVE REYNOLDS: Here.</p> <p>8 THE CLERK: We've got 21 present.</p> <p>9 We have a quorum.</p> <p>10 UNIDENTIFIED SPEAKER: 21 members</p> <p>11 being present, we do have a quorum.</p> <p>12 Mr. Chairman.</p> <p>13 CHAIRMAN PRINGLE: The next item</p> <p>14 on the agenda is the election of co-chairs</p> <p>15 for this committee. Do I have a --</p> <p>16 Representative Clouse?</p> <p>17 REPRESENTATIVE CLOUSE:</p> <p>18 Representative Pringle, I nominate</p> <p>19 Representative Pringle for chairman.</p> <p>20 CHAIRMAN PRINGLE: Co-chair of the</p> <p>21 House? Go ahead. Do I have a second? Do</p> <p>22 we have a nomination for -- yes, Senator</p> <p>23 Figures.</p>
<p style="text-align: right;">Page 3</p> <p>1 THE CLERK: Senator Williams?</p> <p>2 SENATOR WILLIAMS: Here.</p> <p>3 THE CLERK: Representative Almond?</p> <p>4 REPRESENTATIVE ALMOND: Here.</p> <p>5 THE CLERK: Representative Boyd?</p> <p>6 REPRESENTATIVE BOYD: Here.</p> <p>7 THE CLERK: Representative Carns.</p> <p>8 (No audible response.)</p> <p>9 THE CLERK: Representative Clouse?</p> <p>10 REPRESENTATIVE CLOUSE: Here.</p> <p>11 THE CLERK: Representative Ellis?</p> <p>12 REPRESENTATIVE ELLIS: Here.</p> <p>13 THE CLERK: Representative</p> <p>14 England?</p> <p>15 REPRESENTATIVE ENGLAND: Roll</p> <p>16 Tide.</p> <p>17 THE CLERK: Roll Tide.</p> <p>18 Representative Hall?</p> <p>19 REPRESENTATIVE HALL: Here.</p> <p>20 THE CLERK: Representative Jones?</p> <p>21 (No audible response.)</p> <p>22 THE CLERK: Representative</p> <p>23 Lovvorn?</p>	<p style="text-align: right;">Page 5</p> <p>1 SENATOR FIGURES: Mr. Chairman,</p> <p>2 thank you for the recognition. I think in</p> <p>3 light of us having come back here for this</p> <p>4 reason of redrawing the congressional</p> <p>5 lines for the State of Alabama, coming</p> <p>6 from the court case, I think that it's</p> <p>7 important that we show diversity in our</p> <p>8 chairmanships, and I think it would send a</p> <p>9 great message of -- in the spirit of</p> <p>10 fairness and in the spirit of</p> <p>11 bipartisanship that we have one chair from</p> <p>12 the House who is -- one chair from each</p> <p>13 house, if you will, be a minority. And I</p> <p>14 would like to yield to Representative Hall</p> <p>15 for that nomination for the House</p> <p>16 co-chair.</p> <p>17 UNIDENTIFIED SPEAKER: And I'd</p> <p>18 like to nominate Chris England.</p> <p>19 SENATOR FIGURES: I second.</p> <p>20 CHAIRMAN PRINGLE: We have a</p> <p>21 motion and a second. Do we have a motion</p> <p>22 to close nominations on the House</p> <p>23 co-chair?</p>

<p style="text-align: right;">Page 6</p> <p>1 UNIDENTIFIED SPEAKER: So moved.</p> <p>2 CHAIRMAN PRINGLE: We have a</p> <p>3 motion and a second. Now we have -- do we</p> <p>4 just want to vote on the House -- do you</p> <p>5 want to vote on the House first?</p> <p>6 UNIDENTIFIED SPEAKER: Yes, sir.</p> <p>7 SENATOR FIGURES: I'd like to have</p> <p>8 a roll call vote, Mr. Chair.</p> <p>9 CHAIRMAN PRINGLE: We have a roll</p> <p>10 call vote on the House co-chairman. The</p> <p>11 clerk will call the roll and you'll</p> <p>12 announce -- the members will announce who</p> <p>13 they are supporting.</p> <p>14 UNIDENTIFIED SPEAKER:</p> <p>15 Mr. Chairman?</p> <p>16 CHAIRMAN PRINGLE: Yeah.</p> <p>17 UNIDENTIFIED SPEAKER: A point of</p> <p>18 order, who are the candidates?</p> <p>19 CHAIRMAN PRINGLE: It would be me</p> <p>20 and Representative England.</p> <p>21 UNIDENTIFIED SPEAKER: Okay. So</p> <p>22 the vote would be mention Representative</p> <p>23 England or Representative Pringle?</p>	<p style="text-align: right;">Page 8</p> <p>1 Pringle.</p> <p>2 THE CLERK: Senator Figures?</p> <p>3 SENATOR FIGURES: Representative</p> <p>4 Chris England.</p> <p>5 THE CLERK: Senator Livingston?</p> <p>6 SENATOR LIVINGSTON:</p> <p>7 Representative Pringle.</p> <p>8 THE CLERK: Senator Orr?</p> <p>9 SENATOR ORR: Representative</p> <p>10 Pringle.</p> <p>11 THE CLERK: Senator Roberts?</p> <p>12 SENATOR ROBERTS: Representative</p> <p>13 Pringle.</p> <p>14 THE CLERK: Senator Scofield?</p> <p>15 SENATOR SCOFIELD: Representative</p> <p>16 Pringle.</p> <p>17 THE CLERK: Senator Singleton?</p> <p>18 SENATOR SINGLETON: Representative</p> <p>19 England.</p> <p>20 THE CLERK: Senator Smitherman?</p> <p>21 SENATOR SMITHERMAN:</p> <p>22 Representative England.</p> <p>23 THE CLERK: Senator Williams?</p>
<p style="text-align: right;">Page 7</p> <p>1 CHAIRMAN PRINGLE: CHAIRMAN</p> <p>2 PRINGLE, yes, for the House co-chair.</p> <p>3 Then we'll elect a Senate co-chair.</p> <p>4 UNIDENTIFIED SPEAKER: Thank you,</p> <p>5 Mr. Chairman.</p> <p>6 SENATOR FIGURES: And I'm just</p> <p>7 asking that one would be a minority and</p> <p>8 the other one would be a majority, or if</p> <p>9 you will, one a Democrat and the other one</p> <p>10 a Republican.</p> <p>11 UNIDENTIFIED SPEAKER: I second.</p> <p>12 CHAIRMAN PRINGLE: Well, you heard</p> <p>13 the motion. The Clerk will call the roll,</p> <p>14 and the members will announce a vote for</p> <p>15 either Pringle or England.</p> <p>16 THE CLERK: Senator Barfoot?</p> <p>17 SENATOR BARFOOT: Representative</p> <p>18 Pringle.</p> <p>19 THE CLERK: Senator Bell?</p> <p>20 SENATOR BELL: Representative</p> <p>21 Pringle.</p> <p>22 THE CLERK: Senator Chesteen?</p> <p>23 SENATOR CHESTEEN: Representative</p>	<p style="text-align: right;">Page 9</p> <p>1 SENATOR WILLIAMS: Representative</p> <p>2 Pringle.</p> <p>3 THE CLERK: Representative Almond?</p> <p>4 REPRESENTATIVE ALMOND:</p> <p>5 Representative Pringle.</p> <p>6 THE CLERK: Representative Boyd?</p> <p>7 REPRESENTATIVE BOYD:</p> <p>8 Representative Chris England.</p> <p>9 THE CLERK: Representative Carns</p> <p>10 -- Representative Clouse?</p> <p>11 REPRESENTATIVE CLOUSE:</p> <p>12 Representative Pringle.</p> <p>13 THE CLERK: Representative Ellis?</p> <p>14 REPRESENTATIVE ELLIS:</p> <p>15 Representative Pringle.</p> <p>16 THE CLERK: Representative</p> <p>17 England?</p> <p>18 REPRESENTATIVE ENGLAND:</p> <p>19 Representative England.</p> <p>20 THE CLERK: Representative Hall?</p> <p>21 REPRESENTATIVE HALL:</p> <p>22 Representative Chris England.</p> <p>23 THE CLERK: Representative Jones?</p>

<p style="text-align: right;">Page 10</p> <p>1 REPRESENTATIVE JONES:  2 Representative England.  3 THE CLERK: Representative  4 Lovvorn?  5 REPRESENTATIVE LOVVORN:  6 Representative Pringle.  7 THE CLERK: Representative  8 Pringle?  9 REPRESENTATIVE PRINGLE: Pringle.  10 THE CLERK: Representative  11 Reynolds?  12 REPRESENTATIVE REYNOLDS:  13 Representative Pringle.  14 THE CLERK: It's 14 to 7 for  15 Pringle.  16 CHAIRMAN PRINGLE: Thank you,  17 ladies and gentlemen.  18 The next order of business is to  19 elect a Senate co-chairman. Do I have a  20 -- the floor is open for nominations.  21 Senator Bell?  22 REPRESENTATIVE HALL: Chair?  23 CHAIRMAN PRINGLE: Yes,</p>	<p style="text-align: right;">Page 12</p> <p>1 Livingston.  2 THE CLERK: Senator Bell?  3 SENATOR BELL: Senator Livingston.  4 THE CLERK: Senator Chesteen?  5 SENATOR CHESTEEN: Senator  6 Livingston.  7 THE CLERK: Senator Figures?  8 SENATOR FIGURES: Senator  9 Singleton.  10 THE CLERK: Senator Livingston?  11 SENATOR LIVINGSTON: Livingston.  12 THE CLERK: Senator Orr?  13 SENATOR ORR: Senator Livingston.  14 THE CLERK: Senator Roberts?  15 SENATOR ROBERTS: Senator  16 Livingston.  17 THE CLERK: Senator Scofield?  18 SENATOR SCOFIELD: Senator  19 Livingston.  20 THE CLERK: Senator Singleton?  21 SENATOR SINGLETON: Singleton.  22 THE CLERK: Senator Smitherman?  23 SENATOR SMITHERMAN: Senator</p>
<p style="text-align: right;">Page 11</p> <p>1 Representative Hall?  2 REPRESENTATIVE HALL: I'd like to  3 nominate Senator Singleton.  4 CHAIRMAN PRINGLE: Do we have a  5 representative for --  6 SENATOR FIGURES: I second.  7 CHAIRMAN PRINGLE: Do we have a  8 second on Mr. Livingston?  9 UNIDENTIFIED SPEAKER: Second.  10 CHAIRMAN PRINGLE: We have a  11 second.  12 UNIDENTIFIED SPEAKER: We've got a  13 second?  14 CHAIRMAN PRINGLE: Yeah, we've got  15 a first and second. The question now is  16 on Senator Singleton or Senator  17 Livingston. The clerk will call the roll.  18 Those in favor of Livingston will say  19 "Livingston," and those for Singleton will  20 say "Singleton."  21 Clerk, call the roll.  22 THE CLERK: Senator Barfoot?  23 SENATOR BARFOOT: Senator</p>	<p style="text-align: right;">Page 13</p> <p>1 Singleton.  2 THE CLERK: Senator Williams?  3 Senator Williams?  4 SENATOR WILLIAMS: I'm sorry.  5 Livingston. I was looking at my map just  6 for a minute.  7 THE CLERK: Representative Almond?  8 REPRESENTATIVE ALMOND: Senator  9 Livingston.  10 THE CLERK: Representative Boyd?  11 REPRESENTATIVE BOYD: Senator  12 Singleton.  13 THE CLERK: Representative Clouse?  14 REPRESENTATIVE CLOUSE: Senator  15 Livingston.  16 THE CLERK: Representative Ellis?  17 REPRESENTATIVE ELLIS: Senator  18 Livingston.  19 THE CLERK: Representative  20 England?  21 REPRESENTATIVE ENGLAND: Senator  22 Singleton.  23 THE CLERK: Representative Hall?</p>

<p style="text-align: right;">Page 14</p> <p>1 REPRESENTATIVE HALL: Senator 2 Singleton. 3 THE CLERK: Representative Jones? 4 REPRESENTATIVE JONES: Senator -- 5 Senator Singleton. 6 THE CLERK: Representative 7 Lovvorn? 8 REPRESENTATIVE LOVVORN: Senator 9 Livingston. 10 THE CLERK: Representative 11 Pringle? 12 CHAIRMAN PRINGLE: Senator 13 Livingston. 14 THE CLERK: Representative 15 Reynolds? 16 REPRESENTATIVE REYNOLDS: Senator 17 Livingston. 18 THE CLERK: It's 14 to 7 for 19 Livingston. 20 CHAIRMAN PRINGLE: Moving on to 21 the next item of business to review and 22 approve the minutes from the last meeting. 23 They're inside your packet. So do I have</p>	<p style="text-align: right;">Page 16</p> <p>1 you're submitting a plan, we need your 2 name, your address, and your phone number. 3 And if you're submitting on behalf of 4 another organization, we need the name of 5 that organization, its address and phone 6 number. That way if we have any questions 7 from the committee, we'll know who to 8 contact to address those questions. 9 As you know -- yes. Yes, Senator? 10 UNIDENTIFIED SPEAKER: Will we 11 adopt -- wait until that July 13th meeting 12 to adopt or whatever (inaudible) at the 13 next meeting? 14 CHAIRMAN PRINGLE: We have on the 15 agenda today to adopt the guidelines. 16 UNIDENTIFIED SPEAKER: Okay. 17 CHAIRMAN PRINGLE: Yeah. Anyway, 18 we'll discuss the guidelines today. As 19 you well know, the Governor has called a 20 special extraordinary session for July 21 17th to start. After that session, the 22 plan will be presented to the Federal 23 Court in Birmingham on August the 14th,</p>
<p style="text-align: right;">Page 15</p> <p>1 a motion? 2 UNIDENTIFIED SPEAKER: So moved. 3 CHAIRMAN PRINGLE: I have a 4 motion. Do I have a second? 5 (Inaudible.) 6 CHAIRMAN PRINGLE: I have a 7 second. All in favor say "aye." 8 (Collective aye.) 9 CHAIRMAN PRINGLE: The minutes are 10 approved. 11 I'd like to thank everybody for 12 being here today. I'd like to remind 13 everybody that July the 7th at 5:00 p.m. 14 is the deadline to submit plans to the 15 committee. I believe we already have over 16 100 from as far away as France, so we 17 will -- we are processing them as fast as 18 possible, and we will talk about those at 19 the next meeting, which will be July the 20 13th in Room 200 here. 21 UNIDENTIFIED SPEAKER: You need to 22 submit your name. 23 CHAIRMAN PRINGLE: Yeah, and if</p>	<p style="text-align: right;">Page 17</p> <p>1 and then we'll have a hearing in 2 Birmingham when the Court schedules it. 3 But this is just one of many steps we have 4 to go through on this process. 5 Everybody on the committee has 6 been given a copy of the guidelines. We 7 ask you to please review those guidelines. 8 Since today is just a public hearing, 9 we're not going to adopt anything. But we 10 do want to hear -- we want you to read the 11 guidelines, review them, and we'll discuss 12 them and we'll vote on them the next 13 meeting. So that gives you plenty of time 14 to look at them and review them. 15 SENATOR FIGURES: Mr. Chairman? 16 CHAIRMAN PRINGLE: Yes, ma'am. 17 SENATOR FIGURES: So am I looking 18 at the -- what's the heading that you've 19 got? Just what's the name? 20 CHAIRMAN PRINGLE: Reapportionment 21 Committee Redistricting Guidelines. 22 SENATOR FIGURES: What's the date? 23 Do you have a date on there?</p>



<p style="text-align: right;">Page 18</p> <p>1 CHAIRMAN PRINGLE: May 5th, 2021.  2 They're carried over from the last adopted  3 guidelines. That's the reason we want  4 everybody to read them and look at them.  5 Yes?  6 UNIDENTIFIED SPEAKER: I'm looking  7 at these, but they seem to me to be the --  8 CHAIRMAN PRINGLE: Will you please  9 turn your microphone on?  10 UNIDENTIFIED SPEAKER: I thought I  11 had it on.  12 CHAIRMAN PRINGLE: No. There you  13 go.  14 UNIDENTIFIED SPEAKER: Thank you  15 so much, Mr. Chairman.  16 I'm looking at these dated May 5,  17 2021. These are the ones that we had last  18 time. My question is: How do these  19 differ in any way from those we used  20 before if they're the same, or what?  21 CHAIRMAN PRINGLE: They're the  22 same. We gave you the ones that we had to  23 adopt last time for your review and input,</p>	<p style="text-align: right;">Page 20</p> <p>1 procedure that we'll adopt if we're  2 offering amendments to these guidelines?  3 CHAIRMAN PRINGLE: We're going to  4 have a meeting to discuss them, yes, sir,  5 in the next meeting.  6 UNIDENTIFIED SPEAKER: It would  7 seem to me that it would be important for  8 us to try to change the procedure  9 considering the initial procedure got us  10 in a little bit of hot water. So maybe  11 over the course of the next couple of  12 weeks we can take a look at these  13 guidelines and see if there's some things  14 that need to be tweaked so we can avoid  15 any back in court for doing the same thing  16 and expecting a different result.  17 So do I need to submit any changes  18 to these guidelines in writing prior to  19 the next meeting, or do I need to wait  20 until we get there?  21 CHAIRMAN PRINGLE: It would be  22 helpful, yes, sir. That way we can have  23 the lawyers review the changes to make</p>
<p style="text-align: right;">Page 19</p> <p>1 and we're going to talk about them and  2 vote on them next time.  3 UNIDENTIFIED SPEAKER: Well, I'm  4 saying this because I already had a copy  5 of these from last year, and I just wanted  6 to make sure that I'm on the right page.  7 CHAIRMAN PRINGLE: Yes, ma'am.  8 UNIDENTIFIED SPEAKER: Start off  9 right --  10 CHAIRMAN PRINGLE: Yes, ma'am.  11 UNIDENTIFIED SPEAKER: -- in  12 unity --  13 CHAIRMAN PRINGLE: Yes, ma'am.  14 UNIDENTIFIED SPEAKER: -- the way  15 we are. Thank you.  16 CHAIRMAN PRINGLE: We're not  17 hiding anything. These are the existing  18 guidelines, and we want everybody to look  19 at them and review them, and we'll talk  20 about them next time.  21 Yes, sir?  22 UNIDENTIFIED SPEAKER: Will there  23 be -- I guess there will be some sort of</p>	<p style="text-align: right;">Page 21</p> <p>1 sure they're compliant with the  2 Constitution and Section 2 of the Voting  3 Rights Act.  4 Yeah, we want input. Everybody  5 look at it, everybody read it, and if  6 you've got a suggestion, make a  7 suggestion. So we'll be glad to look at  8 it.  9 MR. WALKER: I'd also like to  10 point out the big white sign in the back  11 of the room that's got if you have  12 questions or comments, it's got an email  13 address you can send it to. So if the  14 cameras could catch that, it would be  15 greatly appreciated.  16 CHAIRMAN PRINGLE: Yeah, we need  17 to get -- we need to get that sign up  18 front, and we need the sign-up sheet.  19 MR. WALKER: If we can get that  20 email, we want the people -- we're going  21 to live stream this meeting, the public  22 hearing so everybody can watch it, and we  23 want that email up front so anybody</p>

<p style="text-align: right;">Page 22</p> <p>1 watching can send an email comment in or 2 ask a question that the clerk will read to 3 us. 4 CHAIRMAN PRINGLE: Thank you. 5 MR. WALKER: But I need the clerk 6 to bring me the sign-up sheet for the 7 public hearing. Thank you. 8 CHAIRMAN PRINGLE: Mr. Walker, are 9 you ready for the public hearing? 10 Come forward. 11 MR. WALKER: Do you want me to sit 12 down here? 13 CHAIRMAN PRINGLE: Yeah. We'll 14 need -- we'll need a microphone for you, 15 so. Let me -- I know Mr. Blacksher is 16 here. I've seen him, and he's an attorney 17 representing some of the plaintiffs. And 18 I want to give great deference to the 19 attorneys. If there are any attorneys 20 here representing plaintiffs, will you 21 raise your hand? 22 Is there anybody here representing 23 one of the plaintiffs that's not an</p>	<p style="text-align: right;">Page 24</p> <p>1 Roberts; Senator Scofield; Senator 2 Singleton; Senator Smitherman; and Senator 3 Williams. And, also, Representative 4 Almond, Representative Boyd, 5 Representative Carns, Representative 6 Clouse, Representative Ellis, 7 Representative England, Representative 8 Hall, Representative Jones, Representative 9 Lovvorn, Representative Pringle, and 10 Representative Reynolds. 11 Following the release of the 2020 12 census, the Alabama Legislature enacted 13 new districts for Alabama's members of 14 Congress. The new congressional districts 15 were challenged in Federal Court by three 16 lawsuits: Singleton v. Merrill, which 17 challenged the new congressional districts 18 as unconstitutional racial gerrymanders; 19 Caster v. Merrill, which alleges the new 20 congressional districts violate Section 2 21 of the Voting Rights Act; and Merrill -- 22 Milligan v. Merrill, which alleges the new 23 congressional districts violate both the</p>
<p style="text-align: right;">Page 23</p> <p>1 attorney? 2 Okay. Mr. Blacksher, would you 3 like to kick us off today? 4 MR. WALKER: I need a little 5 preamble before we start. 6 CHAIRMAN PRINGLE: Okay. 7 MR. WALKER: Am I on? 8 CHAIRMAN PRINGLE: Yeah. 9 MR. WALKER: Good afternoon and 10 welcome to this hearing. My name is 11 Dorman Walker. I'm a lawyer who 12 represents the Reapportionment Committee. 13 I'm the committee's hearing officer for 14 this hearing. 15 The committee has two chairs: 16 Senator Steve Livingston is the chair for 17 the Senate, and Representative Chris 18 Pringle is the chair for the House of 19 Representatives. The members of the 20 committee are Senator Barfoot; Senator 21 Bell; Senator Chesteen; Senator 22 Livingston; Senator, excuse me, Figures; 23 Senator Livingston; Senator Orr; Senator</p>	<p style="text-align: right;">Page 25</p> <p>1 Constitution and the Voting Rights Act. 2 In 2022, a federal trial court in 3 Birmingham entered a preliminary 4 injunction forbidding the State from using 5 the new congressional districts. The 6 basis for the trial court's ruling was its 7 preliminary determination that the new 8 congressional districts violate Section 2 9 of the Voting Rights Act. The trial court 10 did not address the argument that the new 11 congressional districts are 12 unconstitutional. 13 On June 8, 2023, the United States 14 Supreme Court affirmed the trial court's 15 preliminary ruling. This means that the 16 new congressional districts must be 17 redrawn in a way that complies with 18 Section 2 of the Voting Rights Act. 19 At the 2022 preliminary injunction 20 hearing, the Caster and Milligan 21 plaintiffs introduced 11 proposed remedial 22 plans. The Singleton plaintiffs had 23 previously introduced three proposed</p>

<p style="text-align: right;">Page 26</p> <p>1 remedial plans. Additional remedial plans  2 were submitted in amicus filings to the  3 Supreme Court and more recently after the  4 announcement of this hearing, including a  5 new remedial plan jointly proposed by the  6 Caster and Milligan plaintiffs.  7 The purpose of this hearing is for  8 the Reapportionment Committee to take  9 public comments on a potential new map.  10 Speakers may reference any plan that has  11 been submitted, but they do not have a  12 reference to -- they do not have to  13 reference a particular plan.  14 Speakers will be called to speak  15 from the list of persons who signed up  16 before the hearing. If time allows, after  17 all of the registered speakers have been  18 called upon, I will ask if anyone else  19 wants to speak. So if you did not sign up  20 but have now decided you want to speak,  21 I'll try to give you an opportunity to do  22 so.  23 When your name is called, please</p>	<p style="text-align: right;">Page 28</p> <p>1 Before I call the first speaker, I  2 will add to the record of this hearing a  3 letter jointly submitted by the Caster and  4 Milligan plaintiffs in support of their  5 jointly proposed remedial plan, which will  6 be Exhibit No. 1 to the hearing  7 transcript.  8 (Exhibit No. 1 marked for  9 identification and attached  10 hereto.)  11 MR. WALKER: And I don't have a  12 list of people who signed up.  13 CHAIRMAN PRINGLE: I'll call them.  14 MR. WALKER: Okay.  15 CHAIRMAN PRINGLE: Are we ready?  16 MR. WALKER: Yeah.  17 UNIDENTIFIED SPEAKER: Mr. Chair?  18 CHAIRMAN PRINGLE: Yes, sir.  19 UNIDENTIFIED SPEAKER: Just a  20 point of order to kind of -- there's some  21 confusion that I want to make sure the  22 record is clear. There are -- the  23 plaintiffs in the case that got us here</p>
<p style="text-align: right;">Page 27</p> <p>1 come up to the lectern to speak. It's  2 important to be able -- to enable the  3 court reporter, who is not physically  4 present, to be able to hear you. When you  5 start to speak, please identify yourself  6 by stating your name for the record.  7 Please limit your comments to the topic of  8 this hearing, which is how new  9 congressional districts should be drawn.  10 Because of the purpose -- because the  11 purpose of the hearing is to take  12 comments, committee chairs will not take  13 questions or the committee members will  14 not take questions.  15 Each speaker will have three  16 minutes. I will give you a one-minute  17 warning. Persons listening to this  18 hearing remotely may submit by email  19 comments to be included on the record  20 using the email address displayed near me.  21 That is district@alsenate.gov. That's  22 district, d-i-s-t-r-i-c-t, at  23 a-l-s-e-n-a-t-e dot gov, g-o-v.</p>	<p style="text-align: right;">Page 29</p> <p>1 today are the Caster and Milligan  2 plaintiffs, correct?  3 CHAIRMAN PRINGLE: Yes, sir.  4 UNIDENTIFIED SPEAKER: Okay.  5 Because there was some mention about the  6 Singleton map, but that is not an issue  7 we're talking about today, correct?  8 CHAIRMAN PRINGLE: The Singleton  9 map is on the agenda today.  10 UNIDENTIFIED SPEAKER: Well, no, I  11 guess what I'm asking is because it  12 appears that the plaintiffs in the  13 relevant case are the plaintiffs from the  14 Miller -- Milligan and Caster. And those  15 are the maps that were provided also,  16 correct?  17 CHAIRMAN PRINGLE: Correct.  18 UNIDENTIFIED SPEAKER: All right.  19 Because I just want to make sure the  20 record is clear that the Singleton map and  21 that plaintiff is not a party to what  22 we're doing today.  23 CHAIRMAN PRINGLE: But the</p>



<p style="text-align: right;">Page 30</p> <p>1 Singleton map was introduced as a bill,  2 and I understand the plaintiff's attorneys  3 did not show up. Now, nobody from the  4 plaintiffs are here. Well, the  5 attorney -- are you an attorney for the  6 plaintiffs?  7 UNIDENTIFIED SPEAKER: No, we're  8 the plaintiffs.  9 CHAIRMAN PRINGLE: Oh, you're a  10 plaintiff. Okay. Well, I'm going to call  11 on you, okay. So thank you.  12 UNIDENTIFIED SPEAKER: So I just  13 want to make sure that there's no  14 confusion about why we're here and what  15 the -- so we're here because of the  16 Milligan and Caster plaintiffs.  17 CHAIRMAN PRINGLE: I understand.  18 Yes, sir, Senator?  19 UNIDENTIFIED SPEAKER: I also  20 wanted to be clear as well is the fact  21 that in this process there are two phases.  22 The first phase is what the Court has  23 addressed. This is a totally independent</p>	<p style="text-align: right;">Page 32</p> <p>1 three plaintiffs here.  2 CHAIRMAN PRINGLE: Okay. Let's  3 start with those three plaintiffs. If  4 you'll come up. I'm going to give a  5 plaintiff five minutes instead of three.  6 UNIDENTIFIED SPEAKER: I was about  7 to ask you what you --  8 CHAIRMAN PRINGLE: Yeah, I'm going  9 to give y'all a little extra time. So  10 please come forward. And I need you to  11 stand at the microphone, announce your  12 name very clearly for everybody to hear,  13 and I'm going to give you five minutes.  14 MR. WALKER: Be sure -- and be  15 sure to speak clearly.  16 MR. MILLIGAN: Good morning or  17 good afternoon. My name is Evan Milligan.  18 CHAIRMAN PRINGLE: Well, I'm going  19 to give you five minutes each.  20 MR. MILLIGAN: Really?  21 CHAIRMAN PRINGLE: Oh, yeah. We  22 want to hear from you. So, yeah, give  23 five minutes each. That's fine.</p>
<p style="text-align: right;">Page 31</p> <p>1 phase dealing with remedy. And I think if  2 you read those orders, they will address  3 remedy totally independent from the fact  4 that they've decided on this particular  5 case. And because of that, it's not a  6 bridge that carries over; it's a bridge  7 that guides us over. Now we're over here  8 in the remedy phase. That's a whole  9 different process in terms of us. The  10 Court is going to apply strict scrutiny to  11 the process to which we put together, and  12 because of that, those procedures and  13 processes have to be addressed just as  14 much as the fact of what got us to that  15 point. Thank you.  16 CHAIRMAN PRINGLE: And thank you.  17 With that, I would like to -- ma'am?  18 UNIDENTIFIED SPEAKER: I cannot  19 hear you.  20 CHAIRMAN PRINGLE: Would you like  21 to address the committee first? You are a  22 plaintiff in the case, correct?  23 UNIDENTIFIED SPEAKER: There are</p>	<p style="text-align: right;">Page 33</p> <p>1 MR. MILLIGAN: Sure. Well, do all  2 of you have copies of the letter that was  3 submitted into the record today? Okay.  4 What's the best way for me to get them to  5 the folks on the panel?  6 CHAIRMAN PRINGLE: We'll get  7 copies and send them out.  8 MR. MILLIGAN: Okay.  9 MR. WALKER: Have you got copies?  10 MR. MILLIGAN: Yeah, there's  11 enough for every member of the committee.  12 If you'd just -- if you'd just hand them  13 the envelope, then they can sort out the  14 distribution. But thank y'all for hearing  15 from us. We won't actually take the whole  16 15 minutes you've allotted, I don't think,  17 right.  18 But we want to say we are -- as  19 one of the members just indicated, our  20 case was the one that the Supreme Court  21 ruled on in terms of hearing our argument  22 about the opportunity districts here in  23 the State of Alabama.</p>

<p style="text-align: right;">Page 34</p> <p>1 The three -- the three-judge 2 district court panel held unanimously that 3 there was evidence of racial polarization 4 in voting here to a degree that without 5 opportunity districts for Black voters in 6 the state you wouldn't have an 7 additional -- you wouldn't have black 8 voters here in Alabama outside of District 9 7 able to elect a candidate of their 10 choice. That ruling, that was from the 11 lower district panel. And when the 12 Supreme Court ruled on June 8th in our 13 favor, they affirmed that lower court's 14 ruling. 15 The map that we're presenting to 16 this body is one that features two 17 opportunity districts. It addresses other 18 issues with the -- with HB1, which is the 19 map that we filed the lawsuit against 20 particularly in regards to cracking the 21 voting strength of Black voters in the 22 Black Belt. So the map that we're 23 producing actually keeps hold the 18</p>	<p style="text-align: right;">Page 36</p> <p>1 found out of compliance, and then also 2 that the Supreme Court also recognized 3 were out of compliance with Section 2 of 4 the Voting Rights Act. 5 And we strongly urge you to 6 consider our remedial map. Thank you for 7 having given me the opportunity to speak. 8 We hope that the materials we provided are 9 also helpful. 10 CHAIRMAN PRINGLE: Thank you so 11 much, Mr. Milligan. 12 And you are, sir? 13 MR. SIMELTON: I'm not quite as 14 tall as Mr. Evan, so I'll raise -- lower 15 the mic. 16 Good afternoon, ladies and 17 gentlemen. My name is Bernard Simelton. 18 I'm president of the Alabama State 19 Conference of the NAACP. The NAACP is one 20 of the plaintiff organizations in the 21 Allen vs. Milligan case, and we are here 22 today to express our full support of the 23 map that has been approved by all of the</p>
<p style="text-align: right;">Page 35</p> <p>1 counties that form the core of the Black 2 Belt. They're either placed in District 7 3 or District 2 of our remedial map. So 4 that addresses the cracking problem. 5 And this is also a map that splits 6 a very -- it only splits seven counties 7 and ten precincts. It doesn't touch the 8 northern part of the state. I believe 9 that's districts -- Districts 4 and 5 in 10 the Huntsville area and around Decatur. 11 So this is a map that we're keeping. 12 What you already voted into law in 13 2021, it preserves the northern part of 14 the state. And the alterations to the map 15 actually mirror what this body did with 16 the State Board of Education map as far as 17 uniting Mobile with Montgomery, and some 18 of the other alterations. We feel like 19 this is a map that keeps the State of 20 Alabama on the right side of the Voting 21 Rights Act. It addresses the issues with 22 our current congressional map that the 23 lower federal panel took issue with and</p>	<p style="text-align: right;">Page 37</p> <p>1 plaintiffs and submitted by our lead 2 attorney. So we want to be sure that 3 you-all understand the plaintiffs' map and 4 that it has the full support of all of the 5 plaintiffs. 6 The plaintiffs' map also meets the 7 standard that the Supreme Court has laid 8 out as far as what's required -- what will 9 be required as we redraw these maps. The 10 SCOTUS, the Supreme Court, ensured that 11 African-Americans are able to select or 12 elect a person of choice when it comes to 13 representing them in the -- in Congress, 14 and we want to be sure that everyone 15 understands that this -- these maps will 16 certainly give people of color, 17 African-Americans the opportunity to 18 select the person of choice that will 19 represent them in Congress, and be able to 20 work with them in the district in which 21 they live in. 22 We're urging the redistricting 23 committee and the Alabama Legislature</p>

<p style="text-align: right;">Page 38</p> <p>1 later on to adopt this map so that we can  2 move this process forward and be ready for  3 our next election. The NAACP and its  4 members across the State of Alabama and  5 the plaintiffs look forward to working  6 with the redistricting committee to answer  7 any other questions that you may have  8 through our attorneys so that we can meet  9 the deadline that has been set by the  10 courts of the United States of America.  11 Thank you very much.  12 MR. WALKER: Mr. Simelton, just to  13 correct the record for a second and make  14 sure it's clear, you said the map -- the  15 remedial map that's been handed out, the  16 one titled "VRA Plaintiffs' Remedial Map,"  17 is supported by all the plaintiffs. And  18 am I correct in understanding you meant  19 all of the Milligan plaintiffs?  20 MR. SIMELTON: Yeah, all the  21 Milligan plaintiffs, right.  22 MR. WALKER: Okay. Thank you.  23 And do you know if it's also</p>	<p style="text-align: right;">Page 40</p> <p>1 MS. JACKSON: -- if it's okay with  2 you. Is it okay with you?  3 CHAIRMAN PRINGLE: Yes, ma'am.  4 MS. JACKSON: Okay. Dear  5 Apportionment [sic] Committee Members,  6 Evan Milligan, Shalela Dowdy, Letetia  7 Jackson, Khadidah Stone, Greater  8 Birmingham Ministries, and the Alabama  9 State Conference of the NAACP,  10 collectively known as the Milligan  11 plaintiffs, and Marcus Caster, Lakeisha  12 Chestnut, Bobby L. Dubose, Benjamin Jones,  13 Rodney Love, Manasseh Powell, Ronald Smith  14 and Wendell Thomas that are collectively  15 known as the Caster plaintiffs jointly  16 submit the attached remedial plan.  17 As you know, on June 8, 2023, the  18 Supreme Court of the United States ruled  19 in favor of both the Milligan and Caster  20 plaintiffs in holding that Alabama's 2021  21 congressional redistricting plan HB1  22 violated Section 2 of the Voting Rights  23 Act. No other group of plaintiffs have</p>
<p style="text-align: right;">Page 39</p> <p>1 supported by all of the Caster plaintiffs?  2 MR. SIMELTON: Yes.  3 MR. WALKER: But you don't speak  4 for the Singleton plaintiffs?  5 UNIDENTIFIED SPEAKER: Correct.  6 MR. SIMELTON: No, we're not  7 speaking about the Singleton.  8 MR. WALKER: Thank you very much.  9 MR. SIMELTON: All right. Thank  10 you.  11 MS. JACKSON: Thank you. Good  12 afternoon, Mr. Chairman. My name is  13 Letetia Daniels Jackson. I'm one of the  14 plaintiffs. And for the benefit of those  15 in attendance and those watching, I'd like  16 to actually read into the record our  17 letter that supports our remedial map and  18 particularly lays out all of our claims --  19 all of what we are trying to accomplish.  20 I know you have a copy, but  21 everybody doesn't, so I would like to read  22 it into the record --  23 CHAIRMAN PRINGLE: That's fine.</p>	<p style="text-align: right;">Page 41</p> <p>1 successfully challenged HB1. Because the  2 Alabama Legislature's enactment of this  3 plan would likely resolve the pending  4 case, we urge the committee to give  5 careful consideration of our VR [sic]  6 Plan.  7 In affirming the three-judge  8 district's preliminary injunction against  9 HB1, the Supreme Court upheld the district  10 court's findings that, quote, Black  11 Alabamians enjoy virtually zero success in  12 statewide elections; that political  13 campaigns in Alabama have been  14 characterized by overt and subtle racial  15 appeals; and that Alabama's extensive  16 history of repugnant racial and  17 voting-related discrimination is  18 undeniable and well-documented, close  19 quote. The Court also held that the  20 district court had, quote, faithfully  21 applied our precedence and correctly  22 determined that HB1 violated Section 2,  23 close quote. The Court also held that the</p>

<p style="text-align: right;">Page 42</p> <p>1 district court had, quote, "faithfully 2 applied our precedents and correctly 3 determined that HB1 violated Section 2," 4 close quote.</p> <p>5 The Supreme Court also affirmed 6 the findings that the elections in Alabama 7 were racially polarized. Quote, "On 8 average, Black voters supported their 9 candidates of choice with 92.3 percent of 10 the vote, while White voters supported 11 Black preferred candidates with 15.4 12 percent of the vote," close quote. And 13 according to all the trial experts, racial 14 polarization in Alabama is, quote, 15 "intense, very strong, and very clear," 16 close quote.</p> <p>17 Given the extreme degree of 18 racially polarized voting in Alabama, the 19 trial court's preliminary injunction 20 order, which was upheld by the Supreme 21 Court, emphasized the practical reality 22 that any remedial plan will need to 23 include two districts in which Black</p>	<p style="text-align: right;">Page 44</p> <p>1 And then I'll move forward to our 2 final. Indeed the overall core 3 retention -- in addition to that, we -- 4 for instance, we leave -- Districts 3, 4, 5 5, 6, and 7 largely maintain the core of 6 the districts as drawn by the legislature 7 in HB1, and Districts 1 and 2 reflect 8 modest changes necessary to bring Alabama 9 into compliance with the Voting Rights 10 Act. Indeed, the overall core retention 11 percentage of the Voting Rights Act 12 remedial plan is over 80 percent. In 13 further deference to the legislative's 14 past policy -- Legislature's past policy 15 choices, the VRA plan splits Jefferson 16 County in essentially the same manner as 17 HB1, and it splits Mobile County similar 18 to the way in which the Legislature did so 19 in its enacted 2021 state board of 20 election [sic] plan. Finally, the VRA 21 Plaintiffs' Remedial Plan is based on the 22 plaintiff's illustrative plans, including 23 Cooper Illustrative Plan 2 and Duchin</p>
<p style="text-align: right;">Page 43</p> <p>1 voters either comprise a voting age 2 majority or something quite close to it. 3 For this reason, any plan that proposes 4 remedial districts in which Black voters 5 constitute less than a voting age majority 6 or something quite close to it almost 7 certainly will not conform to the district 8 court's order.</p> <p>9 The VRA Plaintiffs' remedial plan 10 carefully adheres to the decisions of both 11 the United States Supreme Court and the 12 federal district court. The Voting Rights 13 Act plan contains two districts that 14 perform consistently for Black voters in 15 primary and general elections. It also 16 remedies the cracking of the Black Belt 17 community of interest, identified by the 18 courts, by keeping the eight core Black 19 Belt counties together within these two 20 remedial districts, does not split 21 Montgomery County or any other core Black 22 Belt county, and has zero population 23 deviations.</p>	<p style="text-align: right;">Page 45</p> <p>1 Illustrative Plan A, which the Supreme 2 Court identified as legally acceptable 3 remedies, but makes specific changes to 4 better reflect legislative choices like 5 limiting the number of county splits and 6 protecting district cores.</p> <p>7 For this reason -- for these 8 reasons, the Milligan and Caster 9 Plaintiffs strongly and respectfully urge 10 the Legislature to adopt our plan. Thank 11 you.</p> <p>12 CHAIRMAN PRINGLE: Thank you so 13 much for coming today. I will now 14 recognize for three minutes the people who 15 have signed up, and the first person will 16 be Trey Bruce.</p> <p>17 MR. BRUCE: Good afternoon. My 18 name is Trey Bruce, and I live in 19 Birmingham where I was raised. I 20 graduated from Vestavia Hills High School 21 in 2016 and then Auburn University in 22 2019.</p> <p>23 I'm here today just to share my</p>

<p style="text-align: right;">Page 46</p> <p>1 opinion as a citizen regarding the 2 redistricting of Alabama. I'm not with a 3 particular group or organization. I had 4 the privilege when I was at Vestavia High 5 School to learn from a wonderful teacher 6 named Amy Maddox, who taught me for two 7 years in US History, as well as in a 8 program called We the People, a mock 9 congressional hearing program that taught 10 us the importance and relevance and 11 constitutional principles to the 12 governance of our nation. And she really 13 instilled in all of us students that even 14 if we didn't end up going on to be 15 historians or lawyers or politicians, that 16 all of us needed to be active and informed 17 citizens, so that is why I'm here to give 18 my public testimony. 19 For as long as I have known what 20 congressional districts were and was 21 taught that in school, Alabama's map never 22 particularly made sense to me in the way 23 that 25 to 30 percent of our state's</p>	<p style="text-align: right;">Page 48</p> <p>1 counties. 2 So for all of those reasons, I'm 3 in support of what is known as the VRA 4 plan presented by the Milligan and Caster 5 plaintiffs, and I look forward to seeing 6 our state move in a direction that is more 7 representative for all of our citizens. 8 Thank you. 9 CHAIRMAN PRINGLE: Thank you so 10 much. The Chair now recognizes Travis 11 Jackson of Montgomery. 12 MR. JACKSON: Thank y'all for 13 allowing me the opportunity to speak. 14 Reapportionment Committee, my name is 15 Travis Jackson. I'm a Black Lives/Voter 16 Matter activist who volunteers with an 17 organization by the name of Rolling to the 18 Polls, a voting rights advocate group of 19 likeminded people driving voters to their 20 proper or accurate voting locations. 21 Also, I am an Iraq veteran. I 22 mention this because I fought for the 23 rights of all Americans, and that includes</p>
<p style="text-align: right;">Page 47</p> <p>1 population is made up of Black individuals 2 and that only one of our seven districts 3 presented an opportunity for Black people 4 to choose the representative of their 5 choice. And, of course, as we know, on 6 June 8th the Supreme Court ruled that 7 Alabama's congressional elections in 2020 8 likely violated Section 2 of the Voting 9 Rights Act. 10 I have had a chance to review the 11 letter and plan that the Milligan and 12 Caster plaintiffs have just shared with 13 you and just discussed, and it makes a lot 14 of sense to me. Again, some of the key 15 points that they pointed out, this would 16 allow for two majority Black districts in 17 the map, two opportunities for Black 18 individuals in our state to elect the 19 representative of their choice. They 20 indicate that there's 80 percent core 21 retention with this map compared to the 22 previous map, and this would also keep 23 protection for all of our Black Belt</p>	<p style="text-align: right;">Page 49</p> <p>1 Black voters. 2 In this testimony, I would like to 3 elaborate on the importance of drawing 4 more majority minority voting districts. 5 I do so by explaining Black voters' 6 obstacles. Black voters have always been 7 the major factor for a much wider 8 democracy. This is a proven fact 9 throughout our American history. When it 10 pertains to repairing human or civil 11 rights, whether that's voting, healthcare, 12 education, employment, housing, and 13 feeding our neighbors or homeless people, 14 Black voters were and have continued to 15 become the political super heroes within 16 our economy. 17 On June 8, 2023, the US Supreme 18 Court declared the current Alabama voting 19 district map, which was made in 2022, is 20 discrimination towards Black voters. The 21 Black or, as we call it, the woke vote has 22 always been under attack by the Alabama 23 government. Even though the Voting Rights</p>



<p style="text-align: right;">Page 50</p> <p>1 Act of 1965 was signed into law, Alabama  2 voters are still to this day facing  3 systemic racism, voter suppression or, as  4 I like to call it, Jim Crowe 2.0.  5 A prime example of voter  6 suppression or Jim Crowe 2.0 towards Black  7 voters to this day is strict voter ID  8 laws. These type of voting laws have  9 influenced a decrease in Black voter  10 turnout. In return, White voter turnout  11 has definitely increased.  12 Under these unethical laws, it is  13 a requirement to show specific photo ID.  14 According to Brennan Center for Justice  15 data, 25 percent of Black voters don't  16 have photo IDs compared to 11 percent of  17 all races combined. Other difficulties  18 Black voters face on election days are  19 lengthy lines, heavy police presence  20 inside and outside voters' buildings, and  21 being directed to incorrect voting  22 locations.  23 Also, I have experienced myself</p>	<p style="text-align: right;">Page 52</p> <p>1 Talladega, Alabama. In 2020, I was a  2 congressional nominee for Congress in  3 Alabama's third congressional district.  4 I'm also the executive director and  5 co-founder of Transform Alabama, a  6 501(c)(3) dedicated to improving voter  7 turnout and voter engagement using hip hop  8 culture.  9 Our organization was intimately  10 involved in the redistricting process  11 beginning in 2021. We helped mobilize  12 people to the public hearings in Anniston  13 and Calhoun County, Representative Boyd,  14 and we had a great turnout and had voices  15 from all over Talladega and Calhoun County  16 expressing their concern with how the maps  17 were drawn. This coalition was a  18 multiracial group, a group that came from  19 various backgrounds. So, again, we've  20 been watching this case closely.  21 The SCOTUS decision on June the  22 8th, like so many times in Alabama  23 history, has propelled the State of</p>
<p style="text-align: right;">Page 51</p> <p>1 being misguided phone calls.  2 CHAIRMAN PRINGLE: You have 30  3 seconds, sir. Go ahead.  4 MR. JACKSON: All right. Six of  5 Alabama's seven congressional districts  6 have a majority White voter population,  7 Alabama's Black population is 27 percent.  8 In the Pledge of Allegiance, it states  9 "Liberty and justice for all." Therefore,  10 Black voters should be in that word "all"  11 through moral legislative action.  12 Therefore, I strongly plead for the  13 committee members to sketch a second  14 reasonable majority minority district.  15 This is 2023, not 1953.  16 Thank you for your consideration.  17 CHAIRMAN PRINGLE: Thank you so  18 much. We appreciate you being here today.  19 And the next -- the Chair now  20 recognizes, is it Adia Winfrey from  21 Talladega?  22 MS. WINFREY: Good afternoon. My  23 name is Dr. Adia Winfrey. I'm from</p>	<p style="text-align: right;">Page 53</p> <p>1 Alabama and the people of Alabama to the  2 forefront of voting rights change. And  3 like the last few centuries, we are the  4 pinnacle of that change, but often  5 Alabamians do not see the benefit. And my  6 concern is that we are already seeing --  7 we're less than three weeks out from the  8 Supreme Court decision, and we already see  9 how the plaintiffs in Alabama are changing  10 the country and what voting rights mean in  11 other states. But where does that leave  12 us in Alabama?  13 So what I implore each of you to  14 do is put your politics aside and put the  15 people of Alabama in the forefront. I  16 stand with the plaintiffs in the Milligan  17 case. I stand beside this map, and I  18 really implore you guys to make decisions  19 for the people because, as the previous  20 speaker stated, when Black Alabamians and  21 Black voters are given the opportunity for  22 their voice to be heard, everybody  23 benefits. It's not just about two</p>

<p style="text-align: right;">Page 54</p> <p>1 districts. It's about the entire State of 2 Alabama. Thank you. 3 CHAIRMAN PRINGLE: Thank you, 4 Dr. Winfrey. 5 The Chair now recognizes Tyrone 6 Maye from Jackson. Is Tyrone Maye here? 7 MR. MAYE: (Inaudible), but I 8 didn't sign up. (Inaudible), but I didn't 9 sign up. 10 CHAIRMAN PRINGLE: The Chair now 11 recognizes Rhondel Rhone from Fulton -- 12 UNIDENTIFIED SPEAKER: 13 (Inaudible). 14 CHAIRMAN PRINGLE: Okay. All 15 right. That's fine. The Chair now 16 recognizes Felicia Pond from Montgomery. 17 Okay. The Chair -- hasn't Rhondel James 18 already spoken? 19 Rhondel James from Montgomery? 20 UNIDENTIFIED SPEAKER: Ronald. 21 CHAIRMAN PRINGLE: Ronald. I'm 22 sorry. 23 MR. JAMES: Good evening. My name</p>	<p style="text-align: right;">Page 56</p> <p>1 the district that's going to represent 2 what we look like, the minds and the 3 concerns of the people that are in those 4 districts. Don't split us up. Keep us 5 together. Let us be effective so that we 6 can push Alabama forward. Because when we 7 all vote, we all win. So thank you so 8 much for hearing us today. We ask that 9 you do what's right and we continue to do 10 what's right, and let's push Alabama 11 forward progressively together. 12 CHAIRMAN PRINGLE: Thank you so 13 much for being here today. 14 The Chair now recognizes Dr. Joe 15 L. Reed from Montgomery. Welcome, 16 Dr. Reed. 17 DR. REED: Thank you, sir. To the 18 chairs of this important committee, to the 19 members of the committee, to all who are 20 listening, my name is Joe L. Reed. I'm 21 chairman of the Alabama Democratic 22 Conference, the Black Political Democratic 23 Caucus of Alabama. I'm also vice chair</p>
<p style="text-align: right;">Page 55</p> <p>1 is Ronald James. I'm the state organizer 2 for Black Voters Matter Here in the State 3 of Alabama. We could stand up here and 4 repeat over and over things that we 5 already know. Numbers don't lie. 6 A great professor of mine once 7 told me that if we don't know our history 8 that it will tend to repeat itself. 9 Alabama has a history of being disobedient 10 or not recognizing the federal mandates in 11 its history. We stand here today at the 12 same precedence again with the mandate 13 that's been handed down. We just ask that 14 we follow the mandate and make the maps 15 equal and fair. The maps that are 16 represented here today by the plaintiffs, 17 the people of Alabama, especially in the 18 Black Belt, which would be most affected 19 by how these maps are drawn, support these 20 maps. 21 We're not begging for anything. 22 We're just asking to have a fair shot, 23 have a fair chance to represent people in</p>	<p style="text-align: right;">Page 57</p> <p>1 for minority affairs of the Democratic 2 party of Alabama. And I appreciate the 3 opportunity to come before this committee 4 and express some thoughts I have about the 5 plan. 6 Before going further, I want to 7 commend the plaintiffs in this lawsuit. 8 You're to be commended for moving forward. 9 I've always thought we would win. I've 10 got to get my -- collect my stake for one 11 of my friends, who told me we weren't 12 going to win it, and I told them we would 13 win it. And I'm going to get my stake 14 pretty soon, and I want it to be a real 15 good stake and not some little stake. 16 Back to the real issue. I have 17 been privileged for the last 45 to 50 18 years of participating in reapportionment 19 plans, and by and large, we've been very 20 successful. I've worked with everybody I 21 possibly could to get plans done, and one 22 of the most enjoyable times I had to work 23 with someone was Speaker Jimmy Clark of</p>

<p style="text-align: right;">Page 58</p> <p>1 Barbour County. It's amazing that Speaker  2 Clark used to chair the Sovereignty  3 Commission, and yet we put together a  4 reapportionment plan that never left  5 Montgomery County, Alabama. It was  6 approved by the state courts.  7 I want to mention two or three  8 things about this plan, and I'm going to  9 try not to repeat what others have already  10 said. We believe that -- we know that the  11 plan has to be constitutional. You've got  12 to protect the one person, one vote. We  13 understand that. We also realize and  14 accept the fact you've got to be racially  15 fair.  16 Now, let me say this. With all  17 due respect to everybody here, I'm not  18 here to down any plan. I'm here to  19 promote a plan. My goal very simply is to  20 get two majority Black safe districts.  21 That's what I'm here for, to ask the  22 Legislature to pass two solid majority,  23 safe Black districts. Anything less than</p>	<p style="text-align: right;">Page 60</p> <p>1 the second district. I don't believe  2 that. And we're going to -- the Alabama  3 Democratic Conference is going to advance  4 a plan, and I understand we've got some  5 time to draw some lines, but we're going  6 to advance a plan that gives us a little  7 more help than these other plans do. I'm  8 not condemning, I'm not fussing, or  9 nothing like that. I'm talking about the  10 -- I'm a results person. I'm for the  11 results. And that is when the end comes,  12 when the sun goes down at the end of the  13 day, what do you have. And my point is,  14 unless we have a majority voting age  15 population, a sizable one, we will have  16 nothing. And I'm not mad with anybody at  17 all, but you've got to be real and do a  18 reality check.  19 Also, there are some kind of lines  20 that are going to have to be -- you're  21 going to have to split them. There are  22 some splits, yes, necessary splits. I've  23 drawn some in the past where I've split</p>
<p style="text-align: right;">Page 59</p> <p>1 that is a hollow log.  2 I've looked at these -- some of  3 these other plans, and I'm going to say  4 that with all due respect, I differ with  5 them because I noticed one of the plans  6 that my friends have produced, one is  7 about 51 percent Black and voting age.  8 They forgot to count the prisoners. There  9 are prisoners in these districts, and  10 these prisoners can't vote. And that's  11 going to reduce the voting age population  12 in these districts. That's very  13 important. We saw what happened in  14 Grimsley's district down in Henry County  15 when you reapportioned the Alabama  16 Legislature recently. I'm not condemning  17 his appointment or nothing like that at  18 all. But we saw he represented that  19 district for some time. But the minute it  20 changed just a little bit, he was, what,  21 gone with the wind.  22 So I don't believe that we've got  23 a safe Black district in the second -- in</p>	<p style="text-align: right;">Page 61</p> <p>1 some counties, and I'll draw some more.  2 We have to split some counties. But there  3 are some unnecessary splits because there  4 are some arguments over who will get Sugar  5 Hill, Harper Valley, and Peyton Place.  6 That's irrelevant here.  7 What we want and what we need, and  8 I'm going to stop with this, we need a  9 clear, safe, two majority Black districts,  10 not with 1 percent here and 1 percent  11 there, a half a percent. I'm talking  12 about something that's realistic.  13 So I want to say again,  14 Mr. Chairman, we're going to submit  15 something to you. I want to say to the  16 plaintiffs, I thank you, you've done a  17 good job. And I'm going to commend your  18 lawyers for it. Some of them I know very  19 well. I don't have no fight. I just want  20 results, and right now I have not seen a  21 plan yet advanced that would give us the  22 comfort in getting two majority Black  23 districts to the United States Congress</p>

<p style="text-align: right;">Page 62</p> <p>1 and the Alabama Democratic Conference will 2 be one. 3 And I do -- I will say this. I 4 would also encourage to the plaintiffs, we 5 need to just sit down and talk because 6 we're all on the same wavelength. We're 7 all trying to get the same thing. So we 8 don't have a fight. Let's sit down and 9 talk and try to put one together we all 10 get behind. And we know -- and I'll say 11 to the White legislators here, there are 12 going to be two Black districts. 13 CHAIRMAN PRINGLE: Thank you, 14 Mr. Reed. 15 DR. REED: So why don't you help 16 us. 17 CHAIRMAN PRINGLE: And I look 18 forward to seeing you on July the 14th. 19 But we'll put your plan up on the screen 20 if you'll have it submitted by 5:00 p.m. 21 July the 7th. 22 DR. REED: Thank you, sir. 23 CHAIRMAN PRINGLE: And I know you</p>	<p style="text-align: right;">Page 64</p> <p>1 CHAIRMAN PRINGLE: Is that it? I 2 think that's it. 3 MR. BLACKSHER: That's it, that's 4 it. 5 CHAIRMAN PRINGLE: Okay. Thank 6 you. 7 MR. BLACKSHER: Thank you, yeah. 8 The map that's up on the screen 9 now is the map that the Singleton 10 plaintiffs are supporting. The Singleton 11 plaintiffs' constitutional claim is still 12 pending before the district court. It's 13 consolidated with the other two cases, 14 Milligan and Caster. 15 And the victory in the Supreme 16 Court establishes that the plan enacted in 17 2021 violated Section 2 of the Voting 18 Rights Act, but it did not address what 19 the remedy should be. However, the 20 Supreme Court did affirm the ruling of the 21 three-judge district court, and I need to 22 read the district court's opinion as 23 follows.</p>
<p style="text-align: right;">Page 63</p> <p>1 will. Thank you so much, Dr. Reed. 2 I'm going to take a moment and 3 recognize Mr. Jim Blacksher from 4 Birmingham. 5 DR. REED: He deserves it. Give 6 him a hand. 7 CHAIRMAN PRINGLE: Jim, I'm going 8 to do you like I just did Dr. Reed. I'm 9 going to give y'all five minutes because 10 y'all are so deeply involved. 11 MR. BLACKSHER: So thank you very 12 much, Mr. Chair. I, too, want to 13 congratulate -- 14 CHAIRMAN PRINGLE: Can I get the 15 clerk to change the map to the plan that 16 Mr. Blacksher -- 17 Do you want your plan up there, 18 Mr. Blacksher? 19 MR. BLACKSHER: Yeah, if -- 20 CHAIRMAN PRINGLE: If you'll 21 convert the map for me, please. 22 MR. BLACKSHER: -- you'll get 23 Donna to put the --</p>	<p style="text-align: right;">Page 65</p> <p>1 This is the -- this is the 2 injunction that this -- this Legislature 3 is going to have to enforce. It's because 4 there was a violation, we know there have 5 to be two opportunity districts in order 6 to correct the Section 2 violation, but 7 those opportunity districts must also 8 satisfy the Constitution. 9 And here's what the pending 10 injunction says: If we determine that the 11 plan violates Section 2 of the Voting 12 Rights Act, that would not be a 13 determination that the Milligan plaintiffs 14 are entitled to a map of their choice or 15 to one of the remedial maps submitted to 16 establish the first Gingles requirement. 17 Those maps are illustrative maps submitted 18 for the purposes of establishing liability 19 under Section 2 of the Voting Rights Act. 20 The Legislature retains 21 flexibility in their work subject to the 22 rule that a district drawn in order to 23 satisfy Section 2 of the Voting Rights Act</p>

<p style="text-align: right;">Page 66</p> <p>1 must not subordinate traditional 2 districting principles to race 3 substantially more than is reasonably 4 necessary to avoid Section 2 liability. 5 And the question then before this 6 committee is what plans can they enact 7 that will at once provide a remedy 8 consistent with Section 2 of the Voting 9 Rights Act; and, two, still comply with 10 the Constitution. And the governing case 11 is Cooper vs. Harris in the Supreme Court 12 2017. It says that this committee must 13 have a strong basis in evidence to 14 conclude that Section 2 demands such 15 race-based steps as splitting counties 16 along racial lines. The State must 17 carefully evaluate whether a plaintiff 18 could establish all the Gingles 19 preconditions, including effective White 20 block voting in a new district created 21 without those measures, and we see nothing 22 in the legislative record that fits that 23 description.</p>	<p style="text-align: right;">Page 68</p> <p>1 adopted -- proposed this map called CLC 2 Map No. 1, and it provides two opportunity 3 districts without splitting a single 4 county along racial lines. Jefferson 5 County, Mobile County, Montgomery County. 6 Tuscaloosa is split the way the 7 Legislature split it in 2021 in order to 8 equalize population. 9 All of the Black Belt counties, 10 except for Barbour, are in one district, 11 not two, but one district, and the second 12 opportunity district is Jefferson County 13 itself, which depends on crossover voting 14 with White voters in Jefferson County. 15 Jefferson County is the one county in 16 Alabama that has demonstrated that there 17 is crossover voting that can support Black 18 candidates' choices. 19 So I point out that problem to the 20 Court -- to the committee about how it 21 must follow its work and the rules it must 22 follow in doing this work. Thank you. 23 CHAIRMAN PRINGLE: Thank you,</p>
<p style="text-align: right;">Page 67</p> <p>1 So what I'm pointing out here is 2 that the -- and the lawyers can provide 3 better explanation of what this is 4 referring to, but this committee, in 5 addition to adopting a plan, has to make 6 sure it has before it evidence that it 7 does, in fact, perform as an opportunity 8 district. 9 And in Cooper vs. Harris, the 10 Supreme Court looked at election returns 11 to see how the districts performed in past 12 elections to determine whether or not 13 candidates favored by Black voters won 14 that district -- could win that district. 15 So the Singleton plaintiffs 16 introduced early on in the litigation, in 17 fact, back before this committee convened 18 in October of 2021, three plans, the whole 19 county plans that we stand by. 20 UNIDENTIFIED SPEAKER: One minute. 21 MR. BLACKSHER: One minute. 22 But the Campaign Legal Center, in 23 a brief submitted to the Supreme Court,</p>	<p style="text-align: right;">Page 69</p> <p>1 Mr. Blacksher, and I know we'll see you on 2 July the 13th. 3 REPRESENTATIVE ENGLAND: 4 (Inaudible) a question? 5 CHAIRMAN PRINGLE: No, we're not 6 going to -- today is just input from the 7 public. 8 REPRESENTATIVE ENGLAND: Can we 9 not ask a presenter a question? 10 CHAIRMAN PRINGLE: We, we -- all 11 right. I'll let you ask a question, 12 Representative England. 13 REPRESENTATIVE ENGLAND: 14 (Inaudible.) 15 CHAIRMAN PRINGLE: Well, it's a 16 public hearing, so let's go. You can ask 17 a question. 18 UNIDENTIFIED SPEAKER: We ask 19 witnesses in public hearings questions all 20 the time. 21 CHAIRMAN PRINGLE: Okay. I'm 22 sorry, I'm sorry. 23 Ask the question, Mr. England.</p>



<p style="text-align: right;">Page 70</p> <p>1 REPRESENTATIVE ENGLAND: 2 Mr. Blacksher, could you come back up? 3 CHAIRMAN PRINGLE: That's his map 4 right there. It was actually in your 5 folder. It's one of -- it's one of the 6 Singleton plans that we sent to you. It's 7 in your package. It's one of the 8 Singleton plans in your package, yes. 9 UNIDENTIFIED SPEAKER: 10 Representative England. 11 REPRESENTATIVE ENGLAND: Yeah, 12 just -- I'm not going to keep you long. I 13 just want to make a -- I just want to make 14 a very clear distinction. You -- your 15 case, the case that you represent is still 16 pending, correct? 17 MR. BLACKSHER: We're representing 18 the Singleton plaintiffs in a case that's 19 still pending before the three-judge 20 court, and it's not been -- our 21 constitutional plan against the 2021 plan 22 has not been addressed, yes. 23 REPRESENTATIVE ENGLAND: All</p>	<p style="text-align: right;">Page 72</p> <p>1 under the Constitution because of the way 2 it splits Mobile and Jefferson County 3 along racial lines. 4 REPRESENTATIVE ENGLAND: All 5 right. So, but the question is do you -- 6 so you do not agree with the maps from the 7 Caster or Milligan -- the map that was 8 presented from the Caster and Milligan 9 plaintiffs, correct? 10 MR. BLACKSHER: It's not a 11 question of whether I agree with it or 12 not. I think it's a good map for the 13 purpose for which it was drawn. I'm just 14 saying that I don't believe it's going to 15 be able to pass strict scrutiny if it goes 16 before the three-judge court for that 17 decision. 18 REPRESENTATIVE ENGLAND: And you 19 say strict -- satisfying the standard of 20 strict scrutiny because why? 21 MR. BLACKSHER: Because it splits 22 counties along racial lines to achieve a 23 racial target of 50 percent plus one.</p>
<p style="text-align: right;">Page 71</p> <p>1 right. So you aren't a party to the case 2 that we're here on -- like, what got us 3 here, correct? 4 MR. BLACKSHER: No, we're 5 consolidated. We are parties in the 6 consolidated litigation, and we are 7 parties to what remedy is adopted by the 8 three-judge court, yes, sir. 9 REPRESENTATIVE ENGLAND: All 10 right. Mr. Walker asked you a question 11 initially that said -- or not asked you a 12 question, but asked the other presenters a 13 question saying were you -- whether or not 14 you agreed with or were presented with the 15 maps from the Milligan and Caster 16 plaintiffs. Have you seen those maps? 17 MR. BLACKSHER: Yes. 18 REPRESENTATIVE ENGLAND: All 19 right. Do you agree with those maps? 20 MR. BLACKSHER: I agree that those 21 maps provide opportunity districts for 22 Black voters, but I have my doubts about 23 whether it could satisfy strict scrutiny</p>	<p style="text-align: right;">Page 73</p> <p>1 REPRESENTATIVE ENGLAND: But your 2 -- each map that you presented also does 3 that? 4 MR. BLACKSHER: No. 5 REPRESENTATIVE ENGLAND: Well, I 6 mean, because Tuscaloosa is split. 7 MR. BLACKSHER: Tuscaloosa is 8 split, as are five other counties in order 9 to accomplish zero deviation. And that 10 split in Tuscaloosa County was not drawn 11 by us, but by this committee back in 2021. 12 REPRESENTATIVE ENGLAND: So you 13 would agree that in order to satisfy the 14 Voting Rights Act you are allowed to split 15 precincts, split counties, and whatever is 16 necessary to accomplish that objective? I 17 think that's actually dictum from one of 18 the opinions. 19 MR. BLACKSHER: As long as it's 20 not done along racial lines, the splits 21 have to be done to accomplish zero 22 deviation. 23 REPRESENTATIVE ENGLAND: Doesn't</p>

<p style="text-align: right;">Page 74</p> <p>1 one of the maps you present actually have 2 small percentages of deviation? 3 MR. BLACKSHER: No. Well, 4 Singleton's -- Singleton 1 and 2 had 5 deviations that were not zero. Singleton 6 3 has a zero deviation. 7 REPRESENTATIVE ENGLAND: And the 8 purpose of that deviation -- 9 MR. BLACKSHER: This one here has 10 a zero deviation, the CLC plan. 11 REPRESENTATIVE ENGLAND: So some 12 of the plans that you presented, the 13 purpose of the deviation was to attempt to 14 find a way to satisfy the Voting Rights 15 Act requirements, correct? 16 MR. BLACKSHER: I'm sorry. Say 17 again. 18 REPRESENTATIVE ENGLAND: So two of 19 the maps that you presented had small 20 deviation in an attempt to make -- to try 21 to satisfy the requirements of the Voting 22 Rights Act, correct? 23 MR. BLACKSHER: No.</p>	<p style="text-align: right;">Page 76</p> <p>1 congressional districts that split a 2 single county from 1819 until, I guess, 3 1965 when the first plan was drawn in 4 response to Westberry vs. Sanders. So for 5 over a century, no counties were split, 6 and the good thing about that is that it 7 means that districts are drawn according 8 to political communities, the counties 9 themselves, and it helps constrain 10 gerrymandering of any type. It doesn't 11 prevent gerrymandering. 12 REPRESENTATIVE ENGLAND: I'll ask 13 you just this one question and I'll let it 14 go. 15 MR. BLACKSHER: Sure. Sorry. 16 I'm -- 17 REPRESENTATIVE ENGLAND: Why did 18 the -- over the course of time, why did we 19 increase the number of counties being 20 split? 21 MR. BLACKSHER: Because Westberry 22 vs. Sanders was developed by the Supreme 23 Court in subsequent cases in the 1970s to</p>
<p style="text-align: right;">Page 75</p> <p>1 REPRESENTATIVE ENGLAND: So why do 2 you have deviation in those two maps? 3 MR. BLACKSHER: You're talking 4 about Singleton 1 and Singleton 2? 5 REPRESENTATIVE ENGLAND: Yes, sir. 6 MR. BLACKSHER: Well, because 7 Singleton 1 was drawn without splitting a 8 single county for any reason. And by the 9 way, this is not something that's not 10 going to be taken up at this time, but 11 this committee needs to know that you can 12 keep -- you can draw a plan that keeps all 13 the counties whole and produces two 14 opportunity districts, but it has -- 15 Singleton 1 had a maximum population 16 deviation of 2.47 percent. 2.47 percent. 17 And the Supreme Court has said if you had 18 adopted that, it's likely that that would 19 have satisfied the Supreme Court standard 20 for equal population in congressional 21 districts because it's done to keep from 22 splitting any counties. 23 You know, this state did not have</p>	<p style="text-align: right;">Page 77</p> <p>1 say you had to achieve close to zero 2 deviation for congressional districts 3 only, not for house and senate districts, 4 not for state board districts, not for 5 county commission or school board 6 districts. But just for congressional 7 districts the Supreme Court was looking to 8 require zero deviation, plus or minus one 9 person, and that necessarily requires 10 splitting at least six counties. Every 11 map out there that you've seen has to 12 split at least six counties in order to 13 accomplish zero deviation. 14 REPRESENTATIVE ENGLAND: So I just 15 want to make sure we understand. 16 Splitting counties and deviation is 17 allowed when it's necessary, correct? Is 18 that correct? 19 MR. BLACKSHER: When it's 20 necessary to achieve population deviation, 21 that's correct. 22 REPRESENTATIVE ENGLAND: Okay. 23 Because I don't want anybody walking away</p>

<p style="text-align: right;">Page 78</p> <p>1 from this process believing that we are  2 required to have zero deviation and no  3 county lines split because, again, we're  4 trying to accomplish the objectives of the  5 Voting Rights Act.  6 MR. BLACKSHER: Yeah.  7 REPRESENTATIVE ENGLAND: We are  8 allowed certain -- we are afforded certain  9 deviations and also splitting of precincts  10 and counties to accomplish that objective,  11 and I just want to make sure we all  12 understand that as we go through this  13 process.  14 MR. BLACKSHER: Representative  15 England, you are preaching to the choir.  16 I am only pointing out that you've got a  17 problem when those splits are done  18 intentionally along racial lines.  19 CHAIRMAN PRINGLE: Mr. England --  20 the Chair now recognizes -- is there  21 anybody else that has a question for  22 Mr. Blacksher?  23 (No audible response.)</p>	<p style="text-align: right;">Page 80</p> <p>1 redrawing of the congressional map, I  2 would not support a map that shrinks  3 Congressional District 7. I would,  4 however, support a map that includes all  5 of Jefferson County and Tuscaloosa County  6 and Black Belt in District 7, and all of  7 Montgomery and Mobile in District 2."  8 Those are the comments I have,  9 Chairman Pringle.  10 CHAIRMAN PRINGLE: Thank you so  11 much.  12 The Chair now recognizes Mr. Mike  13 Bunn from Baldwin County.  14 MR. BUNN: Yes, sir.  15 CHAIRMAN PRINGLE: If you'll tell  16 us what you're here to talk about, sir.  17 MR. BUNN: Well, just a little  18 historical perspective for what it's  19 worth. I was asked about this. I run  20 Historic Blakeley State Park and --  21 CHAIRMAN PRINGLE: Would you speak  22 into the microphone?  23 MR. BUNN: I run Historic Blakeley</p>
<p style="text-align: right;">Page 79</p> <p>1 CHAIRMAN PRINGLE: Thank you,  2 Mr. Blacksher. I'm sure we'll have  3 further discussions on July the 13th.  4 With that, I believe we have --  5 Mr. Walker, do you have some questions  6 that have been emailed in or comments?  7 MR. WALKER: I do. Let me read  8 the two comments that we've received over  9 the course of the hearing.  10 One is from Kay Smith. "Dear  11 Redistricting Committee, I would like to  12 add my support to the plaintiffs and other  13 speakers and their suggested remedial map  14 to fairly represent the voters of Alabama.  15 I submit that as a White voter in  16 Birmingham I, too, have felt a lack of  17 representation for many years now. I  18 would hope that the new plan would give  19 progressive voters like me, regardless of  20 race, a voice at long last. Thank you for  21 considering this suggested plan."  22 The other comment that was  23 received is from Tiffany West. "In the</p>	<p style="text-align: right;">Page 81</p> <p>1 State Park.  2 CHAIRMAN PRINGLE: We have several  3 hundred people watching us online.  4 MR. BUNN: Okay. So I'm in the  5 Mobile-Tensaw Delta. And just want to  6 point out, historically speaking, that  7 that's been a united community for a long  8 time, if you go back in all the Colonial  9 eras, which you don't need a whole history  10 lesson. I write books, and I won't bore  11 you with all that. But if you go all the  12 way back from the 1700s up until when the  13 battle that was fought at our park was  14 fought was actually in Baldwin County, but  15 was fought defending the City of Mobile.  16 So I was asked a little bit about that,  17 and just for historically speaking we've  18 been a united community on both sides of  19 the bay for a long time.  20 We even had a history of ferries  21 running between the communities for a long  22 period of time before the  23 Cochrane-Africatown Bridge was built and</p>

<p style="text-align: right;">Page 82</p> <p>1 opened in the 30's that united those 2 communities a little bit more efficiently 3 than the ferries. So there's a little bit 4 of a community on both sides of the bay 5 that I think we're very cognizant of down 6 in the Mobile Bay region. 7 CHAIRMAN PRINGLE: Thank you so 8 much for being here today. 9 MR. BUNN: Thank you. 10 CHAIRMAN PRINGLE: And forgive me, 11 but the Chair now recognizes Rodreshia 12 Russaw from Dothan. Did I butcher that? 13 I'm sorry. 14 MS. RUSSAW: Good afternoon. Hi, 15 my name is Rodreshia Russaw Glasgow. I am 16 the executive director of The Ordinary 17 People Society, known as T.O.P.S. Also a 18 board member of Alabama Forward and vice 19 chair second congressional district ADC, 20 Alabama Democratic Conference. 21 I am here and standing with our 22 plaintiffs, the Evan vs. Milligan -- I'm 23 sorry, the Milligan vs. Allen plan that</p>	<p style="text-align: right;">Page 84</p> <p>1 Some of the maps that I have seen 2 specifically splits in two some of the 3 highest populated counties, particularly 4 in Elmore where there is 1,154 inmates. 5 Limestone, 2,302 inmates. Montgomery 6 really didn't break down. I didn't see 7 too much variance in Bullock. But I 8 just -- for the numbers record, Bullock 9 has 1,485. Tutwiler, 714. 10 And so as we know, Alabama is 11 still among five -- the fifth state in the 12 United States that has the highest 13 incarceration rate. I ask that you would 14 adopt this map on behalf of the plaintiffs 15 because it also shows that it is not 16 cutting the district lines particularly 17 impacting those that are eligible to vote 18 within those districts. 19 And so I thank you for hearing us 20 today, and we look forward to the upcoming 21 meetings that we have. Thank you so much. 22 CHAIRMAN PRINGLE: Thank you so 23 much.</p>
<p style="text-align: right;">Page 83</p> <p>1 has been presented before you. I just 2 wanted to raise a couple of concerns of 3 mines specifically because, as we know, 4 Mr. Joe Reed explained how this affects 5 those that are incarcerated in our prisons 6 specifically. 7 And as we know, in 2008 the NAACP 8 Legal Defense Fund held the back of Pastor 9 Glasgow on the Glass vs. Allen lawsuit 10 against ADOC for those that are 11 incarcerated to be able to vote while 12 they're in prison as long as they did not 13 have a crime involving moral turpitude. 14 Why is that important to today? 15 Because there's still thousands of 16 incarcerated people who are eligible to 17 vote inside of the prisons. And, 18 unfortunately, because of the lack of 19 voter education, they are voting from 20 where they're housed and not where they 21 live in their particular county, 22 increasing prison gerrymandering, which is 23 my concern.</p>	<p style="text-align: right;">Page 85</p> <p>1 The Chair now recognizes Mary 2 Williams from Montgomery. 3 UNIDENTIFIED SPEAKER: (Inaudible) 4 the next person. 5 CHAIRMAN PRINGLE: The next 6 person, David Russell from Birmingham. 7 MR. RUSSELL: I really just signed 8 up to just let them know -- to keep the 9 numbers high. But while I'm here, I 10 did -- I do make quite a few observations. 11 I love what the senator from Mobile 12 stated, that at least when you're doing 13 the president and vice president, at least 14 we should have a minority in one of those 15 seats because it is not what it is, but 16 what it's projected to look like outside 17 the public. 18 It appears that the public 19 probably would see that, you know, even 20 those these are two Black districts, but 21 yet still we have two White chairpersons. 22 So I wish you-all would kind of over -- 23 look at those appointments again. So if</p>

<p style="text-align: right;">Page 86</p> <p>1 you have a White chair, at least we can  2 get a Black vice chair.  3 Thank you.  4 CHAIRMAN PRINGLE: Thank you.  5 The Chair now recognizes Gregory  6 Clarke from Birmingham.  7 MR. CLARKE: My appreciation to  8 the Chair, Committee Members. I'm  9 JaiGregory Clarke, representing Faith in  10 Action Alabama. We're a multi-faith,  11 multiracial organization whose mission is  12 to dismantle systemic racism in order to  13 produce pathways of opportunity for every  14 Alabamian.  15 Today I implore you to draw  16 congressional maps that empower and give  17 voting power to Black and Brown  18 communities in Alabama. For far too long,  19 minority communities, particularly Black  20 and Brown citizens, have faced significant  21 obstacles in exercising their right to  22 vote and achieving fair representation.  23 Historical injustices and systemic</p>	<p style="text-align: right;">Page 88</p> <p>1 principles in the redistricting process:  2 First, we must ensure that Black and Brown  3 communities are not fragmented or diluted  4 through gerrymandering tactics. By  5 respecting the geographic, cultural, and  6 socioeconomic boundaries of our  7 communities, we can allow for cohesive  8 representation that truly reflects our  9 interests and needs.  10 Secondly, majority minority  11 districts must be established to empower  12 our communities to elect representatives  13 who understand our unique experiences and  14 concerns. It is through these districts  15 that we can overcome historical barriers  16 and provide opportunity for  17 underrepresented communities to have our  18 voices heard.  19 Transparency and public  20 participation are paramount. I implore  21 the committee to conduct the redistricting  22 process openly, engaging community  23 organizations, advocacy groups and</p>
<p style="text-align: right;">Page 87</p> <p>1 barriers have hindered our ability to  2 fully participate in the democratic  3 process, but we stand at a critical  4 juncture where we have the opportunity to  5 right these wrongs and ensure that every  6 voice is heard. We must acknowledge the  7 painful history of voter suppression and  8 disenfranchisement by Black and Brown  9 communities in Alabama.  10 Our communities have persevered,  11 fought for or rights, and contributed  12 immensely to the fabric of our state. It  13 is time to recognize our resilience and  14 address the longstanding inequalities we  15 continue to face. Drawing congressional  16 maps that give voting power and  17 representation to our communities is not  18 only a moral imperative, it is -- it is a  19 legal obligation.  20 We must uphold the Voting Rights  21 Act of 1965 and protect the rights of  22 minority voters. To achieve this, I urge  23 this committee to prioritize the following</p>	<p style="text-align: right;">Page 89</p> <p>1 residents in meaningful dialogue.  2 Finally, I implore you members --  3 I implore you members of the Alabama  4 Reapportionment Committee to seize this  5 moment, to be on the right side of  6 history, and to draw congressional maps  7 that give voting power to Black and Brown  8 Alabamians. Together, let us build a  9 future where every Alabamian has a voice,  10 where fairness prevails, and where our  11 democracy truly shines.  12 Thank you for your time.  13 CHAIRMAN PRINGLE: Thank you so  14 much. We appreciate you being here today.  15 And now the Chair recognizes  16 Donald J. Williams from Montgomery.  17 MR. WILLIAMS: I yield.  18 CHAIRMAN PRINGLE: Yield.  19 Mr. Williams yields.  20 Now the Chair recognizes Byron  21 Evans from Selma.  22 MR. EVANS: I yield.  23 CHAIRMAN PRINGLE: Do you yield?</p>



<p style="text-align: right;">Page 90</p> <p>1 Mr. Walker, do you have any more 2 comments that have come in on the email 3 address? 4 MR. WALKER: Chairman Pringle, I 5 don't have any other comments. Oh, wait, 6 I've got one. A late arrival. 7 This is from James Butler. "I'd 8 like to leave a comment to the committee 9 in this hearing that I hope that the map 10 which I, James Butler, proposed to the 11 committee in an email earlier this week is 12 shown to this committee. I believe its 13 compactness and ability to secure two 14 opportunity districts would satisfy the 15 plaintiffs of both cases." 16 That's all I have. 17 CHAIRMAN PRINGLE: Are there any 18 additional comments while you're here? 19 Yes, sir. Please come forward and state 20 your name, and you'll have three minutes. 21 MR. MATTHEWS: Thank you most 22 graciously. My name is Frank James 23 Matthews, III, from Birmingham, Alabama.</p>	<p style="text-align: right;">Page 92</p> <p>1 I ended up being the first Black 2 person that happened to be a Black man 3 that got in a runoff in District 2 there 4 in the city council of Birmingham, 5 Alabama, and to this day, no Black person 6 has gotten that seat. 7 The young people or Black 8 population majority, the older Black 9 people are majority population. But what 10 they did, when I ran for state 11 representative and almost got in a 12 runoff -- missed it by 200 votes with 13 Oliver Robinson -- they changed the 14 district from way at the top of the 15 Birmingham map and went way to almost the 16 bottom of the Birmingham map and brought 17 in enough of Shelby County, which was 18 literally White. And I liked 200 votes 19 from becoming the first Black man, the 20 first convicted Black man to be a 21 councilperson in District 2. 22 What I say I want to say to the 23 NAACP, I want to say to all of these other</p>
<p style="text-align: right;">Page 91</p> <p>1 And I kind of touch a little tendencies 2 that the good legislator, consummate 3 politician Joe Reed mentioned initially 4 when he first spoke about convicts, and 5 then a young lady just spoke again about 6 the population of the prisons and the 7 handicaps that faces us. 8 I was arrested at 11 year olds in 9 the county jail in Limestone, Alabama. 10 Had a criminal career with some 38 11 arrests. Out of all that, I turned the 12 lemons into lemonade. I walked down 13 Highway 22 in '80 and picked up paper, 14 like Michelangelo painted a picture, as a 15 convict. And one day I had a premonition, 16 and I seen myself as sold my right to vote 17 to the prison system. I was able to 18 change my life in prison, got an early 19 release from prison. And of all people, 20 Governor Guy Hunt gave me a pardon, and I 21 was able to run for elected office. I ran 22 for mayor, I ran for city council twice, 23 and I ran for state representative first.</p>	<p style="text-align: right;">Page 93</p> <p>1 groups, you better count your numbers and 2 who has a propensity for voting. So if 3 you don't have a propensity for voting, 4 you can have the Black young, you can have 5 older Blacks in the district and still 6 have White representation. So I suggest 7 that you go up there in North Huntsville, 8 in that area up there where Ms. Hall is, 9 because the Black people in that area have 10 a high propensity for voting. 11 So you could do the same way they 12 did to me way down in Shelby County and 13 got that cotton, picked that cotton and 14 rowed it down the river, and kept me from 15 being elected. So that's one of the 16 things you better make sure. Don't say 17 it's just Black and don't say it's just 18 young. 19 CHAIRMAN PRINGLE: Mr. Williams, 20 that's -- 21 MR. WILLIAMS: Count your votes 22 before you go at them. Thank you very 23 much.</p>


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1 CHAIRMAN PRINGLE: Thank you.  
 2 Is there anybody else who would  
 3 like to say something before we conclude  
 4 this public hearing?  
 5 (No audible response.)  
 6 CHAIRMAN PRINGLE: With that, the  
 7 public hearing is closed and we stand in  
 8 adjournment.  
 9 The gentleman -- I'm sorry, I  
 10 didn't see you.  
 11 MR. McGOWIN: It won't take but a  
 12 second just to say something because --  
 13 CHAIRMAN PRINGLE: I'm terribly  
 14 sorry.  
 15 MR. McGOWIN: Dr. Reed made a  
 16 profound statement when he talked about  
 17 look at these districts and make sure  
 18 people can vote. I'm from a county that  
 19 has a prison, and right next door, Barbour  
 20 County has a prison. I see these prison  
 21 numbers in these maps. We need to make  
 22 sure that we have people in these  
 23 communities that can vote, of voting age

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1 and are going to be able to do something.  
 2 So I'm looking forward to seeing your map,  
 3 Dr. Reed, and thank you all for allowing  
 4 me just to say a brief word to this  
 5 committee. Let's make sure we've got  
 6 something in our --  
 7 CHAIRMAN PRINGLE: Sir, we need  
 8 your name.  
 9 MR. McGOWIN: John McGowin, County  
 10 Commissioner of Bullock County District 3.  
 11 CHAIRMAN PRINGLE: John McGowin.  
 12 Thank you so much, John.  
 13 All right. With that -- is there  
 14 anybody else? I don't want to make that  
 15 mistake twice.  
 16 (No audible response.)  
 17 CHAIRMAN PRINGLE: We are  
 18 adjourned.  
 19 (Whereupon, the hearing was  
 20 adjourned at approximately 3:00 p.m.)  
 21  
 22 END OF HEARING  
 23

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1 CERTIFICATE  
 2 STATE OF ALABAMA )  
 3 COUNTY OF JEFFERSON )  
 4 I hereby certify that the above  
 5 and foregoing proceeding was taken down by  
 6 me by stenographic means, and that the  
 7 content herein was produced in transcript  
 8 form by computer aid under my supervision,  
 9 and that the foregoing represents, to the  
 10 best of my ability in accordance with the  
 11 quality of the Zoom recording, a true and  
 12 correct transcript of the proceedings,  
 13 Page 1 through 95, occurring on said date  
 14 at said time.  
 15 I further certify that I am  
 16 neither of counsel nor of kin to the  
 17 parties to the action, nor am I in anywise  
 18 interested in the result of said case.  
 19 Signed 14th day of July, 2023.  
 20   
 21 \_\_\_\_\_  
 22 Carol J. Reyer, CCR  
 23 Comm. Expires: 9-15-2026  
 License No.: ACCR#: 333  
 License Expires: 9-30-2026

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