

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

BOBBY SINGLETON, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01291-AMM

**AMENDED EXHIBIT LIST TO JOINT PRETRIAL REPORT**

The *Milligan* Plaintiffs, *Singleton* Plaintiffs, and Defendants hereby respectfully resubmit their list of Stipulated and Objected-to Exhibits with modifications from the version filed on December 23. They do so for several reasons.

First, the Parties have altered the numbering of the exhibits to prevent confusion and duplication with those in *Caster*.

Second, the Parties apologize for their omission of copies of the Stipulated exhibits. The *Milligan* Plaintiffs' exhibits are attached here; Defendants and *Singleton* Plaintiffs have filed their exhibits separately.

Third, to minimize the need to refer to multiple lists, the Parties have added a column for the objected-to exhibits previously filed that identifies their filing location on the docket.

<b>Stipulated Exhibits</b>		
<b>Exh. #</b>	<b>Description</b>	<b>Bates/ECF Doc #</b>
M1	Expert Report of Kosuke Imai	68-4
M2	Expert Report of Ryan Williamson	68-3
M3	Expert Report of Moon Duchin	68-5
M4	Expert Report of Baodong Liu	68-1
M5	Expert Report of Joseph Bagley	68-2
M6	Rebuttal Report of Kosuke Imai	76-3
M7	Rebuttal Report of Moon Duchin	76-4
M8	Rebuttal Report of Baodong Liu	76-1
M9	Rebuttal Report of Joseph Bagley	76-2
M10	Congressional District Comparison 2011/2021	RC 000002
M11	Transcript of Randy Hinaman Deposition & exhibits	N/A
M12	Transcript of Rep. Pringle Deposition & exhibits	N/A
M13	Transcript of Sen. McClendon Deposition & exhibits	N/A
M14	Declaration of Scott Douglas	70-3
M15	Declaration of Benard Simelton	70-4
M16	Declaration of Shalela Dowdy	70-5
M17	Declaration of Evan Milligan	70-6
M18	Declaration of Letetia Jackson	70-7
M19	Transcript of Oct. 26, 2021 Hearing of Reapportionment Committee	70-8
M20	Declaration of Sen. Laura Hall	70-9



M21	2011 Alabama congressional district map	N/A
M22	2021 Alabama congressional plan map	RC 000553
M23	2021 Alabama congressional plan map book	RC 000556
M24	2021 Reapportionment Public Hearings list	N/A
M25	Ala. HB 621 (May 2011)	SOS000076
M26	2011 Legislative Reapportionment Comm. Guidelines	SOS002410
M27	2021 Proposed Reapportionment Comm. Guidelines comparison handout	RC 044470
M28	2021 Reapportionment Comm. Redistricting Guidelines	RC 044593
M29	Talking Points for Likely Issues	RC 045524
M30	Proposed Ala. Senate Districts Functionality Examination	RC 044600
M31	“House approves congressional redistricting plan,” Montgomery Advertiser (6/2/2011)	SOS001921
M32	June 29, 2021 email from Rep. Hall to D. Overton	RC 045712-14
M33	Decl. of Randy Hinaman from <i>ALBC</i> case	Hinaman Dep. Ex. 4
M34	Congressional plans introduced in 2021 special session	RC 000007
M35	Exhibit M-1 to William Cooper expert report in <i>Caster v. Merrill</i> , No. 2:21-cv-01536-AMM	<i>Caster</i> , ECF No. 48-46
M36	Exhibit M-2 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-47
M37	Exhibit N-1 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-48
M38	Exhibit N-2 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-49
M39	Exhibit O-1 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-50
M40	Exhibit O-2 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-51
M41	Exhibit P-1 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-52
M42	Exhibit P-2 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-53
M43	Exhibit Q-1 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-54
M44	Exhibit Q-2 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-55
M45	Exhibit R-1 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-56
M46	Exhibit R-2 to Cooper report in <i>Caster</i>	<i>Caster</i> , ECF No. 48-57
S1	Stipulations of Fact	ECF No. 47
S2	Natalie Davis Report	ECF No. 56-1
S3	Natalie Davis Rebuttal Report	ECF No. 60-1

S4	Alabama State House Hearing Transcript	RC 044681
S5	Coastal Alabama Community College– Fairhope Hearing Transcript	RC 044818
S6	Gadsden State Community College (Ayers) Hearing Transcript	RC 044990
S7	Jefferson State Community College–Hoover Hearing Transcript	RC 045074
S8	Lawson State Community College Hearing Transcript	RC 045111
S9	Lurleen B. Wallace Community College Hearing Transcript	RC 045156
S10	Northeast Alabama Community College Hearing Transcript	
S11	Northwest Shoals Community College Hearing Transcript	RC 045231
S12	All Alabama Congressional Maps	ECF No. 57-7
S13	Enacted 2021 Plan Map (Letter Size)	RC 000554
S14	Enacted 2021 Plan Population Summary	RC 000649
S15	Enacted 2021 Plan Population Summary (AP)	RC 000651
S16	Enacted 2021 Plan Population Summary (VAP)	RC 000652
S17	Enacted 2021 Plan District Statistics	RC 000537
S18	Enacted 2021 Plan Communities of Interest Splits	RC 000372
S19	Jefferson D7 Precincts	
S20	MGM D7 Precincts	
S21	Tuscaloosa D7 Precincts	
S22	Singleton Plan 1 Map (Large)	RC 022544
S23	Singleton Plan 1 Communities of Interest Splits	RC 022393
S24	Singleton Plan 2 (Smaller Deviation) Equivalency File	RC 026273 (PDF)
S25	Singleton Plan 2 Map (Letter Size)	RC 030932
S26	Singleton Plan 2 Population Summary	RC 030982
S27	Singleton Plan 2 District Statistics	RC 030925
S28	Singleton Plan 2 Communities of Interest Splits	RC 030745

S29	Singleton Plan 3 (Zero Deviation) Equivalency File	RC 034944 (PDF)
S30	Singleton Plan 3 Population Summary (AP)	RC 039227
S31	Singleton Plan 3 District Statistics	RC 039137
S35	Singleton Plan 3 Communities of Interest Splits	RC 038970
S36	Coleman Plan 1 Communities of Interest Splits	RC 009238
S37	Hatcher Plan 1 Communities of Interest Splits	RC 018041
S38	2002 Preclearance Submission (Without Exhibits)	RC 043723–34
S39	2011 Preclearance Submission (Without Exhibits)	ECF Nos. 113-87 and 113-88, No. 18-cv-907 (N.D. Ala.)
S40	Secretary of State Merrill’s Pre-Trial Brief, <i>Chestnut v. Merrill</i>	ECF No. 101, No. 18-cv-907 (N.D. Ala.)
S41	Defendant’s Exhibit 001, <i>Chestnut v. Merrill</i> (Congressional Maps)	ECF No. 114-1, No. 18-cv-907 (N.D. Ala.)
S44	Trey Hood Report, <i>Chestnut v. Merrill</i>	ECF No. 114-7, No. 18-cv-907 (N.D. Ala.)
S45	May 2021 Whole County Plan Draft	
D1	Thomas M. Bryan – Singleton Report	
D2	Thomas M. Bryan – Milligan Report	
D3	Thomas M. Bryan CV	
D4	Thomas M. Bryan Supplemental Report – Final	
D5	M.V. Hood III Expert Report	
D6	M.V. Hood III Supplemental Report – Final	
D7	Clay Helms Declaration	
D8	Mary McIntyre Declaration (12.20.21)	
D9	Declaration of Josiah Bonner, Jr.	
D19	Evans Letter to DOJ 4.15.1992 SOS007081	
D20	Evans letter to DOJ 3.10.1992 SOS007085	
D21	Evans Letter to Justice Dept. 3.10.1992, Section 5 Submission by State of Alabama SOS007070	

D22	Evans Letter to Justice Dept. 3.10.1992, Section 5 Submission by State of Alabama SOS007070 Part 2	
D23	DOJ Letter to Jimmy Evans 3.27.1992 SOS007071	
D24	Kathleen L. Wilde fax to John Tanner of the DOJ 3.25.1992 SOS007079	
D25	Letter to DOJ re Preclearance Submission of Al. Act. No. 2011-518 SOS002646	
D26	2001 Alabama State Board of Education Districts	
D31	2010 Allen Congressional Plan 4 SOS001466	
D32	2011 Preclearance Allen Plan 6 SOS001551	
D33	2011 Preclearance Beason Plan SOS001565	
D34	2011 Preclearance bpshan SOS001448	
D35	2011 Preclearance Buskey Congressional Plan SOS001621	
D36	2011 Preclearance Hammon All District Status SOS001579	
D37	2011 Preclearance Map McClendon Congressional Plan 1 - Map-0SOS001431	
D38	2011 Preclearance McClendon Congressional Plan 1 SOS001593	
D39	2011 Preclearance Poole Congressional Plan 4 SOS001607	
D40	2011 Preclearance Population Summary Report State 1 SOS001537	
D41	2011 Plan - 2 - Population and VAP Summary - Single Race	
D42	2011 Plan - 3 - Population and VAP Summary - Any Part Race	
D43	2011 Plan - 4 - Plan Components' Population and VAP - Any Part Race	
D44	2011 Plan - 5 - Plan Components' Population and VAP - Single Race	
D45	2011 Plan - 6 - County and Voting Districts Splits	

D46	2011 Preclearance Population Summary Report Allen SOS001635	
D47	2011 Preclearance Population Summary Report McClammy SOS001509	
D48	2011 Preclearance Population Summary Report SOS001649	
D50	2020 Democratic Runoff	
D51	2020-03 Certification AL Democratic Party Primary Runoff Candidates 2020-03-11	
D52	2021-10-25 2021 2nd Special Session Proclamation	
D53	2021 Alabama Congressional Plan Bill History with Recorded Votes	
D54	2021 Redistricting Plans Comparative by District Analysis Congressional	
D55	2021 Plan - 1 - Map	
D56	2021 Plan - 2 - District Statistics	
D57	2021 Plan - 3 - Population Summary - Single Race	
D58	2021 Plan - 4 - VAP Summary - Single Race	
D59	2021 Plan - 5 - Population Summary - Any Part Race	
D60	2021 Plan - 6 - VAP Summary - Any Part Race	
D61	2021 Plan - 7 - Plan Components' Population and VAP	
D62	2021 Plan - 8 - County and Voting District Splits	
D63	2021 Plan - 9 - City Splits	
D64	2021 Plan - 10 - Reock Compactness Measure	
D65	2021 Plan - 11 - Schwartzberg Compactness Measure	
D66	2021.09.07 Public Hearing Transcript - Permanent Legislative Committee On Reapportionment (Shelton State - Tuscaloosa AL)	
D67	AL DEM Cert. Amend 12182019	

D69	Certification of Results June 4, 1996, Constitutional Amendments	
D70	Democratic Party-Official 2020 Primary Election Results (1)	
D71	District Statistics Report Congressional Final, May 16	
D73	Exhibits to Congressional Submission SOS002005	
D74	Final Exhibits - District Statistics Report Congressional Final, May 16	
D75	Hatcher Plan - 1 - Map	
D76	Hatcher Plan - 2 - District Statistics	
D77	Hatcher Plan - 3- Population Summary - Single Race	
D78	Hatcher Plan - 4 - VAP Summary - Single Race	
D79	Hatcher Plan - 5- VAP Summary - Any Part Race	
D80	Hatcher Plan - 6 - Population Summary - Any Part Race	
D81	Hatcher Plan - 7 - Plan Components' Population and VAP	
D82	Hatcher Plan - 8 - County and Voting District Splits	
D83	Hatcher Plan - 9 - City Splits	
D84	Hatcher Plan - 10 - Reock Compactness Measure	
D85	Hatcher Plan - 11 - Schwartzberg Compactness Measure	
D86	<i>Jones v. Jefferson County</i> – Motion for Consent Order (agreed before litigation)	
D87	Kiani Gardner – CD-1 candidate endorsed by ADC	
D88	Alabama Advisory Committee to U.S. Commission on Civil Rights Report (July 2020)	
D89	Letter to John Park Jr. 11.21.2011 SOS000514	
D90	Letter to John Tanner dated 4.15.1992	

D91	Liu – Alabama Democrats Candidate list 2020 Primaries	
D98	Pierce Map 9.91991 SOS007159	
D99	Pleasant Grove Settlement Agreement	
D107	Reapportionment Committee Guidelines for Legislative, State Board of Education, and Congressional Redistricting State of Alabama May 2011	
D108	Legislative Reapportionment Public Hearings Aug 5	
D109	Singleton 1 Plan - 1 - Map	
D110	Singleton 1 Plan - 3 - District Statistics	
D111	Singleton 1 Plan - 4 - Population Summary - Single Race	
D112	Singleton 1 Plan - 5 - VAP Summary - Single Race	
D113	Singleton 1 Plan - 6 - Population Summary - Any Part Race	
D114	Singleton 1 Plan - 7 - VAP Summary - Any Part Race	
D115	Singleton 1 Plan - 8 - Plan Components' Population and VAP	
D116	Singleton 1 Plan - 9 - County and Voting District Splits	
D117	Singleton 1 Plan - 10 - City Splits	
D118	Singleton 1 Plan - 11 - Reock Compactness Measure	
D119	Singleton 1 Plan - 12 - Schwartzberg Compactness Measure	
D120	Singleton 2 Plan - 3 - District Statistics	
D121	Singleton 2 Plan - 4 - Population Summary - Any Part Race	
D122	Singleton 2 Plan - 5 - VAP Summary - Any Part Race	
D123	Singleton 2 Plan - 6 - Plan Components' Population and VAP	
D124	Singleton 2 Plan - 7 - County and Voting District Splits	
D125	Singleton 2 Plan - 8 - City Splits	

D126	Singleton 2 Plan - 9 - Reock Compactness Measure	
D127	Singleton 2 Plan - 10 - Schwartzberg Compactness Measure	
D128	Singleton 3 Plan - 1 - Map	
D129	Singleton 3 Plan - 3 - District Statistics	
D130	Singleton 3 Plan - 4 - VAP Summary - Single Race	
D131	Singleton 3 Plan - 5 - Population Summary - Single Race	
D132	Singleton 3 Plan - 6 - Population and VAP Summary - Any Part Race	
D133	Singleton 3 Plan - 7 - Plan Components' Population and VAP	
D134	Singleton 3 Plan - 8 - County and Voting District Splits	
D135	Singleton 3 Plan - 9 - City Splits	
D136	Singleton 3 Plan - 10 - Reock Compactness Measure	
D137	Singleton 3 Plan - 11 - Schwartzberg Compactness Measure	
D142	DOJ Letter withdrawing objection	
D147	Letter to DOJ Feb. 7, 2002, re: Submission under Section 5 of the VRA of 65, Ala. Act No. 2002-73	
D148	Letter to Civil Rights Division re Preclearance Submission of Ala. Act. No. 2011-677 – 1212857 Sept. 21, 2011	
D149	US Congress Final District Statistics Report SOS001080	
D151	2021 Census – Alabama Profile	
D159	Democratic_Party-Official 2020 Primary Election Results (only CD1 and CD2 results others hidden)	
D160	Census 2018 Voting and Reg by Race	
D161	Census 2016 Voting and Reg by Race	
D165	Letter to Justice Dept. 3.10.1992 Section 5 Submission by State of Alabama Part 1	



D166	Letter to Justice Dept. 3.10.1992 Section 5 Submission by State of Alabama Part 2	
D167	Legislative Reapportionment Public Hearings Aug 5	
D168	ACS 2019 Data Connecticut	
D169	ACS 2019 Data United States	
D170	Byrne Declaration	

<b><i>Milligan</i> Plaintiffs' Objected-To Exhibits</b>	
<b>Exhibit</b>	<b>Objections</b>
M47 - Transcript of Alabama Senate Floor Debate, Nov. 3, 2021	Authenticity

<b><i>Singleton</i> Plaintiffs' Objected-To Exhibits</b>	
<b>Exhibit</b>	<b>Objections</b>
S32 - DRA About election data.pdf	Authenticity; Relevance
S33 - DRA D7 Act 2021-555 map.pdf	Authenticity; Relevance
S34 - DRA Act 2021-555 plan stats.pdf	Authenticity; Relevance
S42 - DRA Whole County Plan map.pdf	Authenticity; Relevance
S43 - DRA Whole County Plan statistics.pdf	Authenticity; Relevance
S51 - DRA Singleton Congressional Plan 2 map.pdf	Authenticity; Relevance
S52 - DRA Singleton Congressional Plan 2 statistics.pdf	Authenticity; Relevance
S60 - DRA Singleton Congressional Plan 3 map.pdf	Authenticity; Relevance
S61- DRA Singleton Congressional Plan 3 statistics.pdf	Authenticity; Relevance

<b>Defendants' Objected-To Exhibits<sup>1</sup></b>	
<b>Exhibit</b>	<b>Objections</b>

<sup>1</sup> Objections come from the *Milligan* Plaintiffs. The *Singleton* Plaintiffs do not object to the authenticity or relevance of any of the Defendants' exhibits. The *Singleton* Plaintiffs reserve the right to object if an exhibit is offered for a purpose not permitted by the Federal Rules of Evidence.

D10	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 1	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D11	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 2	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D12	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 3	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D13	Byrne Testimony and Exhibits Part 1	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D14	Byrne Testimony and Exhibits Part 2	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D15	1991-06-14 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Mobile , AL) SOS008654	Relevance; Hearsay
D16	1991.08.21 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Montgomery AL) SOS 007291	Relevance; Hearsay
D17	1991.10.02 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Montgomery AL) SOS007200	Relevance; Hearsay
D18	1992.03.29 DOJ Objection letter	Duplicate exhibit
D27	2011 Plan - <i>Alabama v. Holder</i> (DDC) Complaint	Relevance
D28	2011 Plan – <i>Alabama v. Holder</i> (DDC) Dismissal	Relevance
D29	2011 Plan - <i>Alabama v. Holder</i> (DDC) DOJ Preclearance	Relevance

D30	<i>State of Alabama v. Holder</i> Errata to Complaint SOS000172	Relevance
D49	2020 Annual Report - State Personnel Board	Relevance
D68	Application of Appellant Billy Joe Camp, Secretary of State of Alabama, for Stay of Judgment Pending Appeal	Hearsay
D72	SOS002410 Reapportionment Committee Guidelines May 2011	Relevance
D92	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 1	Relevance
D93	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 2	Relevance
D94	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 3	Relevance; Hearsay
D95	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 4	Relevance; Hearsay
D96	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 1	Relevance; Hearsay
D97	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 2	Relevance; Hearsay
D100	Preclearance submission Exhibit C-10 alternative plan McClammy	Rule 106 (completeness)
D101	Preclearance submission Exhibit C-11 alternative plan McClammy 2M	Rule 106 (completeness)
D102	Preclearance submission Exhibit C-12 alternative plan McClammy PPB	Rule 106 (completeness)
D103	Preclearance submission Exhibit C-13 alternative plan Poole-Hubbard	Rule 106 (completeness)
D104	Preclearance submission Exhibit C-14 alternative plan alternative plan State 1	Rule 106 (completeness)
D105	Preclearance submission Exhibit C-8 alternative plan Allen	Rule 106 (completeness)
D106	Preclearance submission Exhibit C-9 alternative plan Greer 2	Rule 106 (completeness)
D138	SOS002410 Reapportionment Committee Guidelines May 2011	Relevance
D139	<i>Thompson v. Merrill</i> Alabama Board of Pardons and Paroles Chair Leigh	Relevance, Hearsay

	Gwathney's Objections and Answers to Plaintiffs' First Set of Interrogatories to Her	
D140	<i>Thompson v. Merrill</i> SOS Merrill's Objections and Answers to Plaintiff's First Set of Interrogatories to Him	Relevance, Hearsay
D141	US election 2020 Why Trump gained support among minorities	Relevance, Hearsay
D143	<i>Wesch</i> -Supplemental Stipulation	Relevance
D144	<i>Milligan v. Merrill</i> Deposition Transcript of Randy Hinaman 2021.12.09 Part 1	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D145	<i>Milligan v. Merrill</i> Deposition Transcript of Randy Hinaman 2021.12.09 Part 2	Improper use of deposition testimony under FRCP 32(a)(4); Hearsay
D146	2000 Population State Board of Education	Relevance, Hearsay
D150	CDC MMWR – Study Showing vaccination by SVI index	Hearsay
D152	Hispanic Voters Now Evenly Split Between Parties, WSJ Poll Finds	Relevance, Hearsay
D153	Sentencing Project, The Color of Justice Racial and Ethnic Disparity in Prison	Relevance, Hearsay
D154	Redistricting Alabama: How South Alabama could be split due to Baldwin County's growth	Relevance, Hearsay
D155	Voting Determination Letters for Alabama	Relevance
D156	Felon Voting Rights Final Version	Relevance; Hearsay
D157	2017.08.09 Alabama Senate Profile – Robert Kennedy Jr. says he's more than a name	Relevance, Hearsay
D158	Economic Policy Institute, State unemployment by race and ethnicity (2021Q3)	Hearsay
D162	Becoming Less Separate	Rule 106 (completeness)

D163	Defendant's First Evidentiary Submission	Relevance
D164	Randy Hinaman Amended Notice of Deposition 120921	Relevance

Respectfully submitted,

DATED this 27th day of December 2021.

/s/ Deuel Ross

Deuel Ross\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005  
(202) 682-1300  
dross@naacpldf.org

Leah Aden\*

Stuart Naifeh\*  
Kathryn Sadasivan (ASB-517-E48T)  
Brittany Carter\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
40 Rector Street, 5th Floor  
New York, NY 10006  
(212) 965-2200  
laden@naacpldf.org  
snaifeh@naacpldf.org

Shelita M. Stewart\*

Jessica L. Ellsworth\*  
HOGAN LOVELLS US LLP  
555 Thirteenth Street, NW  
Washington, D.C. 20004  
(202) 637-5600  
shelita.stewart@hoganlovells.com

David Dunn\*

HOGAN LOVELLS US LLP

/s/ Sidney M. Jackson

Sidney M. Jackson (ASB-1462-K40W)  
Nicki Lawsen (ASB-2602-C00K)  
WIGGINS CHILDS PANTAZIS  
FISHER & GOLDFARB, LLC  
301 19th Street North  
Birmingham, AL 35203  
Phone: (205) 341-0498  
sjackson@wigginschilds.com  
nlawsen@wigginschilds.com

/s/ Davin M. Rosborough

Davin M. Rosborough\*  
Julie Ebenstein\*  
AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION  
125 Broad St.  
New York, NY 10004  
(212) 549-2500  
drosborough@aclu.org  
jebenstein@aclu.org

/s/ LaTisha Gotell Faulks

LaTisha Gotell Faulks (ASB-1279-I63J)  
Kaitlin Welborn\*  
AMERICAN CIVIL LIBERTIES UNION  
OF ALABAMA  
P.O. Box 6179  
Montgomery, AL 36106-0179  
(334) 265-2754  
tgfaulks@aclualabama.org

390 Madison Avenue  
New York, NY 10017  
(212) 918-3000  
david.dunn@hoganlovells.com

Michael Turrill\*  
Harmony A. Gbe\*  
HOGAN LOVELLS US LLP  
1999 Avenue of the Stars  
Suite 1400  
Los Angeles, CA 90067  
(310) 785-4600  
michael.turrill@hoganlovells.com  
harmony.gbe@hoganlovells.com

kwelborn@aclualabama.org

Blayne R. Thompson\*  
HOGAN LOVELLS US LLP  
609 Main St., Suite 4200  
Houston, TX 77002  
(713) 632-1400  
blayne.thompson@hoganlovells.com

*Attorneys for Milligan Plaintiffs*

Anthony Ashton\*  
Anna Kathryn Barnes\*  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
(NAACP)  
4805 Mount Hope Drive  
Baltimore, MD 21215  
(410) 580-5777  
aashton@naacpnet.org  
abarnes@naacpnet.org

*Attorneys for Plaintiff Alabama State Conference of the NAACP*

James Uriah Blacksher  
825 Linwood Road  
Birmingham, AL 35222  
Tel: (205) 612-3752  
Fax: (866) 845-4395  
Email: [jublacksher@gmail.com](mailto:jublacksher@gmail.com)

Joe R. Whatley, Jr.

WHATLEY KALLAS, LLP  
2001 Park Place North  
1000 Park Place Tower  
Birmingham, AL 35203  
Tel: (205) 488-1200  
Fax: (800) 922-4851  
Email: [jwhatley@whatleykallas.com](mailto:jwhatley@whatleykallas.com)

/s/ Henry C. Quillen (with permission)  
Henry C. Quillen  
(admitted *pro hac vice*)  
WHATLEY KALLAS, LLP  
159 Middle Street, Suite 2C  
Portsmouth, NH 03801  
Tel: (603) 294-1591  
Fax: (800) 922-4851  
Email: [hquillen@whatleykallas.com](mailto:hquillen@whatleykallas.com)

Myron Cordell Penn  
PENN & SEABORN, LLC  
1971 Berry Chase Place  
Montgomery, AL 36117  
Tel: (334) 219-9771  
Email: [myronpenn28@hotmail.com](mailto:myronpenn28@hotmail.com)

Diandra “Fu” Debrosse Zimmermann  
Eli Hare  
DICELLO LEVITT GUTZLER  
420 20th Street North, Suite 2525  
Birmingham, AL 35203  
Tel.: (205) 855.5700  
Email: [fu@dicellolevitt.com](mailto:fu@dicellolevitt.com)  
[ehare@dicellolevitt.com](mailto:ehare@dicellolevitt.com)

***Counsel for Singleton Plaintiffs***

/s/ James W. Davis (with permission)

Edmund G. LaCour Jr. (ASB-9182-U81L)  
Solicitor General

Thomas A. Wilson (ASB-1494-D25C)  
Deputy Solicitor General  
James W. Davis (ASB-4063-I58J)  
Deputy Attorney General  
Misty S. Fairbanks Messick (ASB-1813-T71F)  
A. Reid Harris (ASB-1624-D29X)  
Brenton M. Smith (ASB-1656-X27Q)  
Benjamin M. Seiss (ASB-2110-O00W)  
Assistant Attorneys General  
OFFICE OF THE ATTORNEY GENERAL  
STATE OF ALABAMA  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
Fax: (334) 353-8400  
Edmund.LaCour@AlabamaAG.gov  
Jim.Davis@AlabamaAG.gov  
Ben.Seiss@AlabamaAG.gov  
Reid.Harris@AlabamaAG.gov  
Brenton.Smith@AlabamaAG.gov

***Counsel for Secretary Merrill***

/s/ Dorman Walker (with permission)

Dorman Walker (ASB-9154-R81J)  
BALCH & BINGHAM LLP  
Post Office Box 78 (36101)  
105 Tallapoosa Street, Suite 200  
Montgomery, AL 36104  
Telephone: (334) 269-3138  
Email: dwalker@balch.com

***Counsel for Sen. McClendon and Rep. Pringle***



### **CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system which provides electronic notice of filing to all counsel of record.

This the 27th day of December 2021.

/s/ Deuel Ross

COUNSEL FOR PLAINTIFFS

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF  
ALABAMA SOUTHERN DIVISION

Milligan *et al.*

*Plaintiffs,*

v.

Merrill *et al.*

*Defendants.*

---

**EXPERT REPORT**

**Kosuke Imai, Ph.D.**

**December 10, 2021**

---

## Table of Contents

I.	Introduction and Scope of Work	3
II.	Summary of Opinions	3
III.	Qualifications, Experience, and Compensation	4
IV.	Methodology	6
A.	Simulation Setup . . . . .	7
B.	Description of Redistricting Simulation Software . . . . .	8
V.	<u>Evaluation of the Enacted Plan</u>	9
A.	<u>Race-blind Simulation Analysis</u> . . . . .	9
B.	<u>One-MMD Simulation Analysis</u> . . . . .	13
VI.	Appendix	17
A.	Introduction to Redistricting Simulation . . . . .	17
B.	Implementation Details . . . . .	18
C.	Compactness of the Simulated Plans . . . . .	22
D.	County Splits of the Simulated Plans . . . . .	22
E.	References and Materials Considered . . . . .	24

**EXPERT REPORT**

**I. INTRODUCTION AND SCOPE OF WORK**

1. My name is Kosuke Imai, Ph.D., and I am a Professor in the Department of Government and the Department of Statistics at Harvard University. I specialize in the development of statistical methods for and their applications to social science research. I am also affiliated with Harvard's Institute for Quantitative Social Science.

2. I have been asked by counsel representing the plaintiffs in this case to analyze relevant data and provide my expert opinions related to the role that race played in drawing Alabama's congressional district plan (HB1). To do so, I simulated two sets of 10,000 possible Alabama congressional districting plans that adhere to other redistricting considerations. The simulations allow me to determine whether and to what extent the Alabama legislature's inclusion or exclusion of Black voters in Districts 2 and 7 in HB1 is consistent with the likelihood of particular outcomes in the simulated plans that are generated without consideration of race.<sup>1</sup>

3. These simulated plans are at least as compact as the enacted plan and have fewer than or an equal number of county splits. Like the enacted plan, none of these simulated plans pair incumbents. The first set of 10,000 alternative plans were generated without any consideration of race. I call them "race-blind" simulated plans. These race-blind simulations allow me to determine how race would be treated in districting plans if the districts were drawn without using any consideration of race. I also generated the second set of 10,000 alternative plans that have one majority-minority district (MMD) but otherwise followed the same criteria as the race-blind simulation procedure used for the first set. They were referred to as "one-MMD" simulated plans. These one-MMD simulations allow me to examine how the racial composition of the other districts would look if the districts were drawn with the constraint of including one MMD but otherwise not considering race at all.

**II. SUMMARY OF OPINIONS**

---

1. My analysis focused on Districts 2 and 7, the districts with the highest proportion of Black voters, where the role of race was most apparent. Other types of analysis may uncover similar evidence in Districts 1 and 3, but the simulations run here focus on the predominance of race in Districts 2 and 7.

**EXPERT REPORT**

4. The comparison of the race-blind simulated plans with the enacted plan yields the following findings: The enacted plan draws Black voters who live in Jefferson and Montgomery Counties into District 7 at a rate not present in the race-blind simulated plans. Indeed, the enacted plan is a clear statistical outlier in this regard when compared to the ensemble of the race-blind simulated plans. As a result of the enacted plan including an unusually large number of Black voters into District 7, the Black voting age population (BVAP) proportion of District 2 is much lower than a vast majority of the simulated plans.<sup>2</sup>

5. The comparison of the one-MMD simulated plans with the enacted plan yields the following findings: The enacted plan sweeps about 39,000 Black voters who live in Montgomery County into District 7 in the ways that render it a statistical outlier when compared to the simulated plans. In contrast, about 90% of the one-MMD simulated plans include fewer than 4,000 Black voters from Montgomery in the MMD, and instead include most Black voters from Montgomery in other districts. As a result of packing Black voters who live in Montgomery into District 7 in the enacted plan, the district with the second highest BVAP proportion (i.e., District 2) has a BVAP of only 30.1%. In contrast, a large proportion of the one-MMD simulated plans avoid packing Black voters into the MMD and the district with the second highest BVAP proportion achieves, on average, 4.4 percentage points or higher BVAP proportion than the enacted plan. This difference is statistically significant using the conventional standard.

6. My simulation analyses, therefore, provide evidence that race was a significant factor in drawing the enacted plan.

**III. QUALIFICATIONS, EXPERIENCE, AND COMPENSATION**

7. I am trained as a political scientist (Ph.D. in 2003, Harvard) and a statistician (MA in 2002, Harvard). I have published more than 60 articles in peer reviewed journals, including premier political science journals (e.g., *American Journal of Political Science*, *American Political Science Review*, *Political Science*), statistics journals (e.g., *Biometrika*, *Journal of the American*

---

2. I define BVAP as people who are some part Black per the Census definition.

**EXPERT REPORT**

*Statistical Association, Journal of the Royal Statistical Society*), and general science journals (e.g., *Lancet, Nature Human Behavior, Science Advances*). My work has been widely cited across a diverse set of disciplines. For each of the past four years, Clarivate Analytics, which tracks citation counts in academic journals, has named me as a highly cited researcher in the cross-field category for producing “multiple highly cited papers that rank in the top 1% by citations for field and year in Web of Science.”

8. I started my academic career at Princeton University, where I played a leading role in building interdisciplinary data science communities and programs on campus. I was the founding director of Princeton’s Program in Statistics and Machine Learning from 2013 to 2017. In 2018, I moved to Harvard, where I am Professor jointly appointed in the Department of Government and the Department of Statistics, the first such appointment in the history of the university. Outside of universities, between 2017 and 2019, I served as the president of the Society for Political Methodology, a primary academic organization of more than one thousand researchers worldwide who conduct methodological research in political science. My introductory statistics textbook for social scientists, *Quantitative Social Science: An Introduction* (Princeton University Press, 2017), has been widely adopted at major research universities in the United States and beyond.

9. Computational social science is one of my major research areas. As part of this research agenda, I have developed simulation algorithms for evaluating legislative redistricting since the beginning of this emerging literature. At Harvard, I lead the Algorithm-Assisted Redistricting Methodology (ALARM; <https://alarm-redist.github.io/>) Project, which studies how algorithms can be used to improve legislative redistricting practice and evaluation.

10. Back in 2014, along with Jonathan Mattingly’s team at Duke, my collaborators and I were the first to use Monte Carlo algorithms to generate an ensemble of redistricting plans. Since then, my team has written several methodological articles on redistricting simulation algorithms (Fifield, Higgins, et al. 2020; Fifield, Imai, et al. 2020; McCartan and Imai 2020; Kenny et al. 2021).

11. I have also developed an open-source software package titled *redist* that allows

**EXPERT REPORT**

researchers and policy makers to implement the cutting-edge simulation methods developed by us and others (Kenny et al. 2020). This software package can be installed for free on any personal computer with Windows, Mac, or Linux operating system. According to a website that tracks the download statistics of R packages, our software package has been downloaded about 30,000 times since 2016 with an increasing download rate.<sup>3</sup>

12. In addition to redistricting simulation methods, I have also developed the methodology for ecological inference referenced in voting rights cases (Imai, Lu, and Strauss 2008; Imai and Khanna 2016). For example, my methodology for predicting individual's race using voter files and census data was extensively used in a recent decision by the Second Circuit Court of Appeals regarding a redistricting case (Docket No. 20-1668; Clerveaux *et al* v. East Ramapo Central School District).

13. A copy of my curriculum vitae is attached as Exhibit A.

14. I am being compensated at a rate of \$450 per hour. My compensation does not depend in any way on the outcome of the case or on the opinions and testimony that I provide.

**IV. METHODOLOGY**

15. I conducted simulation analyses to help evaluate whether the enacted plan was drawn using race as a primary factor. Redistricting simulation algorithms generate a representative sample of all possible plans that satisfy a specified set of criteria. These criteria may, for example, include requiring a certain degree of population equality, avoiding pairing of incumbents, drawing compact districts, and limiting the number of counties being split. The resulting simulated plans represent a set of alternative plans that the state could have drawn while being compliant with these redistricting criteria. One can then evaluate the properties of a proposed plan by comparing it against the simulated plans. If the proposed plan unusually treats particular racial groups in a certain way *when compared to* the ensemble of simulated plans, this serves as empirical evidence that the proposed plan was likely drawn using race as a predominant factor.

---

3. <https://pub.com/dev-corner/apps/r-package-downloads/> (accessed on December 6, 2021)

**EXPERT REPORT**

16. Furthermore, statistical theory allows us to quantify the degree to which the proposed plan is extreme in terms of racial composition, relative to the ensemble of simulated plans. For example, we can estimate the probability of a simulated plan packing Black people into a district at least as much as a proposed plan does. If this probability is small, then the proposed plan is a statistical outlier because the enacted plan is highly unlikely to come from the race-blind distribution that is used to generate the simulated plans.

17. A primary advantage of the simulation-based approach, over other traditional methods, is its ability to account for the political and geographic features that are specific to each state, including spatial distribution of voters and configuration of administrative boundaries. Simulation methods can also incorporate each state's redistricting rules. These state-specific features limit the types of redistricting plans that can be drawn, making comparison across states and over time difficult. The simulation-based approach therefore allows us to compare the enacted plan to a representative set of alternate districting plans subject to Alabama's administrative boundaries, political realities, and legal requirements. Appendix A provides a brief introduction to redistricting simulation.

**A. Simulation Setup**

18. For the purposes of my analyses, I have ensured that all of my simulated plans have the following properties:

- there are a total of seven geographically contiguous districts
- all districts do not exceed an overall population deviation of  $\pm 0.5\%$
- districts are more compact than the enacted plan on average
- fewer than or equal to the number of county boundaries split under the enacted plan
- no more than one incumbent is placed in each district<sup>4</sup>
- no partisan information is used for simulation

19. I provide an overview of my simulation procedure while leaving the detailed infor-

---

4. I exclude Representative Mo Brooks who has announced his candidacy for the United States Senate from the list of incumbents.



**EXPERT REPORT**

mation about the simulation algorithms to Appendix B. I generated two sets of 10,000 simulated plans. The first set is generated by only considering the above criteria, using the Sequential Monte Carlo (SMC) simulation algorithm (McCartan and Imai 2020; Kenny et al. 2021; briefly described in Appendix B). Importantly, the simulation procedure does not use the information about race at all. I call this “race-blind” simulation analysis.

20. The second set of simulated plans also satisfy the above criteria, but use the information about race to create one majority-minority district (MMD). At the request of counsel for plaintiffs, the MMD is drawn as a district with the proportion of Black voting age population (BVAP) between 50% and 51%. I use the short-burst Markov chain Monte Carlo (MCMC) algorithm (Cannon et al. 2020; briefly described in Appendix B) to find different MMDs by running this algorithm multiple times. Then, for each simulated MMD, I use the same race-blind simulation procedure as the one used for the race-blind simulation analysis to generate the remaining six districts. Specifically, I run the SMC algorithm on the rest of the state without using any information about race. Each of the resulting simulated plans, therefore, has one MMD and the remaining districts created in the race-blind fashion. I call this “one-MMD” simulation analysis.

21. Neither of my two simulation analyses use any partisan information. Lastly, Appendix E.1 provides the detailed information about data sources used in my analysis.

**B. Description of Redistricting Simulation Software**

22. In my analysis, I use the open-source software package for redistricting analysis `redist` (Kenny et al. 2020), which implements a variety of redistricting simulation algorithms as well as other evaluation methods. My collaborators and I have written the code for this software package, so that other researchers and the general public can implement these state-of-the-art methods on their own. I supplement this package with code written primarily to account for the redistricting rules and criteria that are specific to Alabama. All of my analyses are conducted on a laptop. Indeed, all of my analysis code can be run on any personal computer once the required software packages, which are also freely available and open-source, are installed.

**EXPERT REPORT****V. EVALUATION OF THE ENACTED PLAN**

23. Using the redistricting simulation methodology described above, I evaluate evidence regarding whether race was a primary factor in drawing the enacted plan. This is done by instructing the algorithms to adhere to all of the other redistricting rules and then comparing how the enacted plan treats race to the treatment of race in the resulting simulated plans. Specifically, I simulated two sets of 10,000 alternative plans (“race-blind” and “one-MMD”), using the simulation procedure described in Section IV.

24. In Appendix C, I show that the simulated plans are on average at least as compact as the enacted plan based on the standard compactness measures. For example, virtually all of the race-blind simulated plans are more compact than the enacted plan. Appendix D shows that most of the simulated plans have fewer than or equal to the number of county splits the enacted plan does. Indeed, almost all of the race-blind simulated plans split at most four counties while the enacted plan splits six counties. As mentioned above, all simulated plans have at most one incumbent located in any given district. This allows me to number the districts of each simulated plan according to the incumbents contained in them.

25. I can easily generate additional plans by running the algorithm longer, but for the purpose of my analysis, 10,000 simulated plans for each set will yield statistically precise conclusions. In other words, generating more than 10,000 plans, while possible, will not materially affect the conclusions of my analysis.

**A. Race-blind Simulation Analysis**

26. I start with the evaluation of the enacted plan based on the race-blind simulation analysis. I show that the way in which the enacted plan deviates from the simulated plans implies that race was a predominant factor in drawing the district boundaries of the enacted plan.

**A.1. Outlier Analysis of Districts 2 and 7**

27. I first conduct an outlier analysis of District 7, which is the sole MMD under the enacted plan. This analysis examines how extreme the BVAP proportion of District 7 is under the enacted plan when compared to that under the race-blind simulated plans. Figure 1 presents

## EXPERT REPORT

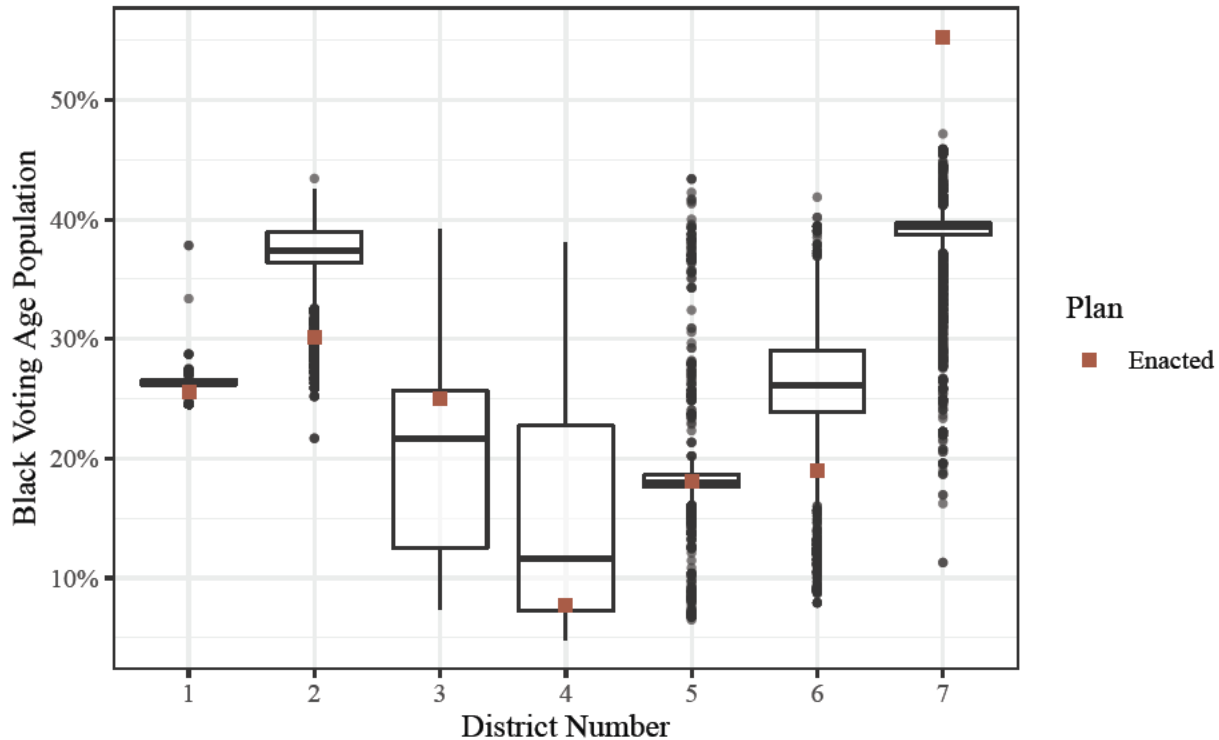


Figure 1: Proportion of Black voting age population (BVAP) for each district of the enacted plan (represented by the red square) compared to the distribution of BVAP proportion for the corresponding district under the simulated plans (represented by a boxplot). District 7 of the enacted plan is a clear outlier.

the distribution of the BVAP proportion for each district under the simulated plans (boxplot) with the red square representing the BVAP proportion for the corresponding district under the enacted plan (matched based on the incumbent location). Note that in a boxplot, the “box” contains 50% of the data points (those from 25 percentile to 75 percentile to be exact) with the horizontal line indicating the median value whereas the vertical lines coming out of the box, called “whiskers”, indicate the range, which contains most data. Any data points that are beyond these whiskers are considered as outliers.

28. For the BVAP proportion of District 7, the enacted plan is a clear outlier, including many more Black people than the corresponding district of the simulated plans. In fact, none of my 10,000 simulated plans has a district that has anywhere near as high a BVAP percentage as District 7 of the enacted plan. In other words, the enacted plan considers race beyond what is required

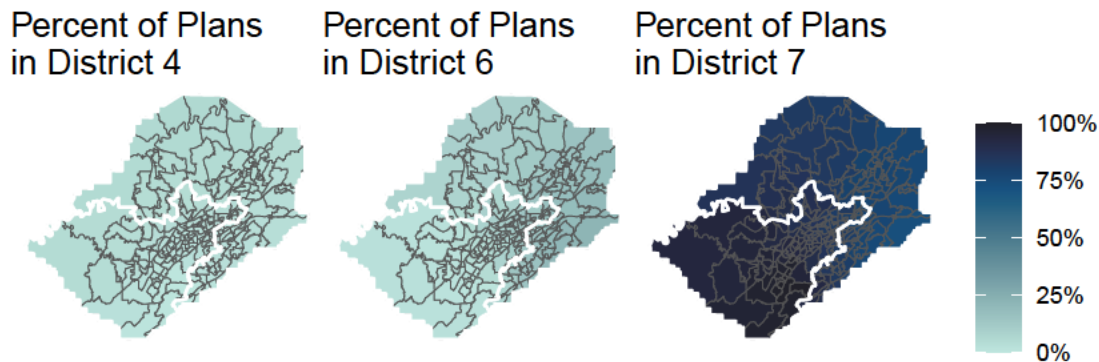
**EXPERT REPORT**

Figure 2: Precinct assignments to Districts 4 (left plot), 6 (middle plot), and 7 (right) across the simulated plans within Jefferson County. Darker colors indicate precincts that are often assigned to that district in simulated plans, while lighter colors indicate precincts that are less likely to be included in that district. The white line represents the district boundary of the enacted plan.

to satisfy the other redistricting criteria. Given the extent to which the BVAP of District 7 is an outlier, I conclude that race was a predominant factor” in drawing the district.

29. As a result of the high percentage of BVAP in District 7, the BVAP of District 2 under the enacted plan, which is 30.1%, is much lower than that under a vast majority of the simulated plans. Most simulated plans achieve a BVAP between 36.4% and 38.9% for this district.

### **A.2. Analysis of Jefferson County**

30. I next analyze Jefferson County, where the city of Birmingham is located. The enacted plan splits this county by including a large part of Birmingham into District 7 while assigning the rest of the county to District 6. I examine how this decision differs from the way in which the simulated plans treat Jefferson County. First, unlike the enacted plan, more than half of the simulated plans (53.3%) do not split Jefferson County at all. These simulated plans include the entire county as part of District 7.

31. Second, the way in which the enacted plan splits Jefferson County is highly unusual. Figure 2 presents the proportion of simulated plans that assign each precinct from Jefferson County to Districts 4 (left), 6 (middle), and 7 (right). Darker colors indicate precincts that are likely to be assigned to each district under the simulated plans, whereas lighter colors represent the ones that tend to be part of other districts. As discussed above, the figure shows that the whole Jefferson

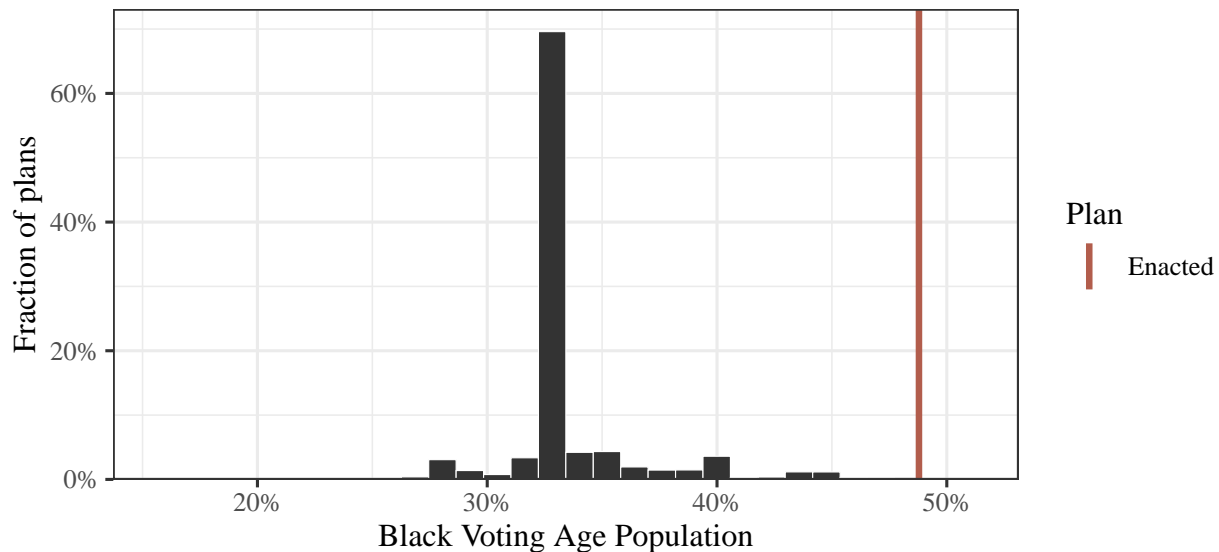
**EXPERT REPORT**

Figure 3: Comparison of Black Voting Age Population percent within Jefferson County and District 7 between simulated plans (black bars) and the enacted plan (red line).

County is usually part of District 7, indicated by the fact that the entire county is colored dark in the right map. Even when split, the simulated plans tend to assign much of the county to District 7. This pattern is in sharp contrast to the way in which the enacted plan splits Jefferson County — it groups precincts where more Black Alabamians reside and includes them into District 7 while assigning the rest of the county to District 6.

32. The examination of the BVAP within Jefferson County also confirms that the enacted plan is an outlier with respect to how it packs many Black residents of Jefferson County into District 7. Figure 3 presents the distribution of BVAP proportions within both Jefferson County and District 7 across simulated plans and compares it against the enacted plan (red line). The enacted plan is a clear outlier in that it packs many more Black residents of Jefferson County into District 7 than 9,992 of the 10,000 simulated plans. In other words, only 0.08% of simulated plans pack as many Black residents of Jefferson County into District 7 as the enacted plan.

### **A.3. Analysis of Montgomery County**

33. In addition to Jefferson, Montgomery is another key county where many Black Alabamians live. The enacted plan splits this county into Districts 2 and 7. Importantly, the enacted plan divides the city of Montgomery into those two districts. I examine how often Montgomery

**EXPERT REPORT**

County is split in the simulated plans to determine whether the decision to split Montgomery County in the enacted plan was likely to occur in order to satisfy other redistricting criteria. I find that over 97% of the simulated plans do not split Montgomery County at all. Indeed, about 94% of these simulated plans assign the entire Montgomery County to Districts 2 or 6 rather than District 7. It is clear that the enacted plan packs Black voters who live in the western part of the city of Montgomery into District 7 while leaving District 2 with fewer Black voters.

34. Based on these findings, it is my opinion that the enacted plan splits Montgomery County in a way that includes a disproportionate number of Black people into District 7, even though doing so was unnecessary to satisfy the other redistricting criteria.

**B. One-MMD Simulation Analysis**

35. I next conduct the one-MMD simulation analysis. As described in Section IV, this simulation procedure first uses a simulation algorithm to find an MMD with the BVAP proportion of 50–51% and then runs another simulation algorithm on the rest of the state without using any information about race. Like in the race-blind simulation, I created a total of 10,000 plans (see Appendix B for details).

**B.1. Analysis of the Majority-Minority District**

36. I find that all of the simulated plans use Birmingham as part of the MMD. In fact, many of the simulated plans split Jefferson County and incorporate the city of Birmingham into the MMD in a similar way to the enacted plan. In addition, all of the simulated plans split Tuscaloosa County and within this county draw district boundaries similar to those in the enacted plan.

37. The key difference between the enacted plan and simulated plans is how Montgomery County is treated. The enacted plan packs an unnecessarily large number of Black voters into the MMD, i.e., District 7, when compared to the simulated plans. Specifically, the enacted plan splits the City of Montgomery into two and includes its western part along with its northern and southern environs into the MMD. In contrast, a majority (62.2%) of the simulated plans do not split Montgomery County at all and instead assign the whole county to a non-MMD. Moreover, even in 37.8% of the simulated plans that split Montgomery County, a much smaller part of the

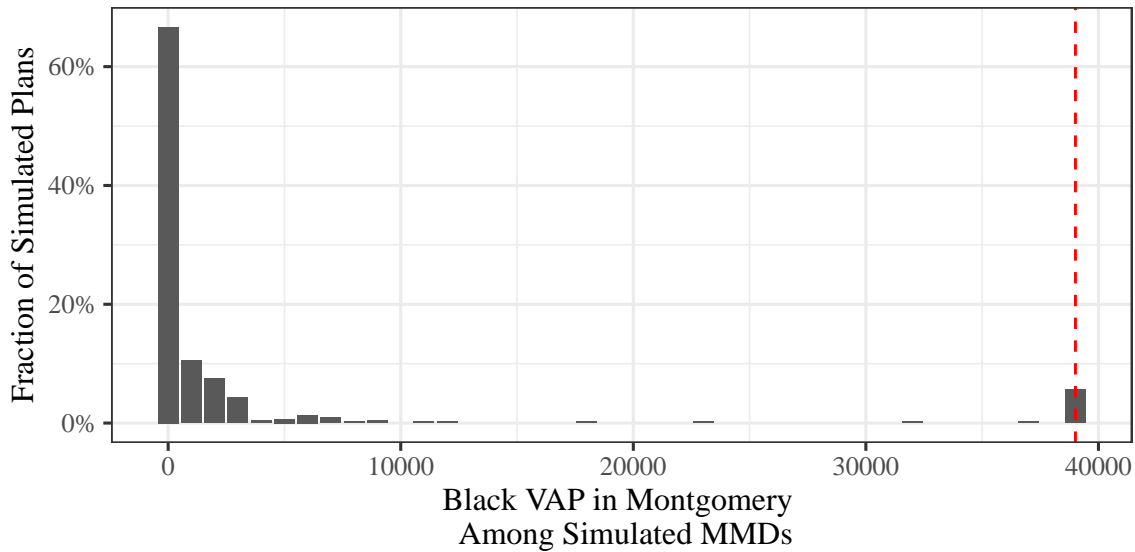
**EXPERT REPORT**

Figure 4: Black voting age population (BVAP) in Montgomery among each simulated majority-minority district (MMD). The enacted plan (red) places considerably more Black population in Montgomery than most simulated MMDs.

county's population gets assigned to the MMD.

38. Figure 4 shows the distribution of the BVAP in Montgomery County that is assigned to the MMD across the simulated plans. The enacted plan (red dashed line) assigns about 39,000 Black residents of voting age to the MMD. In contrast, the simulated plans include a much smaller percentage of BVAP of Montgomery County in the MMD. The distribution for the simulated plans is highly skewed with a large spike at zero because a majority of the simulated plans do not assign any part of Montgomery County to the MMD and instead keep Montgomery County as a whole. And, even when the MMD incorporates a part of Montgomery County in 37.8% of the simulated plans, it includes much less than 4,000 Black residents of voting age most of the time as opposed to 39,000 in the enacted plan.

39. Figure 5 shows which parts of Montgomery County, if any, are likely to be included in the MMD under the simulated plans. In this map, a precinct with darker shade means that it is part of the MMD in a greater number of simulated plans. Consistent with the finding above, most of Montgomery County has almost zero chance of being part of the MMD. The only area that is somewhat likely to be included in the MMD is the western edge of the City of Montgomery. But,



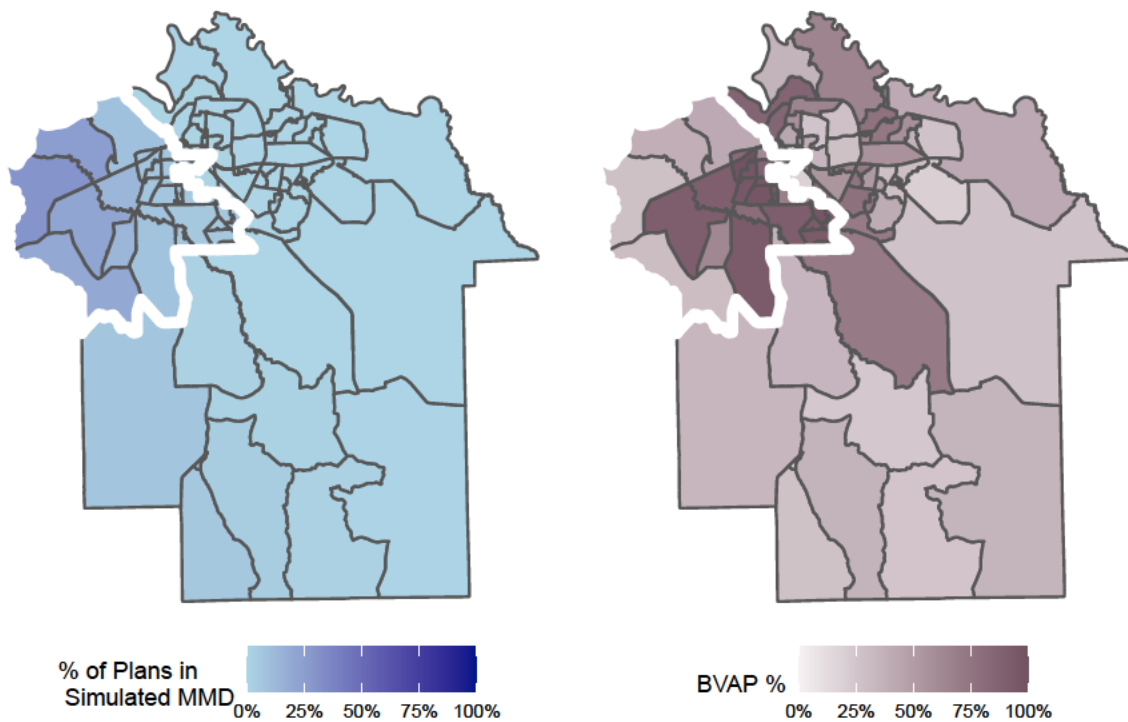
**EXPERT REPORT**

Figure 5: The fraction of times that each Montgomery precinct was assigned to a simulated majority-minority district compared to the enacted plan (white) on left, and the black voting age population share of each precinct in Montgomery county on right.

this area is much smaller than the area that is part of the MMD under the enacted plan as delineated by the white line.

40. In sum, the above analysis demonstrates that the enacted plan places Black voters who live in Montgomery County into District 7 in a manner that suggests race was a predominant factor in drawing district boundaries. In contrast, most of the simulated plans place none or few of these voters in the MMD.

### **B.2. Analysis of the Second Highest BVAP District**

41. The consequence of packing Black voters who live in Montgomery County into the MMD is that it leaves fewer Black voters for other districts. Figure 6 shows the distribution of BVAP proportion for the district that has the second highest BVAP proportion under each simulated plan. Note that under more than 90% of the simulated plans, District 2 has the second highest BVAP proportion. When compared to the enacted plan (represented by the red dashed line), under



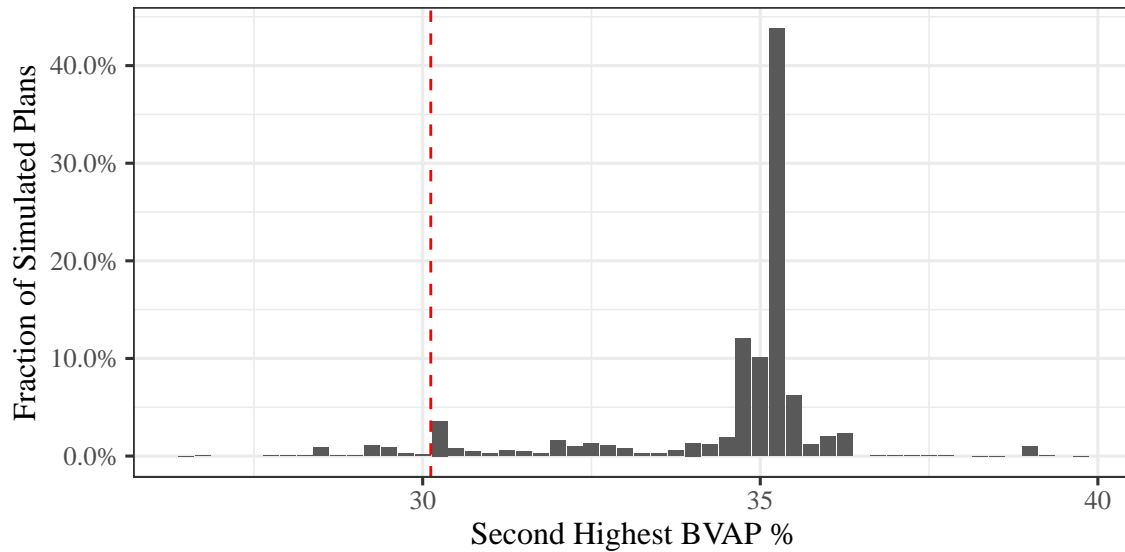
**EXPERT REPORT**

Figure 6: The second highest Black voting age population (BVAP) proportion (after the simulated majority-minority district) in each simulated plan. The vast majority of simulated plans have greater BVAP than the enacted (red).

the simulated plans, this district has a much higher BVAP proportion with the maximum value of 39.7%. Although all of non-MMD districts were generated without using any information about race, the simulation plan has, on average, the second highest district-level BVAP proportion at 34.5%, which is 4.4 percentage point higher than the corresponding BVAP proportion under the enacted plan (30.1%). Only 3.7% of the simulated plans have the second highest district-level BVAP proportion to be less than the one for the enacted plan (30.1%).

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the forgoing is true and correct:

Executed, this day, December 10, 2021, in Cambridge, Massachusetts.

Kosuke Imai, Ph.D.

**EXPERT REPORT****VI. APPENDIX****A. Introduction to Redistricting Simulation**

1. In recent years, redistricting simulation algorithms have played an increasingly important role in court cases involving redistricting plans. Simulation evidence has been presented to courts in many states, including Michigan, North Carolina, Ohio, and Pennsylvania.<sup>5</sup>

2. Over the past several years, researchers have made major scientific advances to improve the theoretical properties and empirical performance of redistricting simulation algorithms. All of the state-of-the-art redistricting simulation algorithms belong to the family of Monte Carlo methods. They are based on random generation of spanning trees, which are mathematical objects in graph theory (DeFord, Duchin, and Solomon 2021). The use of these random spanning trees allows these state-of-the-art algorithms to efficiently sample a representative set of plans (Autry et al. 2020; Carter et al. 2019; McCartan and Imai 2020; Kenny et al. 2021). Algorithms developed earlier, which do not use random spanning trees and instead rely on incremental changes to district boundaries, are often not able to do so.

3. These algorithms are designed to sample plans from a specific probability distribution, which means that every legal redistricting plan has certain odds of being generated. The algorithms put as few restrictions as possible on these odds, except to ensure that, on average, the generated plans meet certain criteria. For example, the probabilities are set so that the generated plans reach a certain level of geographic compactness, on average. Other criteria, based on the state in question, may be fed into the algorithm by the researcher. In other words, this target distribution is based on the weakest assumption about the data under the specified constraints.

4. In addition, the algorithms ensure that all of the sampled plans (a) are geographically contiguous, and (b) have a population which deviates by no more than a specified amount

---

5. Declaration of Dr. Jonathan C. Mattingly, *Common Cause v. Lewis* (2019); Testimony of Dr. Jowei Chen, *Common Cause v. Lewis* (2019); Testimony of Dr. Pegden, *Common Cause v. Lewis* (2019); Expert Report of Jonathan Mattingly on the North Carolina State Legislature, *Rucho v. Common Cause* (2019); Expert Report of Jowei Chen, *Rucho v. Common Cause* (2019); Amicus Brief of Mathematicians, Law Professors, and Students in Support of Appellees and Affirmance, *Rucho v. Common Cause* (2019); Brief of Amici Curiae Professors Wesley Pegden, Jonathan Rodden, and Samuel S.-H. Wang in Support of Appellees, *Rucho v. Common Cause* (2019); Intervenor's Memo, *Ohio A. Philip Randolph Inst. et al. v. Larry Householder* (2019); Expert Report of Jowei Chen, *League of Women Voters of Michigan v. Benson* (2019).

**EXPERT REPORT**

from a target population.

5. There are two types of general Monte Carlo algorithms which generate redistricting plans with these guarantees and other properties: sequential Monte Carlo (SMC; Doucet, Freitas, and Gordon 2001) and Markov chain Monte Carlo (MCMC; Gilks, Richardson, and Spiegelhalter 1996) algorithms.

6. The SMC algorithm (McCartan and Imai 2020; Kenny et al. 2021) samples many redistricting plans in parallel, starting from a blank map. First, the algorithm draws a random spanning tree and removes an edge from it, creating a “split” in the map, which forms a new district. This process is repeated until the algorithm generates enough plans with just one district drawn. The algorithm calculates a weight for each plan in a specific way so that the algorithm yields a representative sample from the target probability distribution. Next, the algorithm selects one of the drawn plans at random. Plans with greater weights are more likely to be selected. The algorithm then draws another district using the same splitting procedure and calculates a new weight for each updated plan that comports with the target probability distribution. The whole process of random selection and drawing is repeated again and again, each time drawing one additional district on each plan. Once all districts are drawn, the algorithm yields a sample of maps representative of the target probability distribution.

7. The MCMC algorithms (Autry et al. 2020; Carter et al. 2019) also form districts by drawing a random spanning tree and splitting it. Unlike the SMC algorithm, however, these algorithms do not draw redistricting plans from scratch. Instead, the MCMC algorithms start with an existing plan and modify it, merging a random pair of districts and then splitting them a new way.

8. Diagnostic measures exist for both these algorithms which allow users to make sure the algorithms are functioning correctly and accurately. The original papers for these algorithms referenced above provide more detail on the algorithm specifics, empirical validation of their performance, and the appropriateness of the chosen target distribution.

**B. Implementation Details**

## EXPERT REPORT

**B.1. Race-blind simulation analysis**

9. In my race-blind simulation analysis, I use the SMC algorithm for a couple of reasons. First, unlike the MCMC algorithms, the SMC algorithm generates nearly independent samples, leading to a diverse set of redistricting plans that satisfy the specified constraints. Second, the SMC algorithm avoids splitting political subdivision boundaries where possible, an important consideration in the case of Alabama.

10. Article II(b) of the Reapportionment Committee Redistricting Guidelines (hereafter *the Guidelines*) states “Congressional districts shall have minimal population deviation.” I selected the population deviation threshold of 0.5% given the fact that our primary unit of analysis is voting districts (VTD), the smallest geographical unit for which the election results are available. Although this means that the total population is not exactly equalized across the Congressional districts in my simulated plans, this level of population deviation (i.e., about 3,500 people) is too small to qualitatively change the conclusions of my analyses.

11. Article II(h) of the Guidelines require districts to be “contiguous and reasonably compact”. The SMC algorithm I use is designed to generate contiguous and relatively compact districts. Figure 7 of Appendix C shows that most of the simulated plans are more compact than the enacted plan according to the Polsby-Popper measure (Polsby and Popper 1991), which is a common metric of compactness used in the academic literature.

12. Article II(j)(iv) of the Guidelines call for minimizing the number of counties within each district. To achieve this, I instructed the algorithm to reduce the number of county splits. I do this in two ways. The first is instruct the algorithm to draw boundaries along county boundaries where feasible, which mechanically limits the maximum number of possible county splits. To further reduce the number of county splits, I also impose a small penalty against splitting counties into the probability distribution that governs the sampling process. The mathematical formulation of this constraint is  $C_{\text{splits}} n_{\text{splits}}$ , where  $n_{\text{splits}}$  is the number of splits for a given plan or portion of a plan and  $C_{\text{splits}}$  is a parameter, which controls the strength of the constraint. I set  $C_{\text{splits}} = 1$ , which is balanced with the incumbency constraint (discussed in the next paragraph) as the maximum integer

**EXPERT REPORT**

value without sacrificing the sampling efficiency and sample diversity. Figure 9 of Appendix D shows that the simulated plans have fewer or equal number of county splits than the enacted plan, which splits a total of 6 counties.

13. Article II(j)(i) of the Guidelines state that “Contests between incumbents will be avoided whenever possible.” Indeed, the enacted plan includes no more than one incumbent in each district. I follow this decision and ensure that all simulated plans have the same property. This is achieved by adding a penalty to any sampled districts which pair incumbents, similar to the penalty used for reducing splits. The mathematical formulation of this constraint is analogous to that for splits,  $C_{\text{pair}}n_{\text{pair}}$ , where  $n_{\text{pair}}$  is the number of incumbents paired for a given plan or portion of a plan and again  $C_{\text{pair}}$  is a parameter which controls the strength of the constraint. I set  $C_{\text{pair}} = 2$  to ensure that I can sample plans without incumbent pairings in a reasonable portion of the original sample. This value is balanced with  $C_{\text{splits}}$  to ensure that the final sample is diverse. As this is probability-based, I sample 50,000 plans and reject those which still pair incumbents. Of the remaining plans, I take the first 10,000 which do not pair any incumbents and do not split any counties more than once. My list of incumbents does not include Representative Mo Brooks of the fifth Congressional district who plans to run for the Senate.

**B.2. One-MMD simulation analysis**

14. The one-MMD simulation analysis proceeds in two steps. First, I run the short-burst algorithm (Cannon et al. 2020) based on the merge-split type MCMC algorithm (Autry et al. 2020; Carter et al. 2019). I designed the algorithm so that it will find one majority-minority district (MMD) with the BVAP proportion between 50% and 51%, as instructed by counsel for the plaintiffs. Additionally, I instructed the algorithm to seek MMDs with few county splits. I do both by using the following mathematical criterion:  $I_{\text{MMD}} - 0.2f_{\text{splits}}$ , where  $I_{\text{MMD}}$  is an indicator variable (1 if the plan has an MMD between 50 and 51% BVAP, 0 otherwise) for whether or not there is an MMD in the plan, and  $f_{\text{splits}}$  is the fraction of counties that are split. In the enacted plan, there is one MMD and 6 (out of 67) counties are split, creating a score of 0.982. Since within the MMD itself, there are 3 county splits (Jefferson, Tuscaloosa, and Montgomery), I seek an MMD

**EXPERT REPORT**

with 3 or fewer county splits. I instructed the short-burst algorithm to seek a score of 0.985, which would indicate plans that have an MMD and the limited number of county splits.

15. While this algorithm seeks plans that meet the score, I run it more times than the required number of plans so that I will have enough plans to analyze even in rare cases where the algorithm fails to converge. Specifically, I run this algorithm 650 times, from which 444 plans successfully meet this score, have no incumbent pairs, and create an MMD with 3 or fewer county splits. Once I obtain 444 MMDs with the desirable characteristics, I run the race-blind analysis on the rest of the state. Next, I simulate 10,000 plans created using these MMDs. To do this, I take each simulated MMD and use the Sequential Monte Carlo (SMC) simulation algorithm (McCartan and Imai 2020; Kenny et al. 2021) to generate the remaining districts in the rest of the state without using race information. I use the same constraints as in the earlier race-blind analysis in the SMC algorithm, to reduce the likelihood of incumbent pairs and limit the number of county splits. I place a slightly higher weight on each constraint, i.e.,  $C_{\text{splits}} = 3$ , than in the race-blind analysis, because part of the map has already been accounted for in the creation of the MMD. Half of the county splits in the enacted map, i.e., 3 out of 6, come from the single MMD, so this makes for realistic comparison maps.

I aim to create 10,000 sample plans, and I again oversample so that I can remove maps from the analysis that do not meet the specified criteria above. Simulation algorithms are probabilistic, and it is possible to create maps which do not meet the criteria even when there is a weight placed on them. By oversampling, I can remove the plans which do not meet the criteria and still reach the targeted sample size of 10,000. Specifically, I randomly sample 300 of the 444 created MMDs. For each of these simulated MMDs, I run a race-blind analysis on the rest of the state by taking 75 independent draws of the SMC algorithm.

Finally, I adjust for oversampling by removing ultimate plans that do not meet the criteria. For example, a very small number of simulated plans (<1%) create 7 county splits, which are dropped from the analysis. I also drop any simulated plan that contains an incumbent pair, and take 50 independent draws from 200 randomly selected starting points, for a total of 10,000 plans.

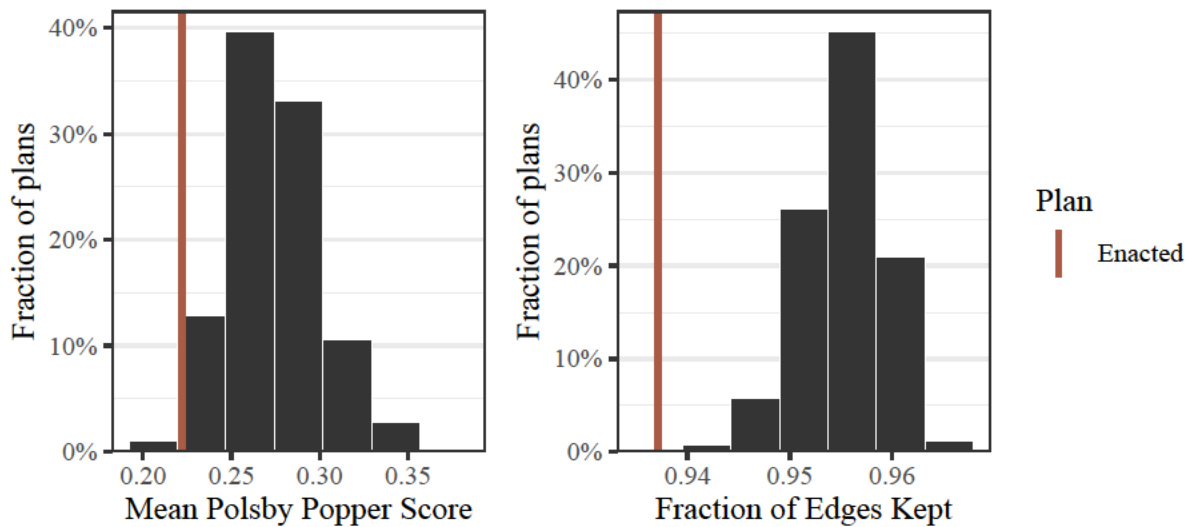
**EXPERT REPORT**

Figure 7: The compactness of the race-blind simulated plans according to two measures – the average Polsby-Popper compactness (left) and fraction of edges kept (right). In general, simulated plans are as compact or more compact than the enacted plan.

I take the same number of draws from each plan so that each of the generated MMDs has an equal weight in the final outcome.

### C. Compactness of the Simulated Plans

16. I now show that the simulated plans are more compliant than the enacted plan. I use the average Polsby–Popper (Polsby and Popper 1991) and edge-removal (DeFord, Duchin, and Solomon 2021; McCartan and Imai 2020) scores, two commonly-used quantitative measures of district compactness. For the edge-removal compactness, I present the fraction of edge kept so that like the Polsby–Popper score, a greater value implies a higher level of compactness. Figure 7 shows that according to these two measures, almost all of the race-blind simulated plans are more compact than the enacted plan.

17. Figure 8 also shows that according to the Polsby–Popper and edge-removal scores, almost all of the one-MMD simulated plans are more compact than the enacted plan.

### D. County Splits of the Simulated Plans

18. Figure 9 compares the number of counties split between the race-blind simulated plans and the enacted plan (red). The race-blind simulated plans split fewer counties than the

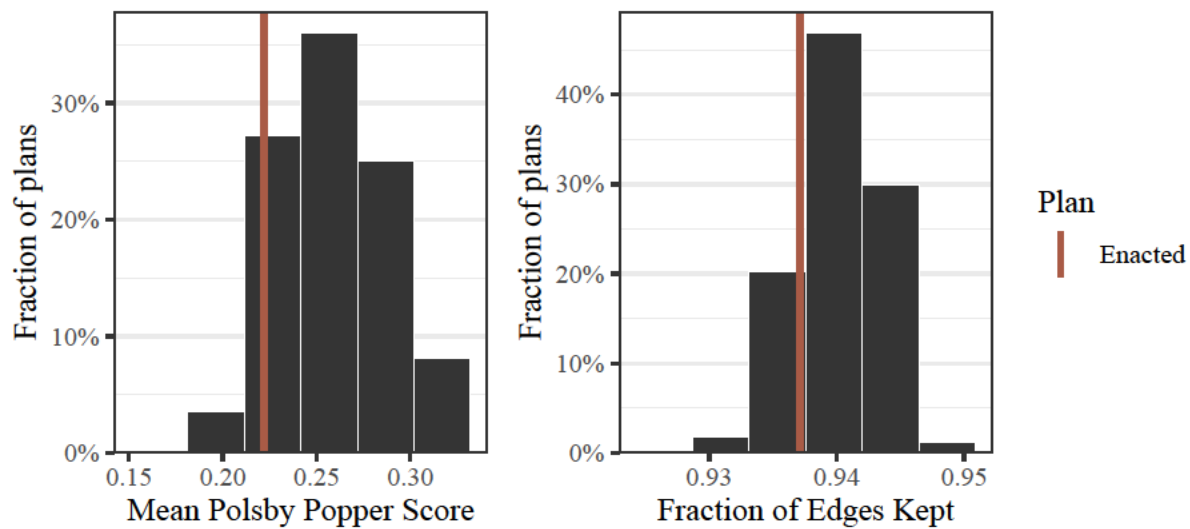
**EXPERT REPORT**

Figure 8: The compactness of the one-MMD simulated plans according to two measures – Polsby-Popper compactness (left) and fraction of edges kept (right). In general, simulated plans are as compact or more compact than the enacted plan.

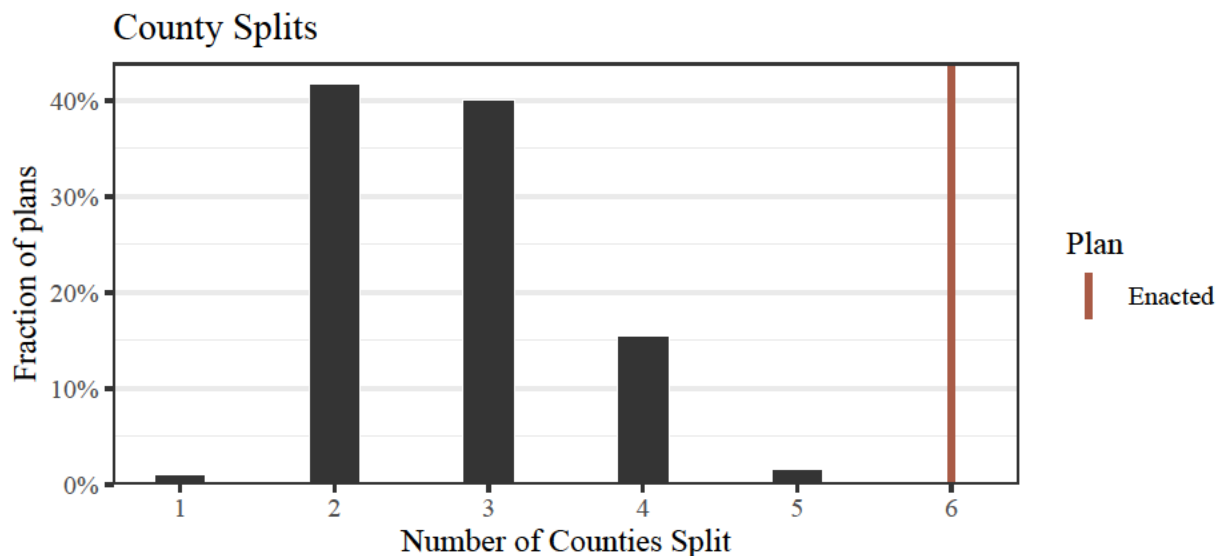


Figure 9: The number of counties split in the simulated plans (histogram) and in the enacted plan (red line). A county is deemed as split if any of its precincts are assigned to different districts. The left plot presents the total number of split counties while the right plot shows the number of counties that are split into more than two districts.



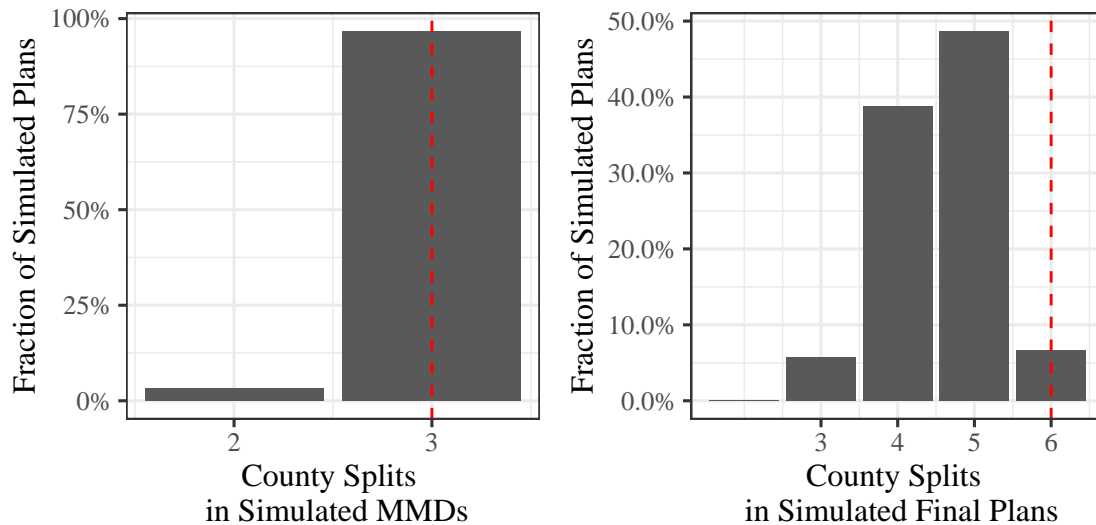
**EXPERT REPORT**

Figure 10: The number of county splits in each simulated majority-minority district (left) and in the complete simulated plans (right). All simulated plans used in the analysis have the same number or fewer splits than the enacted plan (red).

enacted plan.

19. For the one-MMD simulation analysis, Figure 10 presents the number of counties split within the MMD (left plot) and the total number of counties split (right plot). The figure shows that when compared to the enacted plan, all of the one-MMD simulated plans have fewer or equal number of county splits within the MMD and across all districts.

## **E. References and Materials Considered**

### **E.1. Data Sources**

20. The 2016, 2018, and 2020 precinct-level shapefiles came from the Voting and Election Science Team. Those shapefiles were joined to 2016, 2018, and 2020 precinct-level election returns from the Alabama Secretary of State's office, which were processed and cleaned by Open-Elections.

21. The 2014 precinct-level election returns came from the Alabama Secretary of State's office, and, after cleaning, were joined those to the 2016 precinct-level shapefile acquired from the Voting and Election Science Team. Since absentee and provisional vote is reported at the county level, the county-level absentee and provisional votes for each candidate were distributed

**EXPERT REPORT**

to the precincts in the county, proportional to the share of the candidate's vote total in the county that was reported from each precinct.

22. The 2020 Census Block shapefiles, total population by race and ethnicity, and voting age population by race and ethnicity were obtained directly from the Census FTP portal. The VTD block assignment files, congressional district block assignment files, state house district block assignment files, and state senate district block assignment files came from the Census website. The draft congressional, state house, and state senate plans came from a member of the Alabama Permanent Legislative Committee on Reapportionment.

23. For datasets that were on the 2020 census block level (total population, voting age population, VTD assignment, congressional district assignment, state house district assignment, and state senate district assignment), these datasets were joined to the 2020 Census block shapefile.

24. For datasets that were not on the level of the census block (2014, 2016, 2017, 2018, and 2020 election returns – precinct), they were disaggregated down to the 2020 census block level. Then, they were joined to the 2020 Census block shapefile. The full block-level dataset was aggregated up to the level of the 2020 voting districts, taking into account (a) discontinuities in voting districts and (b) splits of voting districts by any of the implemented and proposed plans.

**E.2. References**

- Autry, Eric, Daniel Carter, Gregory Herschlag, Zach Hunter, and Jonathan Mattingly. 2020. "Multi-scale merge-split Markov chain Monte Carlo for Redistricting." *arXiv preprint arXiv:2008.08054*.
- Cannon, S., A. Goldbloom-Helzner, V. Gupta, J. N. Matthews, and B. Suwal. 2020. "Voting Rights, Markov Chains, and Optimization by Short Bursts." *arXiv preprint arXiv:2011.02288*.
- Carter, Daniel, Gregory Herschlag, Zach Hunter, and Jonathan Mattingly. 2019. "A Merge-Split Proposal for Reversible Monte Carlo Markov Chain Sampling of Redistricting Plans." *arXiv preprint arXiv:1911.01503*.

## EXPERT REPORT

- DeFord, Daryl, Moon Duchin, and Justin Solomon. 2021. “Recombination: A Family of Markov Chains for Redistricting.” <https://hdsr.mitpress.mit.edu/pub/1ds8ptxu>, *Harvard Data Science Review* (March 31, 2021). <https://doi.org/10.1162/99608f92.eb30390f>. <https://hdsr.mitpress.mit.edu/pub/1ds8ptxu>.
- Doucet, Arnaud, Nando de Freitas, and Neil Gordon. 2001. *Sequential Monte Carlo methods in practice*. New York: Springer.
- Fifield, Benjamin, Michael Higgins, Kosuke Imai, and Alexander Tarr. 2020. “Automated Redistricting Simulation Using Markov Chain Monte Carlo.” *Journal of Computational and Graphical Statistics* 29 (4): 715–728.
- Fifield, Benjamin, Kosuke Imai, Jun Kawahara, and Christopher T Kenny. 2020. “The essential role of empirical validation in legislative redistricting simulation.” *Statistics and Public Policy* 7 (1): 52–68.
- Gilks, Walter R., Sylvia Richardson, and David J. Spiegelhalter. 1996. *Markov chain Monte Carlo in Practice*. London: Chapman & Hall.
- Imai, Kosuke, and Kabir Khanna. 2016. “Improving Ecological Inference by Predicting Individual Ethnicity from Voter Registration Record.” *Political Analysis* 24 (2): 263–272.
- Imai, Kosuke, Ying Lu, and Aaron Strauss. 2008. “Bayesian and Likelihood Inference for  $2 \times 2$  Ecological Tables: An Incomplete Data Approach.” *Political Analysis* 16 (1): 41–69.
- Kenny, Christopher T., Shiro Kuriwaki, Cory McCartan, Evan Rosenman, Tyler Simko, and Kosuke Imai. 2021. “The Use of Differential Privacy for Census Data and its Impact on Redistricting: The Case of the 2020 U.S. Census.” *Science Advances* 7, no. 41 (October): 1–17.
- Kenny, Christopher T., Cory McCartan, Benjamin Fifield, and Kosuke Imai. 2020. *redist: Computational Algorithms for Redistricting Simulation*. <https://CRAN.R-project.org/package=redist>.

**EXPERT REPORT**

McCartan, Cory, and Kosuke Imai. 2020. “Sequential Monte Carlo for sampling balanced and compact redistricting plans.” *arXiv preprint arXiv:2008.06131*.

Polsby, Daniel D, and Robert D Popper. 1991. “The third criterion: Compactness as a procedural safeguard against partisan gerrymandering.” *Yale Law & Policy Review* 9 (2): 301–353.

**EXHIBIT A**

**Curriculum Vitae**

# Kosuke Imai

## Curriculum Vitae

November 2021

### Contact Information

1737 Cambridge Street  
Institute for Quantitative Social Science  
Harvard University  
Cambridge, MA 02138

Phone: 617-384-6778  
Email: Imai@Harvard.Edu  
URL: <https://imai.fas.harvard.edu>

### Education

Ph.D. in Political Science, Harvard University (1999–2003)  
A.M. in Statistics, Harvard University (2000–2002)  
B.A. in Liberal Arts, The University of Tokyo (1994–1998)

### Positions

Professor, Department of Government and Department of Statistics, Harvard University (2018 – present)

Professor, Department of Politics and Center for Statistics and Machine Learning, Princeton University (2013 – 2018)

Founding Director, Program in Statistics and Machine Learning (2013 – 2017)

Professor of Visiting Status, Graduate Schools of Law and Politics, The University of Tokyo (2016 – present)

Associate Professor, Department of Politics, Princeton University (2012 – 2013)

Assistant Professor, Department of Politics, Princeton University (2004 – 2012)

Visiting Researcher, Faculty of Economics, The University of Tokyo (August, 2006)

Instructor, Department of Politics, Princeton University (2003 – 2004)

## Honors and Awards

1. Invited to read “Experimental Evaluation of Computer-Assisted Human Decision-Making: Application to Pretrial Risk Assessment Instrument.” before the Royal Statistical Society Research Section, London (2021).
2. *Excellence in Mentoring Award*, awarded by the Society for Political Methodology (2021).
3. *Statistical Software Award* for developing statistical software that makes a significant research contribution, for “fastLink: Fast Probabilistic Record Linkage,” awarded by the Society for Political Methodology (2021).
4. *Highly Cited Researcher* (cross-field category) for “production of multiple highly cited papers that rank in the top 1% by citations for field and year in Web of Science,” awarded by Clarivate Analytics (2018, 2019, 2020).
5. *President*, The Society for Political Methodology (2017–2019). *Vice President and President-elect* (2015–2017).
6. *Elected Fellow*, The Society for Political Methodology (2017).
7. *The Nils Petter Gleditsch Article of the Year Award* (2017), awarded by *Journal of Peace Research*.
8. *Statistical Software Award* for developing statistical software that makes a significant research contribution, for “mediation: R Package for Causal Mediation Analysis,” awarded by the Society for Political Methodology (2015).
9. *Outstanding Reviewer Award* for *Journal of Educational and Behavioral Statistics*, given by the American Educational Research Association (2014).
10. *The Stanley Kelley, Jr. Teaching Award*, given by the Department of Politics, Princeton University (2013).
11. *Pi Sigma Alpha Award* for the best paper presented at the 2012 Midwest Political Science Association annual meeting, for “Explaining Support for Combatants during Wartime: A Survey Experiment in Afghanistan,” awarded by the Midwest Political Science Association (2013).
12. Invited to read “Experimental Designs for Identifying Causal Mechanisms” before the Royal Statistical Society Research Section, London (2012).
13. Inaugural recipient of the *Emerging Scholar Award* for a young scholar making exceptional contributions to political methodology who is within ten years of their terminal degree, awarded by the Society for Political Methodology (2011).
14. *Political Analysis Editors’ Choice Award* for an article providing an especially significant contribution to political methodology, for “Estimation of Heterogeneous Treatment Effects from Randomized Experiments, with Application to the Optimal Planning of the Get-out-the-vote Campaign,” awarded by the Society for Political Methodology and Oxford University Press (2011).

15. *Tom Ten Have Memorial Award* for the best poster presented at the 2011 Atlantic Causal Inference Conference, for “Identifying Treatment Effect Heterogeneity through Optimal Classification and Variable Selection,” awarded by the Departments of Biostatistics and Statistics, University of Michigan (2011).
16. Nominated for the *Graduate Mentoring Award*, The McGraw Center for Teaching and Learning, Princeton University (2010, 2011).
17. *New Hot Paper*, for the most-cited paper in the field of Economics & Business in the last two months among papers published in the last year, for “Misunderstandings among Experimentalists and Observationalists about Causal Inference,” named by Thomson Reuters’ ScienceWatch (2009).
18. *Warren Miller Prize* for the best article published in *Political Analysis*, for “Matching as Nonparametric Preprocessing for Reducing Model Dependence in Parametric Causal Inference,” awarded by the Society for Political Methodology and Oxford University Press (2008).
19. *Fast Breaking Paper* for the article with the largest percentage increase in citations among those in the top 1% of total citations across the social sciences in the last two years, for “Matching as Nonparametric Preprocessing for Reducing Model Dependence in Parametric Causal Inference,” named by Thomson Reuters’ ScienceWatch (2008).
20. *Pharmacoepidemiology and Drug Safety Outstanding Reviewer Recognition* (2008).
21. *Miyake Award* for the best political science article published in 2005, for “Do Get-Out-The-Vote Calls Reduce Turnout? The Importance of Statistical Methods for Field Experiments,” awarded by the Japanese Political Science Association (2006).
22. *Toppan Prize* for the best dissertation in political science, for *Essays on Political Methodology*, awarded by Harvard University (2004). Also, nominated for American Political Science Association E.E. Schattschneider Award for the best doctoral dissertation in the field of American government and politics.

## Publications in English

### Book

Imai, Kosuke. (2017). *Quantitative Social Science: An Introduction*. Princeton University Press. Translated into Japanese (2018), Chinese (2020), and Korean (2021).

Stata version (2021) with Lori D. Bougher.

Tidyverse version (forthcoming) with Nora Webb Williams

### Refereed Journal Articles

1. Fan, Jianqing, Kosuke Imai, Inbeom Lee, Han Liu, Yang Ning, and Xiaolin Yang. “Optimal Covariate Balancing Conditions in Propensity Score Estimation.” *Journal of Business & Economic Statistics*, Forthcoming.



2. Imai, Kosuke, Zhichao Jiang, D. James Greiner, Ryan Halen, and Sooahn Shin. “Experimental Evaluation of Computer-Assisted Human Decision-Making: Application to Pretrial Risk Assessment Instrument.” (with discussion) *Journal of the Royal Statistical Society, Series A (Statistics in Society)*, Forthcoming. To be read before the Royal Statistical Society.
3. Imai, Kosuke, In Song Kim, and Erik Wang. “Matching Methods for Causal Inference with Time-Series Cross-Sectional Data.” *American Journal of Political Science*, Forthcoming.
4. Imai, Kosuke and Michael Lingzhi Li. “Experimental Evaluation of Individualized Treatment Rules.” *Journal of the American Statistical Association*, Forthcoming.
5. de la Cuesta, Brandon, Naoki Egami, and Kosuke Imai. “Experimental Design and Statistical Inference for Conjoint Analysis: The Essential Role of Population Distribution.” *Political Analysis*, Forthcoming.
6. Kenny, Christopher T., Shiro Kuriwaki, Cory McCartan, Evan Rosenman, Tyler Simko, and Kosuke Imai. (2021). “The Use of Differential Privacy for Census Data and its Impact on Redistricting: The Case of the 2020 U.S. Census.” *Science Advances*, Vol. 7, No. 7 (October), pp. 1-17.
7. Imai, Kosuke and James Lo. (2021). “Robustness of Empirical Evidence for the Democratic Peace: A Nonparametric Sensitivity Analysis.” *International Organization*, Vol. 75, No. 3 (Summer), pp. 901–919.
8. Imai, Kosuke, Zhichao Jiang, and Anup Malani. (2021). “Causal Inference with Interference and Noncompliance in the Two-Stage Randomized Experiments.” *Journal of the American Statistical Association*, Vol. 116, No. 534, pp. 632-644.
9. Imai, Kosuke, and In Song Kim. (2021). “On the Use of Two-way Fixed Effects Regression Models for Causal Inference with Panel Data.” *Political Analysis*, Vol. 29, No. 3 (July), pp. 405–415.
10. Imai, Kosuke and Zhichao Jiang. (2020). “Identification and Sensitivity Analysis of Contagion Effects with Randomized Placebo-Controlled Trials.” *Journal of the Royal Statistical Society, Series A (Statistics in Society)*, Vol. 183, No. 4 (October), pp. 1637–1657.
11. Fifield, Benjamin, Michael Higgins, Kosuke Imai, and Alexander Tarr. (2020). “Automated Redistricting Simulation Using Markov Chain Monte Carlo.” *Journal of Computational and Graphical Statistics*, Vol. 29, No. 4, pp. 715–728.
12. Fifield, Benjamin, Kosuke Imai, Jun Kawahara, and Christopher T. Kenny. (2020). “The Essential Role of Empirical Validation in Legislative Redistricting Simulation.” *Statistics and Public Policy*, Vol. 7, No 1, pp. 52–68.
13. Ning, Yang, Sida Peng, and Kosuke Imai. (2020). “Robust Estimation of Causal Effects via High-Dimensional Covariate Balancing Propensity Score.” *Biometrika*, Vol. 107, No. 3 (September), pp. 533—554.

14. Chou, Winston, Kosuke Imai, and Bryn Rosenfeld. (2020). “Sensitive Survey Questions with Auxiliary Information.” *Sociological Methods & Research*, Vol. 49, No. 2 (May), pp. 418–454.
15. Imai, Kosuke, Gary King, and Carlos Velasco Rivera. (2020). “Do Nonpartisan Programmatic Policies Have Partisan Electoral Effects? Evidence from Two Large Scale Randomized Experiments.” *Journal of Politics*, Vol. 82, No. 2 (April), pp. 714–730.
16. Zhao, Shandong, David A. van Dyk, and Kosuke Imai. (2020). “Propensity-Score Based Methods for Causal Inference in Observational Studies with Non-Binary Treatments.” *Statistical Methods in Medical Research*, Vol. 29, No. 3 (March), pp. 709–727.
17. Lyall, Jason, Yang-Yang Zhou, and Kosuke Imai. (2020). “Can Economic Assistance Shape Combatant Support in Wartime? Experimental Evidence from Afghanistan.” *American Political Science Review*, Vol. 114, No. 1 (February), pp. 126–143.
18. Kim, In Song, Steven Liao, and Kosuke Imai. (2020). “Measuring Trade Profile with Granular Product-level Trade Data.” *American Journal of Political Science*, Vol. 64, No. 1 (January), pp. 102–117.
19. Enamorado, Ted and Kosuke Imai. (2019). “Validating Self-reported Turnout by Linking Public Opinion Surveys with Administrative Records.” *Public Opinion Quarterly*, Vol. 83, No. 4 (Winter), pp. 723–748.
20. Blair, Graeme, Winston Chou, and Kosuke Imai. (2019). “List Experiments with Measurement Error.” *Political Analysis*, Vol. 27, No. 4 (October), pp. 455–480.
21. Egami, Naoki, and Kosuke Imai. “Causal Interaction in Factorial Experiments: Application to Conjoint Analysis.” *Journal of the American Statistical Association*, Vol. 114, No. 526 (June), pp. 529–540.
22. Enamorado, Ted, Benjamin Fifield, and Kosuke Imai. (2019). “Using a Probabilistic Model to Assist Merging of Large-scale Administrative Records.” *American Political Science Review*, Vol. 113, No. 2 (May), pp. 353–371.
23. Imai, Kosuke and In Song Kim. (2019) “When Should We Use Linear Fixed Effects Regression Models for Causal Inference with Longitudinal Data?.” *American Journal of Political Science*, Vol. 63, No. 2 (April), pp. 467–490.
24. Imai, Kosuke, and Zhichao Jiang. (2018). “A Sensitivity Analysis for Missing Outcomes Due to Truncation-by-Death under the Matched-Pairs Design.” *Statistics in Medicine*, Vol. 37, No. 20 (September), pp. 2907–2922.
25. Fong, Christian, Chad Hazlett, and Kosuke Imai. (2018). “Covariate Balancing Propensity Score for a Continuous Treatment: Application to the Efficacy of Political Advertisements.” *Annals of Applied Statistics*, Vol. 12, No. 1, pp. 156–177.
26. Hirose, Kentaro, Kosuke Imai, and Jason Lyall. (2017). “Can Civilian Attitudes Predict Insurgent Violence?: Ideology and Insurgent Tactical Choice in Civil War” *Journal of Peace Research*, Vol. 51, No. 1 (January), pp. 47–63.

27. Imai, Kosuke, James Lo, and Jonathan Olmsted. (2016). “Fast Estimation of Ideal Points with Massive Data.” *American Political Science Review*, Vol. 110, No. 4 (December), pp. 631–656.
28. Rosenfeld, Bryn, Kosuke Imai, and Jacob Shapiro. (2016). “An Empirical Validation Study of Popular Survey Methodologies for Sensitive Questions.” *American Journal of Political Science*, Vol. 60, No. 3 (July), pp. 783–802.
29. Imai, Kosuke and Kabir Khanna. (2016). “Improving Ecological Inference by Predicting Individual Ethnicity from Voter Registration Record.” *Political Analysis*, Vol. 24, No. 2 (Spring), pp. 263–272.
30. Blair, Graeme, Kosuke Imai, and Yang-Yang Zhou. (2015). “Design and Analysis of the Randomized Response Technique.” *Journal of the American Statistical Association*, Vol. 110, No. 511 (September), pp. 1304–1319.
31. Imai, Kosuke and Marc Ratkovic. (2015). “Robust Estimation of Inverse Probability Weights for Marginal Structural Models.” *Journal of the American Statistical Association*, Vol. 110, No. 511 (September), pp. 1013–1023. (lead article)
32. Lyall, Jason, Yuki Shiraito, and Kosuke Imai. (2015). “Coethnic Bias and Wartime Informing.” *Journal of Politics*, Vol. 77, No. 3 (July), pp. 833–848.
33. Imai, Kosuke, Bethany Park, and Kenneth Greene. (2015). “Using the Predicted Responses from List Experiments as Explanatory Variables in Regression Models.” *Political Analysis*, Vol. 23, No. 2 (Spring), pp. 180–196. Translated in Portuguese and Reprinted in *Revista Debates* Vol. 9, No 1.
34. Blair, Graeme, Kosuke Imai, and Jason Lyall. (2014). “Comparing and Combining List and Endorsement Experiments: Evidence from Afghanistan.” *American Journal of Political Science*, Vol. 58, No. 4 (October), pp. 1043–1063.
35. Tingley, Dustin, Teppei Yamamoto, Kentaro Hirose, Luke Keele, and Kosuke Imai. (2014). “mediation: R Package for Causal Mediation Analysis.” *Journal of Statistical Software*, Vol. 59, No. 5 (August), pp. 1–38.
36. Imai, Kosuke and Marc Ratkovic. (2014). “Covariate Balancing Propensity Score.” *Journal of the Royal Statistical Society, Series B (Statistical Methodology)*, Vol. 76, No. 1 (January), pp. 243–263.
37. Lyall, Jason, Graeme Blair, and Kosuke Imai. (2013). “Explaining Support for Combatants during Wartime: A Survey Experiment in Afghanistan.” *American Political Science Review*, Vol. 107, No. 4 (November), pp. 679–705. Winner of the Pi Sigma Alpha Award.
38. Imai, Kosuke and Teppei Yamamoto. (2013). “Identification and Sensitivity Analysis for Multiple Causal Mechanisms: Revisiting Evidence from Framing Experiments.” *Political Analysis*, Vol. 21, No. 2 (Spring), pp. 141–171. (lead article).
39. Imai, Kosuke and Marc Ratkovic. (2013). “Estimating Treatment Effect Heterogeneity in Randomized Program Evaluation.” *Annals of Applied Statistics*, Vol. 7, No. 1 (March), pp. 443–470. Winner of the Tom Ten Have Memorial Award. Reprinted in *Advances in Political Methodology*, R. Franzese, Jr. ed., Edward Elger, 2017.

40. Imai, Kosuke, Dustin Tingley, and Teppei Yamamoto. (2013). “Experimental Designs for Identifying Causal Mechanisms.”(with discussions) *Journal of the Royal Statistical Society, Series A (Statistics in Society)*, Vol. 176, No. 1 (January), pp. 5–51. (lead article) Read before the Royal Statistical Society, March 2012.
41. Imai, Kosuke, and Dustin Tingley. (2012). “A Statistical Method for Empirical Testing of Competing Theories.” *American Journal of Political Science*, Vol. 56, No. 1 (January), pp. 218–236.
42. Blair, Graeme, and Kosuke Imai. (2012). “Statistical Analysis of List Experiments.” *Political Analysis*, Vol. 20, No. 1 (Winter), pp. 47–77.
43. Imai, Kosuke, Luke Keele, Dustin Tingley, and Teppei Yamamoto. (2011). “Unpacking the Black Box of Causality: Learning about Causal Mechanisms from Experimental and Observational Studies.” *American Political Science Review*, Vol. 105, No. 4 (November), pp. 765–789. Reprinted in *Advances in Political Methodology*, R. Franzese, Jr. ed., Edward Elgar, 2017.
44. Bullock, Will, Kosuke Imai, and Jacob N. Shapiro. (2011). “Statistical Analysis of Endorsement Experiments: Measuring Support for Militant Groups in Pakistan.” *Political Analysis*, Vol. 19, No. 4 (Autumn), pp. 363–384. (lead article)
45. Imai, Kosuke. (2011). “Multivariate Regression Analysis for the Item Count Technique.” *Journal of the American Statistical Association*, Vol. 106, No. 494 (June), pp. 407–416. (featured article)
46. Ho, Daniel E., Kosuke Imai, Gary King, and Elizabeth Stuart. (2011). “MatchIt: Non-parametric Preprocessing for Parametric Causal Inference.” *Journal of Statistical Software*, Vol. 42 (Special Volume on Political Methodology), No. 8 (June), pp. 1–28.
47. Imai, Kosuke, Ying Lu, and Aaron Strauss. (2011). “eco: R Package for Ecological Inference in  $2 \times 2$  Tables.” *Journal of Statistical Software*, Vol. 42 (Special Volume on Political Methodology), No. 5 (June), pp. 1–23.
48. Imai, Kosuke and Aaron Strauss. (2011). “Estimation of Heterogeneous Treatment Effects from Randomized Experiments, with Application to the Optimal Planning of the Get-out-the-vote Campaign.” *Political Analysis*, Vol. 19, No. 1 (Winter), pp. 1–19. (lead article) Winner of the Political Analysis Editors’ Choice Award.
49. Imai, Kosuke, Luke Keele, and Dustin Tingley. (2010). “A General Approach to Causal Mediation Analysis.” *Psychological Methods*, Vol. 15, No. 4 (December), pp. 309–334. (lead article)
50. Imai, Kosuke and Teppei Yamamoto. (2010). “Causal Inference with Differential Measurement Error: Nonparametric Identification and Sensitivity Analysis.” *American Journal of Political Science*, Vol. 54, No. 2 (April), pp. 543–560.
51. Imai, Kosuke, Luke Keele, and Teppei Yamamoto. (2010). “Identification, Inference, and Sensitivity Analysis for Causal Mediation Effects.” *Statistical Science*, Vol. 25, No. 1 (February), pp. 51–71.

52. King, Gary, Emmanuela Gakidou, Kosuke Imai, Jason Lakin, Ryan T. Moore, Clayton Nall, Nirmala Ravishankar, Manett Vargas, Martha María Téllez-Rojo, Juan Eugenio Hernández Ávila, Mauricio Hernández Ávila, and Héctor Hernández Llamas. (2009). “Public Policy for the Poor? A Randomized Ten-Month Evaluation of the Mexican Universal Health Insurance Program.” (with a comment) *The Lancet*, Vol. 373, No. 9673 (April), pp. 1447–1454.
53. Imai, Kosuke, Gary King, and Clayton Nall. (2009). “The Essential Role of Pair Matching in Cluster-Randomized Experiments, with Application to the Mexican Universal Health Insurance Evaluation.” (with discussions) *Statistical Science*, Vol. 24, No. 1 (February), pp. 29–53.
54. Imai, Kosuke. (2009). “Statistical Analysis of Randomized Experiments with Nonignorable Missing Binary Outcomes: An Application to a Voting Experiment.” *Journal of the Royal Statistical Society, Series C (Applied Statistics)*, Vol. 58, No. 1 (February), pp. 83–104.
55. Imai, Kosuke, Gary King, and Olivia Lau. (2008). “Toward A Common Framework of Statistical Analysis and Development.” *Journal of Computational and Graphical Statistics*, Vol. 17, No. 4 (December), pp. 892–913.
56. Imai, Kosuke. (2008). “Variance Identification and Efficiency Analysis in Experiments under the Matched-Pair Design.” *Statistics in Medicine*, Vol. 27, No. 4 (October), pp. 4857–4873.
57. Ho, Daniel E., and Kosuke Imai. (2008). “Estimating Causal Effects of Ballot Order from a Randomized Natural Experiment: California Alphabet Lottery, 1978–2002.” *Public Opinion Quarterly*, Vol. 72, No. 2 (Summer), pp. 216–240.
58. Imai, Kosuke, Gary King, and Elizabeth A. Stuart. (2008). “Misunderstandings among Experimentalists and Observationalists: Balance Test Fallacies in Causal Inference.” *Journal of the Royal Statistical Society, Series A (Statistics in Society)*, Vol. 171, No. 2 (April), pp. 481–502. Reprinted in *Field Experiments and their Critics*, D. Teele ed., New Haven: Yale University Press, 2013.
59. Imai, Kosuke, Ying Lu, and Aaron Strauss. (2008). “Bayesian and Likelihood Ecological Inference for  $2 \times 2$  Tables: An Incomplete Data Approach.” *Political Analysis*, Vol. 16, No. 1 (Winter), pp. 41–69.
60. Imai, Kosuke. (2008). “Sharp Bounds on the Causal Effects in Randomized Experiments with “Truncation-by-Death”.” *Statistics & Probability Letters*, Vol. 78, No. 2 (February), pp. 144–149.
61. Imai, Kosuke and Samir Soneji. (2007). “On the Estimation of Disability-Free Life Expectancy: Sullivan’s Method and Its Extension.” *Journal of the American Statistical Association*, Vol. 102, No. 480 (December), pp. 1199–1211.
62. Horiuchi, Yusaku, Kosuke Imai, and Naoko Taniguchi. (2007). “Designing and Analyzing Randomized Experiments: Application to a Japanese Election Survey Experiment.” *American Journal of Political Science*, Vol. 51, No. 3 (July), pp. 669–687.



63. Ho, Daniel E., Kosuke Imai, Gary King, and Elizabeth A. Stuart. (2007). “Matching as Nonparametric Preprocessing for Reducing Model Dependence in Parametric Causal Inference.” *Political Analysis*, Vol. 15, No. 3 (Summer), pp. 199–236. (lead article) Winner of the Warren Miller Prize.
64. Ho, Daniel E., and Kosuke Imai. (2006). “Randomization Inference with Natural Experiments: An Analysis of Ballot Effects in the 2003 California Recall Election.” *Journal of the American Statistical Association*, Vol. 101, No. 475 (September), pp. 888–900.
65. Imai, Kosuke, and David A. van Dyk. (2005). “MNP: R Package for Fitting the Multinomial Probit Model.” *Journal of Statistical Software*, Vol. 14, No. 3 (May), pp. 1–32. abstract reprinted in *Journal of Computational and Graphical Statistics* (2005) Vol. 14, No. 3 (September), p. 747.
66. Imai, Kosuke. (2005). “Do Get-Out-The-Vote Calls Reduce Turnout? The Importance of Statistical Methods for Field Experiments.” *American Political Science Review*, Vol. 99, No. 2 (May), pp. 283–300.
67. Imai, Kosuke, and David A. van Dyk. (2005). “A Bayesian Analysis of the Multinomial Probit Model Using Marginal Data Augmentation.” *Journal of Econometrics*, Vol. 124, No. 2 (February), pp. 311–334.
68. Imai, Kosuke, and David A. van Dyk. (2004). “Causal Inference With General Treatment Regimes: Generalizing the Propensity Score.” *Journal of the American Statistical Association*, Vol. 99, No. 467 (September), pp. 854–866.
69. Imai, Kosuke, and Gary King. (2004). “Did Illegal Overseas Absentee Ballots Decide the 2000 U.S. Presidential Election?” *Perspectives on Politics*, Vol. 2, No. 3 (September), pp. 537–549. Our analysis is a part of *The New York Times* article, “How Bush Took Florida: Mining the Overseas Absentee Vote” By David Barstow and Don van Natta Jr. July 15, 2001, Page 1, Column 1.

## Invited Contributions

1. Imai, Kosuke, and Zhichao Jiang. (2019). “Comment: The Challenges of Multiple Causes.” *Journal of the American Statistical Association*, Vol. 114, No. 528, pp. 1605–1610.
2. Benjamin, Daniel J., *et al.* (2018). “Redefine Statistical Significance.” *Nature Human Behaviour*, Vol. 2, No. 1, pp. 6–10.
3. de la Cuesta, Brandon and Kosuke Imai. (2016). “Misunderstandings about the Regression Discontinuity Design in the Study of Close Elections.” *Annual Review of Political Science*, Vol. 19, pp. 375–396.
4. Imai, Kosuke (2016). “Book Review of *Causal Inference for Statistics, Social, and Biomedical Sciences: An Introduction*. by Guido W. Imbens and Donald B. Rubin.” *Journal of the American Statistical Association*, Vol. 111, No. 515, pp. 1365–1366.
5. Imai, Kosuke, Bethany Park, and Kenneth F. Greene. (2015). “Usando as respostas previsíveis da abordagem list-experiments como variáveis explicativas em modelos de regressão.” *Revista Debates*, Vol. 9, No. 1, pp. 121–151. First printed in *Political Analysis*, Vol. 23, No. 2 (Spring).

6. Imai, Kosuke, Luke Keele, Dustin Tingley, and Teppei Yamamoto. (2014). “Comment on Pearl: Practical Implications of Theoretical Results for Causal Mediation Analysis.” *Psychological Methods*, Vol. 19, No. 4 (December), pp. 482–487.
7. Imai, Kosuke, Gary King, and Elizabeth A. Stuart. (2014). “Misunderstandings among Experimentalists and Observationalists: Balance Test Fallacies in Causal Inference.” in *Field Experiments and their Critics: Essays on the Uses and Abuses of Experimentation in the Social Sciences*, D. L. Teele ed., New Haven: Yale University Press, pp. 196–227. First printed in *Journal of the Royal Statistical Society, Series A (Statistics in Society)*, Vol. 171, No. 2 (April).
8. Imai, Kosuke, Dustin Tingley, and Teppei Yamamoto. (2013). “Reply to Discussions of “Experimental Designs for Identifying Causal Mechanisms”.” *Journal of the Royal Statistical Society, Series A (Statistics in Society)*, Vol. 173, No. 1 (January), pp. 46–49.
9. Imai, Kosuke. (2012). “Comments: Improving Weighting Methods for Causal Mediation Analysis.” *Journal of Research on Educational Effectiveness*, Vol. 5, No. 3, pp. 293–295.
10. Imai, Kosuke. (2011). “Introduction to the Virtual Issue: Past and Future Research Agenda on Causal Inference.” *Political Analysis*, Virtual Issue: Causal Inference and Political Methodology.
11. Imai, Kosuke, Booil Jo, and Elizabeth A. Stuart. (2011). “Commentary: Using Potential Outcomes to Understand Causal Mediation Analysis.” *Multivariate Behavioral Research*, Vol. 46, No. 5, pp. 842–854.
12. Imai, Kosuke, Luke Keele, Dustin Tingley, and Teppei Yamamoto. (2010). “Causal Mediation Analysis Using R,” in *Advances in Social Science Research Using R*, H. D. Vinod (ed.), New York: Springer (Lecture Notes in Statistics), pp. 129–154.
13. Imai, Kosuke, Gary King, and Clayton Nall. (2009). “Rejoinder: Matched Pairs and the Future of Cluster-Randomized Experiments.” *Statistical Science*, Vol. 24, No. 1 (February), pp. 65–72.
14. Imai, Kosuke. (2003). “Review of Jeff Gill’s *Bayesian Methods: A Social and Behavioral Sciences Approach*,” *The Political Methodologist*, Vol. 11 No. 1, 9–10.

## Refereed Conference Proceedings

1. Svyatkovskiy, Alexey, Kosuke Imai, Mary Kroeger, and Yuki Shiraito. (2016). “Large-scale text processing pipeline with Apache Spark,” *IEEE International Conference on Big Data*, Washington, DC, pp. 3928–3935.

## Other Publications and Manuscripts

1. Goldstein, Daniel, Kosuke Imai, Anja S. Göritz, and Peter M. Gollwitzer. (2008). “Nudging Turnout: Mere Measurement and Implementation Planning of Intentions to Vote.”
2. Ho, Daniel E. and Kosuke Imai. (2004). “The Impact of Partisan Electoral Regulation: Ballot Effects from the California Alphabet Lottery, 1978–2002.” Princeton Law & Public Affairs Paper No. 04-001; Harvard Public Law Working Paper No. 89.

3. Imai, Kosuke. (2003). “Essays on Political Methodology,” *Ph.D. Thesis*. Department of Government, Harvard University.
4. Imai, Kosuke, and Jeremy M. Weinstein. (2000). “Measuring the Economic Impact of Civil War,” Working Paper Series No. 51, Center for International Development, Harvard University.

## Selected Manuscripts

1. McCartan, Cory, Jacob Brown, and Kosuke Imai. “Measuring and Modeling Neighborhoods.”
2. Ben-Michael, Eli, D. James Greiner, Kosuke Imai, and Zhichao Jiang. “Safe Policy Learning through Extrapolation: Application to Pre-trial Risk Assessment.”
3. Tarr, Alexander and Kosuke Imai. “Estimating Average Treatment Effects with Support Vector Machines.”
4. McCartan, Cory and Kosuke Imai. “Sequential Monte Carlo for Sampling Balanced and Compact Redistricting Plans.”
5. Imai, Kosuke and Zhichao Jiang. “Principal Fairness for Human and Algorithmic Decision-Making.”
6. Papadogeorgou, Georgia, Kosuke Imai, Jason Lyall, and Fan Li. “Causal Inference with Spatio-temporal Data: Estimating the Effects of Airstrikes on Insurgent Violence in Iraq.”
7. Eshima, Shusei, Kosuke Imai, and Tomoya Sasaki. “Keyword Assisted Topic Models.”
8. Tarr, Alexander, June Hwang, and Kosuke Imai. “Automated Coding of Political Campaign Advertisement Videos: An Empirical Validation Study.”
9. Olivella, Santiago, Tyler Pratt, and Kosuke Imai. “Dynamic Stochastic Blockmodel Regression for Social Networks: Application to International Conflicts.”
10. Chan, K.C.G, K. Imai, S.C.P. Yam, Z. Zhang. “Efficient Nonparametric Estimation of Causal Mediation Effects.”
11. Barber, Michael and Kosuke Imai. “Estimating Neighborhood Effects on Turnout from Geocoded Voter Registration Records.”
12. Hirano, Shigeo, Kosuke Imai, Yuki Shiraito, and Masaki Taniguchi. “Policy Positions in Mixed Member Electoral Systems: Evidence from Japan.”

## Publications in Japanese

1. Imai, Kosuke. (2007). “Keiryō Seijigaku niokeru Ingateki Suiron (Causal Inference in Quantitative Political Science).” *Leviathan*, Vol. 40, Spring, pp. 224–233.
2. Horiuchi, Yusaku, Kosuke Imai, and Naoko Taniguchi. (2005). “Seisaku Jyōhō to Tōhyō Sanka: Field Jikken ni yoru Kensyō (Policy Information and Voter Participation: A Field Experiment).” *Nenpō Seijigaku (The Annals of the Japanese Political Science Association)*, 2005–I, pp. 161–180.



3. Taniguchi, Naoko, Yusaku Horiuchi, and Kosuke Imai. (2004). “Seitō Saito no Etsuran ha Tohyō Kōdō ni Eikyō Suruka? (Does Visiting Political Party Websites Influence Voting Behavior?)” *Nikkei Research Report*, Vol. IV, pp. 16–19.

## Statistical Software

1. Eshima, Shusei, Kosuke Imai, and Tomoya Sasaki. “Keyword Assisted Topic Models.” The Comprehensive R Archive Network and GitHub. 2020.
2. Li, Michael Lingzhi and Kosuke Imai. “evalITR: Evaluating Individualized Treatment Rules.” available through The Comprehensive R Archive Network and GitHub. 2020.
3. Egami, Naoki, Brandon de la Cuesta, and Kosuke Imai. “factorEx: Design and Analysis for Factorial Experiments.” available through The Comprehensive R Archive Network and GitHub. 2019.
4. Kim, In Song, Erik Wang, Adam Rauh, and Kosuke Imai. “PanelMatch: Matching Methods for Causal Inference with Time-Series Cross-Section Data.” available through GitHub. 2018.
5. Olivella, Santiago, Adeline Lo, Tyler Pratt, and Kosuke Imai. “NetMix: Mixed-membership Regression Stochastic Blockmodel for Networks.” available through CRAN and Github. 2019.
6. Enamorado, Ted, Benjamin Fifield, and Kosuke Imai. “fastLink: Fast Probabilistic Record Linkage.” available through The Comprehensive R Archive Network and GitHub. Winner of the Statistical Software Award. 2017.
7. Khanna, Kabir, and Kosuke Imai. “wru: Who Are You? Bayesian Predictions of Racial Category Using Surname and Geolocation.” available through The Comprehensive R Archive Network and GitHub. 2015.
8. Fifield, Benjamin, Christopher T. Kenny, Cory McCartan, and Kosuke Imai. “redist: Markov Chain Monte Carlo Methods for Redistricting Simulation.” available through The Comprehensive R Archive Network and GitHub. 2015.
9. Imai, Kosuke, James Lo, and Jonathan Olmsted. “emIRT: EM Algorithms for Estimating Item Response Theory Models.” available through The Comprehensive R Archive Network. 2015.
10. Blair, Graeme, Yang-Yang Zhou, and Kosuke Imai. “rr: Statistical Methods for the Randomized Response Technique.” available through The Comprehensive R Archive Network and GitHub. 2015.
11. Fong, Christian, Marc Ratkovic, and Kosuke Imai. “CBPS: R Package for Covariate Balancing Propensity Score.” available through The Comprehensive R Archive Network and GitHub. 2012.
12. Egami, Naoki, Marc Ratkovic, and Kosuke Imai. “FindIt: R Package for Finding Heterogeneous Treatment Effects.” available through The Comprehensive R Archive Network and GitHub. 2012.

13. Kim, In Song, and Kosuke Imai. “wfe: Weighted Linear Fixed Effects Regression Models for Causal Inference.” available through The Comprehensive R Archive Network. 2011.
14. Shiraito, Yuki, and Kosuke Imai. “endorse: R Package for Analyzing Endorsement Experiments.” available through The Comprehensive R Archive Network and GitHub. 2012.
15. Blair, Graeme, and Kosuke Imai. “list: Statistical Methods for the Item Count Technique and List Experiments.” available through The Comprehensive R Archive Network and GitHub. 2011.
16. Tingley, Dustin, Teppei Yamamoto, Kentaro Hirose, Luke Keele, and Kosuke Imai. “mediation: R Package for Causal Mediation Analysis.” available through The Comprehensive R Archive Network and GitHub. 2009. Winner of the Statistical Software Award. Reviewed in *Journal of Educational and Behavioral Statistics*.
17. Imai, Kosuke. “experiment: R Package for Designing and Analyzing Randomized Experiments.” available through The Comprehensive R Archive Network. 2007.
18. Ho, Daniel E., Kosuke Imai, Gary King, and Elizabeth Stuart. “MatchIt: Nonparametric Preprocessing for Parametric Causal Inference.” available through The Comprehensive R Archive Network and GitHub. 2005.
19. Imai, Kosuke, Ying Lu, and Aaron Strauss. “eco: Ecological Inference in  $2 \times 2$  Tables.” available through The Comprehensive R Archive Network and GitHub. 2004.
20. Imai, Kosuke, and David A. van Dyk. “MNP: R Package for Fitting the Multinomial Probit Model.” available through The Comprehensive R Archive Network and GitHub. 2004.
21. Imai, Kosuke, Gary King, and Olivia Lau. “Zelig: Everyone’s Statistical Software.” available through The Comprehensive R Archive Network. 2004.

## External Research Grants

### Principal Investigator

1. National Science Foundation (2021–2024). “Collaborative Research: Causal Inference with Spatio-Temporal Data on Human Dynamics in Conflict Settings.” (Algorithm for Threat Detection Program; DMS-2124463). Principal Investigator (with Georgia Papadogeorgou and Jason Lyall) \$485,340.
2. National Science Foundation (2021–2023). “Evaluating the Impacts of Machine Learning Algorithms on Human Decisions.” (Methodology, Measurement, and Statistics Program; SES-2051196). Principal Investigator (with D. James Greiner and Zhichao Jiang) \$330,000.
3. Cisco Systems, Inc. (2020–2022). “Evaluating the Impacts of Algorithmic Recommendations on the Fairness of Human Decisions.” (Ethics in AI; CG# 2370386) Principal Investigator (with D. James Greiner and Zhichao Jiang) \$110,085.
4. The Alfred P. Sloan Foundation (2020–2022). “Causal Inference with Complex Treatment Regimes: Design, Identification, Estimation, and Heterogeneity.” (Economics Program;

- 2020–13946) Co-Principal Investigator (with Francesca Dominici and Jose Zubizarreta) \$996,299
5. Facebook Research Grant (2018). \$25,000.
  6. National Science Foundation (2016–2021). “Collaborative Conference Proposal: Support for Conferences and Mentoring of Women and Underrepresented Groups in Political Methodology.” (Methodology, Measurement and Statistics and Political Science Programs; SES–1628102) Principal Investigator (with Jeffrey Lewis) \$312,322. Supplement (SES–1831370) \$60,000.
  7. The United States Agency for International Development (2015–2017). “Unemployment and Insurgent Violence in Afghanistan: Evidence from the Community Development Program.” (AID–OAA–A–12–00096) Principal Investigator (with Jason Lyall) \$188,037
  8. The United States Institute of Peace (2015–2016). “Assessing the Links between Economic Interventions and Stability: An impact evaluation of vocational and skills training in Kandahar, Afghanistan,” Principal Investigator (with David Haines, Jon Kurtz, and Jason Lyall) \$144,494.
  9. Amazon Web Services in Education Research Grant (2014). Principal Investigator (with Graeme Blair and Carlos Velasco Rivera) \$3,000.
  10. Development Bank of Latin America (CAF) (2013). “The Origins of Citizen Support for Narcos: An Empirical Investigation,” Principal Investigator (with Graeme Blair, Fabiana Machado, and Carlos Velasco Rivera). \$15,000.
  11. The International Growth Centre (2011–2013). “Poverty, Militancy, and Citizen Demands in Natural Resource-Rich Regions: Randomized Evaluation of the Oil Profits Dividend Plan for the Niger Delta” (RA–2010–12–013). Principal Investigator (with Graeme Blair). \$117,116.
  12. National Science Foundation, (2009–2012). “Statistical Analysis of Causal Mechanisms: Identification, Inference, and Sensitivity Analysis,” (Methodology, Measurement, and Statistics Program and Political Science Program; SES–0918968). Principal Investigator. \$97,574.
  13. National Science Foundation, (2009–2011). “Collaborative Research: The Measurement and Identification of Media Priming Effects in Political Science,” (Methodology, Measurement, and Statistics Program and Political Science Program; SES–0849715). Principal Investigator (with Nicholas Valentino). \$317,126.
  14. National Science Foundation, (2008–2009). “New Statistical Methods for Randomized Experiments in Political Science and Public Policy,” (Political Science Program; SES–0752050). Principal Investigator. \$52,565.
  15. National Science Foundation, (2006–2009). “Collaborative Research: Generalized Propensity Score Methods,” (Methodology, Measurement and Statistics Program; SES–0550873). Principal Investigator (with Donald B. Rubin and David A. van Dyk). \$460,000.
  16. The Telecommunications Advancement Foundation, (2004). “Analyzing the Effects of Party Webpages on Political Opinions and Voting Behavior,” Principal Investigator (with Naoko Taniguchi and Yusaku Horiuchi). \$12,000.

### Adviser and Statistical Consultant

1. National Science Foundation (2016–2017). “Doctoral Dissertation Research: Crossing Africa’s Arbitrary Borders: How Refugees Shape National Boundaries by Challenging Them.” (Political Science Program, SES–1560636). Principal Investigator and Adviser for Co-PI Yang-Yang Zhou’s Dissertation Research. \$18,900.
2. Institute of Education Sciences (2012–2014). “Academic and Behavioral Consequences of Visible Security Measures in Schools” (R305A120181). Statistical Consultant (Emily Tanner-Smith, Principal Investigator). \$351,228.
3. National Science Foundation (2013–2014). “Doctoral Dissertation Research: Open Trade for Sale: Lobbying by Productive Exporting Firm” (Political Science Program, SES–1264090). Principal Investigator and Adviser for Co-PI In Song Kim’s Dissertation Research. \$22,540.
4. National Science Foundation (2012–2013). “Doctoral Dissertation Research: The Politics of Location in Resource Rent Distribution and the Projection of Power in Africa” (Political Science Program, SES–1260754). Principal Investigator and Adviser for Co-PI Graeme Blair’s Dissertation Research. \$17,640.

### Invited Short Courses and Outreach Lectures

1. Short Course on Causal Inference and Statistics – Department of Political Science, Rice University, 2009; Institute of Political Science, Academia Sinica, 2014.
2. Short Course on Causal Inference and Identification, The Empirical Implications of Theoretical Models (EITM) Summer Institute – Harris School of Public Policy, University of Chicago, 2011; Department of Politics, Princeton University, 2012.
3. Short Course on Causal Mediation Analysis – Summer Graduate Seminar, Institute of Statistical Mathematics, Tokyo Japan, 2010; Society for Research on Educational Effectiveness Conference, Washington DC, Fall 2011, Spring 2012, Spring 2015; Inter-American Development Bank, 2012; Center for Education Research, University of Wisconsin, Madison, 2012; Bobst Center for Peace and Justice, Princeton University, 2014; Graduate School of Education, University of Pennsylvania, 2014; EITM Summer Institute, Duke University, 2014; Center for Lifespan Psychology, Max Planck Institute for Human Development, 2015; School of Communication Research, University of Amsterdam, 2015; Uppsala University, 2016
4. Short Course on Covariate Balancing Propensity Score – Society for Research on Educational Effectiveness Conference, Washington DC, Spring 2013; Uppsala University, 2016
5. Short Course on Matching Methods for Causal Inference – Institute of Behavioral Science, University of Colorado, Boulder, 2009; Department of Political Science, Duke University, 2013.
6. Lecture on Statistics and Social Sciences – New Jersey Japanese School, 2011, 2016; Kaisei Academy, 2012, 2014; Princeton University Wilson College, 2012; University of Tokyo, 2014

## Selected Presentations

1. Distinguished speaker, Harvard College Summer Program for Undergraduates in Data Science, 2021.
2. Keynote speaker, Kansas-Western Missouri Chapter of the American Statistical Association, 2021.
3. Invited plenary panelist, Association for Computing Machinery Conference on Fairness, Accountability, and Transparency (ACM FAccT) 2021.
4. Keynote speaker, Taiwan Political Science Association, 2020.
5. Keynote speaker, Boston Japanese Researchers Forum, Massachusetts Institute of Technology, 2020.
6. Keynote speaker, Causal Mediation Analysis Training Workshop, Mailman School of Public Health, Columbia University, 2020.
7. Keynote speaker, Special Workshop on Evidence-based Policy Making. World Economic Forum, Centre for the Fourth Industrial Revolution, Japan, 2020.
8. Distinguished speaker, Institute for Data, Systems, and Society. Massachusetts Institute of Technology, 2019.
9. Keynote speaker, The Harvard Experimental Political Science Graduate Student Conference, Harvard University, 2019.
10. Invited speaker, Beyond Curve Fitting: Causation, Counterfactuals, and Imagination-based AI. Association for the Advancement of Artificial Intelligence, Spring Symposium, Stanford University, 2019.
11. Inaugural speaker, Causal Inference Seminar, Departments of Biostatistics and Statistics, Boston University, 2019.
12. Keynote speaker, The Second Latin American Political Methodology Meeting, Universidad de los Andes (Department of Political Science), 2018.
13. Keynote speaker, The First Latin American Political Methodology Meeting, Pontifical Catholic University of Chile (Department of Political Science), 2017.
14. Keynote speaker, Workshop on Uncovering Causal Mechanisms, University of Munich (Department of Economics), 2016.
15. Keynote speaker, The National Quality Registry Research Conference, Stockholm, 2016.
16. Keynote speaker, The UK-Causal Inference Meeting, University of Bristol (School of Mathematics), 2015.
17. Keynote speaker, The UP-STAT Conference, the Upstate Chapters of the American Statistical Association, 2015.
18. Keynote speaker, The Winter Conference in Statistics, Swedish Statistical Society and Umeå University (Department of Mathematics and Mathematical Statistics), 2015.

19. Inaugural invited speaker, The International Methods Colloquium, Rice University, 2015.
20. Invited speaker, The International Meeting on Experimental and Behavioral Social Sciences, University of Oxford (Nuffield College), 2014.
21. Keynote speaker, The Annual Conference of Australian Society for Quantitative Political Science, University of Sydney, 2013.
22. Keynote speaker, The Graduate Student Conference on Experiments in Interactive Decision Making, Princeton University. 2008.

## Conferences Organized

1. The Asian Political Methodology Meetings (January 2014, 2015, 2016, 2017, 2018; co-organizer)
2. The Experimental Research Workshop (September 2012; co-organizer)
3. The 12th World Meeting of the International Society for Bayesian Analysis (June 2012; a member of the organizing committee)
4. Conference on Causal Inference and the Study of Conflict and State Building (May 2012; organizer)
5. The 28th Annual Society for Political Methodology Summer Meeting (July 2011; host)
6. Conference on New Methodologies and their Applications in Comparative Politics and International Relations (February 2011; co-organizer)

## Teaching

### Courses Taught at Harvard

1. Stat 286/Gov 2003 Causal Inference (formally Stat 186/Gov 2002): introduction to causal inference
2. Gov 2003 Topics in Quantitative Methodology: causal inference, applied Bayesian statistics, machine learning

### Courses Taught at Princeton

1. POL 245 Visualizing Data: exploratory data analysis, graphical statistics, data visualization
2. POL 345 Quantitative Analysis and Politics: a first course in quantitative social science
3. POL 451 Statistical Methods in Political Science: basic probability and statistical theory, their applications in the social sciences
4. POL 502 Mathematics for Political Science: real analysis, linear algebra, calculus
5. POL 571 Quantitative Analysis I: probability theory, statistical theory, linear models
6. POL 572 Quantitative Analysis II: intermediate applied statistics

7. POL 573 Quantitative Analysis III: advanced applied statistics
8. POL 574 Quantitative Analysis IV: advanced applied statistics with various topics including Bayesian statistics and causal inference
9. Reading Courses: basic mathematical probability and statistics, applied bayesian statistics, spatial statistics

## Advising

### Current Students

1. Soubhik Barari (Government)
2. Adam Breuer (Computer Science and Government). To be Assistant Professor, Department of Government and Department of Computer Science, Dartmouth College
3. Jacob Brown (Government)
4. Ambarish Chattopadhyay (Statistics)
5. Shusei Eshima (Government)
6. Georgina Evans (Government)
7. Dae Woong Ham (Statistics)
8. Christopher T. Kenny (Government)
9. Michael Lingzhe Li (MIT, Operations Research Center)
10. Jialu Li (Government)
11. Cory McCartan (Statistics)
12. Sayumi Miyano (Princeton, Politics)
13. Sun Young Park (Government)
14. Casey Petroff (Political Economy and Government)
15. Averell Schmidt (Kennedy School)
16. Sooahn Shin (Government)
17. Tyler Simko (Government)
18. Soichiro Yamauchi (Government)
19. Yi Zhang (Statistics)

### Current Postdocs

1. Eli Ben-Michael
2. Evan Rosenman



**Former Students**

1. Alexander Tarr (Ph.D. in 2021, Department of Electrical and Computer Engineering, Princeton University; Dissertation Committee Chair)
2. Connor Jerzak (Ph.D. in 2021, Department of Government, Harvard University). Postdoctoral Fellow, Linköping University. To be Assistant Professor, Department of Government, University of Texas, Austin
3. Shiro Kuriwaki (Ph.D. in 2021, Department of Government, Harvard University). Postdoctoral Fellow, Stanford University. To be Assistant Professor, Department of Political Science, Yale University
4. Erik Wang (Ph.D. in 2020, Department of Politics, Princeton University). Assistant Professor, Department of Political and Social Change, Australian National University
5. Diana Stanescu (Ph.D. in 2020, Department of Politics, Princeton University). Postdoctoral Fellow, Stanford University
6. Nicole Pashley (Ph.D. in 2020, Department of Statistics, Harvard University). Assistant Professor, Department of Statistics, Rutgers University
7. Asya Magazinnik (Ph.D. in 2020, Department of Politics, Princeton University). Assistant Professor, Department of Political Science, Massachusetts Institute of Technology
8. Max Goplerud (Ph.D. in 2020, Department of Government, Harvard University). Assistant Professor, Department of Political Science, University of Pittsburgh
9. Naoki Egami (Ph.D. in 2020, Department of Politics, Princeton University; Dissertation Committee Chair). Assistant Professor, Department of Political Science, Columbia University
10. Brandon de la Cuesta (Ph.D. in 2019, Department of Politics, Princeton University). Postdoctoral Fellow, Center on Global Poverty and Development, Stanford University
11. Yang-Yang Zhou (Ph.D. in 2019, Department of Politics, Princeton University). Assistant Professor, Department of Political Science, University of British Columbia
12. Winston Chou (Ph.D. in 2019, Department of Politics, Princeton University). Senior Data Scientist at Apple
13. Ted Enamorado (Ph.D. in 2019, Department of Politics, Princeton University; Dissertation Committee Chair). Assistant Professor, Department of Political Science, Washington University in St. Louis
14. Benjamin Fifield (Ph.D. in 2018, Department of Politics, Princeton University; Dissertation Committee Chair). Data Scientist, American Civil Liberties Union
15. Tyler Pratt. (Ph.D. in 2018, Department of Politics, Princeton University). Assistant Professor, Department of Political Science, Yale University
16. Romain Ferrali (Ph.D. in 2018, Department of Politics, Princeton University). Assistant Professor, Aix-Marseille School of Economics



17. Julia Morse (Ph.D. in 2017, Woodrow Wilson School, Princeton University). Assistant Professor, Department of Political Science, University of California, Santa Barbara
18. Yuki Shiraito (Ph.D. in 2017, Department of Politics, Princeton University; Dissertation Committee Chair). Assistant Professor, Department of Political Science, University of Michigan
19. Carlos Velasco Rivera (Ph.D. in 2016, Department of Politics, Princeton University). Research Scientist, Facebook
20. Gabriel Lopez Moctezuma (Ph.D. in 2016, Department of Politics, Princeton University). Assistant Professor, Division of the Humanities and Social Sciences, California Institute of Technology
21. Graeme Blair (Ph.D. in 2016, Department of Politics, Princeton University). Assistant Professor, University of California, Los Angeles
22. Jaquilyn R. Waddell Boie (Ph.D. in 2015, Department of Politics, Princeton University). Private consultant
23. Scott Abramson (Ph.D. in 2014, Department of Politics, Princeton University). Associate Professor, Department of Political Science, University of Rochester
24. Michael Barber (Ph.D. in 2014, Department of Politics, Princeton University). Associate Professor, Department of Political Science, Brigham Young University
25. In Song Kim (Ph.D. in 2014, Department of Politics, Princeton University). Associate Professor, Department of Political Science, Massachusetts Institute of Technology
26. Alex Ruder (Ph.D. in 2014, Department of Politics, Princeton University). Senior Community Economic Development Advisor, Federal Reserve Bank of Atlanta
27. Meredith Wilf (Ph.D. in 2014, Department of Politics, Princeton University). Senior Director, Capital Rx
28. Will Bullock. (Ph.D. candidate, Department of Politics, Princeton University). Senior Researcher, Facebook
29. Teppei Yamamoto (Ph.D. in 2011, Department of Politics, Princeton University; Dissertation Committee Chair). Associate Professor, Department of Political Science, Massachusetts Institute of Technology
30. Dustin Tingley (Ph.D. in 2010, Department of Politics, Princeton University). Professor, Department of Government, Harvard University
31. Aaron Strauss (Ph.D. in 2009, Department of Politics, Princeton University). Former Executive Director, Analyst Institute
32. Samir Soneji (Ph.D. in 2008, Office of Population Research, Princeton University; Dissertation Committee Chair). Associate Professor, Department of Health Behavior at the Gillings School of Global Public Health, University of North Carolina, Chapel Hill
33. Ying Lu (Ph.D. in 2005, Woodrow Wilson School, Princeton University; Dissertation Committee Chair). Associate Professor, Steinhardt School of Culture, Education, and Human Development, New York University

## Former Predocs and Postdocs

1. Zhichao Jiang (Postdoctoral Fellow, 2016–2019). Assistant Professor, Department of Biostatistics and Epidemiology, School of Public Health and Health Sciences, University of Massachusetts, Amherst
2. Adeline Lo (Postdoctoral Fellow, 2016–2019). Assistant Professor, Department of Political Science, University of Wisconsin, Madison
3. Yunkyu Sohn (Postdoctoral Fellow, 2016–2018). Assistant Professor, School of Political Science and Economics, Waseda University
4. Xiaolin Yang (Postdoctoral Fellow, 2015–2017). Research Scientist, Amazon
5. Santiago Olivella (Postdoctoral Fellow, 2015–2016). Associate Professor, Department of Political Science, University of North Carolina
6. Drew Dimmery (Predoctoral Fellow, 2015–2016). Research Scientist, Facebook
7. James Lo (Postdoctoral Fellow, 2014–2016). Assistant Professor, Department of Political Science, University of Southern California
8. Steven Liao (Predoctoral Fellow, 2014–2015). Assistant Professor, Department of Political Science, University of California, Riverside
9. Michael Higgins (Postdoctoral Fellow, 2013–2015). Associate Professor, Department of Statistics, Kansas State University
10. Kentaro Hirose (Postdoctoral Fellow, 2012–2015). Assistant Professor, Waseda Institute for Advanced Studies
11. Chad Hazlett (Predoctoral Fellow, 2013–2014). Associate Professor, Departments of Political Science and Statistics, University of California, Los Angeles
12. Florian Hollenbach (Predoctoral Fellow, 2013–2014). Associate Professor, Department of International Economics, Government and Business at the Copenhagen Business School
13. Marc Ratkovic (Predoctoral and Postdoctoral Fellow, 2010–2012). Assistant Professor, Department of Politics, Princeton University

## Editorial and Referee Service

Co-editor for *Journal of Causal Inference* (2014 – present)

Associate editor for *American Journal of Political Science* (2014 – 2019), *Journal of Business & Economic Statistics* (2015 – 2024), *Journal of Causal Inference* (2011 – 2014), *Journal of Experimental Political Science* (2013 – 2017), *Observational Studies* (2014 – present), *Political Analysis* (2014 – 2017).

Editorial board member for *Asian Journal of Comparative Politics* (2014 – present), *Journal of Educational and Behavioral Statistics* (2011 – present), *Journal of Politics* (2007 – 2008, 2019–2020), *Journal of Research on Educational Effectiveness* (2014 – 2016), *Political Analysis* (2010 – 2013), *Political Science Research and Methods* (2019 – present).

Guest editor for *Political Analysis* virtual issue on causal inference (2011).

Referee for *ACM Computing Surveys*, *American Economic Journal: Applied Economics*, *American Economic Review: Insights*, *American Journal of Epidemiology*, *American Journal of Evaluation*, *American Journal of Political Science*, *American Political Science Review*, *American Politics Research*, *American Sociological Review*, *Annals of Applied Statistics*, *Annals of Statistics*, *Annals of the Institute of Statistical Mathematics*, *Biometrics*, *Biometrika*, *Biostatistics*, *BMC Medical Research Methodology*, *British Journal of Mathematical and Statistical Psychology*, *British Journal of Political Science*, *Canadian Journal of Statistics*, *Chapman & Hall/CRC Press*, *Child Development*, *Communications for Statistical Applications and Methods*, *Computational Statistics and Data Analysis*, *Electoral Studies*, *Econometrica*, *Econometrics*, *Empirical Economics*, *Environmental Management*, *Epidemiology*, *European Union Politics*, *IEEE Transactions on Information Theory*, *International Journal of Biostatistics*, *International Journal of Epidemiology*, *International Journal of Public Opinion Research*, *International Migration Review*, *John Wiley & Sons*, *Journal of Applied Econometrics*, *Journal of Applied Statistics*, *Journal of Biopharmaceutical Statistics*, *Journal of Business and Economic Statistics*, *Journal of Causal Inference*, *Journal of Computational and Graphical Statistics*, *Journal of Conflict Resolution*, *Journal of Consulting and Clinical Psychology*, *Journal of Econometrics*, *Journal of Educational and Behavioral Statistics*, *Journal of Empirical Legal Studies*, *Journal of Multivariate Analysis*, *Journal of Official Statistics*, *Journal of Peace Research*, *Journal of Politics*, *Journal of Research on Educational Effectiveness*, *Journal of Statistical Planning and Inference*, *Journal of Statistical Software*, *Journal of Survey Statistics and Methodology*, *Journal of the American Statistical Association (Case Studies and Applications; Theory and Methods)*, *Journal of the Japanese and International Economies*, *Journal of the Japan Statistical Society*, *Journal of the Royal Statistical Society (Series A; Series B; Series C)*, *Law & Social Inquiry*, *Legislative Studies Quarterly*, *Management Science*, *Multivariate Behavioral Research*, *National Science Foundation (Economics; Methodology, Measurement, and Statistics; Political Science)*, *Natural Sciences and Engineering Research Council of Canada*, *Nature Machine Intelligence*, *NeuroImage*, *Osteoporosis International*, *Oxford Bulletin of Economics and Statistics*, *Pharmaceutical Statistics*, *Pharmacoepidemiology and Drug Safety*, *PLOS One*, *Policy and Internet*, *Political Analysis*, *Political Behavior*, *Political Communication*, *Political Research Quarterly*, *Political Science Research and Methods*, *Population Health Metrics*, *Population Studies*, *Prevention Science*, *Proceedings of the National Academy of Sciences*, *Princeton University Press*, *Psychological Methods*, *Psychometrika*, *Public Opinion Quarterly*, *Quarterly Journal of Economics*, *Quarterly Journal of Political Science*, *Review of Economics and Statistics*, *Routledge*, *Sage Publications*, *Scandinavian Journal of Statistics*, *Science*, *Sloan Foundation*, *Springer*, *Sociological Methodology*, *Sociological Methods & Research*, *Statistical Methodology*, *Statistical Methods and Applications*, *Statistical Methods in Medical Research*, *Statistical Science*, *Statistica Sinica*, *Statistics & Probability Letters*, *Statistics in Medicine*, *Systems Biology*, *U.S.-Israel Binational Science Foundation*, *Value in Health*, *World Politics*.

## University and Departmental Committees

### Harvard University

Department of Government

Member, Curriculum and Educational Policy Committee (2020–2021)  
 Member, Second-year Progress Committee (2019–2020)  
 Member, Graduate Placement Committee (2019–2020)  
 Member, Graduate Admissions Committee (2018–2019)  
 Member, Graduate Poster Session Committee (2018–2019)

#### Department of Statistics

Chair, Senior Faculty Search Committee (2021–2022)  
 Member, Junior Faculty Search Committee (2018–2019)  
 Member, Second-year Progress Committee (2018–2019, 2020–2021)

### Princeton University

#### University

Executive Committee Member, Program in Statistics and Machine Learning (2013–2018)  
 Executive Committee Member, Committee for Statistical Studies (2011–2018)  
 Member, Organizing Committee, Retreat on Data and Information Science at Princeton (2016)  
 Member, Council of the Princeton University Community (2015)  
 Member, Search Committee for the Dean of College (2015)  
 Member, Committee on the Library and Computing (2013–2016)  
 Member, Committee on the Fund for Experimental Social Science (2013–2018)  
 Member, Personally Identifiable Research Data Group (2012–2018)  
 Member, Research Computing Advisory Group (2013–2018)  
 Member, Task Force on Statistics and Machine Learning (2014–2015)

#### Department of Politics

Chair, Department Committee on Research and Computing (2012–2018)  
 Chair, Formal and Quantitative Methods Junior Search Committee (2012–2013, 2014–2015, 2016–2017)  
 Chair, Reappointment Committee (2015–2016)  
 Member, Diversity Initiative Committee (2014–2015)  
 Member, American Politics Junior Search Committee (2012–2014)  
 Member, Department Chair’s Advisory Committee (2010–2013, 2015–2016)  
 Member, Department Priority Committee (2012–2013, 2014–2015, 2016–2017)  
 Member, Formal and Quantitative Methods Curriculum Committee (2005–2006)  
 Member, Formal and Quantitative Methods Junior Search Committee (2009–2010, 2015–2016)  
 Member, Formal and Quantitative Methods Postdoc Search Committee (2009–2018)

Member, Graduate Admissions Committee (2012–2013)  
 Member, Reappointment Committee (2014–2016)  
 Member, Space Committee (2014–2016)  
 Member, Undergraduate Curriculum Committee (2014–2015)  
 Member, Undergraduate Exam Committee (2007–2008)  
 Member, Undergraduate Thesis Prize Committee (2005–2006, 2008–2011)

#### Center for Statistics and Machine Learning

Executive Committee Member (2016–2018)  
 Member, Search Committee (2015–2017)

## Services to the Profession

#### National Academies of Sciences, Engineering, and Medicine

Committee on National Statistics, Division of Behavioral and Social Sciences and Education, Panel on the Review and Evaluation of the 2014 Survey of Income and Program Participation Content and Design (2014–2017)

#### National Science Foundation

Proposal Review Panel (2020)

#### The Society for Political Methodology

President (2017–2019)  
 Vice President and President Elect (2015–2017)  
 Annual Meeting Committee, Chair (2011)  
 Career Award Committee (2015–2017)  
 Program Committee for Annual Meeting (2012), Chair (2011)  
 Graduate Student Selection Committee for the Annual Meeting (2005), Chair (2011)  
 Miller Prize Selection Committee (2010–2011)  
 Statistical Software Award Committee (2009–2010)  
 Emerging Scholar Award Committee (2013)

#### American Statistical Association

Journal of Educational and Behavioral Statistics Management Committee (2016 – present)

#### Others

External Expert, Department of Methodology, London School of Economics and Political Science (2017)

## Memberships

American Political Science Association; American Statistical Association; Midwest Political Science Association; The Society for Political Methodology.

**Expert Report of Ryan D. Williamson, Ph.D.  
Milligan, et al., v. Merrill, et al.  
December 10, 2021**

**Background and Qualifications**

I am an Assistant Professor of Political Science in the Department of Political Science at Auburn University in Auburn, Alabama. I have held this position since 2018. My areas of expertise include American government, electoral politics, electoral administration, legislative politics and procedure, and statistical methods in social sciences.

At Auburn, I teach courses on a variety of topics related to American politics including election administration reform policy, voting behavior and representation, and electoral institutions. I also serve on the dissertation committees of 11 graduate students, have participated in nearly 40 conference presentations, have given half a dozen invited talks around the country, received multiple teaching awards, and have been awarded nearly \$90,000 dollars in grants to support my research.

Further in my capacity as an assistant professor, I have published over 20 peer-reviewed articles and book chapters, including research in leading outlets in the field such as *The Journal of Politics*, *Election Law Journal*, *Electoral Studies*, *Political Research Quarterly*, and *State Politics & Policy Quarterly*. Of these publications, six directly address issues related to redistricting and gerrymandering and have garnered dozens of citations in a few short years. I am also currently serving as the associate editor of a new journal entitled *Journal of Election Administration Research and Practice*, which publishes research related to how elections are administered and how different laws and policies impact said administration.

In addition to my substantive expertise, I have extensive background and experience in statistical analysis. My graduate training included courses in research design, probability theory, ordinary least squares, maximum likelihood estimation, Bayesian analysis, geospatial data analysis, and casual inference. I also attended the Inter-university Consortium for Political and Social Research at the University of Michigan in 2013 where I took additional courses on maximum likelihood estimation, advanced regression, and multidimensional scaling. Each of my academic publications has required the use of statistical analysis including descriptive analysis, geospatial analysis, ordinary least squares, maximum likelihood estimation, time series data, panel data, survey data, and experimental designs. Furthermore, I am responsible for teaching the research methods course for the Master of Public Administration program at Auburn University.

Through the relationship between Auburn University and the National Association of Election Officials, I have been invited to give presentations and teach advanced courses to election administrators from around the country on a range of topics including redistricting, gerrymandering, and the constitutional law of elections.

Prior to coming to Auburn, I served as a Congressional Fellow on the United States Senate Committee on Rules and Administration through the American Political Science Association. The



Committee has jurisdiction over federal election administration, and my portfolio included election administration and reform, including issues related to redistricting and gerrymandering.

I received my undergraduate degree from the University of Alabama at Birmingham in 2011, where I studied political science and history. Upon completion of this degree, I began my graduate studies at the University of Georgia, earning my doctoral degree in political science in 2017. Broadly speaking, my dissertation examined the role of laws and regulations in determining election outcomes.

My full curriculum vitae is attached to this report.

I have been retained by the Plaintiffs in this case to analyze the role that race played in drawing the federal congressional districts within Alabama. I have not previously testified as an expert at trial or by deposition. I am retained for a rate of \$300 per hour—my standard consulting rate.

### **Data Acquisition**

I acquired data on race and ethnicity by voting age population by congressional district, county, and census block from the American Civil Liberties Union (“ACLU”). The ACLU informed me that it acquired 2020 Census Block shapefiles, total population by race and ethnicity, and voting age population by race and ethnicity directly from the Census file transfer protocol (“FTP”) portal. The ACLU informed me that it acquired current congressional district block assignment files from the Census website. The ACLU informed me that it then joined congressional district assignments to the 2020 Census block shapefile.

I acquired the draft congressional plans from the ACLU, which I understand acquired them through a member of the Alabama Permanent Legislative Committee on Reapportionment.

All summary statistics and analyses were performed using Stata version 14. Any maps were created using R version 4.1.2.

### **Summary of Congressional District Analysis and Opinions**

My analysis focuses on the four districts I understand have been challenged as racial gerrymanders in this case: Alabama Congressional Districts (“CDs”) 1, 2, 3, and 7. Specifically, I have been asked to analyze whether there is evidence that race predominated over other districting considerations in drawing the contours of Districts 1, 2, 3, and 7. Because the allegations in this case concern different methods of using race to draw districts—through what is informally known as “packing” in District 7, and through what is referred to as “cracking” in Districts 1, 2, and 3—I employ different forms of analysis appropriate to examine the role that race played in those two different contexts. By packing, I refer to the practice of disproportionately concentrating a group into one district. By cracking, I refer to the practice of separating groups across boundaries in order to dilute their potential for electoral influence.

In Part 1, I examine county splits within the state with specific attention to the relationship between these splits and the Black Voting Age Population (“VAP”) in Congressional District 7. I find

strong evidence that race was a predominant factor in the construction of this district. In Parts 2 and 3, I examine how Congressional Districts 1, 2, 3, and 7 were drawn. I pay particular attention to how counties were separated across districts as well as how the 2021 enacted map compares to the previous map enacted in 2011. I again find strong evidence that race was a predominant factor in how these district lines were created. In Part 4, I summarize my findings and provide my concluding remarks.

## **Part 1: District 7**

### County Splits

I begin by examining the three counties that are split between Congressional District 7 and another district. These counties are Jefferson, Montgomery, and Tuscaloosa. Jefferson County is split between Districts 6 and 7, Montgomery County is split between Districts 2 and 7, and Tuscaloosa County is split between Districts 4 and 7.

I examine county splits for multiple reasons. First, most counties in the plan are kept whole, and it is therefore important to investigate the circumstances where splits were made and if there is a relationship with race. Second, historically, Alabama mapmakers have sought to respect existing political boundaries (such as county lines) in order to preserve communities of interest and reduce voter confusion. Third, and related to the previous point, county lines may be ignored in the pursuit of other legal requirements, which necessitates investigation into which other requirement is being pursued.

To assess the role of race, I first include the percentage of the voting age population that identifies in whole or in part as Black. For Jefferson County, this figure is 41.5 percent. For Montgomery County, this figure is 56.3 percent. For Tuscaloosa County, this figure is 29.5 percent. The median county in Alabama features 22.5 percent of the voting age population that identifies in whole or in part as Black. It is important to note that this is a conservative test of the relationship between race and district lines, as it does not account for other non-White populations within the state.

I then calculate the percentage point deviation from the state median by subtracting the median percentage from the county percentage. A positive deviation denotes a county has a greater Black VAP than the median within a state. These numbers are presented in Table 1.

**Table 1. County Black VAP**

<b>County</b>	<b>Districts</b>	<b>Black Percentage</b>	<b>Median Black Percentage</b>	<b>Percentage Deviation</b>
Jefferson	6/7	41.5	22.5	19
Montgomery	2/7	56.3	22.5	33.8
Tuscaloosa	4/7	29.5	22.5	7

Each of the three split counties in District 7 feature a greater Black VAP than the median district. Furthermore, District 7 has more county splits than any other district in the state. Given that there are so few splits within the state, it is also worth noting that these three counties represent three of the five counties with the highest Black VAP in the state of Alabama. Mobile, Madison, and



Baldwin counties are more populous than Montgomery and Tuscaloosa counties but do not feature any splits.

Statewide, only 40.3 percent of counties feature 29.5 percent or more Black VAP. However, 66.7 percent of split counties feature 29.5 percent or more Black VAP. All the split counties in Congressional District 7 feature a greater Black VAP than the median county in Alabama.

### District Splits

If the splits were not driven by race, areas on either side of the dividing line within the county should show comparable percentages of Black VAP. I therefore examine the Black VAP within census blocks for the three split counties mentioned above—Jefferson, Montgomery, and Tuscaloosa.

The unit of analysis in Table 2 below is census block. I calculate the average Black VAP in census blocks within the county for either district that the county has been split into. I then calculate the percentage point difference between the average Black VAP within the split parts of the county against the Black VAP in the county as a whole. A negative deviation indicates that the part of the county in question features a larger White VAP than the county as a whole, and a positive deviation denotes that the part of the county in question features a larger Black VAP than the county as a whole.

The part of Jefferson County in Congressional District 7 has an average census block Black VAP of 69.1 percent, which is 20 percentage points higher than the average census block Black VAP in the entire county.

The part of Montgomery County in Congressional District 7 has an average census block Black VAP of 75.1 percent, which is 22.5 percentage points higher than the average census block Black VAP in the entire county.

The part of Tuscaloosa County in Congressional District 7 has an average census block Black VAP of 33.5, which is 4.9 percentage points higher than the average census block Black VAP in the entire county.

**Table 2. Census Block Black VAP within County**

County	District	Average Black Percentage	Percentage Point Deviation
Jefferson	6	23.8	-25.3
	7	69.1	20
Montgomery	2	41.0	-11.6
	7	75.1	22.5
Tuscaloosa	4	9.6	-19.0
	7	33.5	4.9

I then compare the parts of each county in Congressional District 7 with the parts of the county that have been split into other districts. This allows me to analyze the relationship between race and where the splits occurred.

The part of Jefferson County drawn out of CD 7 has an average census block Black VAP of 23.8 percent. This is 25.3 percentage points lower than the county as a whole and a **45.3 percent point difference** from the part of Jefferson County that was included in CD 7. This is comparable to the difference between Cullman County (the second lowest county in terms of Black VAP) and Barbour County (one of the counties in the region traditionally referred to as the “Black Belt”).

The part of Montgomery County drawn out of CD 7 has an average census block Black VAP of 41.0 percent. This is 11.6 percentage points lower than the county as a whole and a **34.1 percent point difference** from the part of Montgomery County drawn into CD 7. This is comparable to the difference between Winston County (the county with the lowest Black VAP in the state) and Mobile County (the third largest metro area in the state).

The part of Tuscaloosa County drawn out of CD 7 has an average census block Black VAP of 9.6 percent. This is 19.0 percentage points lower than the county as a whole and a **23.9 percent point difference** from the part of Tuscaloosa County drawn into CD 7. This is comparable to the difference between Blount County (with less than 2 percent Black VAP) and Madison County (which houses Huntsville, another large metro area within the state).

To summarize, in each of these three counties, areas with larger Black VAP were drawn into CD 7 and the disproportionately White census blocks within each of these counties were drawn into districts other than CD 7. These occurrences in all three counties demonstrate a pattern of race serving as a predominant factor in the construction of district lines. That the difference in Black VAP by census block within the same county but in different congressional districts is so substantial makes these divergences substantively important.

In short, these analyses demonstrate that predominantly Black communities within these three counties were drawn into Congressional District 7 while predominantly White communities within the same three counties were drawn into other districts. This constitutes strong evidence that race played a substantial role in the drawing of Congressional District 7.

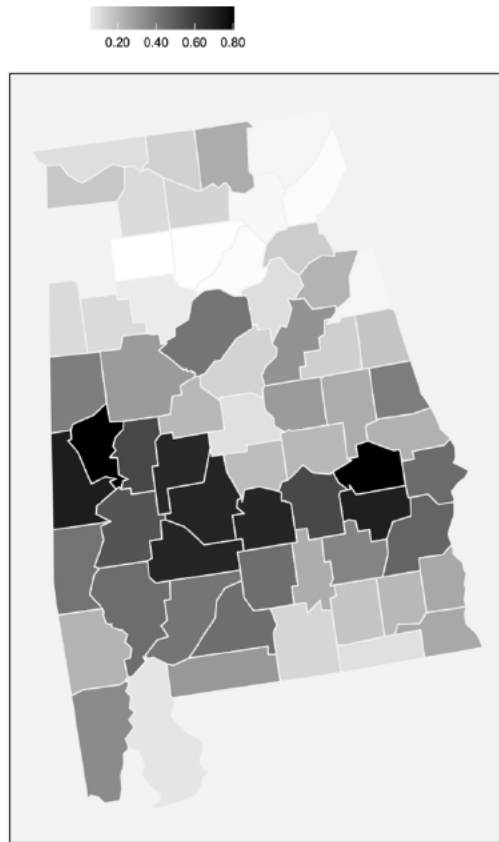
## **Part 2: Districts 1, 2, and 3**

### Variation within Districts

As to Congressional Districts 1, 2, and 3, I examine the variability of census block Black VAP within congressional districts to further test for allegations of “cracking.” The map below depicts Black VAP by county. Here, darker shades of grey correspond to higher Black VAP. This shows concentrations of Black voters in specific parts of the state. If predominantly Black counties are drawn into areas with largely White populations, which would be suggestive of “cracking,” then I will see substantial variability within congressional districts. Necessarily, some predominantly Black areas will have to be connected to more White counties. However, given the racial sorting

depicted in the map below, I examine whether that same clustering translates into clustering within congressional districts as well.

Black VAP by County, Proportion



I therefore examine the Black VAP by census block within Congressional Districts 1, 2, and 3. In Table 3, the second column denotes the average Black VAP by census block, the third column denotes the standard deviation of Black VAP of census blocks within each district, and the final column contains the interquartile range of census block Black VAP. The interquartile range depicts the census blocks at the 25th and 75th percentiles, respectively. Both the standard deviation and the interquartile range provide a picture of how racially (dis)similar census blocks are within a district.

The standard deviation is a useful metric to evaluate how dispersed the data are. In this case, a higher standard deviation indicates that the average census block Black VAP is more variable within the congressional district. A lower standard deviation indicates that more census blocks are closer to the average Black VAP within the congressional district.

The interquartile range (“IQ range”) is another measure of how variable the Black VAP of census blocks within congressional districts is. This can be thought of as the middle 50 percent of the district. A large difference between the first and second number in the IQ Range column seen in the table below denotes more variability in the average Black VAP of census blocks within congressional districts.

**Table 3. Congressional District Black VAP by Census Block**

District	Average Black VAP	Standard Deviation	IQ Range
1	27.9	35.8	0 : 50.0
2	25.6	32.1	0 : 43.1
3	24.6	33.1	0 : 40.0
4	8.7	20.9	0 : 4.5
5	14.4	23.8	0 : 19.0
6	17.1	27.6	0 : 22.2
7	58.5	39.9	15 : 100

This analysis shows a positive relationship between average Black VAP and the standard deviation and interquartile range. Each of these demonstrates substantial variation in the racial composition of these districts. In CD 1, CD 2, and CD 3, 25 percent of census blocks feature 0 percent Black VAP. Additionally, in those same districts, 25 percent of census blocks feature at least 40 percent Black VAP. In contrast, CD 4, CD 5, and CD 6 feature much smaller ranges, with 75 percent of census blocks featuring less than 22.2 Black VAP and as low as 4.5 Black VAP, despite including counties such as Madison and Shelby, which have large populations of Black residents.

The variability seen here indicates that Black Alabamians are more likely to be diffused across different districts, especially compared to CD 4, CD 5, and CD 6. In other words, Black Alabamians are geographically concentrated within the state, but that concentration within counties does not translate into comparable concentration within CD 1, CD 2, or CD 3.

#### Variation Across Districts

I then examine where the district lines were drawn. Given the geographical clustering within the state, if there is a significant difference between bordering counties and non-bordering counties, that would suggest race was a factor in how district lines were drawn. Specifically, it would indicate that Black communities were split among different districts.

I organize counties into two categories: those that share any part of their border with another district and those that do not. For example, in Congressional District 2, Henry, Houston, Dale Geneva, Coffee, Covington, and Pike Counties do not share a border with another district while Conecuh, Butler, Crenshaw, Montgomery, Autauga, Elmore, Bullock, Escambia, and Barbour Counties share a border even if that shared border is small (as with Crenshaw County).

I then examine the differences in average Black VAP by census block within counties based on these two categories. (All counties in Congressional District 1 share a border with another district, therefore making this particular test inappropriate for this particular district.) The final column in Table 4 depicts the deviation from the district average Black VAP.

I use census block Black VAP within districts throughout my analyses for two primary reasons. First, this allows me to maintain consistency across sections. Second, more populous areas are weighted equally to less populous areas, which has the effect of decreasing the Black VAP. This in turn creates a stricter, more conservative test and makes finding any significant effect of race more difficult. This provides greater confidence in any findings that do emerge.

**Table 4. Census Block Black VAP within Districts**

<b>District</b>	<b>Borders</b>	<b>Average Black VAP</b>	<b>Deviation</b>
2	No shared border	19.9	-5.7
	Shared border	32.9	7.3
3	No shared border	21.8	-2.8
	Shared border	25.9	1.3

From this table, we see that within CD 2, counties that border another district have an average Black VAP of 32.9 percent compared to 19.9 percent within counties that do not border another district. This represents a 13 percent point difference, comparable to the difference between Winston County and Shelby County.

From this table, we see that within CD 3, counties that border another district have an average Black VAP of 25.9 percent compared to 21.8 percent within counties that do not border another district. This represents a 4.1 percent point difference, comparable to the difference between Henry County and Tuscaloosa County.

### **Part 3: Changes Between Maps**

Next, I analyze which census blocks were moved out of Congressional Districts 1, 2, 3, and 7; which were moved into these districts; and which were kept in the same district relative to the 2011 map.

**Table 5. Average Census Block Black VAP**

<b>District</b>	<b>Total</b>	<b>Moved In</b>	<b>Same</b>	<b>Moved Out</b>
1	27.9	NA	27.9	26.5
2	25.6	31.0	25.4	55.6
3	24.6	17.4	25.0	32.3
6	18.1	49.4	13.5	24.7
7	58.5	30.4	62.3	58.8

From Table 5, we see some clear differences in the census blocks that were moved into new districts. For CDs 2, 3, and 7, the census blocks moved out of the districts had substantially higher Black VAPs than those that were moved into the district. These differences are 24.6 percentage points, 15.9 percentage points, and 28.4 percentage points, respectively.

I then examine which districts the relocated census blocks were drawn into. The census blocks moved out of CD 1 were placed in either CD 2 or CD 7. All of the census blocks moved out of CD 2 were moved to CD 7. All of the census blocks moved out of CD 3 were moved to CD 2. And the overwhelming majority of census blocks moved out of CD 7 were moved to CD 6, with less than 1 percent moved to CDs 2 and 4.

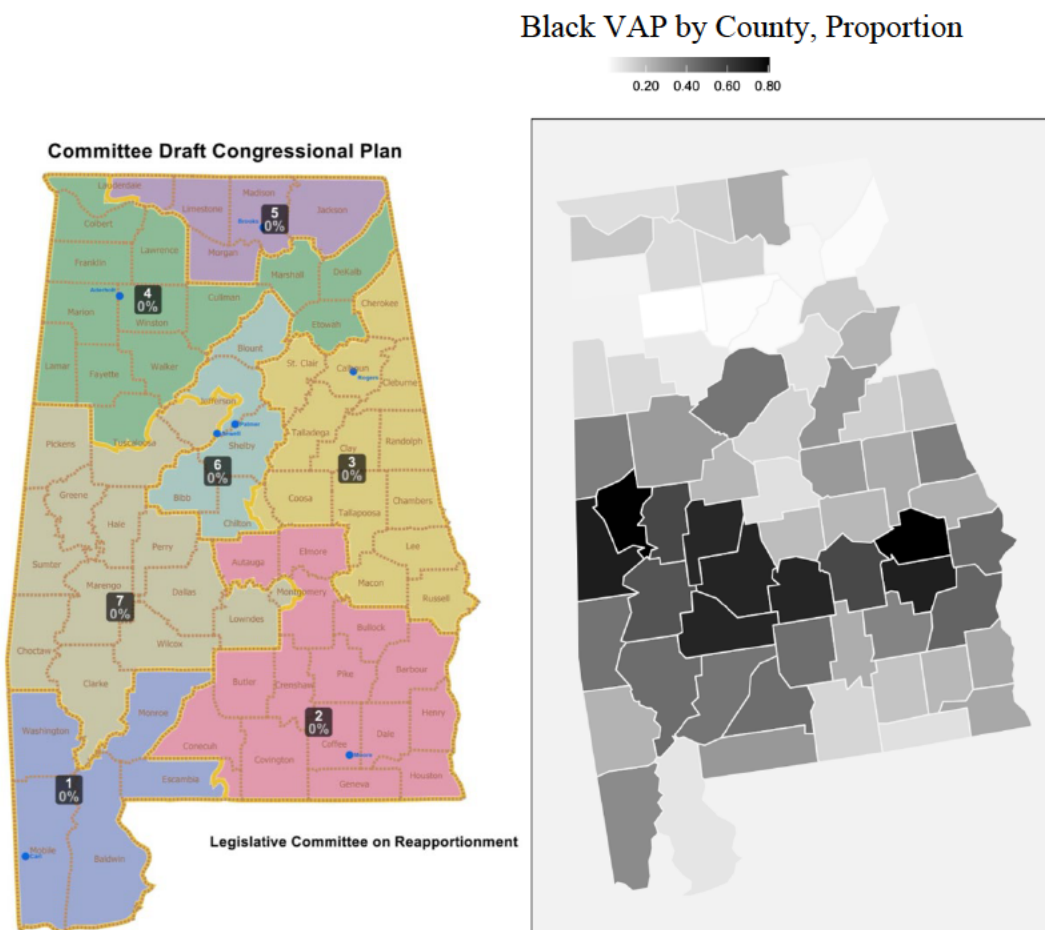
Taken together, this evidence suggests that movement across districts was not random, and Black VAP was a strong predictor of change across maps. Furthermore, a comparison of the total Black VAP to the average Black VAP of census blocks that were moved in and moved out of these



districts shows that largely Black blocks were disproportionately moved out of these districts and replaced with disproportionately White blocks. This is then offset by a large number of higher Black VAP census blocks relocated into the predominantly White CD 6. This indicates that areas with higher Black VAP were intentionally spread across multiple districts.

I next turn to an examination of specific boundaries and their relationship to countywide Black VAP. It is illustrative to examine the composition of the districts against the racial makeup of the counties. On the left is the enacted map, and on the right is a map showing the Black VAP by county. A few choices of where lines were drawn warrant additional attention.

Given the concentration of Black VAP in the area traditionally referred to as the “Black Belt,” my analysis focuses primarily on this area. The affected counties include Barbour, Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Montgomery, Perry, Pickens, Pike, Russell, Sumter, and Wilcox. This impacts Congressional Districts 1, 2, 3, and 7.



With respect to CD 2, Elmore County has a population of 69,005 and a Black VAP of 20.9 percent. Macon County and Russell County have a combined population of 60,907 and Black VAPs of 80.7 percent and 44.4 percent, respectively. The three counties are adjacent. However, Elmore was drawn into the same district as a number of Black Belt counties, while Macon and Russell were drawn into a different district, apart from the rest of the Black Belt.

Furthermore, again with respect to CD 2, Bullock County and most of Montgomery County were drawn out of the Black Belt and connected to the much whiter Autauga County to the north and Coffee, Covington, and Geneva to the south.

With respect to CD 3, Macon County with a Black VAP of over 80 percent was located into the same district as Cherokee County (approximately 150 miles away), which has a Black VAP of 4.5 percent.

Additionally, we see that most of the Black Belt has been drawn into CD 7. With the exception of the aforementioned splits in Jefferson, Montgomery, and Tuscaloosa Counties, the edges of CD 7 with the highest Black VAP occur where they meet the boundaries of CD 4, CD 6, and CD 2. This provides further evidence that race played a major role in deciding where to split the districts.

Finally, we see that the western part of Jefferson County was split into the majority-Black district CD 7 and the eastern part of the county was connected to Blount, Shelby, Bibb and Chilton Counties, which contain some of the lowest Black VAPs in the state.

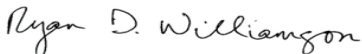
In totality, this provides visual evidence suggesting that race was a factor in where to draw district lines.

#### **Part 4: Summary and Conclusion**

In conclusion, in my opinion, substantial evidence indicates that race was a significant factor that motivated the drawing of congressional district lines in Alabama. Congressional District 7 features a substantially larger Black VAP than any other district, created by splitting three largely Black counties in ways that disproportionately draw areas with more Black residents into District 7. Similarly, race appears to have played a significant role in drawing the contours of Congressional Districts 1, 2, and 3 by dividing the area of the state traditionally referred to as the Black Belt among these three districts, and by drawing districts lines through areas with high concentrations of Black residents to separate those areas into multiple districts.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct:

Executed, this day, December 10, 2021, at Washington, District of Columbia.



---

Ryan D. Williamson, Ph.D.

# Ryan D. Williamson

Assistant Professor  
Auburn University  
Haley Center 8030A

[rdw0035@auburn.edu](mailto:rdw0035@auburn.edu)  
(334) 844-5062  
[ryandwilliamson.com](http://ryandwilliamson.com)

## Academic Positions

Auburn University  
Assistant Professor of Political Science, 2018–present

United States Senate Committee on Rules and Administration  
American Political Science Association Congressional Fellow, 2017-2018

## Education

2017: University of Georgia, Ph.D. Political Science  
Dissertation: *Examining the Effects of Institutional Design on Electoral Outcomes*  
Examination Fields: American Politics and Methodology

2013: University of Michigan, Inter-University Consortium for Political and Social Research

2011: University of Alabama at Birmingham, B.A. Political Science Honors, *cum laude*

## Research and Teaching Interests

Elections & Election Administration, Congressional Procedure & Policy, Institutional Development

## Peer-Reviewed Articles

“Elections, Competition, and Constituent Evaluations of U.S. Senators.” *Conditionally Accepted at Electoral Studies*. with Joel Sievert.

“Redistricting and Incarceration: Examining the Effect of New York’s Prohibition on Prison Gerrymandering.” Accepted for publication. *State Politics & Policy Quarterly*. with Bridgett King.

“Contours of a National Infrastructure Policy for the New Millennium.” 2021. *Public Works Management & Policy*. 26(3): 200-209. with John C. Morris and A. Stanley Meiburg.

“Institutional Variation, Professionalization, and State Implementation Choices: An Examination of Investment in Water Quality Across the 50 States.” 2021. *American Review of Public Administration*. 51(6): 436-448. with John C. Morris and Jonathan M. Fisk.

“Lessons from the COVID-19 Pandemic for Federalism and Infrastructure: A Call to Action.” 2021. *Public Works Management & Policy*. 26(1): 6-12. with John C. Morris.

“Nationalization and the Incumbency Advantage.” 2020. *Political Research Quarterly*. 73(1): 156–168. with Jamie Carson and Joel Sievert.



“Security and Integrity: Administrative Structure, Capacity, and American Elections.” 2020. *Journal of Political Institutions and Political Economy*. 1(2): 189-207. with Mitchell Brown and Kathleen Hale.

“Policymaking by the Executive: Examining the Fate of Presidential Agenda Items.” 2020. *Congress & the Presidency*. 47(1): 1-31. with Jason Byers and Jamie Carson.

“Capacity to Address Natural and Man-made Vulnerabilities: The Administrative Structure of U.S. Election System Security.” 2020. *Election Law Journal: Rules, Politics, & Policy*. 19(2): 180-199. with Mitchell Brown, Lindsey Forson, Kathleen Hale, and Robert Smith.

“Questions of Order in the United States Senate: Procedural Uncertainty and the Role of the Parliamentarian.” 2019. *Social Science Quarterly*. 100(4): 1343-1357. with Anthony Madonna and Michael Lynch.

“Rules, Polarization, and the Future of the Senate.” 2019. *PS: Political Science & Politics*. 52(2): 401-403.

“Examining the Effects of Partisan Redistricting on Candidate Entry Decisions.” 2019. *Election Law Journal: Rules, Politics, & Policy*. 18(3): 214-226.

“Evaluating Candidate Positioning and Success in the 2018 Midterm Elections.” 2018. *The Forum*. 16(4): 675-686.

“Candidate Ideology and Electoral Success in Congressional Elections.” 2018. *Public Choice*. 176: 175-192. with Jamie Carson.

“The Vice President in the U.S. Senate: Examining the Consequences of Institutional Design.” 2018. *Congress & the Presidency*. 45(2): 145-165. with Michael Lynch, Anthony Madonna, and Mark Owens.

“Public Attitudes Toward Presidential Veto Powers.” 2018. *Research & Politics*. 5(1): 1-6. with Joel Sievert.

“Institutional Control of Redistricting and the Geography of Representation.” 2017. *Journal of Politics*. 79(2): 722-726. with Michael Crespin, Barry Edwards, and Maxwell Palmer.

“Re-evaluating the Effects of Redistricting on Electoral Competition, 1972-2012.” 2014. *State Politics & Policy Quarterly*. 14(2): 162-174. with Jamie Carson and Michael Crespin.

## Book Chapters

“Recent Developments in Congressional Redistricting.” 2020. In *New Directions in Congressional Politics 2<sup>nd</sup>* ed. Eds. Jamie Carson and Michael Lynch. New York: Routledge.

“Redistricting and Electoral Competition in American Politics.” 2019. In *Oxford Bibliographies in Political Science*. Ed. Sandy Maisel. New York: Oxford University Press.

“Candidate Emergence in the Era of Direct Primaries.” 2018. In *Handbook of Primary Elections*. Ed. Robert Boatright. New York: Routledge. with Jamie Carson.

“Introduction to Congressional Elections.” 2016. In *Guide to U.S. Elections* 7<sup>th</sup> ed. Ed. Deborah Kalb. Washington, DC: Congressional Quarterly Press. with Jamie Carson.

## Other Publications

“Letter to the Editor: Response to Crowley et al. 2020.” *Frontiers in Ecology and the Environment*. Accepted for Publication.

*Oklahoma Redistricting: An Empirical Assessment*. Research Report for Let’s Fix This. with Michael Crespin, Barry Edwards, and Maxwell Palmer.

A review of “Nixon’s FBI: Hoover, Watergate, and a Bureau in Crisis” by Melissa Graves. (Lynne Reinner Publishers, 2020) 2021. *Political Science Quarterly* 136(3): 585-586.

A review of “Changing Cultures in Congress: From Fair Play to Power Plays” by Donald R. Wolfensberger (Columbia University Press, 2018) 2019. *Political Science Quarterly* 134(4): 736-737.

“Electoral Politics in Georgia and Their Impact on Future Gubernatorial Races.” 2018. *Presidents and Executive Politics Report* 40(2): 18-22.

## Select Working Papers

“Interbranch Warfare: Senate Amending Process and Restrictive House Rules.” with Anthony Madonna. *Invited to Revise & Resubmit at Political Research Quarterly*.

“Trump and Trust: Examining the Relationship between Claims of Fraud and Citizen Attitudes.” with Florian Justwan. *Invited to Revise & Resubmit at PS: Political Science & Politics*.

“Nationalized Politics: Examining Electoral Politics Across Time.” with Jamie Carson and Joel Sievert. *Book manuscript. Under review*.

“Promise and Performance: The Water Quality Act at Thirty.” with John C. Morris, Jan C. Hume, and Lien Nguyen. *Under review*.

“Candidate Entry in U.S. Congressional Primary Elections, 1956 - 2018.” with Jason Byers and Jamie Carson.

“Evaluating the Relationship between Redistricting Methods and Citizens’ Attitudes towards Government.” with Florian Justwan.

## Grants and Awards

Auburn University Student Government Association’s The Final Lecture Award Nominee  
University of Georgia Graduate School Outstanding Teaching Award  
University of Georgia Department of Political Science Excellence in Teaching Award

Alfred P. Sloan Foundation Grant (\$49,994)  
Auburn University College of Liberal Arts New Faculty Release from Teaching Grant (\$34,505)  
Auburn University College of Liberal Arts New Faculty Summer Research Grant (\$6,000)  
Congressional Research Grant sponsored by the Dirksen Congressional Center (\$3000)  
Southern Political Science Association Artinian Travel Award (\$500)  
Southern Political Science Association Prestage-Cook Travel Award (\$250)  
Richard A. Baker Graduate Student Research Travel Grant (\$763)

## Invited Presentations

### 2021

“Vote Choice and Electoral Politics.” Presented to the Robert Wood Johnson Foundation Health Policy Fellows program.

“Redistricting and the Census in 2021.” Presented at the Election Center Special Workshop on Lessons Learned and Resilience Going Forward.

### 2020

“[Voting in 2020: What to Expect.](#)” Auburn University College of Liberal Arts Public Webinar.

“Vote Choice and Electoral Politics.” Presented to the Robert Wood Johnson Foundation Health Policy Fellows program.

“Security and Integrity: Administrative Structure, Capacity, and American Elections.” with Kathleen Hale, Mitchell Brown, Lindsey Forson, and Robert Smith. Presented at the Election Administration and Technology Symposium hosted by the Bedrosian Center at the University of Southern California Sol Price School of Public Policy.

### 2019

“Election Law Update: Redistricting and Gerrymandering.” Presented at the Election Center Special Workshop on Improving the Integrity of Voter Registration & Election Operations.

## Conference Participation

### Presentations

#### 2021

“Nationalization and Candidate Evaluations.” with Jamie Carson and Joel Sievert. Accepted for presentation at the 2021 Annual Meeting of the American Political Science Association.

“Smith v. Allwright: Examining External Reform and the Electoral Connection.” with Aaron Hitefield and Adam Rutkowski. Presented at the 2021 Annual Meeting of the Midwest Political Science Association.

“Nationalization and the Electoral Connection.” with Jamie Carson and Joel Sievert. Presented at the 2021 Annual Meeting of the Midwest Political Science Association.

“State Choice vs. National Policy Goals: Loan Distribution Patterns in the Clean Water State Revolving Loan Fund Program.” with John Morris. Presented at the 2021 Annual Meeting of the Midwest Political Science Association.

“Examining the Divergence of Foreign and Domestic Human Rights Support Within the United States.” with Shelby Hall. Presented at the 2021 Annual Meeting of the International Studies Association.

“Green Stimulus or Industry Bailout: Assessing the Implementation of State Well-Plugging Programs.” with Jonathan Fisk, John Morris, and Steven Nelson. Presented at the 2021 Annual Meeting of the American Society for Public Administration.

“The Water Quality Act at Thirty: State Choice and the Clean Water State Revolving Loan Fund.” with John Morris, Jan Hume, and Lien Nguyen. Presented at the 2021 Annual Meeting of the Southern Political Science Association.

“Politics or Public Health? Explaining State Actions During the COVID-19 Pandemic.” with John Morris, Jan Hume, and Martin Mayer. Presented at the 2021 Annual Meeting of the Southern Political Science Association.

## **2020**

“Interbranch Warfare: Senate Amending Process and Restrictive House Rules.” with Anthony Madonna. Presented at the 2020 Annual Congress and History Conference by the University of Wisconsin in Madison, Wisconsin.

“Evaluating the Relationship between Redistricting Methods and Citizens’ Attitudes towards Government.” with Florian Justwan. Accepted at the 2020 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois. (conference cancelled)

“Nationalization and Polarization in US House Elections.” with Jamie Carson and Joel Sievert. Accepted at the 2020 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois. (conference cancelled)

“Promise and Performance: Loan Distribution Patterns in the Clean Water State Revolving Loan Fund Program.” with John Morris, Jan Hume, and Lien Nguyen. Accepted at the 2020 Annual Meeting of the American Society for Public Administration in Anaheim, CA. (conference cancelled)

“Should Florida Establish an Independent Redistricting Commission?” with Barry Edwards, Michael Crespin, and Maxwell Palmer. Accepted at the 2020 Annual Meeting of the Florida Political Science Association in Deland, Florida. (conference cancelled)

“Examining the Divergence of Foreign and Domestic Human Rights Support Within the United States.” Accepted at the 2020 Annual Meeting of the International Studies Association in Honolulu, Hawaii. (conference cancelled)

## **2019**

“Constituent Evaluations of US Senators Over the Electoral Cycle.” with Joel Sievert. Presented at the 2019 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Interbranch Warfare: Senate Amending Process and Restrictive House Rules.” with Anthony Madonna, Jordan McKissick, Laine P. Shay, and Simon Williamson. Presented at the 2019 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Examining Exit Decisions and Their Effect on the 2018 House Elections.” with Joel Sievert. Presented at the 2019 Annual Meeting of the Southern Political Science Association in Austin, Texas.

## **2018**

“Are Congressional Primaries Becoming as Nationalized as General Elections?” with Jason Byers and Jamie Carson. Presented at the 2018 Annual Meeting of the American Political Science Association in Boston, Massachusetts.

“Are Congressional Primaries Becoming as Nationalized as General Elections?” with Jason Byers and Jamie Carson. Presented at the 2018 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

## **2017**

“Challengers, Choices, and Competition in Congressional Primaries.” with Jason Byers and Jamie Carson. Presented at the 2017 Annual Meeting of the American Political Science Association in San Francisco, California.

“Did Party Loyalty Trump Ideology? Assessing Candidate Effects on the 2016 Elections.” with Jason Byers, Jamie Carson, and Stephen Pettigrew. Presented at the 2017 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“The Effects of House Restrictive Rules on Senate Amending.” with Anthony Madonna, Jordan McKissick, Rory Hibbler, and Robert Oldham. Presented at the 2017 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Constituent Evaluations of US Senators Over the Electoral Cycle.” with Joel Sievert. Presented at the 2017 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

“Evaluating the Role of Coattail Effects in the 2016 Elections.” with Jason Byers and Jamie Carson. Presented at the 2017 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

## **2016**

“Legislators, Commissioners, and Traditional Redistricting Principles.” with Barry Edwards, Michael Crespín, and Maxwell Palmer. Presented at the 2016 Annual Meeting of the American Political Science Association in Philadelphia, Pennsylvania.

“Legislators, Commissioners, and Traditional Redistricting Principles.” with Barry Edwards, Michael Crespín, and Maxwell Palmer. Presented at the 2016 Annual State Politics and Policy Conference at the University of Texas at Dallas in Richardson, Texas.

“Candidates, Money, and Polarization in U.S. House Elections, 1872-2014.” with Jamie Carson, Mark Owens, and Joel Sievert. Presented at the 2016 Annual Congress and History Conference at the University of Oklahoma in Norman, Oklahoma.

“Examining the Relationship Between Executive Orders and the President’s Legislative Agenda.” with Jason Byers and Jamie Carson. Presented at the 2016 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Do Vetoes Hurt the President?” with Joel Sievert. Presented at the 2016 Annual Meeting of the Southern Political Science Association in San Juan, Puerto Rico.

## 2015

“Assessing the Rise and Development of the Incumbency Advantage in Congress.” with Jamie Carson and Joel Sievert. Presented at the 2015 Annual Meeting of the American Political Science Association in San Francisco, California.

“Assessing the Rise and Development of the Incumbency Advantage in Congress.” with Jamie Carson and Joel Sievert. Presented at the 2015 Annual Congress and History Conference at Vanderbilt University in Nashville, Tennessee.

“Dramatic Defeats, Primary Participation, and Republican Rifts: Evaluating the 2014 Midterm Elections.” with Jamie Carson and Joel Sievert. Presented at the 2015 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Reassessing the Scare-Off Effect: Evidence from House Primary Races.” Presented at the 2015 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Examining Incumbent Behavior Following Failure to Deter a Quality Challenger.” Presented at the 2015 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

“Looking Beyond the Incumbency Advantage: Measuring the Effect of Challenger Ideology on Congressional Election Outcomes.” with Jamie Carson. Presented at the 2015 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

## 2014

“Analyzing the Effects of Redistricting on Ideology in the Post-*Wesberry* Era.” Presented at the 2014 Annual Meeting of the Society for Political Methodology at the University of Georgia in Athens, Georgia.

“A Reconsideration of Disaster Declarations as an Exercise in Unilateral Power.” Presented at the 2014 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“A Reconsideration of Disaster Declarations as an Exercise in Unilateral Power.” Presented at the 2014 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

## 2013

“Examining the Roles of Race and Income in Partisan Self-Placement, 1966-2008.” with Joel Sievert. Presented at the 2013 Annual Meeting of the Midwest Political Science Association in Chicago.

## Discussant

“American Development.” 2021 Annual Meeting of the Midwest Political Science Association.

“Electoral Politics in the U.S.” 2021 Annual Meeting of the Midwest Political Science Association.

“Environmental Policy.” 2021 Annual Meeting of the Midwest Political Science Association.

“Public Policy in the American States.” 2021 Annual Meeting of the Midwest Political Science Association.

“Voting and Position Taking in Legislatures.” 2019 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Meet the Author: Women Officeholders and the Role Models Who Pioneered the Way.” 2019 Annual Meeting of the Southern Political Science Association in Austin, Texas.

“Analyzing Roll Calls in Congress.” 2018 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Of Geography and Gerrymandering: The Causes and Consequences of Congressional Redistricting.” 2017 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“New Directions in APD Research.” 2017 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

“Diffusion and Policy Variation in the American States.” 2016 Annual Meeting of the American Political Science Association in Philadelphia, Pennsylvania.

“Executive Influence and Success.” 2016 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.

“Floor and Pre-Floor Actions: Holds, Cosponsorships, and Amendments.” 2015 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

“Legislative Politics: Elections I.” 2014 Annual Meeting of the Southern Political Science Association in New Orleans, Louisiana.

### **Chair**

“American Development.” 2021 Annual Meeting of the Midwest Political Science Association.

“Electoral Politics in the U.S.” 2021 Annual Meeting of the Midwest Political Science Association.

“Environmental Policy.” 2021 Annual Meeting of the Midwest Political Science Association.

“Presidents and Cabinet Politics.” 2021 Annual Meeting of the Southern Political Science Association.

“Of Geography and Gerrymandering: The Causes and Consequences of Congressional Redistricting.” 2017 Annual Meeting of the Midwest Political Science Association in Chicago, Illinois.



## Courses Taught

### Undergraduate

Introduction to American Government  
Introduction to American Government, Online  
Introduction to American Government, Honors  
The Legislative Process  
Political Parties and Interest Groups  
Executive Politics  
Electoral Institutions  
Voting Behavior and Representation  
State Government and Policy  
Honors Study and Travel: Washington, D.C.

### Graduate

Electoral Institutions  
Voting Behavior and Representation  
Classics in American Politics and Policy  
Election Administration Reform Policy  
State Politics  
MPA Research Project  
Research Methods

## Graduate Advising

PhD Dissertation Co-chair for Karen Newsome  
PhD Dissertation Co-chair for Steven Nelson  
PhD Dissertation Committee Member for Catherine Cummings  
PhD Dissertation Committee Member for Jalonta Jackson  
PhD Dissertation Committee Member for Gregory Johnson  
PhD Dissertation Committee Member for Kara Newby  
PhD Dissertation Committee Member for Towanna Sears  
PhD Dissertation Committee Member for Lindsey Forson (completed Summer 2020)

Masters Thesis Committee Member for Amanda Alva  
Masters Thesis Committee Member for Sabine Bailey  
Masters Thesis Committee Member for Thomas Moorman

## Training and Facilitation

October 2021. "Communications and Public Relations in Election Administration."  
The Election Center CERA Training Program. Remote Delivery.

July 2021. "Information Management and Security."  
The Election Center CERA Training Program. Remote Delivery.

July 2021. "Elections Administration as a System."  
The Election Center CERA Training Program. Denver, CO.

June 2021. "Communications and Public Relations in Election Administration."  
The Election Center CERA Training Program. Virginia Beach, VA.

May 2021. "Communications and Public Relations in Election Administration."  
The Election Center CERA Training Program. Remote Delivery.

April 2021. "The Constitutional Law of Elections."  
The Election Center CERA Training Program. Remote Delivery.



March 2021. "Voter Participation."  
The Election Center CERA Training Program. Remote Delivery.

March 2021. "History of Elections III: Pathways to Participation."  
The Election Center CERA Training Program. Remote Delivery.

February 2021. "Voter Participation."  
The Election Center CERA Training Program. Remote Delivery.

February 2021. "The History of Elections II: 1781 to 1964."  
The Election Center CERA Training Program. Remote Delivery.

July 2020. "Information Management and Security."  
The Election Center CERA Training Program. Remote Delivery.

July 2020. "Voter Participation."  
The Election Center CERA Training Program. Remote Delivery.

July 2020. "History of Elections III: Pathways to Participation."  
The Election Center CERA Training Program. Remote Delivery.

July 2020. "The Constitutional Law of Elections."  
The Election Center CERA Training Program. Remote Delivery.

May 2020. "The History of Elections II: 1781 to 1964."  
The Election Center CERA Training Program. Remote Delivery.

February 2020. "Redistricting and Election Administration."  
The Election Center CERA Training Program. Greenville, SC.

August 2019. "Redistricting and Election Administration."  
The Election Center CERA Training Program. Orlando, FL.

June 2019. "The History of Elections II: 1781 to 1964."  
The Election Center CERA Training Program. Denver, CO.

April 2019. "Courts, Constitutions, and Cases: Early America to 1965."  
The Election Center CERA Training Program. Virginia Beach, VA.

Alabama Secretary of State Registrar Training Program.  
May 2021. Tuscaloosa, AL.

Alabama Secretary of State Registrar Training Program.  
September 2019. Dothan, AL.

## Service

Postdoctoral Fellow in Election Administration search committee (Spring 2020)  
Professor of Practice in Non-Profit Administration search committee (Spring 2021)  
Ad hoc committee on Departmental Bylaws  
Ad hoc committee on Tenure and Promotion  
MPA Core Faculty  
American Politics Comprehensive Exam Writer (Fall 2018–Spring 2021)  
American Politics Comprehensive Exam Grader (Fall 2018–Spring 2021)  
Political Methodology Comprehensive Exam Writer (Spring 2021)  
Political Methodology Comprehensive Exam Grader (Fall 2019–Spring 2021)  
Election Administration Comprehensive Exam Writer (Spring 2021)  
Election Administration Comprehensive Exam Grader (Spring 2021)

## Media Contributions

### Blog Posts

[In 2020, Senate elections were nationalized elections. The Georgia runoffs could be too.](#)  
LSE's American Politics and Policy blog. with Jamie Carson. December 4, 2020.

[Why did Democrats lose seats in the 2020 elections?](#)  
LSE's American Politics and Policy blog. with Jamie Carson. November 12, 2020.

[Is gerrymandering “poisoning the well” of democracy?](#)  
Oxford University Press blog. October 26, 2020.

[Polarization in the Senate isn't going away.](#)  
LegBranch.org blog. March 25, 2019.

[Taking the redistricting process out of the hands of state legislatures can mean more competitive US House elections.](#) LSE's American Politics and Policy blog. March 6, 2019.

[The story of the midterms is the triumph of the moderates – on both sides.](#)  
LSE's American Politics and Policy blog. with Jamie Carson. November 9, 2018.

[How the Dems Could Win the House in November.](#)  
*Newsweek*. with Jamie Carson. February 2, 2018.

[Why taking moderate positions may help the Democrats to retake the House this fall.](#)  
LSE's American Politics and Policy blog. with Jamie Carson. February 1, 2018.

[This is how to get rid of gerrymandered districts.](#) Monkey Cage, *The Washington Post*.  
with Michael Crespin, Maxwell Palmer, and Barry C. Edwards. March 17, 2017.

[Michelle Nunn's midterm result shows that Georgia's demographics may be shifting to favor the Democrats.](#) LSE's American Politics and Policy blog. with Jamie Carson and Joel Sievert.  
November 10, 2014.

2014 Midterms: Key Issues in the Georgia Senate Race. The Brookings Institute. with Jamie Carson. October 28, 2014.

In order to increase competition in U.S. House races, states should look to extra-legislative bodies to redraw congressional boundaries. LSE's American Politics and Policy blog. with Jamie Carson and Michael Crespin. May 26, 2014.

## Interviews

Katie Boyd Britt wants to solve the state's problems, but is that what Alabama wants? *Interview with the Montgomery Advertiser*. July 25, 2021.

"No Step Too High for a High-Stepper": Gov. Kay Ivey Says She's Running for Another Term. *Interview with the Birmingham Times*. June 2, 2021.

Biden's American Rescue Plan a Big Win, But Can Dems Capitalize? *Interview with the Birmingham Times*. April 3, 2021.

What the 2020 election revealed about conservatism in the U.S. *Interview with Deseret News*. December 2, 2020.

COVID-19 changed election rules in the South. Now activists see chance for reform. *Interview with The American South*. December 1, 2020.

GOP advantages in rural Alabama grow even wider in Tommy Tuberville win. *Interview with Montgomery Advertiser*. November 5, 2020.

Auburn University political science professor gives perspective on the election. *Interview with WSFA News 12 in Montgomery, AL*. November 4, 2020.

Trump Sweeps Alabama, Tuberville Ousts Jones for Senate Seat. *Interview with Birmingham Watch*. November 4, 2020.

Straight-party voters could doom Doug Jones in US Senate race against Tommy Tuberville. *Interview with AL.com* October 30, 2020.

Election 2020: Why 'convenience' voting is controversial, even in a pandemic. *Interview with Deseret News*. October 30, 2020.

The crisis may be a turning point! How will an epidemic that killed 230,000 lives change the US presidential election? *Interview with The World Today*. October 29, 2020.

As Tommy Tuberville pitches to Republican base, Doug Jones tries to assemble a coalition. *Interview with Montgomery Advertiser*. October 28, 2020.

With a Commanding Lead in Polls, Tuberville Shuns Media and Jones While Embracing Trump. *Interview with Birmingham Watch*. October 27, 2020.

[Doug Jones Faces Long Odds in Keeping Alabama Senate Seat.](#)

*Interview with Wall Street Journal.* October 26, 2020.

[Ex-Auburn coach Tommy Tuberville's race for US Senate seat short on substance, insiders say.](#)

*Interview with USA Today.* October 22, 2020.

[Republicans Aren't Writing Off Doug Jones. Neither is Jones.](#)

*Interview with Bloomberg Government.* October 8, 2020.

[Plain Talk with Dr. Ryan Williamson](#)

*Interview with Eagle Eye TV.* October 5, 2020.

[Could fewer absentee voting restrictions affect Alabama's election?](#)

*Interview with WHNT News 19 Huntsville, AL.* September 17, 2020.

[Alabama Democrats aim to be heard under new leadership.](#)

*Interview with AL.com.* July 26, 2020.

[Trends favor Tommy Tuberville in Senate election, but plenty of questions remain.](#)

*Interview with Montgomery Advertiser.* July 17, 2020.

[Alabama Senate Candidates Take Sharply Different Approaches to Rise in COVID-19 Cases.](#)

*Interview with Montgomery Advertiser.* June 26, 2020.

[Political Science Professor Looks at How the Coronavirus Pandemic Will Effect State & Presidential Elections.](#) *Interview with WLTZ First News Columbus, GA.* June 9, 2020.

[Political Science professor examines pandemic's effect on state, presidential elections.](#)

*Auburn University Expert Answers.* May 21, 2020.

[As Alabama reopens, will people wear masks?](#)

*Interview with AL.com.* May 9, 2020.

[¿Podrá Joe Biden sacar de la Casa Blanca a Donald Trump?](#)

*Interview with SEMANA Magazine.* March 14, 2020.

[Auburn Professor Talks Impeachment.](#)

*Interview with Eagle Eye TV.* January 28, 2020.

[‘Divided’: Auburn Reckons with Impeachment.](#)

*Interview with The Auburn Plainsman.* January 23, 2020.

[What's next? Impeachment probe set to shift to Judiciary Committee.](#)

*Interview with Sinclair Broadcast Group.* November 25, 2019.

[Political science assistant professor discusses impeachment process.](#)

*Auburn University Expert Answers.* November 15, 2019.

Ex-Coach, Scandal-Ridden Judge Jolt GOP in Pivotal Senate Race.

*Interview with Bloomberg Government.* August 1, 2019.

Price tag for Alabama elections: \$111 million.

*Interview with Montgomery Advertiser.* November 20, 2018.

Alabama GOP Still Dominant Despite Challenges from Democrats.

*Interview with WBHM NPR.* November 7, 2018.

Alabama among 7 states allowing straight-ticket voting; That won't soon change.

*Interview with AL.com.* September 20, 2018.

## Professional Memberships

American Political Science Association

Midwest Political Science Association

Southern Political Science Association

## Manuscript Reviewer

*American Political Science Review*

*Journal of Politics*

*American Politics Research*

*State Politics & Policy Quarterly*

*Congress & the Presidency*

*Journal of Political Science Education*

*Open Journal of Political Science*

*Applied Geography*

*Sustainability*

*Healthcare*

*Oxford University Press*

*Rowman & Littlefield*

*American Journal of Political Science*

*Political Research Quarterly*

*Legislative Studies Quarterly*

*Social Science Quarterly*

*Party Politics*

*Review of Economics and Statistics*

*Law & Policy*

*Social Sciences*

*Administrative Sciences*

*Cambridge University Press*

*SAGE Publishing*

## Software Proficiency

Stata, R, L<sup>A</sup>T<sub>E</sub>X, Qualtrics

## References

Available upon request.

Last updated October 2021

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**

EVAN MILLIGAN, et al.,

*Plaintiffs,*

v.

JOHN H. MERRILL, et al.,

*Defendants.*

Civil Case No. 2:21-CV-01530-AMM

**DECLARATION OF MOON DUCHIN, PH.D.**

I, Moon Duchin, declare:

1. My name is Moon Duchin. I am over 18 years of age and have personal knowledge of the facts set forth in this Declaration.

2. I hold a Ph.D. and an M.S in Mathematics from the University of Chicago as well as an A.B. in Mathematics and Women's Studies from Harvard University.

3. I am a Professor of Mathematics and a Senior Fellow in the Jonathan M. Tisch College of Civic Life at Tufts University. I hold an affiliation as Collaborating Faculty in the American Studies track within the Department of Race, Colonialism, and Diaspora Studies.

4. A copy of my expert report and exhibits in support, including a current copy of my full CV, are attached as Exhibit 1 to this declaration.

5. All of the quantitative work described in my report was performed by myself with the support of research assistants working under my direct supervision.

6. I am compensated at the rate of \$300 per hour. My compensation for my work on this case is not dependent on the substance of my opinions or the outcome of the case.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on December 10, 2021 in Medford, Massachusetts.

  
\_\_\_\_\_  
Moon Duchin

# Exhibit 1



# Presentation of Alternative Congressional Districting Plans for Alabama

Moon Duchin  
Professor of Mathematics, Tufts University  
Collaborating Faculty in Race, Colonialism, and Diaspora Studies  
Senior Fellow, Tisch College of Civic Life

December 10, 2021

## 1 Background, qualifications, and materials consulted

I am a Professor of Mathematics and a Senior Fellow in the Jonathan M. Tisch College of Civic Life at Tufts University. I hold an affiliation as Collaborating Faculty in Department of Race, Colonialism, and Diaspora Studies (American Studies track). I hold a Ph.D. and an M.S. in Mathematics from the University of Chicago as well as an A.B. in Mathematics and Women's Studies from Harvard University.

My general research areas are geometry, topology, dynamics, and applications of mathematics and computing to the study of elections, voting, and civil rights. My redistricting-related work has been published in venues such as the Election Law Journal, Political Analysis, Foundations of Data Science, the Notices of the American Mathematical Society, Statistics and Public Policy, the Virginia Policy Review, the Harvard Data Science Review, Foundations of Responsible Computing, and the Yale Law Journal Forum. My research has had continuous grant support from the National Science Foundation since 2009, including a CAREER grant from 2013–2018 and a Convergence Accelerator grant from 2019–2021 entitled "Network Science of Census Data." I am currently on the editorial board of the journals Advances in Mathematics and the Harvard Data Science Review. I was elected a Fellow of the American Mathematical Society in 2017 and was named a Radcliffe Fellow and a Guggenheim Fellow in 2018.

### Materials

I consulted a range of materials while preparing this report:

- Data products published by the Census Bureau, especially the PL94-171 Decennial Census release, the 2015-19 American Community Survey, and the ACS Special Tabulation from the same 5-year period. The Census Places dataset was used to extract block assignments to cities and towns. TIGER/Line shapefiles were used to pair demographics with geography.
- Block equivalency files defining the State's new enacted districts from [www.sos.alabama.gov/alabama-votes/state-district-maps](http://www.sos.alabama.gov/alabama-votes/state-district-maps).
- The Alabama Legislature's *Reapportionment Committee Redistricting Guidelines* [1], as well as the other articles cited in the bibliography below.

## 2 Introduction

On November 3, 2021, the Alabama Legislature enacted four districting plans: maps of 7 U.S. Congressional districts, 35 state Senate districts, 105 state House districts, and 8 state Board of Education districts. They were signed into law by Governor Kay Ivey the next day. This report presents alternative plans for Alabama Congressional districts and contrasts them with the enacted plan. I was asked to draw plans that establish that it is possible to create two majority-Black districts in a map that maintains population balance, reasonable compactness, respect for political boundaries, and other traditional districting principles. In particular, I was instructed to emphasize the Polsby-Popper (isoperimetric) definition of compactness.

I will be comparing the following plans: the enacted plan HB-1 and a set of alternative plans that I have drawn, labeled Plan A, Plan B, Plan C, and Plan D. They are shown in Figures 1<sup>2</sup>.

The focus of this report is to establish that the first Gingles factor, known as "Gingles 1," is met:

*First, the minority group must be able to demonstrate that it is sufficiently large and geographically compact to constitute a majority in a single-member district.*<sup>1</sup>

Together with Gingles 2 and 3, the factors establishing racially polarized voting, these stand as the threshold conditions for advancing litigation under the Voting Rights Act.

Alabama's largest minority group is Black, with 1,364,736 out of 5,024,279 residents—27.16% of the total population—identifying as Black, possibly in combination with other races, of any ethnicity, on their Census forms. This group is therefore large enough to constitute majorities of three out of seven congressional districts.<sup>2</sup> However, the second half of the Gingles 1 condition requires that we take the human geography into account, considering whether the group's residential location is sufficiently geographically compact to achieve majority-minority districts. The constraints of geography make it impossible to create three, but I will show that **it is readily possible to create two majority-Black Congressional districts in Alabama today.**

Furthermore, these two majority-Black districts can be drawn without sacrificing traditional districting principles like population balance (§3.1), contiguity (§3.2), respect for political subdivisions like counties, cities, and towns (§3.3), or the compactness of the districts (§3.4), and with heightened respect for communities of interest (§3.5).

---

<sup>1</sup>*Thornburg v. Gingles*, 478 U.S. 30 (1986)

<sup>2</sup>Since each district will contain 1/7 (or about 14.3%) of the population, it follows that 7.2% of the population is enough to constitute the majority in a district. Alabama's Black population is more than three-and-a-half times this numerous. Thus, in terms of numbers alone, three districts could have Black population majorities by a comfortable margin.

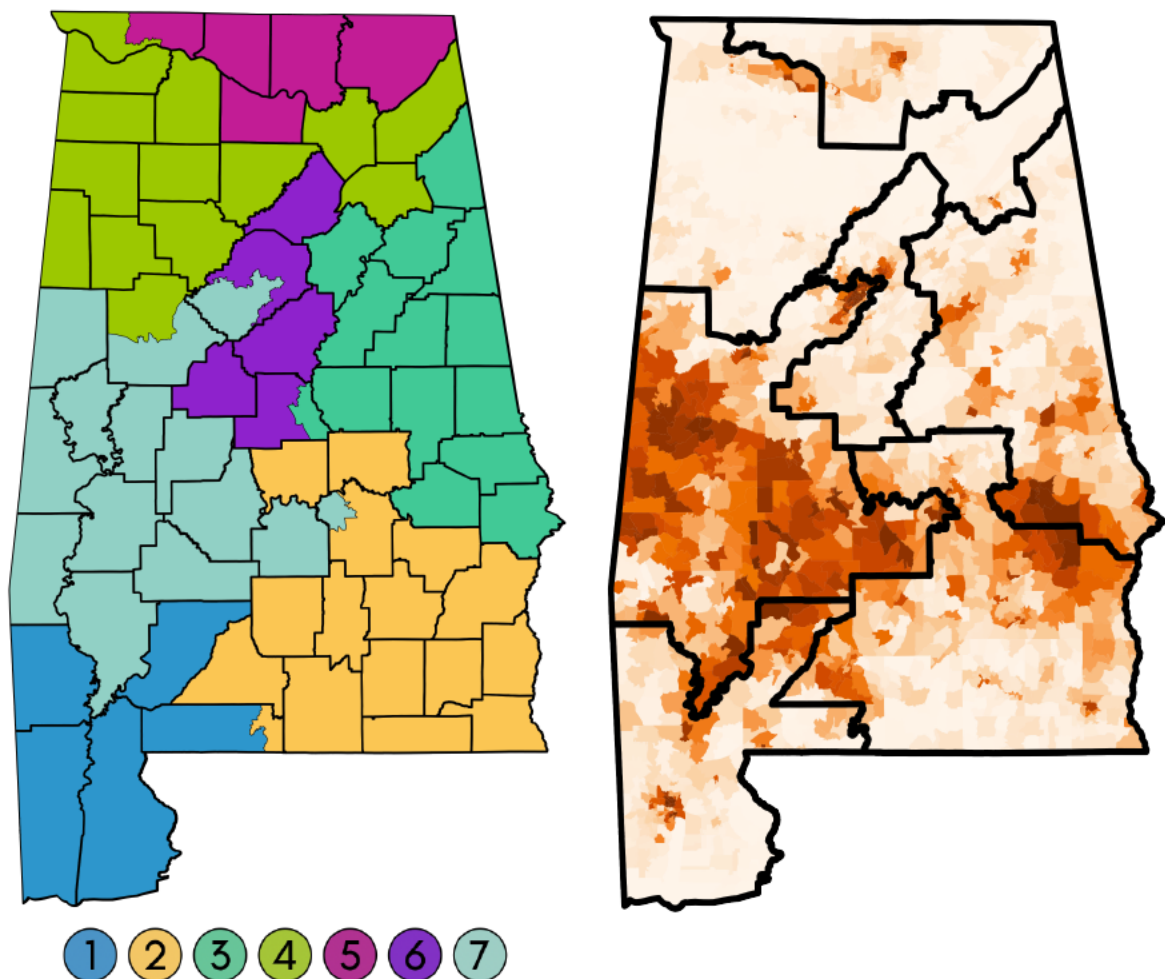


Figure 1: The State's plan HB-1 is shown (left) next to a demographic map (right). Darker shading indicates precincts with a higher share of BVAP, or Black voting age population. The State's plan packs Black population into District 7 at an elevated level of over 55% BVAP, then cracks Black population in Mobile, Montgomery, and the rural Black Belt across Districts 1, 2, and 3, so that none of them has more than about 30% BVAP.

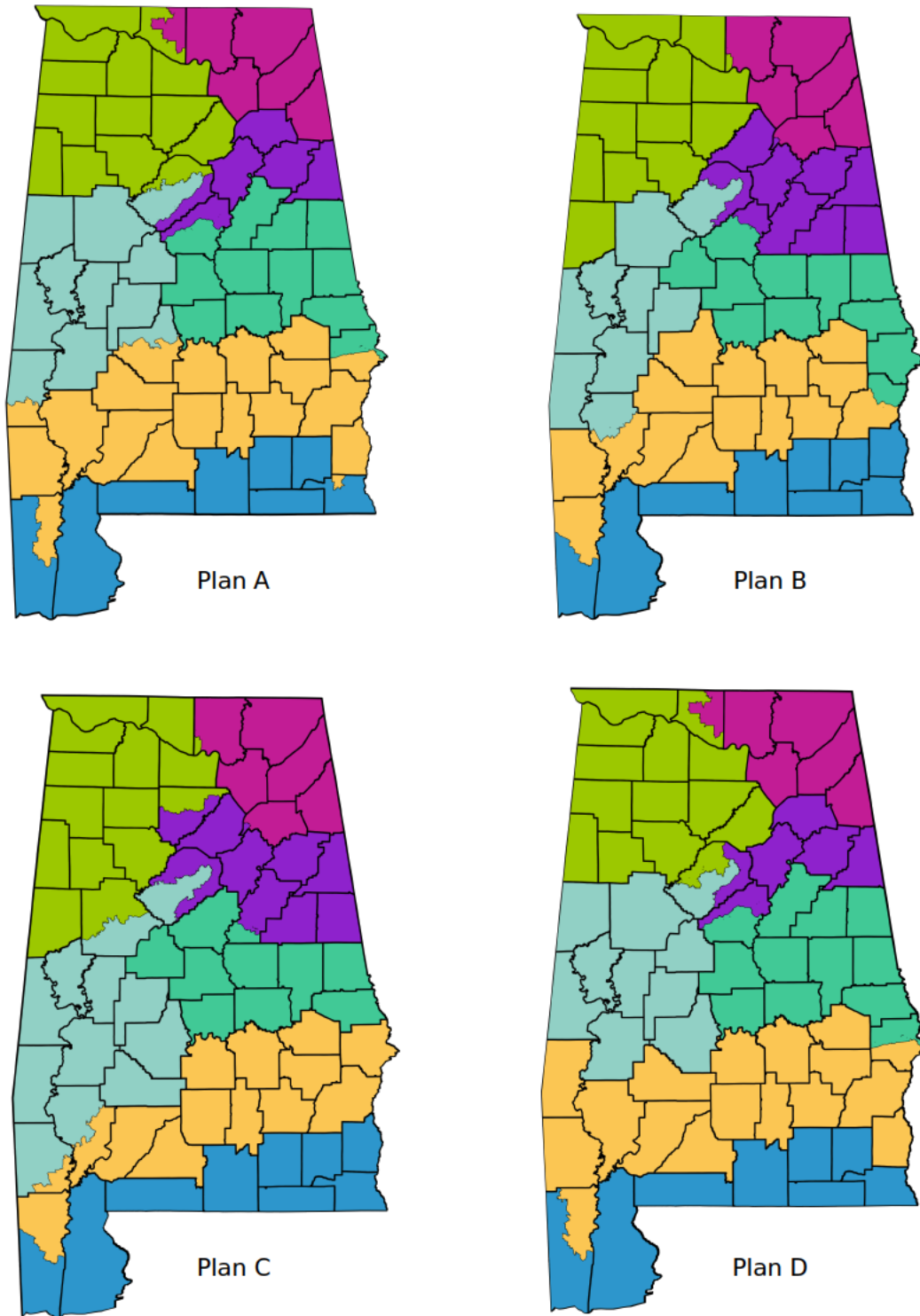


Figure 2: The four alternative plans presented in this report.

### 3 Traditional districting principles

I will begin by surveying the criteria discussed in the Alabama Legislature's *Reapportionment Committee Redistricting Guidelines* (henceforth, "the Guidelines") [\[1\]](#).

#### 3.1 Population balance

The standard interpretation of *One Person, One Vote* for Congressional districts is that districts should be balanced to as near mathematical equality of population as possible, using total population from the Decennial Census. As the Guidelines put it, "*Congressional districts shall have minimal population deviation.*" The State's plan and all four alternative plans have very tight population balance, with each district within one-person deviation from the rounded ideal population of 717,754.

#### 3.2 Contiguity

A district formed from census blocks can be called *contiguous* if it is possible to transit from any part of the district to any other part through a sequence of blocks that share boundary segments of positive length. As is traditional in Alabama (and affirmed in Section II.j.ii of the Guidelines), contiguity through water is accepted. The State's plan and the four alternative plans all satisfy contiguity.

#### 3.3 Respect for political subdivisions

The Guidelines call for districting plans to "*respect communities of interest, neighborhoods, and political subdivisions*"; in redistricting terms, respect for political subdivisions can be interpreted as attempting to keep intact as many localities (counties, cities, and towns) as possible. In order to make seven finely population-tuned districts, it is necessary to split at least six of Alabama's 67 counties into two pieces, or to split some counties into more than two pieces. All of the plans under consideration—the State's plan and the four alternative maps—split nine counties or fewer, giving them high marks for respecting these major political subdivisions. Plan D in fact splits only five counties, with the largest county (Jefferson) touching three districts. On the municipal level, Alabama has 172 cities and 290 towns, according to the 2020 Census. All of the alternative plans are comparable to the State's plan on locality splits, with Plan B splitting fewer localities than HB-1.

Number of localities split, by type				
	localities (out of 529)	counties (out of 67)	municipalities (out of 462)	majority-Black cities (out of 32)
HB-1	42	6	36	Adamsville, Bessemer, Birmingham, Montgomery, Tarrant (5)
Plan A	48	8	40	Adamsville, Bessemer, Birmingham, Pritchard (4)
Plan B	39	7	32	Bessemer, Birmingham (2)
Plan C	51	9	42	Adamsville, Bessemer, Birmingham (3)
Plan D	49	5	44	Adamsville, Bessemer, Birmingham, Pleasant Grove, Tarrant (5)

Table 1: Comparing the plans' conformance to political boundaries. Municipalities are defined as cities and towns, and localities includes these as well as counties.

### 3.4 Compactness

The two compactness metrics most commonly appearing in redistricting are the *Polsby-Popper score* and the *Reock score*. Polsby-Popper is the name given in this setting to a metric from ancient mathematics: the isoperimetric ratio comparing a region's area to its perimeter via the formula  $4\pi A/P^2$ . Higher scores are considered more compact, with circles uniquely achieving the optimum score of 1. Political scientist Ernest Reock created a different score based on the premise that circles were ideal: it is computed as the ratio of a region's area to that of its circumcircle, where the circumcircle is defined as the smallest circle in which the region can be circumscribed. Polsby-Popper is thought to be relevant as a measure of how erratically the geographical boundaries divide the districts, but this sometimes penalizes districts for natural features like coastlines of bays and rivers. Reock has a much weaker justification, since the primacy of circles is the goal rather than the consequence of the definition.<sup>3</sup>

These scores depend on the planar contours of a district and have been criticized as being too dependent on map projections or on cartographic resolution [2] [3]. Besides having the weakest relevance to redistricting, the Reock score is also technically flawed, subject to large distortions among different equally reasonable methods of computation. Recently, some mathematicians have argued for using discrete compactness scores, taking into account the units of Census geography from which the district is built. The most commonly cited discrete score for districts is the *cut edges* score, which counts how many adjacent pairs of geographical units receive different district assignments. In other words, cut edges measures the "scissors complexity" of the districting plan: how much work would have to be done to separate the districts from each other? Plans with a very intricate boundary would require many separations. Relative to the contour-based scores, this better controls for factors like coastline and other natural boundaries, and focuses on the units actually available to redistricters rather than treating districts like free-form Rorschach blots.

	Compactness		
	block cut edges (lower is better)	average Polsby-Popper (higher is better)	average Reock (higher is better)
HB-1	3230	0.222	0.427
Plan A	3417	0.256	0.378
Plan B	3127	0.282	0.365
Plan C	3774	0.255	0.338
Plan D	3540	0.249	0.399

Table 2: Comparing compactness scores via one discrete and two contour-based metrics. Plan B is the most compact by cut edges. All four alternative plans are superior to the State's plan on the Polsby-Popper metric and have very reasonable Reock scores, especially Plan D.

### 3.5 Additional principles

- **Communities of interest.** The Guidelines describe communities of interest in terms that are congruent with the usage across many states: "*A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities.*"

In Alabama, there was no sustained effort by any state authority to formally collect community of interest (COI) maps, to my knowledge. Without this, it is difficult to produce a suitable metric based on public testimony or submissions.

<sup>3</sup>Reock took the idealization of the circle for granted: "The most compact plane figure is the circle, for here the maximum area is enclosed within a given perimeter. The circle, therefore, can be used as the ideal of compactness..." [4]. No further justification is given for why non-circular shapes are plausible indicators of gerrymandering.

However, it is possible to identify several clear examples of communities of interest of particular salience to Black Alabamians. The "Black Belt" of 18 mostly rural counties will be discussed below in §4.2.2.

- **Cores of prior districts.** The State's plan HB-1 bears a close resemblance to the plan from the prior Census cycle, which was engineered to have one district with a Black supermajority, while the other six do not approach one-third Black population. Therefore it should be expected that plans designed to address Voting Rights Act concerns would disrupt the structure of the prior plans, which can be confirmed in the alternative plans presented here.

## 4 Racial demographics

### 4.1 Demographics

Over 1.3 million Alabamians, or 1,364,736 to be precise, identified as Black or African-American on the 2020 Decennial Census.<sup>4</sup> Over a million of these, namely 1,014,372, are of voting age. Black residents constitute 27.16% of total population, 25.9% of voting-age population, and 26.3% of citizen voting-age population in the state.<sup>5</sup> But in the last Census cycle as in the State's new proposed plan, just one district out of seven had close to a Black majority—that one district constitutes just under 14.3% of the seats, while two majority-Black districts can readily be produced in alternative districting plans.

VAP						CVAP					
BVAP Share by District						BCVAP Share by District					
CD	HB-1	Plan A	Plan B	Plan C	Plan D	CD	HB-1	Plan A	Plan B	Plan C	Plan D
1	25.61%	14.50%	15.73%	15.73%	15.36%	1	25.77%	14.54%	15.77%	15.77%	15.41%
2	30.12%	51.37%	51.06%	50.06%	50.05%	2	30.49%	52.05%	51.75%	50.78%	50.71%
3	24.99%	23.96%	22.28%	19.64%	23.96%	3	25.21%	24.26%	22.63%	19.97%	24.26%
4	7.70%	8.30%	10.86%	11.03%	8.58%	4	7.70%	8.35%	10.91%	11.10%	8.62%
5	18.06%	16.02%	15.66%	15.66%	16.02%	5	18.23%	16.25%	15.84%	15.84%	16.25%
6	18.93%	15.44%	15.32%	15.51%	15.37%	6	19.33%	15.62%	15.48%	15.66%	15.53%
7	55.26%	51.50%	50.24%	53.50%	51.73%	7	56.34%	52.40%	51.28%	54.51%	52.64%

WVAP Share by District						WCVAP Share by District					
CD	HB-1	Plan A	Plan B	Plan C	Plan D	CD	HB-1	Plan A	Plan B	Plan C	Plan D
1	66.00%	76.25%	75.20%	75.20%	75.47%	1	65.17%	75.19%	74.13%	74.13%	74.40%
2	62.03%	42.33%	42.60%	43.14%	43.56%	2	61.43%	41.89%	42.19%	42.65%	43.14%
3	67.74%	67.78%	68.47%	70.99%	67.78%	3	67.49%	67.61%	68.37%	71.04%	67.61%
4	82.41%	82.98%	80.12%	79.98%	82.63%	4	82.50%	82.62%	79.88%	79.78%	82.30%
5	70.89%	71.62%	72.56%	72.56%	71.62%	5	70.42%	71.24%	72.28%	72.28%	71.24%
6	71.16%	75.39%	76.73%	76.49%	75.58%	6	71.23%	75.83%	76.63%	76.35%	76.01%
7	38.60%	42.08%	42.71%	40.04%	41.82%	7	38.02%	41.51%	42.24%	39.53%	41.22%

Table 3: Demographics broken out as a comparison of Black and White population.

<sup>4</sup>Here and throughout, we use the so-called "Any Part Black" definition, which counts people who self-identified as Black on the Census form, possibly in combination with other races, whether Hispanic or not, for total population and voting-age population. Abbreviations such as BVAP refer to this construction. Citizen voting-age population is derived from the American Community Survey (ACS) in combination with the Decennial Census. The racial group constructions are fully defined in the supplemental material.

<sup>5</sup>Black citizen voting-age population is derived from the 5-year ACS, 2015–2019. The supplemental material contains an explanation of how BCVP and WCVAP are constructed.



	CD	WVAP	BVAP	HVAP	WCVAP	BCVAP	HCVAP
HB-1	1	66.00%	25.61%	3.23%	65.17%	25.77%	2.45%
	2	62.03%	30.12%	3.57%	61.43%	30.49%	2.55%
	3	67.74%	24.99%	3.07%	67.49%	25.21%	2.29%
	4	82.41%	7.70%	5.66%	82.50%	7.70%	2.84%
	5	70.89%	18.06%	5.28%	70.42%	18.23%	3.31%
	6	71.16%	18.93%	5.38%	71.23%	19.33%	2.81%
	7	38.60%	55.26%	3.65%	38.02%	56.34%	2.05%
	CD	WVAP	BVAP	HVAP	WCVAP	BCVAP	HCVAP
Plan A	1	76.25%	14.50%	4.00%	75.19%	14.54%	3.07%
	2	42.33%	51.37%	2.68%	41.89%	52.05%	1.77%
	3	67.78%	23.96%	3.98%	67.61%	24.26%	2.62%
	4	82.98%	8.30%	4.58%	82.62%	8.35%	2.58%
	5	71.62%	16.02%	6.50%	71.24%	16.25%	3.67%
	6	75.39%	15.44%	3.91%	75.83%	15.62%	2.26%
	7	42.08%	51.50%	4.18%	41.51%	52.40%	2.32%
	CD	WVAP	BVAP	HVAP	WCVAP	BCVAP	HCVAP
Plan B	1	75.20%	15.73%	3.99%	74.13%	15.77%	3.06%
	2	42.60%	51.06%	2.60%	42.19%	51.75%	1.71%
	3	68.47%	22.28%	4.59%	68.37%	22.63%	2.92%
	4	80.12%	10.86%	4.68%	79.88%	10.91%	2.70%
	5	72.56%	15.66%	6.23%	72.28%	15.84%	3.40%
	6	76.73%	15.32%	3.46%	76.63%	15.48%	2.11%
	7	42.71%	50.24%	4.29%	42.24%	51.28%	2.41%
	CD	WVAP	BVAP	HVAP	WCVAP	BCVAP	HCVAP
Plan C	1	75.20%	15.73%	3.99%	74.13%	15.77%	3.06%
	2	43.14%	50.06%	2.93%	42.65%	50.78%	1.95%
	3	70.99%	19.64%	4.46%	71.04%	19.97%	2.82%
	4	79.98%	11.03%	4.70%	79.78%	11.10%	2.69%
	5	72.56%	15.66%	6.23%	72.28%	15.84%	3.40%
	6	76.49%	15.51%	3.51%	76.35%	15.66%	2.13%
	7	40.04%	53.50%	4.01%	39.53%	54.51%	2.26%
	CD	WVAP	BVAP	HVAP	WCVAP	BCVAP	HCVAP
Plan D	1	75.47%	15.36%	4.01%	74.40%	15.41%	3.07%
	2	43.56%	50.05%	2.68%	43.14%	50.71%	1.79%
	3	67.78%	23.96%	3.98%	67.61%	24.26%	2.62%
	4	82.63%	8.58%	4.66%	82.30%	8.62%	2.61%
	5	71.62%	16.02%	6.50%	71.24%	16.25%	3.67%
	6	75.58%	15.37%	3.93%	76.01%	15.53%	2.25%
	7	41.82%	51.73%	4.08%	41.22%	52.64%	2.30%

Table 4: Demographics by district in the State's plan HB-1 and the alternative plans.



By contrast, the non-Hispanic White population share in Alabama is 63.12% and the corresponding shares of voting-age population and citizen voting-age population are 65.47% and 65.07%, respectively. By any of these measures, proportional representation for White voters would be between 4.4 and 4.6 of Alabama's 7 seats in the U.S. House. The State's map HB-1 orchestrates a non-Hispanic White VAP share of at least 60% in all districts besides CD-7—that is, in 6 out of 7 Congressional districts.

## 4.2 Centers of Black population

### 4.2.1 Urban

The four largest cities in Alabama today are Huntsville (population 215,006), Birmingham (population 200,733), Montgomery (population 200,603), and Mobile (population 187,041). Together, they have over 400,000 Black residents, comprising roughly 1/3 of the Black population in the state. Of these cities, Birmingham, Montgomery, and Mobile are majority-Black, with population shares of 69.9%, 60.8%, and 51.5%, respectively, making them two among Alabama's 52 majority-Black cities.

Of those four largest cities, the State's plan HB-1 only includes parts of Birmingham and parts of Montgomery in a majority-Black district. In particular, this means that the hundreds of thousands of Black voters in Montgomery and Mobile are located in districts in which Black population share falls short of one-third.

All four alternative plans retain most of Birmingham in a majority-Black district, but by adding a second majority district the alternative plans are able to include all of Montgomery and most of Mobile as well.

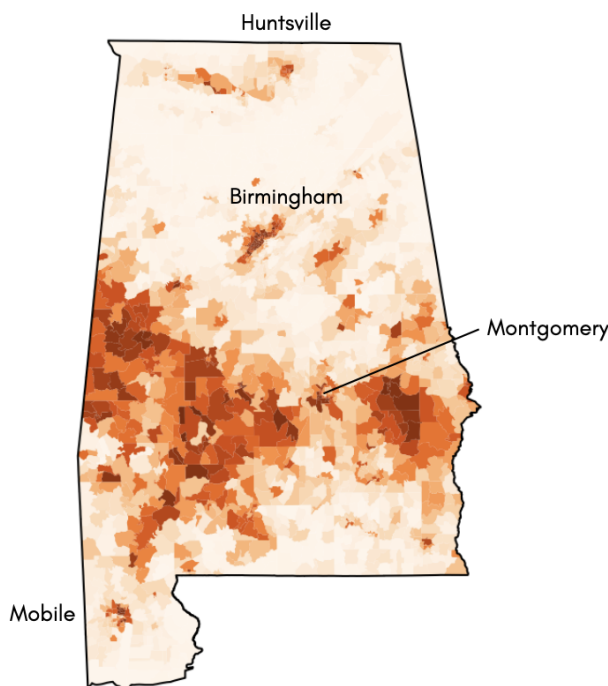


Figure 3: Black voting-age population share is shown by shading at the precinct level. The major cities have visible concentrations of Black population, and the Black Belt rural counties are clearly visible running East-West across the state.

#### 4.2.2 Rural: Alabama's Black Belt

Alabama also has a significant Black population in rural counties, especially in the 18 "Black Belt" counties of Barbour, Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Montgomery, Perry, Pickens, Pike, Russell, Sumter, and Wilcox. These counties have a long shared history from plantation slavery to sharecropping to Jim Crow and up to the present—these constitute very clear communities of interest by the Guidelines definition. (Recalling from above, that definition holds that "*A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities.*")

The Black Belt includes 8 of the 10 least populous counties in the state, each with under 13,000 residents. Together, the Black Belt region has over 300,000 Black residents.

In the State's plan, eight of these are partially or fully excluded from majority-Black districts: Barbour, Bullock, Butler, Crenshaw, Macon, Pike, and Russell are excluded from CD-7 while Montgomery County is split.

Each of the 18 Black Belt counties is contained in majority-Black districts in at least some of the alternative plans presented here: Plan A and Plan D include all but part of Russell County, Plan B includes all but Russell and part of Barbour County, and Plan C includes the entirety of the Black Belt. Forming a district that reaches south into Mobile County and eastward across the Black Belt is natural for a mapmaker following traditional principles. In fact, the State's own recently enacted State Board of Education map, which has two majority-Black districts out of eight, does just this in a manner similar to my illustrative Congressional plans.

## 5 Conclusion

I have presented four alternative maps that all secure population majorities for Black Alabamians in two districts, rather than just one district, out of seven.

- The State's map and all four alternative plans have districts balanced to within  $\pm 1$  person from rounded ideal size. All four plans are contiguous, and all split five to nine counties, at or close to the theoretical minimum level of splitting.
- All four alternative plans have strong compactness scores; in fact, all four are significantly superior to the State's plan in the most common compactness metric, the average Polsby-Popper score.
- The State's plan splits Montgomery County and Montgomery City, even though Montgomery County is less than one-third the size of a Congressional district. All four alternative plans hold the city and county whole.
- Proportionality for the White non-Hispanic population in Alabama would amount to roughly 4.5 out of 7 seats in Congress, but the State's map would lock in fully 6 out of 7 seats for White-preferred candidates—a massively super-proportional showing.
- All four alternative plans place thousands of Black voters in the population centers of Montgomery and Mobile, as well as voters across the rural Black Belt, in majority-Black districts. Seven Black Belt counties are wholly excluded from the sole majority-Black district, and another is split, in the State's plan. Relative to HB-1, each one of the alternative plans allows over 300,000 additional Black Alabamians—including plaintiffs Shalela Dowdy (Mobile), Evan Milligan (Montgomery), and Khadidah Stone (Montgomery)—to live in majority-Black districts.

## References

- [1] Alabama Legislative Reapportionment Committee Redistricting Guidelines, dated May 5, 2021. *Available at* [www.legislature.state.al.us](http://www.legislature.state.al.us).
- [2] Assaf Bar-Natan, Elle Najt, and Zachary Schutzmann, *The gerrymandering jumble: Map projections permute districts' compactness scores*. *Cartography and Geographic Information Science*, Volume 47, Issue 4, 2020, 321–335.
- [3] Richard Barnes and Justin Solomon, *Gerrymandering and Compactness: Implementation Flexibility and Abuse*. *Political Analysis*, Volume 29, Issue 4, October 2021, 448–466.
- [4] Ernest C. Reock, Jr., *A Note: Measuring Compactness as a Requirement of Legislative Apportionment*. *Midwest Journal of Political Science*, Vol. 5, No. 1 (Feb., 1961), 70–74.

## A Supplemental information

### Definition of Black by Census Codes (within **total population**)

Black or African American alone P0010004  
 White; Black or African American P0010011  
 Black or African American; American Indian and Alaska Native P0010016  
 Black or African American; Asian P0010017  
 Black or African American; Native Hawaiian and Other Pacific Islander P0010018  
 Black or African American; Some Other Race P0010019  
 White; Black or African American; American Indian and Alaska Native P0010027  
 White; Black or African American; Asian P0010028  
 White; Black or African American; Native Hawaiian and Other Pacific Islander P0010029  
 White; Black or African American; Some Other Race P0010030  
 Black or African American; American Indian and Alaska Native; Asian P0010037  
 Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander P0010038  
 Black or African American; American Indian and Alaska Native; Some Other Race P0010039  
 Black or African American; Asian; Native Hawaiian and Other Pacific Islander P0010040  
 Black or African American; Asian; Some Other Race P0010041  
 Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race P0010042  
 White; Black or African American; American Indian and Alaska Native; Asian P0010048  
 White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander P0010049  
 White; Black or African American; American Indian and Alaska Native; Some Other Race P0010050  
 White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander P0010051  
 White; Black or African American; Asian; Some Other Race P0010052  
 White; Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race P0010053  
 Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander P0010058  
 Black or African American; American Indian and Alaska Native; Asian; Some Other Race P0010059  
 Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some Other Race P0010060  
 Black or African American; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0010061  
 White; Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander P0010064  
 White; Black or African American; American Indian and Alaska Native; Asian; Some Other Race P0010065  
 White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some Other Race P0010066  
 White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0010067  
 Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0010069  
 White; Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0010071

### Definition of Black by Census Codes (within **voting-age population**)

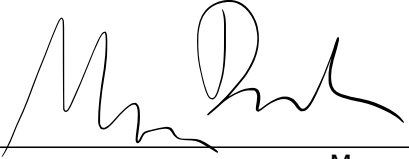
Black or African American alone P0030004  
 White; Black or African American P0030011  
 Black or African American; American Indian and Alaska Native P0030016  
 Black or African American; Asian P0030017  
 Black or African American; Native Hawaiian and Other Pacific Islander P0030018  
 Black or African American; Some Other Race P0030019  
 White; Black or African American; American Indian and Alaska Native P0030027  
 White; Black or African American; Asian P0030028  
 White; Black or African American; Native Hawaiian and Other Pacific Islander P0030029  
 White; Black or African American; Some Other Race P0030030  
 Black or African American; American Indian and Alaska Native; Asian P0030037  
 Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander P0030038  
 Black or African American; American Indian and Alaska Native; Some Other Race P0030039  
 Black or African American; Asian; Native Hawaiian and Other Pacific Islander P0030040  
 Black or African American; Asian; Some Other Race P0030041  
 Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race P0030042  
 White; Black or African American; American Indian and Alaska Native; Asian P0030048  
 White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander P0030049  
 White; Black or African American; American Indian and Alaska Native; Some Other Race P0030050  
 White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander P0030051  
 White; Black or African American; Asian; Some Other Race P0030052  
 White; Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race P0030053  
 Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander P0030058  
 Black or African American; American Indian and Alaska Native; Asian; Some Other Race P0030059  
 Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some Other Race P0030060  
 Black or African American; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0030061  
 White; Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander P0030064  
 White; Black or African American; American Indian and Alaska Native; Asian; Some Other Race P0030065  
 White; Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander; Some Other Race P0030066  
 White; Black or African American; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0030067  
 Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0030069  
 White; Black or African American; American Indian and Alaska Native; Asian; Native Hawaiian and Other Pacific Islander; Some Other Race P0030071

### Definition of Black via Census products (within **citizen voting-age population**)

The 2015-2019 5-year ACS Special Tabulation produces 2010 tract-level estimates of citizen voting age population (CVAP) with some subpopulations. I selected the Non-Hispanic White (WCVAP), Non-Hispanic Black or African American (BCVAP), and Hispanic (HCVAP) categories. The 2015-2019 ACS also provides 2010 tract-level voting age population (VAP) estimates by tract, from which we use White (WVAP), Black or African American (BVAP), and Hispanic (HVAP). From these two products I have calculated the citizenship share for each subpopulation in each 2010 Census tract in Alabama. This citizenship share tracks, for example, BCVAP / BVAP—the share of non-Hispanic Black citizens of voting age over the total number of Black citizens, independent of ethnicity. To calculate 2020 CVAP estimates on 2020 Census blocks, I start with the 2020 PL-94 to determine the VAP share in each block for each subpopulation, then multiply by the corresponding citizenship share. For instance, we compute the 2020 BVAP count in each block  $b$  (independent of ethnicity) and multiply it by the BCVAP / BVAP citizenship share assigned to the 2010 tract that contains  $b$ . An exactly similar method is used for WCVAP and HCVAP.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of December, 2021.

  
\_\_\_\_\_  
Moon Duchin

## **Appendix A**

# Moon Duchin

moon.duchin@tufts.edu - mduchin.math.tufts.edu  
Mathematics · STS · Tisch College of Civic Life | Tufts University

## Education

<b>University of Chicago</b> Mathematics Advisor: Alex Eskin	MS 1999, PhD 2005 <i>Dissertation: Geodesics track random walks in Teichmüller space</i>
<b>Harvard University</b> Mathematics and Women's Studies	BA 1998

## Appointments

<b>Tufts University</b> Professor of Mathematics Assistant Professor, Associate Professor	2021— 2011–2021
<i>Director</i>   Program in Science, Technology, & Society (on leave 2018–2019)	2015–2021
<i>Principal Investigator</i>   MGGG Redistricting Lab	2017—
<i>Senior Fellow</i>   Tisch College of Civic Life	2017—
<b>University of Michigan</b> Assistant Professor (postdoctoral)	2008–2011
<b>University of California, Davis</b> NSF VIGRE Postdoctoral Fellow	2005–2008

## Research Interests

Data science for civil rights, computation and governance, elections, geometry and redistricting.  
Science, technology, and society, science policy, technology and law.  
Random walks and Markov chains, random groups, random constructions in geometry.  
Large-scale geometry, metric geometry, isoperimetric inequalities.  
Geometric group theory, growth of groups, nilpotent groups, dynamics of group actions.  
Geometric topology, hyperbolicity, Teichmüller theory.

## Awards & Distinctions

<b>Research Professor</b> - MSRI Program in Analysis and Geometry of Random Spaces	Spring 2022
<b>Guggenheim Fellow</b>	2018
<b>Radcliffe Fellow</b> - Evelyn Green Davis Fellowship	2018–2019
<b>Fellow of the American Mathematical Society</b>	elected 2017
<b>NSF C-ACCEL (PI)</b> - Harnessing the Data Revolution: Network science of Census data	2019–2020
<b>NSF grants (PI)</b> - CAREER grant and three standard Topology grants	2009–2022
<b>Professor of the Year</b> , Tufts Math Society	2012–2013
<b>AAUW Dissertation Fellowship</b>	2004–2005
<b>NSF Graduate Fellowship</b>	1998–2002
<b>Lawrence and Josephine Graves Prize for Excellence in Teaching</b> (U Chicago)	2002
<b>Robert Fletcher Rogers Prize</b> (Harvard Mathematics)	1995–1996

Mathematics Publications & Preprints

---

***The (homological) persistence of gerrymandering***

Foundations of Data Science, online first. (with Thomas Needham and Thomas Weighill)

***You can hear the shape of a billiard table: Symbolic dynamics and rigidity for flat surfaces***

Commentarii Mathematici Helvetici, to appear. arXiv:1804.05690

(with Viveka Erlandsson, Christopher Leininger, and Chandrika Sadanand)

***Conjugation curvature for Cayley graphs***

Journal of Topology and Analysis, online first. (with Assaf Bar-Natan and Robert Kropholler)

***A reversible recombination chain for graph partitions***

Preprint. (with Sarah Cannon, Dana Randall, and Parker Rule)

***Recombination: A family of Markov chains for redistricting***

Harvard Data Science Review. Issue 3.1, Winter 2021. online. (with Daryl DeFord and Justin Solomon)

***Census TopDown: The impact of differential privacy on redistricting***

2nd Symposium on Foundations of Responsible Computing (FORC 2021), 5:1–5:22. online.

(with Aloni Cohen, JN Matthews, and Bhushan Suwal)

***Stars at infinity in Teichmüller space***

Geometriae Dedicata, Volume 213, 531–545 (2021). (with Nate Fisher) arXiv:2004.04321

***Random walks and redistricting: New applications of Markov chain Monte Carlo***

(with Daryl DeFord) For edited volume, Political Geometry. Under contract with Birkhäuser.

***Mathematics of nested districts: The case of Alaska***

Statistics and Public Policy. Vol 7, No 1 (2020), 39–51. (w/ Sophia Caldera, Daryl DeFord, Sam Gutekunst, & Cara Nix)

***A computational approach to measuring vote elasticity and competitiveness***

Statistics and Public Policy. Vol 7, No 1 (2020), 69–86. (with Daryl DeFord and Justin Solomon)

***The Heisenberg group is pan-rational***

Advances in Mathematics **346** (2019), 219–263. (with Michael Shapiro)

***Random nilpotent groups I***

IMRN, Vol 2018, Issue 7 (2018), 1921–1953. (with Matthew Cordes, Yen Duong, Meng-Che Ho, and Ayla Sánchez)

***Hyperbolic groups***

chapter in *Office Hours with a Geometric Group Theorist*, eds. M.Clay, D.Margalit, Princeton U Press (2017), 177–203.

***Counting in groups: Fine asymptotic geometry***

Notices of the American Mathematical Society **63**, No. 8 (2016), 871–874.

***A sharper threshold for random groups at density one-half***

Groups, Geometry, and Dynamics **10**, No. 3 (2016), 985–1005.

(with Katarzyna Jankiewicz, Shelby Kilmer, Samuel Lelièvre, John M. Mackay, and Ayla Sánchez)

***Equations in nilpotent groups***

Proceedings of the American Mathematical Society **143** (2015), 4723–4731. (with Hao Liang and Michael Shapiro)

***Statistical hyperbolicity in Teichmüller space***

Geometric and Functional Analysis, Volume 24, Issue 3 (2014), 748–795. (with Howard Masur and Spencer Dowdall)

***Fine asymptotic geometry of the Heisenberg group***

Indiana University Mathematics Journal **63** No. 3 (2014), 885–916. (with Christopher Mooney)

***Pushing fillings in right-angled Artin groups***

Journal of the LMS, Vol 87, Issue 3 (2013), 663–688. (with Aaron Abrams, Noel Brady, Pallavi Dani, and Robert Young)

***Spheres in the curve complex***

In the Tradition of Ahlfors and Bers VI, Contemp. Math. **590** (2013), 1–8. (with Howard Masur and Spencer Dowdall)



***The sprawl conjecture for convex bodies***

Experimental Mathematics, Volume 22, Issue 2 (2013), 113–122. (with Samuel Lelièvre and Christopher Mooney)

***Filling loops at infinity in the mapping class group***

Michigan Math. J., Vol 61, Issue 4 (2012), 867–874. (with Aaron Abrams, Noel Brady, Pallavi Dani, and Robert Young)

***The geometry of spheres in free abelian groups***

Geometriae Dedicata, Volume 161, Issue 1 (2012), 169–187. (with Samuel Lelièvre and Christopher Mooney)

***Statistical hyperbolicity in groups***

Algebraic and Geometric Topology **12** (2012) 1–18. (with Samuel Lelièvre and Christopher Mooney)

***Length spectra and degeneration of flat metrics***

Inventiones Mathematicae, Volume 182, Issue 2 (2010), 231–277. (with Christopher Leininger and Kasra Rafi)

***Divergence of geodesics in Teichmüller space and the mapping class group***

Geometric and Functional Analysis, Volume 19, Issue 3 (2009), 722–742. (with Kasra Rafi)

***Curvature, stretchiness, and dynamics***

In the Tradition of Ahlfors and Bers IV, Contemp. Math. **432** (2007), 19–30.

***Geodesics track random walks in Teichmüller space***

PhD Dissertation, University of Chicago 2005.

---

Science, Technology, Law, and Policy Publications & Preprints

***Models, Race, and the Law***

Yale Law Journal Forum, Vol. 130 (March 2021). Available online. (with Doug Spencer)

***Computational Redistricting and the Voting Rights Act***

Election Law Journal, Available online. (with Amariah Becker, Dara Gold, and Sam Hirsch)

***Discrete geometry for electoral geography***

Preprint. (with Bridget Eileen Tenner) arXiv:1808.05860

***Implementing partisan symmetry: Problems and paradoxes***

Political Analysis, to appear. (with Daryl DeFord, Natasha Dhamankar, Mackenzie McPike, Gabe Schoenbach, and Ki-Wan Sim) arXiv:2008:06930

***Clustering propensity: A mathematical framework for measuring segregation***

Preprint. (with Emilia Alvarez, Everett Meike, and Marshall Mueller; appendix by Tyler Piazza)

***Locating the representational baseline: Republicans in Massachusetts***

Election Law Journal, Volume 18, Number 4, 2019, 388–401.

(with Taissa Gladkova, Eugene Henninger-Voss, Ben Klingensmith, Heather Newman, and Hannah Wheelen)

***Redistricting reform in Virginia: Districting criteria in context***

Virginia Policy Review, Volume XII, Issue II, Spring 2019, 120–146. (with Daryl DeFord)

***Geometry v. Gerrymandering***

The Best Writing on Mathematics 2019, ed. Mircea Pitici. Princeton University Press.

reprinted from Scientific American, November 2018, 48–53.

***Gerrymandering metrics: How to measure? What's the baseline?***

Bulletin of the American Academy for Arts and Sciences, Vol. LXII, No. 2 (Winter 2018), 54–58.

***Rebooting the mathematics of gerrymandering: How can geometry track with our political values?***

The Conversation (online magazine), October 2017. (with Peter Levine)

***A formula goes to court: Partisan gerrymandering and the efficiency gap***

Notices of the American Mathematical Society **64** No. 9 (2017), 1020–1024. (with Mira Bernstein)

***International mobility and U.S. mathematics***

Notices of the American Mathematical Society **64**, No. 7 (2017), 682–683.

## Graduate Advising in Mathematics

---

Nate Fisher (PhD 2021), Sunrose Shrestha (PhD 2020), Ayla Sánchez (PhD 2017),  
Kevin Buckles (PhD 2015), Mai Mansouri (MS 2014)

Outside committee member for Chris Coscia (PhD 2020), Dartmouth College

## Postdoctoral Advising in Mathematics

---

**Principal supervisor** Thomas Weighill (2019–2020)

**Co-supervisor** Daryl DeFord (MIT 2018–2020), Rob Kropholler (2017–2020), Hao Liang (2013–2016)

## Teaching

---

### Courses Developed or Customized

**Mathematics of Social Choice** | [sites.tufts.edu/socialchoice](https://sites.tufts.edu/socialchoice)

Voting theory, impossibility theorems, redistricting, theory of representative democracy, metrics of fairness.

**History of Mathematics** | [sites.tufts.edu/histmath](https://sites.tufts.edu/histmath)

Social history of mathematics, organized around episodes from antiquity to present. Themes include materials and technologies of creation and dissemination, axioms, authority, credibility, and professionalization. In-depth treatment of mathematical content from numeration to cardinal arithmetic to Galois theory.

**Reading Lab: Mathematical Models in Social Context** | [sites.tufts.edu/models](https://sites.tufts.edu/models)

One hr/wk discussion seminar of short but close reading on topics in mathematical modeling, including history of psychometrics; algorithmic bias; philosophy of statistics; problems of model explanation and interpretation.

### Geometric Literacy

Module-based graduate topics course. Modules have included:  $p$ -adic numbers, hyperbolic geometry, nilpotent geometry, Lie groups, convex geometry and analysis, the complex of curves, ergodic theory, the Gauss circle problem.

**Markov Chains** (graduate topics course)

**Teichmüller Theory** (graduate topics course)

**Fuchsian Groups** (graduate topics course)

**Continued Fractions and Geometric Coding** (undergraduate topics course)

**Mathematics for Elementary School Teachers**

### Standard Courses

Discrete Mathematics, Calculus I-II-III, Intro to Proofs, Linear Algebra, Complex Analysis, Differential Geometry, Abstract Algebra, Graduate Real Analysis, Mathematical Modeling and Computation

### Weekly Seminars Organized

- Geometric Group Theory and Topology
- Science, Technology, and Society Lunch Seminar

## Selected Talks and Lectures

---

### Distinguished Plenary Lecture

75th Anniversary Meeting of Canadian Mathematical Society, Ottawa, Ontario

June 2021  
*online (COVID)*

### BMC/BAMC Public Lecture

Joint British Mathematics/Applied Mathematics Colloquium, Glasgow, Scotland

April 2021  
*online (COVID)*

### AMS Einstein Public Lecture in Mathematics

Southeastern Sectional Meeting of the AMS, Charlottesville, VA

[March 2020]  
*postponed*

### Gerald and Judith Porter Public Lecture

AMS-MAA-SIAM, Joint Mathematics Meetings, San Diego, CA

January 2018

### Mathematical Association of America Distinguished Lecture

MAA Carriage House, Washington, DC

October 2016

### American Mathematical Society Invited Address

AMS Eastern Sectional Meeting, Brunswick, ME

September 2016

## Named University Lectures

- Parsons Lecture   UNC Asheville	October 2020
- Loeb Lectures in Mathematics   Washington University in St. Louis	[March 2020]
- Math, Stats, CS, and Society   Macalester College	October 2019
- MRC Public Lecture   Stanford University	May 2019
- Freedman Memorial Colloquium   Boston University	March 2019
- Julian Clancy Frazier Colloquium Lecture   U.S. Naval Academy	January 2019
- Barnett Lecture   University of Cincinnati	October 2018
- School of Science Colloquium Series   The College of New Jersey	March 2018
- Kieval Lecture   Cornell University	February 2018
- G. Milton Wing Lectures   University of Rochester	October 2017
- Norman Johnson Lecture   Wheaton College	September 2017
- Dan E. Christie Lecture   Bowdoin College	September 2017

## Math/Computer Science Department Colloquia

- Reed College	Dec 2020	- Université de Neuchâtel	Jun 2016
- Georgetown (CS)	Sept 2020	- Brandeis University	Mar 2016
- Santa Fe Institute	July 2020	- Swarthmore College	Oct 2015
- UC Berkeley	Sept 2018	- Bowling Green	May 2015
- Brandeis-Harvard-MIT-NEU	Mar 2018	- City College of New York	Feb 2015
- Northwestern University	Oct 2017	- Indiana University	Nov 2014
- University of Illinois	Sept 2017	- the Technion	Oct 2014
- University of Utah	Aug 2017	- Wisconsin-Madison	Sept 2014
- Wesleyan	Dec 2016	- Stony Brook	March 2013
- Worcester Polytechnic Inst.	Dec 2016		

## Minicourses

- Integer programming and combinatorial optimization (two talks) | Georgia Tech May 2021
- Workshop in geometric topology (main speaker, three talks) | Provo, UT June 2017
- Growth in groups (two talks) | MSRI, Berkeley, CA August 2016
- Hyperbolicity in Teichmüller space (three talks) | Université de Grenoble May 2016
- Counting and growth (four talks) | IAS Women's Program, Princeton May 2016
- Nilpotent groups (three talks) | Seoul National University October 2014
- Sub-Finsler geometry of nilpotent groups (five talks) | Galatasaray Univ., Istanbul April 2014

## Science, Technology, and Society

- The Mathematics of Accountability | Sawyer Seminar, Anthropology, Johns Hopkins February 2020
- STS Circle | Harvard Kennedy School of Government September 2019
- Data, Classification, and Everyday Life Symposium | Rutgers Center for Cultural Analysis January 2019
- Science Studies Colloquium | UC San Diego January 2019
- Arthur Miller Lecture on Science and Ethics | MIT Program in Science, Tech, and Society November 2018

## Data Science, Computer Science, Quantitative Social Science

- Data Science for Social Good Workshop (DS4SG) | Georgia Tech (virtual) November 2020
- Privacy Tools Project Retreat | Harvard (virtual) May 2020
- Women in Data Science Conference | Microsoft Research New England March 2020
- Quantitative Research Methods Workshop | Yale Center for the Study of American Politics February 2020
- Societal Concerns in Algorithms and Data Analysis | Weizmann Institute December 2018
- Quantitative Collaborative | University of Virginia March 2018
- Quantitative Social Science | Dartmouth College September 2017
- Data for Black Lives Conference | MIT November 2017

## Political Science, Geography, Law, Democracy, Fairness

- The Long 19th Amendment: Women, Voting, and American Democracy | Radcliffe Institute Nov-Dec 2020
- "The New Math" for Civil Rights | Social Justice Speaker Series, Davidson College November 2020
- Math, Law, and Racial Fairness | Justice Speaker Series, University of South Carolina November 2020
- Voting Rights Conference | Northeastern Public Interest Law Program September 2020
- Political Analysis Workshop | Indiana University November 2019
- Program in Public Law Panel | Duke Law School October 2019
- Redistricting 2021 Seminar | University of Chicago Institute of Politics May 2019
- Geography of Redistricting Conference Keynote | Harvard Center for Geographic Analysis May 2019
- Political Analytics Conference | Harvard University November 2018
- Cyber Security, Law, and Society Alliance | Boston University September 2018
- Clough Center for the Study of Constitutional Democracy | Boston College November 2017
- Tech/Law Colloquium Series | Cornell Tech November 2017
- Constitution Day Lecture | Rockefeller Center for Public Policy, Dartmouth College September 2017

## Editorial Boards

---

### Harvard Data Science Review

Associate Editor since 2019

### Advances in Mathematics

Member, Editorial Board since 2018

## Selected Professional and Public Service

---

<b>Amicus Brief of Mathematicians, Law Professors, and Students</b> <i>principal co-authors: Guy-Uriel Charles and Moon Duchin</i> Supreme Court of the United States, in <i>Rucho v. Common Cause</i> - cited in dissent	2019
<b>Committee on Science Policy</b> American Mathematical Society	2020–2023
<b>Program Committee</b> Symposium on Foundations of Responsible Computing	2020–2021
<b>Presenter on Public Mapping, Statistical Modeling</b> National Conference of State Legislatures	2019, 2020
<b>Committee on the Human Rights of Mathematicians</b> American Mathematical Society	2016–2019
<b>Committee on The Future of Voting: Accessible, Reliable, Verifiable Technology</b> National Academies of Science, Engineering, and Medicine	2017–2018

## Visiting Positions and Residential Fellowships

---

<b>Visiting Professor</b> Department of Mathematics Boston College   Chestnut Hill, MA	Fall 2021
<b>Fellow</b> Radcliffe Institute for Advanced Study Harvard University   Cambridge, MA	2018–19
<b>Member</b> Center of Mathematical Sciences and Applications Harvard University   Cambridge, MA	2018–19
<b>Visitor</b> Microsoft Research Lab MSR New England   Cambridge, MA	2018–19
<b>Research Member</b> Geometric Group Theory program Mathematical Sciences Research Institute   Berkeley, CA	Fall 2016
<b>Research Member</b> Random Walks and Asymptotic Geometry of Groups program Institut Henri Poincaré   Paris, France	Spring 2014
<b>Research Member</b> Low-dimensional Topology, Geometry, and Dynamics program Institute for Computational and Experimental Research in Mathematics   Providence, RI	Fall 2013
<b>Research Member</b> Geometric and Analytic Aspects of Group Theory program Institut Mittag-Leffler   Stockholm, Sweden	May 2012
<b>Research Member</b> Quantitative Geometry program Mathematical Sciences Research Institute   Berkeley, CA	Fall 2011
<b>Postdoctoral Fellow</b> Teichmüller "project blanc" Agence Nationale de la Recherche (Collège de France)   Paris, France	Spring 2009

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

**Preliminary Expert Report of Baodong Liu, Ph.D.**

**December 10, 2021**

**I. Introduction**

I have been retained as an expert by counsel for the Plaintiffs in the above-captioned litigation. I have prepared this report pursuant to Federal Rule of Civil Procedure 26(a)(2)(B).

I have been asked to express opinions on whether racially polarized voting (RPV) exists in Alabama, and whether or not RPV has resulted in the defeats of Black-preferred candidates in Alabama Congressional elections.

I am being compensated at \$300 per hour for my work on this case. My compensation is not contingent on or affected by the substance of my opinions or the outcome of this litigation. My work in this matter is ongoing, and I reserve the right to amend, modify, or supplement my analysis and opinions.

**II. Background on Racially Polarized Voting**

In the landmark *Thornburg v. Gingles* (1986), the Supreme Court provided the precise three-prong dilution test in litigation arising under Section 2 of the Voting Rights Act (VRA). The *Gingles* test asks whether: 1) the racial or

language minority group is “sufficiently large and geographically compact to constitute a majority in a single-member district”; 2) the minority group is “politically cohesive” (meaning its members tend to vote for the same candidate); and 3) the “majority votes sufficiently as a bloc to enable it ... usually to defeat the minority’s preferred candidate.” In particular, the second and the third preconditions under the *Gingles* test have become the legal definition of RPV.

### III. Summary of Professional Qualifications

I am a tenured professor of political science in the Department of Political Science at the University of Utah. I have done extensive research regarding the relationship between election systems and the ability of minority voters to participate fully in the political process and to elect representatives of their choice.

My research has won the Byran Jackson Award for the best study/dissertation about racial voting from the Urban Politics Section of the American Political Science Association, and the Ted Robinson Award from the Southwest Political Science Association. The results of my research have been published in peer-reviewed journals, including Social Science Quarterly, American Politics Research, Sociological Methods and Research, PS: Political Science and Politics, Urban Affairs Review, Political Behavior, Journal of Urban Affairs, Southeastern Political Review, and American Review of Politics, among other journals. I am also an author or editor of eight scholarly books including Political Volatility in the United States: How Racial and Religious Groups Win and Lose; Solving the Mystery of the Model Minority; The Election of Barack Obama: How He Won, and Race Rules: Electoral Politics in New Orleans, 1965-2006. I have also served as a member of the Board of Directors/Advisors on many national and international organizations such as the National Association for Ethnic Studies, Urban Affairs Review, Journal of Behavioral and Social Sciences, and International Encyclopedia of Political Science (CQ Press).

As an expert on RPV analysis, I have published peer-reviewed journal articles and books on the cutting-edge techniques used by academic professionals and supported by courts in voting rights cases and on the electoral history of the South. I have served as an expert witness in dilution cases in several states, including Alabama, Arkansas, New York, Louisiana, Utah, and Tennessee. Furthermore, I have provided my expertise to the US Department of Justice and others on census differential privacy policy and methodological issues concerning RPV. I have also been an invited instructor for expert training programs on RPV analysis concerning both the 2010 and 2020 rounds of redistricting.

My applied research and grants have included analyses of ranked-choice voting, economic development, racial voting patterns, public school science education, school districts' economic impact on the local economy, and various citizen surveys. My grants have come from New America, the National Science Foundation, American Political Science Association, the National Humanities Center, Wisconsin Security Research Consortium, Fond du Lac School District, Johnson Controls, Inc, City of Waupaca (WI), the League of Women Voters, American Democracy Project, and Wisconsin Public Service. I also served as the editor of Urban News for the American Political Science Association's Urban Politics Section, and I was elected as a co-chair of the Asian Pacific American Caucus of the American Political Science Association.

I have served as a commentator or opinion writer for the Salt Lake Tribune, ABC4News, Hinkley Forum, NPR, AP, Daily Utah Chronicle, Milwaukee Sentinel Journal, Daily Caller, and KSL, among other media outlets.

At my university, I served as Associate Chair of the Department of Political Science and the Interim Director of the Ethnic Studies Program, the MLK Committee Chair, and a faculty senator.

Attached as Appendix 1 is a curriculum vitae setting forth my professional background, which includes a list of all publications I have authored or co-authored, including forthcoming publications.

#### IV. Opinions

I have formed the following opinions:

Based on the data available at the time of writing this report, voting in Alabama since 2008 is "racially polarized" in that Black voters in 13 of the 13 elections analyzed have expressed a clear preference for the same candidate, and in each of the elections analyzed, the candidate preferred by Black voters was a Black candidate. Furthermore, this preference was not shared by the white voters who were the majority of the electorate. As a result, the Black preferred candidates were typically defeated in biracial elections in Alabama.

#### V. Elections Analyzed

In a case challenging a redistricting plan of Congressional districts under Section 2 of the Voting Rights Act, such as this one, I am aware of case law stating that endogenous elections providing a choice between voting for a white candidate and voting for a minority (in this case, Black) candidate are generally considered the most probative for assessing RPV.<sup>1</sup> My focus on

---

<sup>1</sup> See *Wright v. Sumter Cnty.*, 979 F. 3d 1282, 1292-93 (11th Cir. 2020) ("[E]vidence drawn from elections involving black candidates is more probative in Section Two cases"); *Clark v. Calhoun Cnty.*, Miss., 88



biracial endogenous elections is consistent with scholarly research, which finds that minority voters are mobilized in elections involving a minority candidate running against white candidates.<sup>2</sup> Congressional elections in the districts at issue in this litigation are called endogenous elections. I identified and reviewed endogenous elections in which there were both a Black candidate and a white candidate (i.e., biracial elections) since 2008.<sup>3</sup> The reason to select only biracial elections is because these elections satisfy the necessary conditions on which Black voters and non-Black voters had a realistic opportunity to vote for the candidate of their choice which is not available in uni-racial elections involving only white candidates (or involving only Black candidates). Seven endogenous biracial elections were analyzed in this report.

Since there were only seven such endogenous biracial elections during the period under study, I also identified and reviewed six biracial elections for statewide elected offices in the same period. The elections that did not concern the electoral offices at issue in this matter are called exogenous elections.<sup>4</sup> Two of these state-wide biracial exogenous elections were for Lt. Governor (2018 and 2014), two were for the 2018 State Auditor election and 2014 Secretary of State election, and the other two were for the presidential elections in 2008 and 2012 which involved a Black candidate, Barack Obama, as the nominee for a major political party. In addition, I reviewed exit poll data from the 2008 presidential primary, presidential general, and Senate general elections in Alabama.

## VI. Measurement of RPV

I used the following two-step operational rules to measure whether a particular election is racially polarized: 1) I first estimate the Black and white group support<sup>5</sup> for the Black candidate in a biracial election; and 2) if in this biracial election the majority of Black voters cast their vote for the Black candidate, and only a minority of white voters cast their vote for the same Black candidate, then this election is racially polarized.

---

F.3d 1393, 1397 (5th Cir. 1996) ("[E]xogenous elections-those not involving the particular office at issue-are less probative than elections involving the specific office that is the subject of the litigation.").

<sup>2</sup> Matt A. Barreto. 2012. *Ethnic Cues: The Role of Shared Ethnicity in Latino Political Participation*. University of Michigan Press; Karen M. Kaufmann. 2004. *The Urban Voter: Group Conflict and Mayoral Voting Behavior in American Cities*. University of Michigan Press; .

<sup>3</sup> While more recent elections are more probative than distant past elections, my decision to include biracial elections since 2008 also took into consideration of the two census datasets (the 2010 and 2020 datasets) that provided a longitudinal analysis for a period long enough to allow the examination of RPV pattern over time (or lack of).

<sup>4</sup> Evidence from exogenous elections can be used to supplement evidence from endogenous elections, particularly where there is little data from recent endogenous elections.

<sup>5</sup> Support is defined as over 50% of votes for a particular candidate.

Since voting in the United States takes place in privacy, the only way to determine whether or not RPV existed in a given election is through statistical procedures. In this report, I analyzed the biracial elections using the award-winning Ecological Inference (EI) method developed by Professor Gary King of Harvard University.<sup>6</sup> EI is a statistical procedure for estimating voting results of voter groups (in this case grouped by race), and it has been widely used as the most-advanced and reliable statistical procedure for RPV estimates in not only academic research but also voting rights cases in the last two decades. To run an EI operation, the specific election return data at the precinct-level needed to be matched with the voting-age population (VAP) data for the non-Hispanic white-majority, and the Black, Hispanic, and “all other” racial groups at the level of the Voting Tabulation District (VTD) or other reporting unit based on the closest census regarding Alabama.<sup>7</sup>

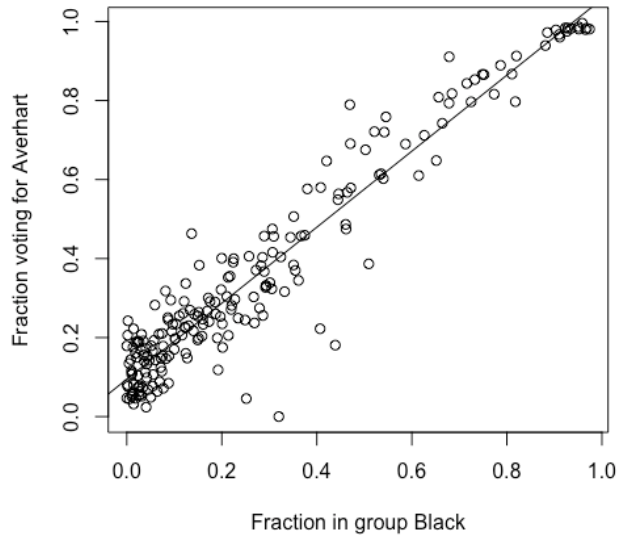
There are other statistical procedures that have been used to analyze RPV. One such procedure that has been used in dilution cases relies on various regression tools. The regression tools are inadequate for the analysis necessary for the RPV analysis here, and I explain why. To demonstrate the use of such regression tools, Figure 1 uses the 2020 Congressional District 1 general election in Alabama as an example. It shows a scatterplot for the relationship between the Black-voter proportion in precincts and the proportion of votes cast for the James Averhart, the Black candidate who ran against the white candidate, Jerry Carl.

---

<sup>6</sup> See Gary King, A Solution to the Ecological Inference Problem: Reconstructing Individual Behavior from Aggregate Data (Princeton University Press, 1997).

<sup>7</sup> I also ran the same EI operations for all the elections analyzed in this report based on the American Community Survey (ACS) data, and results are very similar to those provided in Tables 1 and 2 of this report. Election results were compiled from <https://www.sos.alabama.gov> and, per my specifications, precinct-level results data was provided by Plaintiffs’ counsel using the process described in Appendix 3.

Figure 1  
Regression Method to Measure RPV: An Example



Each circle in Figure 1 represents a voting precinct in Congressional District 1. It is clear from Figure 1 that as the fraction in the Black group increases in a precinct, so does Averhart's share of votes. To capture this positive relationship, regression methods use a straight line to make the best fit for the data. The Single Regression Method (also called Goodman Regression) uses the slope and the intercept of the regression line to estimate the Black and non-Black voters' support for Averhart in Congressional District 1. Based on this procedure, it is estimated that the Black voting group provided Averhart with 105.7% of their votes while the non-Black group voted for him at the 9.5% level. Of course, based on the two-step operational rules specified above, the Congressional District 1 election in Alabama in 2020 was racially polarized, in that Black voters overwhelmingly supported Averhart whereas the super-majority of the non-Black voters voted against him.

If the above regression procedure is adopted to analyze all biracial elections in Alabama, it will unfortunately provide a misleading result. Obviously, Averhart's Black support should never surpass the 100% maximum value which is exactly the rule that the Single Regression Method violates in the Congressional District 1 example. There are other limitations of the Single Regression Method that make it a subpar tool for RPV analysis. For example, it assumes that all Black voters, regardless of which precinct they are located, voted at the same rate for the Black candidate in a given election; and in making estimates for racial groups' support for the Black candidate, the Single Regression Method treated all precincts with exactly the same weight

regardless of how many voters in that precinct cast their votes.<sup>8</sup> As a result of the aforementioned limitations and errors, experts in this field have increasingly replaced the regression-related tools with more advanced statistical procedures.

Thus, rather than regression-related tools, I instead analyzed the biracial elections based on EI method. One of the main reasons to use the EI method in the estimation of single-member district elections, rather than the regression methods, is because it *always* generates realistic estimates.<sup>9</sup> With respect to the Congressional District 1 election in Alabama in 2020, for example, the EI method estimated that Averhart received 93.3 % of the votes from the Black voter group and 12.6% of the votes from the white voter group. The realistic estimation of group votes is guaranteed through EI's method of bounds feature, which adopts the mathematical rule to determine the maximum and minimum number of votes cast by a particular racial group for a particular candidate. For example, if a precinct has only five Black registered voters and the total votes cast for the only Black candidate in the election is 10, then at least five of the total 10 votes are from non-Black registered voters, which is a mathematical necessity.

EI also provides not only the point estimates for racial voting patterns, but also the standard errors (or 95% confidence interval) associated with these point estimates, which is to be understood as the uncertainty boundaries beyond the point estimates. The point estimates are to be considered as the most likely vote percentages cast for a given candidate by different racial groups in a given election.<sup>10</sup>

The point estimates and the uncertainty boundaries can be visually displayed by the EI technology. We can once again use the 2020 Congressional District 1 election as an example. The data at the precinct-level for Black, white, and Hispanic voting age population (VAP) and the votes cast for Averhart and his white opponent, Jerry Carl are available at the time of writing this report. Figure 2 is the Density Plot based on the Ecological Inference (EI) estimations

---

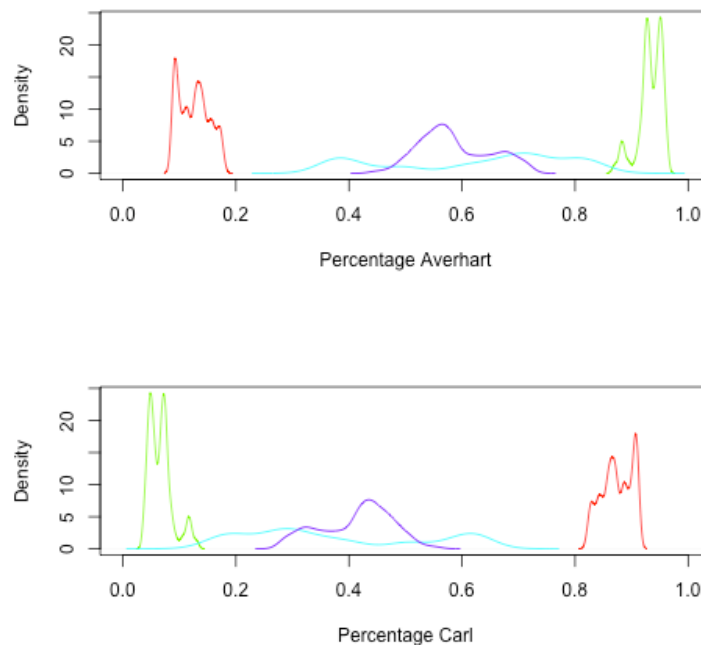
<sup>8</sup> Because of the clear limitations of the Single Regression Method concerning RPV analysis, some scholars proposed some alternatives such as weighted regression or double-regression method to remedy the specific limitations. But none of the regression tools can avoid a vital mistake in all circumstances, that is, to generate unrealistic estimates (e.g., more than 100% Black support for a Black candidate, or less than 0% support from the non-Black group for a Black candidate).

<sup>9</sup> For detailed discussions of EI method, compared to previous statistical procedures, see my article: Liu, Baodong. (2007). "EI Extended Model and the Fear of Ecological Fallacy," *Sociological Methods and Research* 36 (1): 3-25.

<sup>10</sup> In statistical analysis, point estimates are estimated through the empirical data on which theorems (especially the central limit theorem) are applied. The point estimates are the exact numbers (for example, Black voters cast exact 86.3% of their vote for a Black candidate) which are "the best" estimation, given the data, but also are "uncertain" in that the reality may be "off" from this best estimation. The extent to which the reality may deviate from it is known as standard errors. Scholars accept conventionally a 95% confidence interval where the lowest possible value and the highest possible value around the best point estimate are specified based on the central limit theorem.

of data for multiple racial groups.<sup>11</sup> The red curve on the left shows the boundary of the white vote for Averhart, and the green curve on the right displays that of the Black vote, which is a clear picture of RPV. Note that there are also two other curves in the middle of the plot. These two curves (in blue and pink colors) showed the support for Averhart from Hispanic voters and the “other” minority racial group (which includes, for example, Asians and Indigenous Americans). Note also that the bottom panel shows the plot for Carl.

Figure 2: Density Plot based on EI Operation



## VII. The Findings

As explained above, the selection of the elections for my RPV analysis is based on three critical criteria: 1) biracial elections involving at least one Black candidate and one white candidate; 2) endogenous biracial elections supplemented by exogenous biracial elections (i.e., non-Congressional biracial elections); and 3) elections during the last 15 years. My analysis focuses on elections in the last 15 years as more recent elections are most probative in identifying RPV.<sup>12</sup>

<sup>11</sup> I used the eiPack R-package to derive the racial estimates for multiple groups.

<sup>12</sup> As a statistical rule, more recent elections help us understand what just happened and predict what will happen in the near future. Biracial endogenous electoral competitions are the most probative elections to analyze.

## A) Endogenous Elections

**Table 1: Estimated Racial Support for Black Candidate in Endogenous Elections**

Election	Black Candidate(s)	White Candidate(s)	% vote cast for Black Cand	Black Support for Black Cand (95% CI) <sup>13</sup>	White Support for Black Cand (95% CI)	Black-Cand Won?	RPV?
2020 CD1, primary	James Averhart	Kiani Gardner and Frederick Collins	40.2%	53.8% (.52-.56)	16.7% (.13-.20)	Into Runoff	Yes
2020 CD1, general	James Averhart	Jerry Carl	35.6%	93.3% (.88-.96)	12.6% (.09, .17)	No	Yes
2020 CD2, general	Phyllis Harvey-Hall	Barry Moore	34.5%	93.4% (.88-.96)	5.2% (.04-.1)	No	Yes
2020 CD3, general	Adia Winfrey	Mike Rogers	32.4%	92.6% (.88-.95)	6.6% (.03-.12)	No	Yes
2018 CD1, general	Robert Kennedy, Jr.	Bradley Byrne	36.8%	94.6% (.92-.96)	8.1% (.08-.13)	No	Yes
2012 CD7, general	Terri Sewell	Don Chamberlain	75.8%	96.3% (.94-.98)	26.1% (.20-.36)	Yes	Yes
2010 CD7, general	Terri Sewell	Don Chamberlain	72.5%	95.5% (.93-.97)	19.3% (.16-.23)	Yes	Yes

Seven endogenous elections were analyzed. Table 1 shows the results of EI operations on these seven elections during the last decade.

To be more specific, the Black candidate, James Averhart, was involved in two of these five elections. He received 53.8% of votes cast by Black voters and only 16.7% from white voters in the 2020 Democratic primary. Black voters were the majority of the electorate in the primary. Averhart received 93.3% of votes cast by Black voters and 12.6% from white voters in the general election for Congressional District 1. In the 2020 Congressional District 2 general election, Phyllis Harvey-Hall, the Black candidate, received 93.4% of the votes from Black voters and 5.2% from white voters. In the 2020 Congressional District 3 general election, Adia

<sup>13</sup> See footnote 10 for the explanation of uncertainty estimates (i.e., 95% confidence interval).

Winfrey, the Black candidate, received 92.6% of the votes from Black voters and 6.6% from white voters. In the 2018 Congressional District 1 general election, Robert Kennedy Jr., the Black candidate, received 94.6% of the votes from Black voters and only 8.1% from white voters. The only Black candidate who was able to win a biracial Congressional election in Alabama was Terri Sewell who ran in Congressional District 7 which has been a Black-majority district since the 1990s. Her two contested elections in 2010 and 2012 were both highly racially polarized. In 2010, she won 95.5% of the Black vote but only 19.3% of the white vote. In 2012, as an incumbent running against the same white Republican candidate, Don Chamberlain, Sewell won 96.3% of the Black vote and only 26.1% of the white vote.

These endogenous election analyses revealed the same pattern of RPV which led to the same result in non-Black-majority districts, that is, the defeat of the Black candidate by his/her white opponent in each election despite Black voters' clear support for the Black candidate, though Averhart did make into the Democratic Primary runoff for Congressional District 1 in 2020 and later was defeated in the general election.

It should also be noted that I have examined the RPV pattern, or lack of it, in the Congressional Districts at issue in this litigation by using the election returns in those districts from state-wide elections. My analysis shows consistently that RPV existed in these Congressional Districts in those state-wide biracial elections. I will show the results of RPV analyses in these elections in the following section.

#### B) Exogeneous Elections

All exogeneous elections analyzed in this report showed a high level of racial polarized voting, as shown in Table 2.

Specifically, Will Boyd and Miranda Joseph as the Black candidates in the 2018 Lt. Governor and State Auditor elections received 95.5% and 95.4% of the votes cast by Black voters, respectively, whereas votes from white voters were as low as 11.0% and 12.1% respectively.

In the 2014 general election, James Fields, a Black candidate running against the white incumbent Republican candidate, Kay Ivey. Fields received 94.0% of the Black vote and 14.9% of the white vote, and was defeated with 36.7% of total votes cast. In the same year, Lula Albert-Kaigler, a Black candidate competed in the Secretary of State election, and received 35.6% of the total votes. She was defeated by her white Republican opponent, John Merrill. She received 95.1% of the Black vote and only 12.0% of the white vote in this highly racially polarized state-wide election.



**Table 2. Estimated Racial Support for Black Candidate in Exogenous Elections**

Election	Black Candidate	White Candidate(s)	% vote cast for Black Cand	Black Support for Black Cand (st error)	White Support for Black Cand (st error)	Black-Cand Won?	RPV?
2018 Lt Governor	Will Boyd	Will Ainsworth	38.7%	95.5% (.92-.96)	11.0% (.1-.14)	No	Yes
2018 State Auditor	Miranda Joseph	Jim Zeigler	39.5%	95.4% (.93-.96)	12.1% (.11-.14)	No	Yes
2014 Lt Governor	James Fields	Kay Ivey	36.7%	94.0% (.92-.95)	14.9% (.14-.16)	No	Yes
2014 Secretary of State	Lula Albert-Kaigler	John Merrill	35.6%	95.1% (.94-.96)	12.0% (.11-.13)	No	Yes
2012 Presidential	Barack Obama	Mitt Romney	36.9%	93.9% (.90-.96)	13.9% (.13-.17)	No	Yes
2008 Presidential	Barack Obama	John McCain	36.8%	92.0% (.88-.94)	15.0% (.14-.17)	No	Yes

Finally, the 2008 and 2012 presidential elections in Alabama revealed the same consistent pattern of RPV.<sup>14</sup> In 2008 Obama received less than 40% of the total votes cast in Alabama, and thus failed to win Alabama. His defeat was clearly a result of RPV as his Black support was about 92% while his white support was around 14%. Racial bloc voting by the white-majority led to his defeat. Despite running as an incumbent in 2012, Obama was not able to overcome the deep racial divide in Alabama in his reelection. His white vote further declined one percentage point, while his Black support increased by roughly the same margin.

<sup>14</sup> The dataset from the Alabama Secretary of State's website for my analysis of the 2012 presidential election was missing election returns from Bullock, Butler, Hale, and Wilcox Counties. For my Effectiveness analysis, I relied on data that, per my specifications, Plaintiffs' counsel provided to me. I understand that these data consist of statewide election results projected onto Census VTDs retrieved from the Redistricting Data Hub, <https://redistrictingdatahub.org>, with each VTD associated with one or more congressional districts from Plaintiffs' Demonstrative Plans B and D using a Census Block Equivalency File provided by Dr. Moon Duchin.



As mentioned above, I also examined the detailed RPV results in Congressional districts by using state-wide election results in the 2018 Lt. Governor race and the 2012 and 2008 presidential races. In my analysis, the Black candidates lost every Congressional district except CD7 because of RPV. For example, in the 2008 presidential election, the Congressional districts revealed the same pattern. Table 3 provides the RPV statistics based on the same EI operation that was applied to 7 Congressional districts separately.

As shown in Table 3, Black voters were almost uniformly supportive of Obama in the 2008 Presidential election. But CD7 provided the highest level of support for him and made him the winner of the District with 70.1% of the votes cast. This was largely due to the almost universal Black support there (at 97%), and the white bloc voting at the 13% level did not lead to his failure of winning this majority-Black district.

**Table 3: the RPV Patterns of Congressional Districts in the 2008 Presidential Election in Alabama**

Congressional District	Black Candidate	White Candidate(s)	% vote cast for Black Cand	Black Support for Black Cand (st error)	White Support for Black Cand (st error)	Black-Cand Won?	RPV?
1	Barack Obama	John McCain	36.3%	92.0% (.88-.94)	12.6% (.10-.16)	No	Yes
2	Barack Obama	John McCain	33.4%	90.3% (.83-.93)	8.1% (.06-.13)	No	Yes
3	Barack Obama	John McCain	44.0%	89.5% (.83-.93)	16.2% (.13-.21)	No	Yes
4	Barack Obama	John McCain	22.9%	90.6% (.87-.94)	16.0% (.15-.17)	No	Yes
5	Barack Obama	John McCain	36.6%	88.6% (.86-.91)	24.0% (.22-.25)	No	Yes
6	Barack Obama	John McCain	23.5%	56.6% (.41-.76)	17.1% (.14-.19)	No	Yes
7	Barack Obama	John McCain	70.1%	97.0% (.95-.98)	13.1% (.10-.19)	Yes	Yes

The RPV in the other six districts, however, produced an opposite result. Obama lost all other Congressional districts in Alabama in 2008. Even in CD6 where Obama's Black support was in the 50% range, by far the lowest in Alabama, the white bloc voting at 17% support level for him was enough to defeat him in CD6.<sup>15</sup> The RPV results in CDs 1 through 5 displayed similar patterns as the racial gap was more than 60%, and even reached 80% in CD1. In short, RPV was instrumental in Obama's defeat in all these Congressional districts.

#### VIII. Review of Exit Polls

The RPV results based on EI in this report regarding Obama's 2008 and 2012 general elections are consistent with the exit poll results conducted by major media networks. Because voters do not register by party in Alabama, the exit polls also help us understand the votes of self-identified Democrats and Republicans. For example, according to the 2008 exit poll, Obama won 98% of Black voters in Alabama, and John McCain, a white Republican, won 88% of white voters. McCain won a majority (51%) of white Democrats, and Obama won only 47% of white Democrats.<sup>16</sup> And, in the 2012 Presidential election, 84% of white people in Alabama voted for Romney while white support for Obama was only 15%.<sup>17</sup>

In addition, I reviewed exit poll data for the 2008 Presidential Democratic Primary<sup>18</sup> and the 2008 U.S. Senate elections<sup>19</sup> in Alabama which revealed a similar pattern of racially polarized voting. In the 2008 Primary, Hilary Clinton, a white woman, received 72% of the white vote, and Obama received 84% of the Black vote. In the 2008 Senate race, white voter support for U.S. Senator Jeff Sessions was 89% against Vivian Figures, a Black candidate. Sessions received 58% of the white Democratic vote and 96% of the white Republican vote. Figures won 90% of the black vote.

#### IX. Effectiveness Analysis: Different Plans Compared

I have also conducted a comparative study of three Alabama Congressional redistricting plans based on their performance in the most recent statewide elections in Alabama. These three plans are the Adopted Congressional Plan, and the two versions of CD Plans provided to me by Plaintiffs' counsel (named as PLSCD\_Plan B and PLSCD\_Plan D,

<sup>15</sup> Note also that CD6's RPV result showed a higher level of uncertainty based on 95% confidence interval.

<sup>16</sup> See <http://www.cnn.com/ELECTION/2008/results/polls/#val=ALP00p1>. Also see Table 7.1 of my book, *The Election of Barack Obama: How He Won*, for the comparison of RPV in Alabama in 2008, compared to other states (Liu, 2010, p. 117)

<sup>17</sup> See <https://www.amren.com/features/2012/11/race-and-the-2012-election/>.

<sup>18</sup> See <https://abcnews.go.com/images/PollingUnit/ALDemHorizontal.pdf>.

<sup>19</sup> See <http://www.cnn.com/ELECTION/2008/results/polls/#val=ALP00p1>.

respectively). I reported my analysis based on their performance using the 2018 Lt. Governor and 2018 State Auditor election results.<sup>20</sup>

The most important findings of my comparative study concern CDs 2 and 7. With respect to CD2, the Adopted Congressional Plan led to the defeat of the Black candidates whereas the two Plaintiffs' Plans did not.

**Table 4: CD2**  
**Plans Compared, based on the RPV Analysis of the 2018 Lt. Gov Election**

**Adopted Plan**

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.432 (0.404, 0.448)	0.932 (0.897, 0.952)	0.068 (0.048, 0.103)
White	0.425 (0.419, 0.432)	0.043 (0.032, 0.071)	0.957 (0.929, 0.968)
Total	0.424	0.355	0.645

**PLSCD PlanB**

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.47 (0.454, 0.48)	0.962 (0.946, 0.972)	0.038 (0.028, 0.054)
White	0.433 (0.427, 0.439)	0.08 (0.067, 0.118)	0.92 (0.882, 0.933)
Total	0.448	0.568	0.432

**PLSCD PlanD**

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.462 (0.448, 0.474)	0.957 (0.939, 0.968)	0.043 (0.032, 0.061)
White	0.451 (0.436, 0.466)	0.092 (0.075, 0.119)	0.908 (0.881, 0.925)
Total	0.452	0.555	0.445

As shown in Table 4, the RPV pattern was present in all three plans. But the Adopted Plan minimized the Black VAP percentage at less than 30% in CD2 while the two Plaintiffs' plans increased it to around 50%. This major difference led to different election outcomes in that Will Boyd, the Black Democratic candidate in the Lieutenant Governor's race, would have been the winner had he run in the CD2 of the Plaintiffs' plans, but would have lost CD2 in the Adopted Congressional Plan.

<sup>20</sup> For my effectiveness analysis, I used any-part Black VAP for the Black racial group measurement.

If one evaluates the effectiveness of different plans based on the 2018 State Auditor election results, the CD2 also produces the similar results of the 2018 Lt. Governor election (see Table 5).

**Table 5: CD2**  
**Plans Compared, based on the RPV Analysis of the 2018 State Auditor Election**

Adopted Plan

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.437 (0.423, 0.456)	0.946 (0.907, 0.967)	0.054 (0.033, 0.093)
White	0.417 (0.407, 0.426)	0.049 (0.037, 0.077)	0.951 (0.923, 0.963)
Total	0.419	0.366	0.634

PLSCD Plan B

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.472 (0.465, 0.48)	0.964 (0.947, 0.973)	0.036 (0.027, 0.053)
White	0.433 (0.423, 0.444)	0.102 (0.085, 0.125)	0.898 (0.875, 0.915)
Total	0.442	0.578	0.422

PLSCD Plan D

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.456 (0.438, 0.467)	0.952 (0.91, 0.967)	0.048 (0.033, 0.09)
White	0.444 (0.434, 0.459)	0.111 (0.075, 0.188)	0.889 (0.812, 0.925)
Total	0.446	0.564	0.436

With respect to CD7, though all three plans produced the same result, that is, the election of the Black candidates in both 2018 state-wide election, the Adopted plan packed the Black voting age population to about 54% while the two Plaintiffs' plans made the district around 50-52% Black majority. The comparisons are shown using the two state-wide election results in Tables 6 and 7.

**Table 6: CD7**  
**Plans Compared, based on the RPV Analysis of the 2018 Lt Governor Election**

Adopted Plan

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.503 (0.49, 0.513)	0.963 (0.932, 0.975)	0.037 (0.025, 0.068)
White	0.415 (0.406, 0.425)	0.159 (0.13, 0.214)	0.841 (0.786, 0.87)
Total	0.454	0.659	0.341

PLSCD PlanB

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.508 (0.482, 0.523)	0.959 (0.943, 0.973)	0.041 (0.027, 0.057)
White	0.41 (0.397, 0.429)	0.143 (0.11, 0.204)	0.857 (0.796, 0.89)
Total	0.447	0.617	0.383

PLSCD PlanD

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.509 (0.496, 0.523)	0.946 (0.914, 0.964)	0.054 (0.036, 0.086)
White	0.409 (0.394, 0.428)	0.19 (0.153, 0.243)	0.81 (0.757, 0.847)
Total	0.449	0.628	0.372

**Table 7: CD7**  
**Plans Compared, based on the RPV Analysis of the 2018 State Auditor Election**

Adopted Plan

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.507 (0.498, 0.516)	0.952 (0.93, 0.974)	0.048 (0.026, 0.07)
White	0.396 (0.375, 0.408)	0.162 (0.138, 0.192)	0.838 (0.808, 0.862)
Total	0.449	0.661	0.339

PLSCD PlanB

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.498 (0.487, 0.508)	0.959 (0.934, 0.975)	0.041 (0.025, 0.066)
White	0.398 (0.385, 0.415)	0.132 (0.091, 0.204)	0.868 (0.796, 0.909)
Total	0.443	0.619	0.381

PLSCD PlanD

<b>Group</b>	<b>Turnout</b>	<b>Blk Candidate</b>	<b>Wht Candidate</b>
Black	0.501 (0.491, 0.511)	0.96 (0.929, 0.973)	0.04 (0.027, 0.071)
White	0.401 (0.391, 0.411)	0.155 (0.129, 0.23)	0.845 (0.77, 0.871)
Total	0.444	0.629	0.371

#### X. Conclusion

The empirical analyses clearly revealed that in 13 out of the 13 elections (100%) in which Black voters expressed a preference for Black candidates, that preference was not shared by white majority voters. This RPV pattern is confirmed not only by the seven endogenous biracial elections, but also by the six statewide biracial elections during the last decade. Despite Black voters uniting cohesively behind their preferred candidates, the white majority voted sufficiently as a bloc to typically defeat all the Black candidates in these elections. The only Black success in winning a biracial endogenous election since the 2008 elections was Terri Sewell who ran in a Black-majority congressional district. Furthermore, it is also shown in this empirical analysis, Obama won only in Congressional District 7 in the 2008 and 2012 elections where Black voters were the majority and white bloc voting was not enough to defeat him, thanks to the very high level of Black-voter cohesion there.

Thus, my empirical analysis indicates that the characteristics of “racial polarization,” meaning Black voters tend to vote for the same candidate and the white majority votes as a bloc to usually to defeat the Black preferred candidate, has been met in the Congressional districts at issue here in recent endogenous and exogenous elections.

My effectiveness analysis also shows that the two plans proposed by Plaintiffs that I analyzed clearly offer Black voters in Alabama more opportunities to elect candidates of their choice than does the Adopted Congressional Redistricting Plan.

XI. Appendices

Appendix 1 is my curriculum vita.

Appendix 2 is the list of voting-rights cases for which I served as an expert witness.

Appendix 3 is the Data Acquisition, Processing, and Aggregation Process



Per 28 U.S. Code § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 10, 2021.

A handwritten signature in black ink, appearing to be 'Baodong Liu', written over a horizontal line.

Baodong Liu, Ph.D.

## Appendix 1

### *Curriculum Vitae*

**Baodong Liu, Ph.D.**

**Professor (with Tenure) in Political Science and Ethnic Studies**

University of Utah

260 S. Central Campus Drive, Room 3231, Salt Lake City, UT 84112

Tel: Office (801) 585 7987; Fax: (801) 585 6492

E-mail [baodong.liu@utah.edu](mailto:baodong.liu@utah.edu)

## PROFESSIONAL EXPERIENCE

*Professor of Political Science and Ethnic Studies, affiliated with Asian Studies, 2008-present*

*Associate Chair, Political Science Department, 2015-2017*

*Interim Director, Ethnic Studies Program, 2011-2013*

University of Utah

Courses taught: Advanced Quantitative Methods (graduate), American Political Behavior (graduate), Race and Political Volatility in the US (graduate/undergraduate), Voting, Election and Public Opinion, Racial and Ethnic Politics, Political Analysis, Asian American Contemporary Issues, Social Justice and Inequality, Asian Pacific American Experiences, Methodology in Ethnic Studies.

*TRISS Endowed Professor in Political Science, 2007-8*

*Associate Professor (early promotion to associate professor 2005, early tenure 2006)*

*Assistant Professor, 2002-2005*

Department of Political Science

University of Wisconsin-Oshkosh

Courses taught: Race and Ethnicity in American Politics, Politics of Urban Growth, Political Method, State and Local Government, Political Analysis, American Government, National, state and Local Government.

*Assistant Professor of Political Science*

Department of Political Science

Stephens College, Columbia, Missouri, 1999 - 2002

Courses taught: Urban and Minority Politics, Legislative Process, American Presidency, Campaigning and Lobbying, Macroeconomics, American Government, and Introduction to Statistics.

*Consultant, Expert Witness, Principal Investigator, Opinion Writer/Commentator, 2000-present*

Provided research services to the US Department of Justice, New America, Navajo Nation, Southern Coalition for Social Justice, National Science Foundation, Lawyers' Committee for Civil Rights Under Law, Florida State Legislature, Illinois State Legislature, Wisconsin Security Research Consortium, Fond du Lac School District, Johnson Controls, Inc, City of Waupaca (WI), and Wisconsin Public Service, among others.

Served also as a commentator and/or opinion writer for Salt Lake Tribune, ABC4News, Hinkley Forum, NPR, AP, Daily Utah Chronicle, ETtoday, Chinese Americans, Milwaukee Sentinel Journal, Daily Caller, KSL, among other media outlets.

## EDUCATION

*Ph.D. in Political Science* (1999), University of New Orleans, Louisiana

Dissertation: *Black Candidates, White Voters and Racial Context*

Winner of Byran Jackson Award, Urban Politics Section, American Political Science Association, and Winner of Ted Robinson Award for the best research in race and ethnicity, Southwestern Political Science Association

*Master of Arts in Political Science* (1995), Oklahoma State University, Stillwater, Oklahoma

*Bachelor of Laws* (1987), The East China University of Political Science and Law, Shanghai, China

### Post-Doctoral Educational Program Participant

National Science Foundation's "Local Elections in America Project Workshop," Macalester College, Saint Paul, MN (2009)

*Methodological Issues in Quantitative Research on Race and Ethnicity*, Inter-University Consortium for Political and Social Research (ICPSR), University of Michigan (2006)

*Mapping Your City with GIS Workshop*, New Urban Research, Madison, Wisconsin (2005)

*Jessie Ball duPont Summer Seminars for Liberal Arts College Faculty*, the National Humanities Center, Research Triangle, North Carolina (2001)

**PROFESSIONAL PUBLICATIONS** (contribution is in the order of authors for publications with multiple authors).

### A) Books

Liu, Baodong. *Political Volatility in the United States: How Racial and Religious Groups Win and Lose*. (forthcoming, Lexington Books)

Liu, Baodong. Ed. (2018). *Solving the Mystery of the Model Minority: The Journey of Asian Americans in America*. Cognella Academic Publishing.

Liu, Baodong. (2016). *Race, Ethnicity and Religion in the American Political Arena*. University Readers.

Liu, Baodong. (2015). *Social Research: Integrating Mathematical Foundations and Modern Statistical Computing*. Cognella Academic Publishing.

Liu, Baodong. (2013). *Understanding the Scientific Method: A Social Science Approach*. University Readers.

Liu, Baodong. (2010). *The Election of Barack Obama: How He Won*. Palgrave Macmillan. Reviewed by Hanes Walton, Jr. (2012) for *The American Review of Politics*.

Liu, Baodong and James Vanderleeuw. (2007). *Race Rules: Electoral Politics in New Orleans, 1965-2006*. Lexington Books. Paperback and Hardback. Reviewed by Peter Burns (2008) for *Urban Affairs Review*; also reviewed by Robert Dupont (2008) for *H-Urban*.

Liu, Baodong. (2002). *Making American Democracy Work: Reforms and Debates*. The McGraw-Hill, Inc.

#### B) Peer-Reviewed Journal Articles

Liu, Baodong, Porter Morgan and Dimitri Kokoromytis. (forthcoming) "Immigration, Nation-State Contexts and Value Changes of Ethnic Chinese" *Athens Journal of Social Sciences*.

Liu, Baodong, Zachary Stickney, and Nicole Batt. (2020). "Authoritarianism for and against Trump," *Journal of Behavioral and Social Sciences* 7(3): 218-238.

Liu, Baodong. (2018). "The Haitian and Cuban American Electorates in South Florida: Evidence from Ten Federal, State and Local Elections, 2008-2014." *National Political Science Review* 19 (1): 51-60.

Wei, Dennis, Weiyi Xiao, Christopher Simon, Baodong Liu, Yongmei Ni. (2018). "Neighborhood, Race and Educational Inequality." *Cities* 73: 1-13.

Simon, Christopher A., Nicholas P. Lovrich, Baodong Liu, and Dennis Wei. (2017). "Citizen Support for Military Expenditure Post 9/11: Exploring the Role of Place of Birth and Location of Upbringing." *Arm Forces and Society* 44 (4): 688-706.

Liu, Baodong, Dennis Wei, and Christopher A. Simon. (2017). "Social Capital, Race, and Income Inequality in the United States." *Sustainability* 9 (2): 1-14.

Liu, Baodong. (2014). "Post-Racial Politics? Counterevidence from the Presidential Elections, 2004-2012." *Du Bois Review: Social Science Research on Race* 11(2): 443-463.

Liu, Baodong. (2014). "Racial Context and the 2008 and 2012 US Presidential Elections." *Athens Journal of Social Sciences* 1(1): 21-33.

Liu, Baodong. (2011). "Demythifying the "Dark Side" of Social Capital: A Comparative Bayesian Analysis of White, Black, Latino, and Asian American Voting Behavior." *The American Review of Politics* 32 (Spring): 31-56.

Byron D'Andra Orey, L. Marvin Overby, Pete Hatemi and Baodong Liu. (2011). "White Support for Racial Referenda in the Deep-South." *Politics & Policy* 39 (4): 539-558 .

Geoffrey M. Draper, Baodong Liu, and Richard F. Riesenfeld. (2011). "Integrating Statistical Visualization Research into the Political Science Classroom." *Information Systems Education Journal* 9 (3): 83-94.

Liu, Baodong. (2011). "Obama's Local Connection: Racial Conflict or Solidarity?" *PS: Political Science and Politics* 44 (1): 103-105.

- Liu, Baodong. (2011). "State Political Geography and the Obama White Vote." *World Regional Studies* 20 (4): 1-15. (in Chinese)
- Liu, Baodong, Sharon D. Wright Austin, and Byron D'Andrá Orey. (2009). "Church Attendance, Social Capital, and Black Voting Participation" *Social Science Quarterly* 90 (3): 576-92.
- Vanderleeuw, James, Baodong Liu, and Erica Nicole Williams. (2008). "The 2006 New Orleans Mayoral Election: The Political Ramifications of a Large-Scale Natural Disaster." *PS: Political Science and Politics* 41 (4): 795-801.
- Liu, Baodong and Robert Darcy. (2008) "Race, Immigration, and Party Strategies in the US Elections," *Íslenska Leiðin*: 33-39.
- Liu, Baodong. (2007). "EI Extended Model and the Fear of Ecological Fallacy," *Sociological Methods and Research* 36 (1): 3-25.
- Liu, Baodong. (2006). "Whites as a Minority and the New Biracial Coalition in New Orleans and Memphis," *PS: Political Science and Politics* 40 (1): 69-76.
- Vanderleeuw, James, and Baodong Liu. (2006). "Racial Polarization or Biracial Coalition? An Empirical Analysis of the Electoral Coalition of Winning Candidates in Urban Elections," *American Review of Politics* 27 (Winter): 319-344.
- Liu, Baodong, and James Vanderleeuw. (2004). "Economic Development Priorities and Central City/Suburb Differences," *American Politics Research* 32 (6): 698-721.
- Vanderleeuw, James, Baodong Liu, and Greg Marsh. (2004). "Applying Black Threat Theory, Urban Regime Theory, and Deracialization: The Memphis Mayoral Elections of 1991, 1995, and 1999," *Journal of Urban Affairs* 26 (4): 505-519
- Liu, Baodong, and James Vanderleeuw. (2003). "Growth Imperative, Postmaterialism and Local Decision-Makers," *Journal of Political Science* 31: 173-96.
- Liu, Baodong. (2003). "Deracialization and Urban Racial Context," *Urban Affairs Review* 38 (4): 572-591.
- Vanderleeuw, James and Baodong Liu. (2002) "Political Empowerment, Mobilization, and Black-Voter Rolloff," *Urban Affairs Review* 37 (3): 380-96.
- Liu, Baodong. (2001). "The Positive Effect of Black Density on White Crossover Voting: Reconsidering the Social Interaction Theory," *Social Science Quarterly* 82 (3): 602-615.
- Liu, Baodong. (2001). "Racial Context and White Interests: Beyond Black Threat and Racial Tolerance," *Political Behavior* 23 (2): 157-80.
- Liu, Baodong, and James Vanderleeuw. (2001). "Racial Transition and White-Voter Support for Black Candidates in Urban Elections," *Journal of Urban Affairs* 23 (3/4): 309-22.
- Liu, Baodong. (2001). "Interests and Opinions among African-Americans: A Test of Three Theories," *the Texas Journal of Political Studies* 21 (2): 113-24.

Liu, Baodong, and James Vanderleeuw. (1999). "White Response to Black Political Power: the Case of New Orleans, 1980-1994." *Southeastern Political Review* 27 (1): 175-188.

C) Book Chapters, Encyclopedia Entries and other Peer-reviewed Articles

Liu, Baodong, Nadia Mahallati, and Charles Turner. (2021). "Ranked-Choice Voting Delivers Representation and Consensus in Presidential Primaries" Available at SSRN: <https://ssrn.com/abstract=3822879> or <http://dx.doi.org/10.2139/ssrn.3822879>

Liu, Baodong. "The Growth of Scientific Knowledge through Social Computing Networks" (2021). *The 19<sup>th</sup> International E-Society Conference Proceedings*.

Liu, Baodong. (2014). "Racial Context and the 2008 and 2012 US Presidential Elections" in Yannis A. Stivachtis and Stefanie Georgakis Abbott, ed. *Addressing the Politics of Integration and Exclusion: Democracy, Human Rights and Humanitarian Intervention*. Athens: Atiner publications. (Also published in *Athens Journal of Social Sciences*.)

Liu, Baodong. (2011). "Mayor" in *International Encyclopedia of Political Science*. CQ Press.

Liu, Baodong. (2011). "Roll-off" in *International Encyclopedia of Political Science*. CQ Press.

Liu, Baodong and Carolyn Kirchhoff. (2009) "Mayor", *Encyclopedia of American Government and Civics*, eds. Michael A. Genovese and Lori Cox Han. New York: Facts on File.

Liu, Baodong and Robert Darcy. (2006). "The Rising Power of Minorities and the Deracialization of U.S. Politics" in Gillian Peele, Christopher J. Bailey, Bruce E. Cain, and B. Guy Peters, ed. *Developments in American Politics 5*. Hampshire, UK: Palgrave Macmillan/Macmillan Publishers.

D) Book Reviews

Liu, Baodong. (2010). Review of Zoltan L. Hajnal, *America's Uneven Democracy: Race, Turnout, and Representation in City Politics* in *American Review of Politics* 31 (summer): 157-160.

Liu, Baodong. (2008). Review of Rodney E. Hero, *Racial Diversity and Social Capital*, in *Urban Affairs Review* 44 (1):146-149.

Liu, Baodong. (2006). Review of Peter Burns, *Electoral Politics Is Not Enough*, in *American Review of Politics* 27 (Spring): 186-189.

Liu, Baodong. (1999). Review of Terry Nichols Clark and Vincent Hoffmann-Martinot (ed), *The New Political Culture*, in *American Review of Politics* 20: 99-102.

E). Other Publications/Editorials

Liu, Baodong. (2021). "Asian Americans and Minority Voters: The New Destination of Partisan Competitions?". ETtoday. January 8, 2021. (in Chinese/Taiwanese)

Liu, Baodong. (2020). “Checks and Balances and the End of Trump Legal Battles”. ETtoday. Dec. 29, 2020. (in Chinese/Taiwanese)

Liu, Baodong. (2020). “Trump’s Legal Battles and the New Beginning of the Electoral Laws?”. ETtoday. Nov. 10, 2020. (in Chinese/Taiwanese)

Liu, Baodong and Feng Ling. (2018). “Liberalism or Conservatism: Which One Contributes to America More?” *Chinese Americans*, No. 1565. (in Chinese).

Liu, Baodong. (2018). “The Lawsuit against Harvard and Asian-American Attitude toward Affirmative Action,” *Chinese Americans*, No. 1207. (in Chinese).

Liu, Baodong. (2016). “Lu Xun’s Attack on Old Chinese Regime and St. Augustine’s Self Examination,” *Overseas Campus* (in Chinese).

Liu, Baodong. (2015). “Will Christianity Bring about Democracy?” *Overseas Campus* 130 (June): 40-43. (in Chinese)

Liu, Baodong. (2011). “New Ethnic Studies Major at the U: Education for the 21st Century” *Diversity News* 2011 (Fall). <http://diversity.utah.edu/newsletter/fall-2011/ethnic-studies-degree.php>.

Liu, Baodong (2008). “The Urban Politics Field as We Know It.” *Urban News* 22 (1): 1-2.

Liu, Baodong. (2008). “Negative Campaigning a Desperate Strategy,” *The Daily Utah Chronicle*. Guest Column. October 20, 2008.

Liu, Baodong. (2007). “The 2006 Midterm Election: Angry Voters? Yes! Clear Vision? No!” *Wisconsin Political Scientist* XIII (2): 9-10.

Liu, Baodong. (2006). “Midterm Election Results Show No Clear Future Vision.” Guest Column, *Advance-Titan*. Nov. 9, 2006: A5.

Liu, Baodong and James Vanderleeuw. (2003). “Local Policymakers and Their Perceptions of Economic Development: Suburbs, Central Cities and Rural Areas Compared” *Wisconsin Political Scientist* IX (1): 4-7.

## SOFTWARE DEVELOPMENT/GRANTS

*diaglm*, the author of the R software statistical package for diagnosing and visualization of violations of linear and nonlinear statistical modeling, published at GitHub (bblpo/diaglm). 2019.

*diagglm*, the author of the R software statistical package for diagnosing and visualization of violations of nonlinear statistical modeling, published at github (bblpo/diagglm). 2019.

Principal Investigator, “Authoritarianism in the Global Ethnic Chinese Communities”, a grant proposal supported by University Sabbatical Leave and Asia Center Travel Award. 2020. \$1500

Principal Investigator, with Co-Pi, Mike Cobbs (North Carolina State University) and Richard Engstrom (University of Houston). “Understanding the Support for Ranked-Choice Voting,”



initial grant proposal supported by Political Reform Program, New America. Washington D.C. 2020. \$40,000

Co-PI, with Dennis Wei (PI) and Reid Ewing. “Urban Form, Amenity, and Upward Mobility in the United States,” initial grant proposal submitted to Russell Sage Foundation, 2017. (rejected)

Co-PI, with Annie Isabel Fukushima (PI). “Victimhood, Human Trafficking and Immigration: Victimhood in the Face of Criminal Charges.” American Council of Learned Societies Collaborative Research Program. 2015-16. (rejected)

Co-PI, with Dennis Wei (PI) and Chris Simon. “Amenity, Neighborhood and Spatial Inequality: A Study of Salt Lake County,” Interdisciplinary Research Pilot Program (IRPP), College of Social and Behavioral Science, the University of Utah, 2015. \$10,000.

Co-PI, with Annie Isabel Fukushima (PI). “Victimization, Human Trafficking and Immigrants: Mixed Methods analysis of the Perceptions of Victimhood in U.S. Courts (2000 – 2015),” submitted to National Institute of Justice, 2015. \$997,407. (rejected)

Co-PI, with Daniel McCool. “The Efficacy of American Indian Voting: A Pilot Project” Research Incentive Grant, College of Social and Behavioral Science, the University of Utah. (2014-). \$7500.

I have provided my Expert Witness Opinions on federal voting rights cases such as *Traci Jones et al vs. Jefferson County Board of Education et al*, (Alabama, 2019); *CMA v. Arkansas* (Arkansas, 2019); *Navajo Nation, et al, vs. San Juan County, et al*, (Utah District, 2012); *League of Women Voters of Florida, et al v. Detzner, et al*, (Florida, 2012); *Anne Pope et. al. v. County of Albany and the Albany County Board of Elections* (N.D., NY 2011); *Radogno, et al v. State Board of Elections, et al*, (N.D., IL, 2011); *NAACP v. St. Landry Parish et al*, (W.D. LA 2003); *Arbor Hill Concerned Citizens Neighborhood Association et al v. County of Albany* (N.D. NY 2003); *Hardeman County Branch of NAACP v. Frost* (2003).

Expert Instructor, Racially Polarized Voting and Political Participation: EI and EZI. Expert Preparation Program, Community Census and Districting Institute. A grant supported by Ford Foundation and Southern Coalition for Social Justice, Duke University, Durham, North Carolina. 2010.

Principal Investigator, 2010-2012. A Multi-level Analysis of Obama Racial Coalition in 2008 and 2012. A project funded by the PIG grant of College of Social and Behavior Sciences, the University of Utah.

Co-PI. Educational Succession Movements in U.S. Metropolitan Areas, proposal submitted to Seed Grants, the University of Utah. 2009. Rejected.

Recipient, Faculty Sabbatical Grant, 2008. University of Wisconsin Oshkosh, grant offered, but finally declined the offer due to job change.

Grant Director/Faculty Advisor, 2008. The WiscAMP program, National Science Foundation.



Principal Investigator, 2007. Wisconsin Research and Development Capacity Study. A project funded by Wisconsin Security Research Consortium.

Principal Investigator, 2007. The Impact of Industrial Involvement on Science Education in Wisconsin. A project funded by Johnson Control, Inc.

Principal Investigator, 2007. The Impact of Fond du Lac School District on Local Economic Development. A project funded by Fond du Lac School District.

EI Methodologist, 2007. Retrogressive Effects of H.B. No. 1565 on Latino Voters in the Bexar County Metropolitan Water District, TX.

Principal Investigator, 2006. The Impact of Economic Development on Citizen Opinions. A project funded by City of Waupaca, Wisconsin Public Services.

Principal Investigator, 2006. Leading the Big Easy: Will the Biracial Coalition Sustain Katrina? Institute on Race and Ethnicity, University of Wisconsin System. 2006.

Methodological Issues in Quantitative Research on Race and Ethnicity, Inter-University Consortium for Political and Social Research (ICPSR), Institute of Social Research, University of Michigan, 2006.

Off-Campus Program Grant, Faculty Development, the University of Wisconsin-Oshkosh, 2006.

GIS and Social Research, Small Research Grant, Faculty Development Program, the University of Wisconsin-Oshkosh, 2005.

Principal Investigator, Getting the White Votes, American Political Science Association Research Grant, Washington D.C., 2003.

Principal Investigator, A Comparative Study of Urban Elections, Faculty Research Development Grant, the University of Wisconsin-Oshkosh, Oshkosh, Wisconsin, 2004.

Principal Investigator, Getting the White Votes, Faculty Research Development Grant, the University of Wisconsin-Oshkosh, Oshkosh, Wisconsin, 2003.

Advanced Graduate Student Travel Grant, the American Political Science Association, 1999

## **AWARDS AND HONORS**

*Nominee for the Career & Professional Development Center, Faculty Recognition Program*, University of Utah. 2018.

*Winner of A Showcase of Extraordinary Faculty Achievements (for publication of my book, Social Research: Integrating Mathematical Foundations and Modern Statistical Computing, San Diego: Cognella Academic Publishing)*, With commendation from the J. Willard Marriott Library and the Office of the Vice President for Research. University of Utah. 2016

*Nominee for the Social and Behavior Science College Superior Research Award* (senior scholar category), nominated by the political science department in both 2011 and 2012.

*Professor of Political Science* (National 985-Plan Supported Foreign Scholar), Taught Summer Class at School of Government, Nanjing University, Nanjing, China. 2012.

*TRISS Endowed Professorship for Excellence*, University of Wisconsin Oshkosh, 2007-8

*Artinian Award for Professional Development*, Southern Political Science Association, 2004

*Byran Jackson Award* for the best research/dissertation in racial and ethnic politics in an urban setting, Urban Politics Section, the American Political Science Association, 1999

*Ted Robinson Award* for the best research in race and ethnicity, Southwestern Political Science Association, 1999

*Who's Who in America*, 2001-2006, Marquis, USA.

*Davis Summer Research Grant*, Stephens College, 2001

*Firestone Baars Grant* for Faculty Development, Stephens College, 1999-2001

*Vice President Discretion Grant* for Research, Stephens College, 2001, 2000

*Advanced Graduate Student Travel Grant*, the American Political Science Association, 1999

*Graduate Student Travel Grant*, University of New Orleans, 1997

*The Best Graduate Student Paper Award*, Department of Political Science, Oklahoma State University, 1993

*Pi Sigma Alpha*, National Political Science Honor Society, 1994

## **PROFESSIONAL POSITIONS**

*Member*, Review Board, Journal of Behavioral and Social Sciences. 2019-

*Member*, Board of Directors, National Association for Ethnic Studies, 2013-2015

*Editorial Board*, Urban Affairs Review, 2008-2011

*Editorial Advisor*, International Encyclopedia of Political Science, CQ Press, 2005-2011

*Editor*, Urban News, Urban Politics Section, American Political Science Association, 2004-2010

*Chair*, Urban Politics Program, Southern Political Science Association Annual Convention, 2008

*Co-Chair*, Asian Pacific American Caucus, American Political Science Association, 2004-2006

*Member*, American Political Science Association Small Research Grant Committee, 2005

## **AS A JUDGE OR REVIEWER OF WORKS OF OTHER SCHOLARS FOR ACADEMIC JOURNALS OR PRESSES**

2001-present

Perspectives; Politics and Religion; American Political Science Review; Lexington Books; Journal of Behavioral and Social Sciences; The National Science Foundation; Sage Publications, W. W. Norton & Company, Inc; McGraw Hill Publishing; Journal of Politics; National Political Science Review, Political Analysis; Social Science Quarterly; Urban Affairs Review; Political Research Quarterly; Politics and Policy; Journal of Urban Affairs; American Politics Research; Public Opinion Quarterly; Political Behavior; Sociological Methods and Research

## **PROFESSIONAL AND COMMUNITY SERVICES**

*Reviewer*, University URC Faculty Scholarly Grant Program, 2020

*Chair*, Faculty Tenure and Promotion Committee, Political Science, 2019-2020

*Member*, Curriculum Overhaul Committee, Ethnic Studies, 2018-2019

*Member*, Faculty Tenure and Promotion Committee, Political Science, 2018-2019

*Chair*, Faculty Tenure and Promotion Sub-Committee, Ethnic Studies, 2017-2018

*Member*, Graduate Committee, political science department, the University of Utah, 2014-2018

*Member*, Executive Committee, political science department, the University of Utah, 2014-2018

*Faculty Senator*, the University of Utah, 2015-2018

*Chair*, American Politics Field, political science department, the University of Utah, 2014-2018

*Member*, GC Building Committee, Social Science Lab, 2015-2018

*Expert Volunteer* for Utah Fair Redistricting Legal Team, 2017

*Member*, Assistant Vice President for Diversity Search Committee, 2015-2016

*Member*, Ad Hoc Graduate Committee for Writing, 2015-2016

*Chair*, Faculty Joint Appointment Search Committee, ethnic studies program and theatre department, the University of Utah, 2014-2015

*Member*, Betty Glad Foundation Committee, political science department, the University of Utah, 2014-2015

*Chair*, Awards Committee, National Association for Ethnic Studies, 2014

*Faculty Mentor* to Junior Faculty, Department of Political Science, 2013-2018

*Chair*, University of Utah MLK Committee. 2012-2013.

*Member*, Graduate School Dean Search Committee, 2013.

*Member*, University Diversity Leadership Team, the University of Utah. 2010-2013.

*Member*, University Teaching Program Committee, the University of Utah, 2011-2013.

*Member*, University Diversity Curriculum Committee, Undergraduate Studies, the University of Utah, 2011-2013.

*Judge*, The Research Day of College of Social and Behavioral Science, 2011-2013.

*Member*, Organizing Committee, International Conference on Urbanization and Development in China, University of Utah, August 2010.

*Member*, Retention, Promotion, and Tenure Committee, Department of Political Science, the University of Utah. 2011-2013.

*Assistant Director*, Ethnic Studies Program, the University of Utah. 2010-2011.

*Committee Member*, Undergraduate Studies, Department of Political Science, the University of Utah. 2009-2011.

*Committee Member*, Utah Opportunity Scholarship, the University of Utah, reviewing and making decisions on more than 200 applications. 2009-2010.

*Member*, Ethnic Studies Positions Exploration Committee, the University of Utah. 2009-2010.

*Member*, Marketing Committee, Department of Political Science, the University of Utah. 2009-2010.

*Guest Speaker*, "Obama and the 2008 Presidential Election: A Spatial Analysis" at the Graduate Seminar titled Introduction of Survey Research in Higher Education. College of Education. The University of Utah. Feb. 3, 2009.

*Special Speaker*, "Obama and the Minimum Winning Coalition" Ethnic Studies Works in Progress Presentation. The University of Utah. Dec., 5, 2008.

*Special Speaker*, "Election 2008: A Symposium," Hinckley Institute of Politics, University of Utah. October 6, 2008.

*Special Speaker*, "Predicting the 2008 Presidential Election Outcomes" Discussion on the 2008 Presidential Election. Political Science Department, the University of Utah. Sept. 25, 2008.

*Political Commentator* for reporting from Salt Lake Tribune, AP, EFE Hispanic News Services, Milwaukee Journal Sentinel, WHBY, KFRU radio stations, the Post-Crescent, Oshkosh Northwestern, Columbia Missourian, and the Daily Utah Chronicle (December 1999 to present)

*Faculty Representative* for University of Wisconsin-Oshkosh, ICPSR, University of Michigan, 2007-8

*Member, Board of Trustees*, Wisconsin International School, 2007-8

*Member*, UWO Office of Institutional Research Advisory Board, 2007-8

*President*, Northeast Wisconsin Chinese Association, 2007 (executive vice president, 2006)

*Member*, Program Evaluation Committee. College of Letters and Science, University of Wisconsin-Oshkosh, 2007-8

*Member*, Political Science Curriculum, Center for New Learning, University of Wisconsin-Oshkosh, 2007-8

*Moderator*, Oshkosh City Forum, Mayoral Candidates' Debates, March 23, 2005

*Grant Reviewer*, Faculty Development Program. University of Wisconsin-Oshkosh, 2004-8

*Member*, African American Minor Counsel. University of Wisconsin-Oshkosh, 2006-.

*Member*, Search Committee for University Foundation President. University of Wisconsin-Oshkosh, 2005-2006.

*Member*, Faculty Senate Libraries & Information Services Committee. University of Wisconsin-Oshkosh, 2005-2008.

*Chair/Member*, Curriculum Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2002-8

*Chair*, Budget Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2007-8

*Member*, Personal Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2007-8

*Member*, Search Committee, Dept. of Political Science, University of Wisconsin-Oshkosh, September 2002-8

*Faculty Director*, the Stephens College Model UN Team, National Model United Nations Conference, New York, New York, (3/2002)

*Chair*, Political Science Search Committee, Stephens College (August 2001 to May 2002)

*Member*, Editorial Advisory Board, Collegiate Press, San Diego, California (2000 to 2001)

*Chair*, Harry Truman Scholarship Committee, Stephens College (2000 to 2002)

*Member*, Strategic Planning and Budgeting Committee, Stephens College (2000 to 2002).

#### **CONFERENCE PAPER/PROCEEDINGS**

Liu, Baodong. "Racial Prejudice behind the Anti-Affirmative Action Attitude of Asian Americans" paper presented at the Western Political Science Association Annual Conference. San Diego. 4/2019.

Liu, Baodong, Porter Morgan and Dimitri Kokoromytis. "Immigration, Nation-State Contexts and Value Changes of Ethnic Chinese" paper presented at the Midwest Political Science Association Annual Conference. Chicago. 4/2019.

Baodong Liu. "The Strategical Religious Voter", paper presented at the Midwest Political Science Association Annual Meeting. Chicago, Illinois. 4/2018.

Baodong Liu, Nicole Batt and Zackery Stickney. "Authoritarianism for and against Trump", paper presented at the Annual Meeting of Behavioral and Social Sciences, Las Vegas, Nevada. 2/2018.

Baodong Liu. "The Strategic Religious Voter", paper presented at the Oxford Symposium on Religious Studies, Oxford, UK. 3/2016.

Baodong Liu. "The Political Fate of Religious Minorities in the U.S. Presidential Elections." paper presented at the 19<sup>th</sup> Annual American Association of Behavioral and Social Sciences. Las Vegas, Nevada. 2/2016.

Baodong Liu. "The Political Fate of Religious Minorities in the U.S. Presidential Elections." paper presented at the Hawaii University International Conferences on Arts, Humanities, Social Sciences and Education. Honolulu, Hawaii. 1/2016.

Baodong Liu. "Statistical Inference and Visualization of Big Data in Urban Research", paper presented at the 3<sup>rd</sup> International Conference on China Urban Development, Shanghai, China. 6/2015.

Baodong Liu. "Race, Religion, and U.S. Presidential Elections," paper presented at the Annual Convention of National Association for Ethnic Studies, Oakland, California. 4/2014.

Baodong Liu. "Racial Context and the 2008 and 2012 US Presidential Elections," paper presented at the 11<sup>th</sup> Annual International Conference on Politics & International Affairs, Athens, Greece. 6/2013.

Baodong Liu. "Deracialization in the Post-Obama Era," presented at the National Black Political Scientist Association Annual Meeting. Las Vegas, Nevada. 3/2012.

Baodong Liu. "Obama's Racial Coalition," paper presented at the Southwestern Social Science Association Annual Meeting. Las Vegas, Nevada. 3/2011.

Geoffrey M. Draper, Baodong Liu, and Richard F. Riesenfeld. "Integrating Statistical Visualization Research into the Political Science Classroom" Information Systems Educators Conference. 2010. Nashville, Tennessee. 10/2010.

Baodong Liu. "Space and Time: An Empirical Analysis of 2008 Presidential Election," paper delivered at the Annual American Political Science Association Conference, Toronto, Canada, 9/2009.

Baodong Liu. "Sequential and Spatial Voting: An Analysis of the 2008 Democratic Primaries," paper presented at the 2009 Midwest Political Science Association Annual Conference, Chicago, Illinois, 4/2009.

Baodong Liu. "Social Capital, Race, and Turnout," paper presented at the 2008 Midwest Political Science Association Annual Conference, Chicago, Illinois, 4/2008.

Baodong Liu and Lori Weber. "Social Capital and Voting Participation," paper presented at the 2008 Southern Political Science Association Annual Meeting, New Orleans, Louisiana, 1/2008.

Baodong Liu. "The 2006 New Orleans Mayoral Election," paper presented at the 2007 Midwest Political Science Association Annual Conference, Chicago, Illinois, 4/2007.

James Vanderleeuw, Baodong Liu, and Erica Williams. "The Political Ramifications of a Large-Scale Natural Disaster," paper presented at the 2006 annual conference, the American Political Science Association, Philadelphia, 9/2006.

Baodong Liu. "EI Extended Model and the Fear of Ecological Fallacy," paper presented at the 2006 Midwest Political Science Association Annual Meeting, Chicago, Illinois, 4/2006.

Baodong Liu. "The Fear of Ecological Fallacy and the Methods to Conquer It" paper presented at the Western Political Science Association Annual Meeting, Oakland, CA, 4/2005.

Baodong Liu. "The Whites Who Stayed in the City," paper presented at the 2004 Midwest Political Science Association Annual Meeting, Chicago, Illinois, 4/2004.

Baodong Liu. "Whites as a Minority and the New Biracial Coalition," paper presented at the 2004 Southern Political Science Association Annual Meeting, New Orleans, Louisiana, 1/2004.

Baodong Liu and James Vanderleeuw. "Economic Development Priorities and Central City/Suburb Differences," presented at the 2003 Midwest Political Science Association Annual Meeting, Chicago, Illinois, 4/2003.

James Vanderleeuw, Baodong Liu, and Greg Marsh, "Divided Leadership and Racial Reflexivity in Memphis: An Analysis of the 1991, 1995 and 1999 Mayoral Elections," presented at the 2003 Southwestern Political Science Association Annual Meeting, San Antonio, Texas, 4/2003.

Baodong Liu. "White Votes Count: The Effect of Black Candidates' Qualifications on White Crossover Voting," paper presented at the 98<sup>th</sup> American Political Science Association Conference, Boston, Massachusetts, 9/2002.

Baodong Liu. "Searching for a 'Qualified' Black Candidate," *Proceedings of the 97<sup>th</sup> American Political Science Association Conference*, San Francisco California, 9/2001.

Baodong Liu. "In Defense of an Ethical Rational Choice Theory," paper delivered at the 2001 Jessie Ball duPont Fund Summer Seminars for Liberal Arts College Faculty, the National Humanities Center, Research Triangle, North Carolina, 6/2001.

Baodong Liu. "Reconsidering Social Interaction Theory," presented at the 2001 Western Political Science Association Annual Meeting. Las Vegas Nevada, 3/2001.



James Vanderleeuw, Baodong Liu, and John Johnson. "Economic Development Priorities of City Administrators: A Report on a Survey of City Administrators in Texas," presented at the 2001 Louisiana Political Science Association Convention, Lamar Texas, 3/2001.

Baodong Liu. "Racial Transition: Explaining the Curvilinear Relationship between Black Density and White Crossover Voting," *Proceedings of the 96<sup>th</sup> American Political Science Association Conference*, Washington DC, 9/2000.

Baodong Liu and James Vanderleeuw. "Racial Transition: Explaining the Curvilinear Relationship between Black Density and White Crossover Voting," presented at *the 96<sup>th</sup> American Political Science Association Conference*, Washington DC, 9/2000.

Baodong Liu. "Electoral Law and the Russian Party System: A Comparative Study," presented at *the 58<sup>th</sup> Midwest Political Science Association Conference*, Chicago Illinois, 4/2000.

James Vanderleeuw and Baodong Liu. "Rolling Off in the Context of Context," presented at *the 30<sup>th</sup> Southwestern Political Science Association Conference*, Galveston Texas, 3/2000.

Baodong Liu. "The Changing Nature of Electoral Competition in Japan." Roundtable Discussant, *the 52<sup>nd</sup> Association of Asian Studies Annual Meeting*, San Diego California, 3/2000.

Baodong Liu. "Racial Context and White Voting Strategies," presented at *the 95<sup>th</sup> American Political Science Association Conference*, Atlanta Georgia, 9/1999.

Baodong Liu. "The President's Support in Congress: A Test of U.S. China Policy, 1980-1994," *The 1997 Southern Political Science Association Convention*, Norfolk Virginia, 11/1997.

Baodong Liu. "Examining the Race Line: White Voting Behavior in New Orleans, 1980-1994," *The 27<sup>th</sup> Southwestern Political Science Association Conference*. New Orleans Louisiana, 3/1997.

Baodong Liu. "Intrapartisan Defeats and the Nomination Strategies of the Japanese Liberal Democratic Party in the 1993 Election," *The Sixth Annual Graduate Student Research Symposium*. Oklahoma State University. Stillwater Oklahoma, 2/1995.

#### **INVITED SPEAKER, ROUNDTABLE/PANEL DISCUSSANT**

Baodong Liu. "The 2020 Presidential Election and the Future of American Democracy", invited lecture given to Chinese Americans on Zoom. 9/2020.

Baodong Liu, Michael Cobb, and Richard Engstrom. "Understanding the Support for Ranked-Choice Voting in Two Southern Cities" talk given at the Electoral Reform Research Group, Research Development Conference. Washington D.C. 2/2020.

Baodong Liu. "Nation-State Context and Authoritarian Value Changes of Ethnic Chinese." Talk given at the workshop of The Clash of Authoritarianisms: Secularism versus Islamism in Turkey, University of Utah. 4/2019

Baodong Liu. "Trump's Voters," Panel Discussion on Presidential Primaries. Hinckley Institute of Politics. The University of Utah. Salt Lake City, Utah. 3/2016



Baodong Liu. "Big Data in the Social Sciences," The Consortium for Research on China and Asia (CROCA) and Policy at the Podium. The University of Utah. Salt Lake City, Utah. 11/2014.

Baodong Liu. "Deracialization in the Historial Perspective," the National Black Political Scientist Association Annual Meeting. Las Vegas, Nevada. 3/2012.

"Educating the Best Students in the 21<sup>st</sup> century: the New Ethnic Studies Major at the University of Utah," a presentation provided to the University Diversity Division Fall Retreat (8/12/2011), the Ethnic Studies Program (8/17/2011), and the Community Council (9/13/2011), at the University of Utah.

"Quantitative Analysis: Ecological Inferences and the Voting Rights Law," a Ford Foundation Project, Duke University. July 24-28, 2010.

"Election 2008: A Symposium," Hinckley Institute of Politics, University of Utah. October 6, 2008.

"IMMIGRATION TODAY: What are the Issues?" League of Women Voters of the Oshkosh Area Public Forum, November 12, 2007.

Theme Panel: "Bleaching" New Orleans? Power, Race, and Place After Katrina, the American Political Science Association Annual Meeting, Philadelphia, September 2, 2006.

"2006 Midterm Election Preview," American Democracy Project, the University of Wisconsin, Oshkosh, November 2, 2006.

"Analysis on the 2006 Midterm Election Results," American Democracy Project, the University of Wisconsin, Oshkosh, November 9, 2006.

"The Politics of New Americans: Studying Asian American Political Engagement," the American Political Science Association Annual Meeting, Washington, D.C. September 3, 2005.

"Significance of Voting Rights Act," Lawyers' Committee for Civil Rights under Law, National Asian Pacific American Legal Consortium, Mexican American Legal Defense and Educational Fund, Washington DC: June 17-18, 2004.

"Protecting Democracy: Defining the Research Agenda for Voting Rights Reauthorization," the Civil Rights Project, Harvard University, Cambridge, MA. May 10, 2004.

*Chair*, the Politics of Ethnicity and Self-Determination Panel, International Studies Association-Midwest Conference, St. Louis, Missouri, November 2, 2001.

## **PROFESSIONAL MEMBERSHIP**

Pi Sigma Alpha, National Political Science Honor Society  
American Political Science Association  
Western Political Science Association  
Midwest Political Science Association  
Association for Asian American Studies  
Association of Chinese Political Studies

Southwestern Political Science Association

**Serve as an Advisor/Committee Member for the following Graduate Students**

Nicole Batt (Ph.D Dissertation Chair)  
Jake Peterson (Ph.D Dissertation Chair)  
Matt Haydon (Ph.D. Dissertation Chair)  
Porter Morgan (Ph.D. Committee)  
Charles Turner (Ph.D Committee)  
Geri Miller-Fox (Ph.D Committee)  
Alex Lovell (Ph.D Committee)  
Samantha Eldrudge (Ph.D Committee)  
Leslie Haligan-Park (Ph.D Committee)  
Nicole Cline (Master Committee Chair)  
Oakley Gordon (Master Committee)  
Michael McPhie (Master Committee)

Appendix 2  
Voting Rights Cases in which I served as an Expert Witness

*Milligan, et al. v. Merrill, et al.*, Case No. 2:21-cv-01530-AMM (Alabama, 2021)  
*Traci Jones et al vs. Jefferson County Board of Education et al*, (Alabama, 2019)  
*CMA v. Arkansas*, (Arkansas, 2019)  
*Navajo Nation, et al, vs. San Juan County, et al*, (Utah, 2012)  
*League of Women Voters of Florida, et al v. Detzner, et al*, (Florida, 2012)  
*Anne Pope et. al. v. County of Albany and the Albany County Board of Elections* (N.D., NY 2011)  
*Radogno, et al v. State Board of Elections, et al*, (N.D., IL, 2011)  
*NAACP v. St. Landry Parish et al*, (W.D. LA 2003)  
*Arbor Hill Concerned Citizens Neighborhood Association et al v. County of Albany*, (N.D. NY 2003)  
*Hardeman County Branch of NAACP v. Frost*, (TN, 2003)

## Appendix 3

### Description of the Data Acquisition, Processing, and Aggregation Process

#### **Data Acquisition**

1. Acquired 2016, 2018, and 2020 precinct-level shapefiles from the Voting and Election Science Team. Joined those shapefiles to 2016, 2018, and 2020 precinct-level election returns from the Alabama Secretary of State's office, which were processed and cleaned by OpenElections.
  - a. Acquired and cleaned 2014 precinct-level election returns from the Alabama Secretary of State's office, and joined those to the 2016 precinct-level shapefile acquired from the Voting and Election Science Team.
  - b. Since absentee and provisional vote is reported at the county level, distributed the county-level absentee and provisional vote for each candidate to the precincts in the county, proportional to the share of the candidate's vote total in the county that was reported from each precinct.
2. Acquired 2020 Census Block shapefiles, total population by race and ethnicity, and voting age population by race and ethnicity directly from the Census FTP portal.
3. Acquired 2010 Census block total population by race and ethnicity, and voting age population by race and ethnicity, directly from the Census FTP portal.
4. Acquired VTD block assignment files, congressional district block assignment files, state house district block assignment files, and state senate district block assignment files from the Census website.
5. Acquired the draft congressional, state house, and state senate plans from a member of the Alabama Permanent Legislative Committee on Reapportionment.

#### **Data Processing**

1. For datasets that were on the 2020 census block level (total population, voting age population, VTD assignment, congressional district assignment, state house district assignment, and state senate district assignment), joined these datasets to the 2020 Census block shapefile.
2. For datasets that were not on the level of the census block (2014, 2016, 2017, 2018, and 2020 election returns – precinct), disaggregated them down to the 2020 census block level. Then joined them to the 2020 Census block shapefile.
3. For the 2010 Census block data, used the Census' Block Relationship File to measure the area overlap between the 2010 and 2020 census blocks. Then distributed the 2010 census block population data to the 2020 census blocks, proportionally to the land area overlap between the 2010 and 2020 census blocks.

#### **Data Aggregation**

1. Aggregated the full block-level dataset up to the level of the 2020 voting districts, taking into account (a) discontinuities in voting districts and (b) splits of voting districts by any of the implemented and proposed plans.

**MILLIGAN V. MERRILL**  
**Case No.: 2:21-cv-012921**  
**DECLARATION OF JOSEPH BAGLEY PHD**

I. CREDENTIALS, PURPOSE

I am an Assistant Professor of History at Perimeter College, Georgia State University. My specific area of study is United States constitutional and legal history, politics, and race relations, with a focus on Alabama and Georgia. I earned a Ph.D. in 2013 from Georgia State and an M.A. (2007) and B.A. (2004) from Auburn University. My first book, *The Politics of White Rights: Race, Justice, and Integrating Alabama's Schools*, was published in November 2018 by the University of Georgia Press in the *Politics and Culture of the Twentieth Century South* series. There, I assert that Alabama lawmakers used lessons from the fight against school desegregation to perfect the process of “colormasking” legislation, or in creating racially discriminatory laws – such as those that maintain the political and electoral status quo when it comes to Black voting and political representation – that can withstand legal tests. My current projects include a book manuscript examining the struggle for voting rights in Alabama and a grant proposal for a National Endowment for the Humanities “Public Humanities Discussions” series focused on citizenship rights and obligations in Georgia.

I have been certified as an expert by this Court in previous voting rights litigation. I submitted a report, testified in a deposition and at trial, and was cited in the Court’s opinion in *People First of Alabama v. Merrill* in 2020.<sup>1</sup> My academic work has been cited in the *Case Western Law Review*, the *Journal of Urban History*, *Rural Sociology*, the *Alabama Civil Rights and Civil Liberties Law Review*, and in the *New York Times Magazine* (NYTM). My doctoral thesis, “School Desegregation, Law and Order, and Litigating Social Justice in Alabama,” which formed the basis of my book manuscript, was quoted multiple times by Pulitzer Prize winner Nikole Hannah-Jones in her September 6, 2017 piece in NYTM, “Resegregation in Jefferson County,” in which Hannah-Jones examines the city of Gardendale’s attempt to secede from the county school system – an issue litigated in the *Stout v. Jefferson County Board of Education* school desegregation case that remains before this Court.<sup>2</sup>

I include here a C.V. listing conference presentations, invited talks, essays, and solicited book and manuscript reviews that I have written for the University Press of Kansas, the *Alabama Review*, and journals such as *Urban History* and *History of Education Quarterly*. I am compensated at the rate of \$150 per hour for my work in preparing this report. This compensation is not dependent upon my findings, and my opinions stated in this report do not necessarily represent the sum total of my opinions in this matter, which are subject to change upon further research or revelations.

I have been asked by plaintiffs’ counsel in this case to examine any relevant historical and contemporary evidence and to determine if, in my opinion, Alabama House Bill 1 (“H.B. 1”), establishing the map redrawing the state’s congressional districts following the release of the 2020 Census data, will result in an impairment of Black voters’ ability to participate fully and equitably in the political process and to elect candidates of their choice. My analysis adheres to the common standards of historiography, meaning that I have objectively examined different types of sources – the legislative and judicial record, newspaper coverage, campaign literature, and public

---

<sup>1</sup> *People First of Alabama v. Merrill*, 467 F.Supp.3d 1179 (2020).

<sup>2</sup> Wendy Parker, “Why Alabama School Desegregation Succeeded (And Failed),” 67 *Case Western Law Review*, 1091 (2017); Rebecca Retzlaff, “Desegregation of City Parks and the Civil Rights Movement: The Case of Oak Park in Montgomery, Alabama,” *Journal of Urban History* 47.4, 715 (2019); Erika Frankenberg, “The Impact and Limits of Implementing Brown: Reflections from Sixty-Five Years of School Segregation and Desegregation in Alabama’s Largest School District,” 11 *Alabama Civil Rights and Civil Liberties Law Review*, 33 (2019); Bryan Mann, “Segregation Now, Segregation Tomorrow, Segregation Forever? Racial and Economic Isolation and Dissimilarity in Rural Black Belt Schools in Alabama,” *Rural Sociology* 86.3, 523 (2021). Nikole Hannah-Jones, “The Resegregation of Jefferson County,” *The New York Times Magazine*, Sept. 6, 2017.

statements, for example, along with the existing scholarship and the established historical background – and weighed all of that material collectively in forming my opinions. In my evaluation of this evidence and in my effort to determine whether, in my opinion, H.B. 1 will deny Black citizens of Alabama an equitable right to elect candidates of their choice, I am also guided by the “totality of the circumstances” test, as applied using the factors set forth by the U.S. Senate Judiciary Committee during the amendment of Section 2 of the Voting Rights Act in 1982 and subsequently referenced by the Supreme Court in *Thornburg v. Gingles* (478 U.S. 30, 1986, “*Gingles I*”) (the “Senate Factors”).<sup>3</sup> There are seven core Senate Factors and two typical “additional” factors that might be considered to the extent that they are appropriate.

These include:

- The “extent of any history of official discrimination in the state or political subdivision that touched the right of the members of the minority group to register, to vote, or otherwise to participate in the democratic process” [Factor 1]
- The “extent to which voting in the elections of the state or political subdivision is racially polarized” [Factor 2]
- The “extent to which the state or political subdivision has used unusually large election districts, majority vote requirements, anti-single shot provisions, or other voting practices or procedures that may enhance the opportunity for discrimination against the minority group” [Factor 3]
- If “there is a candidate slating process, whether the members of the minority group have been denied access to that group” [Factor 4]
- The “extent to which members of the minority group in the state or political subdivision bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process” [Factor 5]
- Whether “political campaigns have been characterized by overt or subtle racial appeals” [Factor 6]
- The “extent to which members of the minority group have been elected to public office in the jurisdiction” [Factor 7]
- Whether “there is a significant lack of responsiveness on the part of elected officials to the particularized needs of the members of the minority group” [Factor 8, Additional Factor]
- And “Whether the policy underlying the state or political subdivision’s use of such voting qualification, prerequisite to voting, or standard, practice or procedure is tenuous” [Factor 9, Additional Factor].

These factors allow scholars and courts to undertake a “practical evaluation of the past and present realities” and to determine “whether the political process is equally open to minority voters” (*Gingles I* at 478). As the Court stated in *Gingles*, other additional factors may be considered, and there is no requirement that all factors be considered or that any particular weight be assigned to any one factor.<sup>4</sup>

---

<sup>3</sup> In 1980, the Supreme Court held in *City of Mobile v. Bolden* (446 U.S. 55) that discriminatory results alone did not warrant relief in voting rights litigation and that plaintiffs needed to establish discriminatory intent, prompting Congress to amend Section 2. The committee derived the relevant factors from pre-Bolden jurisprudence, especially *Whitcomb v. Chavis* (403 U.S. 124, 1971), *White v. Regester* (412 U.S. 755, 1973) and *Zimmer v. McKeithen* (485 F.2d 1297, 5th CCA, 1973). Report of the Committee on the Judiciary on S. 1992 (Voting Rights Act Extension), United States Senate, 97<sup>th</sup> Congress, 2<sup>nd</sup> Session, Report No. 97-417 [Senate Factors Report], p. 28, n. 113; Peyton McCrary, “History in the Courts: The Significance of *City of Mobile v. Bolden*,” in Chandler Davidson (Ed.), *Minority Vote Dilution* (Washington, D.C.: Howard University Press, 1984), pp. 47-65.

<sup>4</sup> Senate Factors Report, pp. 28-9.

Given the nature of this case and my own expertise, my report focuses on Factors 1, 5, 6, 7, and 8. I will not systematically address here Factors 2, 3, or 4. While Factor 2 carries great weight in voting rights litigation, racially polarized voting (“RPV”) analysis is generally the purview of specially trained political scientists. Plaintiffs may or may not employ such scholars to conduct RPV analysis, but I do not draw any conclusions based on RPV except to acknowledge that federal courts have repeatedly determined that voting in Alabama, including in congressional contests, has been racially polarized.<sup>5</sup> I discuss the kind of enhancing devices and schemes covered in Factor 3 in my treatment of Factor 1, and I contend that the discriminatory redistricting plans discussed therein are as much exemplary of the devices highlighted by this factor as the at-large election schemes and numbered place laws of the (somewhat) more distant past.

My summary findings as to the relevant Senate Factors with respect to this report are as follows:

Factor 1: the state of Alabama has an undisputed history of discrimination against Black citizens, especially when it comes to registering to vote, voting, and enjoying an equitable chance to participate in the political process, and this has been recognized by numerous courts. In particular, white legislators of both major political parties have, in the last 50 years, manipulated the redistricting process to prevent Black citizens from electing members of Congress or, in the last 30 years, to limit Black voters’ ability to elect members of Congress from more than one district.

Factor 5: the effects of past and ongoing discrimination in education, employment, health, and criminal justice are profound and have had a significant impact on Black voters’ ability to participate fully in the political process.

Factor 6: despite a decades-long tradition of color-masking racial appeals, campaigns and politicians’ public statements have recently trended back towards more overt racial appeals, and these have been plentiful in Alabama and attributable to its current members of Congress and candidates for those offices.

Factor 7: the ability of Black Alabamians to elect candidates from among their own to statewide offices has been almost nonexistent, while Black candidates have had some success at the local level, thanks to litigation and federal government intervention.

Factor 8 (Additional Factor 1): white lawmakers have been generally unresponsive to the needs and demands of Black citizens, as suggested by the fight for Medicaid expansion, by the actions of the state legislature since *Shelby County v. Holder*, and by lawmakers’ failure to address much of what I discuss under Factor 5. The Court should also consider the votes of the members of the state’s congressional delegation on other bills that the Black community in the state would tend to support, especially a redistricting plan that would provide for a second majority-minority congressional district.

Given these conclusions, in my opinion H.B. 1 will deny Black Alabamians an equitable right to elect candidates of their choice.

## II. FACTOR 1: HISTORY OF DISCRIMINATION

As this Court found in 2020, “Black Alabamians have consistently overcome barriers to exercising their fundamental right to vote, only to later have that right curtailed,” and the state’s history of official discrimination is

---

<sup>5</sup> *Greater Birmingham Ministries v. Merrill*, 284 F. Supp. 3d 1253, 1258 (ND AL, 2018); *Alabama Legislative Black Caucus v. Alabama*, 135 S.Ct. 1257, 1272 (2015); *White v. Alabama*, 867 F. Supp. 1519, 1552 (MD AL, 1994), vacated on other grounds, 74 F.3d 1058 (11th CCA, 1996); *Dillard v. Baldwin County Commission*, 222 F. Supp. 2d 1283, 1290 (MD AL, 2002), affirmed, 376 F.3d 1260 (11th CCA, 2004); *Wilson v. Jones*, 45 F. Supp. 2d 945, 951 (S.D. Ala. 1999), affirmed sub nom. *Wilson v. Minor*, 220 F.3d 1297 (11th CCA, 2000).



replete with facts that the Court described as “largely undisputed” (*People First of Alabama v. Merrill*, 467 F.Supp.3d 1179, ¶ 32, ND). Similarly, the court in *Alabama NAACP v. Alabama*, also in 2020, found that, “Alabama’s history of discrimination against African Americans in all areas of life is long, well-documented, and undisputed” ([CA 2:16-cv-00731-WKW-SMD, Feb. 5, 2020](#), MD, pp. 153-54). I will briefly summarize the history that is the basis for these findings for the Court, beginning with Reconstruction. As referenced, as recently as last year, federal courts in Alabama have ruled in favor of plaintiffs targeting vote dilution schemes that persist, having fallen through the cracks of administrative and judicial oversight.<sup>6</sup>

I conclude by examining the efforts of white Democrats and white Republicans in the state legislature, during the last 30 years, to manipulate the redistricting process to the detriment of Black voters. Of primary importance in this case, I trace the general characteristics of the state’s 7<sup>th</sup> Congressional District from the redistricting litigation of the 1990s to the present.

a. From Reconstruction to the Constitution of 1901

Alabama’s effort to restrict the rights of its Black citizens began when the enslaved became citizens. A pattern of advancement and backlash was thus established at the very beginning of the story of Black citizenship. After the Civil War, Alabama was among the first former Confederate states to enact “Black Codes” limiting the citizenship rights of former slaves.<sup>7</sup> The 14<sup>th</sup> Amendment invalidated such laws on equal protection grounds, and the 15<sup>th</sup> Amendment guaranteed formerly enslaved men the right to vote. While the Union Army was empowered to combat the Ku Klux Klan and other white supremacist groups, Alabama was forced to accede to some measure of Black voting and to the election of a few Black candidates to office though, even then, most offices were won by white Republicans. When the Union Army was removed from the state and priorities in Washington began to shift, white Democrats unleashed a campaign of violence aimed at “redemption,” or gaining back control of the state government. At the heart of that effort was the disenfranchisement of Black citizens. The party adopted the slogan “White Supremacy for the Right” (a slogan it did not abandon until 1966) and replaced the state’s Congressional Reconstruction constitution with one that protected white people in majority-Black areas by severely restricting home rule and giving control over local governments to the governor and the state legislature.<sup>8</sup>

The “redeemer” Democrats used a variety of measures to consolidate that control: where white people constituted a local majority, legislators switched from district to at-large elections; where they did not, legislators eliminated elections in favor of gubernatorial appointment; they set higher bonds for office-holding, abolished courts, closed polling places, and eventually resorted to outright election fraud in the form of ballot-box stuffing. The legislature ultimately passed the Sayre Law, establishing what District Judge Myron Thompson would later describe as “a more respectable and cunning way of controlling or disenfranchising black voters” (*Harris v. Siegelman*, 695 F. Supp. 517, 522, MD, 1988). The Sayre Law replaced the “party ballot” with the “secret ballot,”

---

<sup>6</sup> *Jones v. Jefferson County*, No. 2:19-cv-01821-MHH (ND, 2019); *Alabama State Conf. of the NAACP v. City of Pleasant Grove*, No. 2:18-cv-02056 (ND, 2019).

<sup>7</sup> Alabama’s Black Code was enacted on January 15, 1866. It subjected anyone convicted of vagrancy, including “stubborn servant[s],” runaway apprentices, and “any person who habitually neglect[ed] his employment,” to a \$50 fine which, if unpaid, would compel convicted to work for his employer, usually the former master, for free until it was paid off. William Warren Rogers and Robert David Ward, “From 1865 through 1920,” in Rogers, et al., Eds, *Alabama: The History of a Deep South State* (Tuscaloosa: University of Alabama Press, 1994), pp. 225-410, p. 238; Orville Vernon Burton, *The Age of Lincoln* (New York: Hill and Wang, 2008), pp. 267-69; Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863 – 1877* (New York: Harper Collins, 1988), pp. 199-201.

<sup>8</sup> Rogers and Ward, “From 1865 through 1920,” pp. 244-45, 262-65; Peyton McCrary et al., “Alabama,” in Chandler Davidson et al., Eds, *Quiet Revolution in the South: The Impact of the Voting Rights Act, 1965-1990* (Princeton: Princeton University Press, 1994), pp. 38-66, pp. 41-2; Brian Wilhelm, “The Election Riots of 1874,” *Encyclopedia of Alabama*, Nov. 6, 2009; Burton, *The Age of Lincoln*, pp. 300-322; Foner, *Reconstruction*, pp. 228-411.



which came with written instructions that could only be explained by a gubernatorially appointed poll official. Not only did this allow those officials to swindle Black voters, it discouraged many Black people from even bothering to go to the polls; the Sayre Law resulted in an immediate 22 percent drop in Black turnout.<sup>9</sup>

Emboldened by federal indifference, in 1901 Democrats held a constitutional convention for the expressed purpose of “avoid[ing] Negro domination” and “establish[ing] white supremacy.” The delegates’ “registered vow” was to “disfranchise every Negro in the state.” The constitution they adopted, which is still operative, featured provisions for an accumulating poll tax; property ownership and employment requirements for registering to vote; disenfranchisement of anyone convicted of vagrancy or “crimes of moral turpitude,” a deliberately chosen class of crimes for which Black people were more frequently convicted; and a literacy test to be administered by local (white) registrars, which is to say, one that could be discriminatorily administered and used to bar Blacks, but not poor whites, from registering to vote.<sup>10</sup>

Following the enactment of the new constitution, there was a 96 percent reduction in Black voter turnout, and the number of registered Black voters fell from 180,000 to 3,000. The constitution was upheld by the Supreme Court in *Giles v. Harris* (189 U.S. 475, 1903). The following year, the Alabama Democratic Party adopted the “white primary,” whereby membership was limited, as in a club, to white people, thus barring Black people from participating in what had become the only election that mattered. White supremacy was the order of the day in Alabama from that point until the Second World War.

The constitution also institutionalized what had already been written into the state’s penal code and had escaped Radical Republican censure – the new document included an anti-miscegenation clause that read, “The legislature shall never pass any law to authorize or legalize any marriage between any white person and a negro, or descendant of a negro.” A “Negro” was anyone with “one drop” of Black “blood.” The anti-miscegenation statute was revised in 1940 to read, “If any white person and any negro, or the descendant of any negro intermarry, or live in adultery or fornication with each other, each of them shall, on conviction, be imprisoned in the penitentiary for not less than two nor more than seven years.” Such laws were invalidated in *Loving v. Virginia*, but the voters of Alabama did not overturn its ban officially until 2000.<sup>11</sup>

---

<sup>9</sup> Kousser, *The Shaping of Southern Politics*, pp. 133-35; McCrary, et al., “Alabama,” p. 42-43; Rodgers and Ward, “From 1865 through 1920,” pp. 311-14, 21-34; Peyton McCrary, “Minority Representation in Alabama: The Pivotal Case of *Dillard v. Crenshaw County*,” in Raymond Arsenault et al. Eds, *Dixie Redux: Essays in Honor of Sheldon Hackney* (Montgomery: New South Books, 2013), pp. 379-97, pp. 382-83; J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restrictions and the Establishment of the One-Party South, 1880-1910* (New Haven: Yale University Press, 1974) pp. 45-79.

<sup>10</sup> Kousser, *The Shaping of Southern Politics*. pp. 165-71; McCrary et al., “Alabama,” pp. 43-4; *Journal of the Proceedings of the Constitutional Convention of the State of Alabama, Held in the City of Montgomery, Commencing May 21, 1901* (Montgomery: Brown, 1901), at Alabama Department of Archives and History Digital Collections Online [hereinafter cited as ADAH Digital Collections], pp. 8-10, <http://digital.archives.alabama.gov/cdm/compoundobject/collection/legislature/id/16317/rec/1>; McCrary et al., “Alabama,” pp. 44; Rodgers and Ward, “From 1865 through 1920,” pp. 343-351; “delegates” quotation cited by the court in *United States v. Alabama*, 252 F. Supp. 95, 98 (MD, 1966); on crimes of moral turpitude, see *Hunter v. Underwood*, 471 U.S. 222, 232, 1985.

<sup>11</sup> *Loving v. Virginia*, 388 U.S. 1 (1967); Jeremy W. Richter, “Alabama’s Anti-Miscegenation Statutes,” *The Alabama Review*, Volume 68, Number 4 (October 2015): pp. 345-365, p. 345-46; Aaron Blake, “Alabama was a final holdout on desegregation and interracial marriage. It could happen again on gay marriage,” *Washington Post*, Feb. 9, 2015, <https://www.washingtonpost.com/news/the-fix/wp/2015/02/09/alabama-was-a-final-holdout-on-desegregation-and-interracial-marriage-it-could-happen-again-on-gay-marriage/>.

b. From World War II to the Civil Rights Movement

The “white primary” was overturned when the Supreme Court handed down *Smith v. Allwright* in 1944 (321 U.S. 649). True to the pattern of advance-and-restrict, however, Alabama’s white Democratic lawmakers responded by enacting the Boswell Amendment to the 1901 constitution – a facially race-neutral provision that required applicants for voter registration to “understand and explain” an article of the U.S. Constitution. One of the bill’s framers admitted that this would enable boards of registrars to “prevent from registering those elements in our community which have not yet fitted themselves for self-government,” meaning Black people.<sup>12</sup> Birmingham’s Arthur Shores challenged the Boswell Amendment, and in 1949 a federal court found that the law was “intended to be, and [was] being used for the purpose of discriminating against applicants for the franchise on the basis of race or color” and gave registrars “naked and arbitrary power,” which they were using to disqualify Black applicants using the “understand and explain” clause (*Davis v. Schnell*, 81 F. Supp. 872, 880, SD, quoting *Yick Wo v. Hopkins*, 118 U.S. 356, 366, 1886).

The state legislature responded by presenting the almost exclusively white electorate with a Voter Qualification Amendment, which it ratified in 1951. The amendment replaced the “understand and explain” language with a deliberately byzantine application process devised by the state Supreme Court. Prospective voters had to navigate a lengthy questionnaire (21 questions), perform a reading of the U.S. Constitution at the direction of a white registrar, and present a “supporting witness,” an existing voter who would testify to the applicant’s residence and good standing, as well as the witness’s own occupation and employer.<sup>13</sup>

The state legislature also enacted an “anti-single-shot” voting law. When Black citizens began agitating for citizenship rights during and after World War II, many local governments, via state legislative delegations, switched to at-large electoral systems, as some had done during the “redemption,” to avoid the election of Black officials in districts or wards that were predominantly Black. Black voters, though, realized that they could increase the numerical value of their vote by throwing all of their support behind one candidate. The anti-single-shot law, the brainchild of Sam Engelhardt, a pioneer of the white supremacist Citizens’ Council in the state and the author of the infamous Tuskegee gerrymander, invalidated any ballot in an at-large election that did not include a full slate of choices. That law and the new voter registration questionnaire, along with tactics like simply closing a registration office when Black people came to register, served to limit Black access to the franchise at a time when the state’s handful of Black attorneys, including Shores, had little help in assailing the legislative wall that the state had built over the preceding half century.<sup>14</sup>

---

<sup>12</sup> McCrary et al., “Alabama,” p. 44-45; McCrary, “Minority Representation in Alabama,” pp. 408-9; Brian Landsberg, *Free at Last to Vote: The Alabama Origins of the Voting Rights Act* (Lawrence: University Press of Kansas, 2007), p. 18; Steven F. Lawson, *Black Ballots: Voting Rights in the South, 1944-1969* (New York, Columbia University Press, 1976), pp. 90-93; Scotty E. Kirkland, “Mobile and the Boswell Amendment,” *Alabama Review*, 65 (July 2012), pp. 205-19; Donald S. Strong, *Registration of Voters in Alabama* (Bureau of Public Administration, University of Alabama, 1956), p. 22; *Davis v. Schnell*, (81 F. Supp. 872, 879, SD AL, 1949).

<sup>13</sup> Annotated copies of Alabama Voter Questionnaires, Papers of Frank M. Johnson, Library of Congress Manuscript Reading Room, Washington D. C. [hereinafter cited as Frank Johnson Papers LOC], Container 7, U.S. v. Alabama (Bullock County), Folders 5-6; *Anniston Star*, Feb. 28, 1951; *Talladega Daily Home*, Feb. 28, 1951; *Mobile Journal*, Oct. 3, 1952; *Dothan Eagle*, Feb. 28, 1951; McCrary et al., “Alabama,” p. 45; Landsberg, *Free at Last to Vote*, p. 19, Strong, *Registration of Voters in Alabama*, p. 27, 34-35.

<sup>14</sup> McCrary et al., “Alabama,” p. 46, 402 n 74; McCrary, “Minority Representation in Alabama,” p. 409; Joseph Bagley, *The Politics of White Rights: Race, Justice, and Integrating Alabama’s Schools* (Athens: University of Georgia Press, 2018), pp. 19, 213; *Gomillion v. Lightfoot*, 364 U.S. 339 (1961); *Sellers v. Wilson*, 123 F. Supp. 917 (MD, 1954).

In 1957, Congress passed the first Civil Rights Act since Reconstruction, with no southern support. Three years later, it passed the Civil Rights Act of 1960. These acts created the Civil Rights Division (“CRD”) within the Justice Department, tasked it with enforcing the 15<sup>th</sup> Amendment in the South, gave it the tools to bring suit on behalf of the United States against states that were discriminating in voter registration, and empowered it to seek the appointment of federal voting referees. The division subsequently sued the state of Alabama and registrars in numerous counties in the Alabama Black Belt – the old, black-soiled plantation belt where Black majorities threatened white supremacy in the most critical way. The CRD targeted the discriminatory use of the state’s voter registration questionnaire.<sup>15</sup>

In one of the CRD’s Black Belt suits, Judge Frank Johnson determined that “As to Negro applicants, the defendants used the [voter registration] questionnaire to obtain substantive information regarding the applicants’ qualifications for registering and also as a tricky examination or test. If a Negro applicant failed to meet the standard required of him, he was denied registration regardless of whether the error or omission on the form was formal, technical, or inconsequential.” Judge Johnson explained, “For white applicants, the questionnaire was not used as an examination or test” (*United States v. Penton*, 212 F. Supp. 193, 198, 1962).<sup>16</sup>

Not all of the CRD Black Belt suits were filed Johnson’s Middle District. Wilcox County lies in the Southern District, where sat Judge Daniel Thomas, known to delay and frustrate civil rights actions on his docket.<sup>17</sup> The CRD alleged that in Wilcox, from January 1, 1959, through October 17, 1963, 29 Black residents tried to register and were denied, whereas 376/386 white applicants were able to register in the same period. Despite the fact that 70 percent of the county’s voting age population was Black, zero Black people were registered to vote at the time the suit was filed. Judge Thomas declined to enjoin the county officials but was reversed by the 5<sup>th</sup> Circuit, which found that there was “substantial uncontradicted evidence in the record that the registration officials applied the supporting witness requirement in a discriminatory fashion” (*United States v. Logue*, 344 F.2d 290, 291-92, 1965). By the time of that decision, various aspects of the questionnaire had been enjoined, from Wilcox to Montgomery and from Sumter to Macon and Bullock.<sup>18</sup>

Beyond the questionnaire, local officials engaged in various other tactics to frustrate Black citizens from voting. Defendants in the Montgomery CRD case attempted to distort registration numbers by race by denying a few applications from white would-be voters; the court found this to be “nothing more than a sham and an attempt on the part of the [Montgomery] Board [of Registrars] to disguise their past discriminatory practices.” Judge Johnson observed that this “approached the ridiculous when the Board rejected the law partner of one of the defense attorneys, a retired general and graduate of West Point, and the college graduate son of one of the State’s attorneys general” (*Penton*, at 198). Officials in Elmore County denied applications from Black people on minor technical grounds, while not doing the same for white people; rendered assistance to white applicants and not to Black

---

<sup>15</sup> Landsberg, *Free at Last to Vote*, pp. 7, 26-27; Blacksher, et.al., “Voting Rights in Alabama, 1982-2006,” 17 *Southern California Review of Law and Social Justice* 2, Spring 2008, pp. 249-281, pp. 252-53.

<sup>16</sup> The form used needlessly verbose language; for example, it prompted prospective voters to answer the “interrogatories propounded” by the board. It asked applicants to read selected portions of the Constitution in front of the registrars. Applicants had to produce a supporting witness in person who would vouch for their residency and good character. And the form eventually included an “Insert” section that allowed for rotating civics questions, so that voting rights organizations could not coach applicants on the answers. Memorandum in Support of Plaintiffs’ Motion of Oct. 31, 1963, *United States v. Penton*, CA 1714-N, Appendix with Applications, in Frank Johnson Papers LOC, Container 18, Folder 1.

<sup>17</sup> Bagley, *Politics of White Rights*, p. 54.

<sup>18</sup> *United States v. Alabama (Macon)*, 192 F.Supp. 677 (MD, 1961); *United States v. Alabama (Bullock)*, Findings of Fact, Concl. Of Law, and Order, April 27, 1965 (MD, AL), Frank Johnson Papers, Container 7, Folder 4; *Birmingham News*, Sept. 8, 1959; *Huntsville Times*, March 21, 30, 1961, Dec. 16, 1963; *Opelika Daily News*, Jan. 21, 1961; *Montgomery Advertiser*, Dec. 17, 1963.

applicants; failed to notify Black applicants of the need to sign an oath, then disqualified them for not signing; failed to notify Black applicants when their registration was denied; and required that Black applicants wait three months before attempting again to register.<sup>19</sup>

Lawmakers then replaced the anti-single-shot law with a numbered post law in conjunction with a majority vote requirement and staggered terms. Judge Myron Thompson would later describe how the numbered place law “intentional[ly] . . . reshaped at-large systems into more secure mechanisms for discrimination” and became the “the discriminatory centerpiece” of a vote dilution scheme (*Dillard v. Crenshaw County*, 640 F. Supp. 1347, 1357, MD, 1986). Candidates had to run for specific, enumerated posts or places on a given body, be it a school board or county commission or city council. And with terms staggered, each contest would be head-to-head and at-large, which is to say county or city-wide. White majorities in registered voters could then use the majority vote requirement to win, potentially, each and every seat, each and every time.<sup>20</sup>

Democratic Party leader Frank Mizell laid bare the intent behind this arrangement in a meeting of the State Democratic Executive Committee, a transcript of which was later discovered by a historian working in the *Dillard v. Crenshaw* case. “If you have people who want to vote as a bloc,” Mizell explained, using a euphemism for the Black vote, “it would be very easy under the single shot voting for all of them to come in, to put a scallowag or a Negro in there.” There was, he said, a “situation in Alabama that we are becoming more painfully aware of every passing day,” as there was now “a concerted desire and a campaign to register Negroes en masse, regardless of the fact that many of them ordinarily cannot qualify because of their criminal records, or criminal attitudes, because of the fact that they are illiterate and cannot understand or pass literacy tests.” According to Mizell, it had “occurred to a great many people, including the legislature of Alabama, that to protect the white people of Alabama, that there should be numbered place laws.”<sup>21</sup>

c. Reapportionment, Redistricting, and the Voting Rights Act

Another tool used to deny Black citizens equitable access to the franchise has been the racial gerrymander. In 1960 Alabama state Senator Sam Engelhardt orchestrated the state’s first modern attempt to use the racial gerrymander to disenfranchise Black citizens. Engelhardt was a large landowner from Macon County who lamented the possibility of Black electoral success by asking rhetorically, “If you had a nigger tax assessor, what would he do to you?” He purported to enter politics for the sole purpose of keeping Black tenant farmers from “stealing his property.”<sup>22</sup> Engelhardt sponsored a bill that passed the state legislature that redrew the boundaries of the city of Tuskegee, home to the prestigious Tuskegee Institute and a seedbed of Black activism, to exclude nearly every single Black voter, and no white voters, from the city limits. Black plaintiffs brought suit and lost at trial, but the decision was reversed by the Fifth Circuit and the Supreme Court, which found that the gerrymander served no legitimate purpose beyond its being “used as an instrument for circumventing a federally protected right” (*Gomillion v. Lightfoot*, 364 U.S. 339, 347, 1960).

The 1960 Census was the first in American history in which respondents could select their own race; it had been determined by census-takers prior to that time. When the 1960 data was published, Alabama was revealed to have lost a seat in its Congressional delegation. The state faced the necessity of redistricting for the U.S. House

<sup>19</sup> *United States v. Cartwright*, 230 F. Supp. 873 (MD, 1964).

<sup>20</sup> McCrary et al., “Alabama,” p. 46.

<sup>21</sup> Quoted in *Dillard v. Crenshaw County*, 640 F. Supp. 1347, 1357, MD, 1986.

<sup>22</sup> *Gomillion v. Lightfoot*, 364 U.S. 339 (1960); Engelhardt also argued that “Desegregating the schools will lead to rape!” He added, “Damn niggers stink. They’re unwashed. They have no morals; they’re just animals. The nigger is depraved! Give him the opportunity to be near a white woman, and he goes berserk!” The conclusion: “The nigger isn’t just a dark-skinned white man. He’s a separate individual altogether.” Bagley, *Politics of White Rights*, pp. 19, 213

under the shadow of *Gomillion*. And yet the state legislature failed to pass a such a plan. Nor did the state pass any plan to redraw its state legislative districts. Indeed, despite a directive in the state constitution, Alabama had not once since 1901 reapportioned its legislature to account for population growth and shifts. With the urbanization that had taken place since the constitution was adopted, and especially since the end of World War II, this meant that white legislators from majority-Black rural areas, namely in the Black Belt, held a disproportionate share of seats in the state legislature. When the U.S. Supreme Court handed down *Baker v. Carr* in 1962, declaring reapportionment a justiciable issue, white Democrats from urban areas in Alabama filed *Sims v. Frink*. In the first of several rulings under the *Sims* mantle, a three-judge court decided to give the Alabama legislature a chance to rectify that situation on its own without further action on the court's part.<sup>23</sup>

The state submitted two state legislative plans that summer. Of these the court wrote, “We find that each . . . when considered as a whole, is so obviously discriminatory, arbitrary, and irrational that it becomes unnecessary to pursue a detailed development of each of the relevant factors of the [invidiousness] test” (*Sims v. Frink*, 208 F.Supp. 431, 437, MD). The court allowed for elections to be held that fall using a temporary plan that incorporated those elements of each state plans that did “correct a few of the most glaring discriminations” (440). In that same cycle, congressional elections in Alabama were held fully at-large for the first time since before the Civil War; the state legislature had failed still to pass a congressional redistricting plan following the state's loss of a seat in the House.<sup>24</sup>

The state Supreme Court held that all ballots in the 1962 congressional election had to include a full slate of 8 choices, essentially adding an anti-single shot provision. This came amid a rising Republican challenge. White Democrats in the South had begun, at a minimum, to support Republican candidates for President and, increasingly, switch parties altogether as part of a backlash against the Kennedy administration's actions – namely, sending federal troops to support the desegregation of the University of Mississippi and other fledgling measures in support of a growing civil rights movement. They nonetheless carried all 8 seats in the Alabama congressional election that year. The odd man left out of the Democratic slate was veteran lawmaker Frank Boykin of Mobile, representing the old 1<sup>st</sup> District wherein there were a “substantial number” of voters of the “so-called minority bloc,” meaning Black voters.<sup>25</sup>

When the Supreme Court decided the appeal in the *Sims* case in 1964, it handed down its landmark one-person/one-vote ruling, styled *Reynolds v. Sims*. Alabama was again given a chance to correct its malapportioned state legislative scheme. A three-judge court the following year found the plan for the state Senate permissible but held that the plan for the state House contained numerous districts with wide population variances with no rational basis but “preventing the election of a Negro House member” (*Sims v. Baggett*, 247 F.Supp. 96, 109, MD, 1965). The court afforded great weight to the historical context, writing, “The House plan adopted by the all-white Alabama Legislature was not conceived in a vacuum. If this court ignores the long history of racial discrimination in Alabama, it will prove that justice is both blind and deaf” (*Sims v. Baggett*, Id.).

Lyndon Johnson signed the Civil Rights Act into law that same year, accelerating white flight to the Republican Party at a time when Alabama's public schools were being desegregated by way of litigation for just the second school year. Also that year, the U.S. Supreme Court decided *Wesberry v. Sanders*, wherein it held Georgia's 5<sup>th</sup> Congressional District to be malapportioned, applying the principles in *Baker* and *Reynolds* to

---

<sup>23</sup> *Baker v. Carr*, 369 U.S. 186 (1962); *Sims v. Frink*, 205 F.Supp. 245 (MD, 1962); *Reynolds v. Sims*, 377 U.S. 533 (1964); Anna Brown, “The changing categories the U.S. census has used to measure race,” Pew Research Center, Feb. 25, 2021, <https://www.pewresearch.org/fact-tank/2020/02/25/the-changing-categories-the-u-s-has-used-to-measure-race/>.

<sup>24</sup> *Montgomery Advertiser*, Jan. 10, 1962; *Huntsville Times*, June 8, 1962; *Birmingham News*, May 27, 1962; *Anniston Star*, Feb. 4, 1962.

<sup>25</sup> *Birmingham News*, Nov. 4, 1962, Aug. 3, 1963; *Montgomery Advertiser*, Dec. 27, 1962.



congressional redistricting. Alabama finally passed a congressional redistricting plan in a special session that year. Some had pushed for maintaining the at-large election of the delegation, but with numbered posts; this was the impetus for the Mizell plea in the Executive Committee meeting – warning that voters could “put a scallowag [Republican] or Negro in there” – that became central to the *Dillard* litigation years later. White flight to the Republican Party had accelerated in response to the Johnson administration’s actions, and Republicans took 5 of the 8 seats under the newly enacted district plan.<sup>26</sup>

The following year, 1965, in the aftermath of “Bloody Sunday” in Selma, the Voting Rights Act (“VRA”) became law. At that time, 19 percent of Alabama’s Black voting-age population was registered to vote, compared to 69 percent of the white voting-age population. That seemed destined to change with the VRA’s prohibition on literacy tests, poll taxes, and other devices that would deny or abridge minority groups’ access to the franchise. The CRD immediately sought a judgement striking down Alabama’s poll tax, which Circuit Judge Richard Rives described as “one of the last great pillars of racial discrimination” (*United States v. State of Alabama*, 252 F. Supp. 95, 96, MD, 1966).

Section 5 of the VRA covered Alabama, meaning that, in order to make any changes to election law, including redistricting, the state needed to seek “preclearance” from the Attorney General (effectively the CRD and Assistant Attorney General for Civil Rights). The Attorney General soon registered objections when Alabama localities tried to require voters to sign poll lists in order to access voting machines. And the CRD sought to block, by way of litigation, Alabama officials’ efforts to “freeze” in office those “who were elected when Negroes were being illegally deprived of the right to vote,” while also “freez[ing] Negroes out of the electorate” (*Sellers v. Trussell*, 253 F. Supp. 915, MD, 1966). Within a year of the VRA’s passage, 107,000 Black voters registered in the state, pushing Black voter registration to nearly 60 percent by the end of the decade, even as white registration increased apace, reaching nearly 90 percent by the same time.

Black leaders sought to capitalize and to organize. In 1968, Huntsville dentist John Cashin formed the National Democratic Party of Alabama (NDPA) which, that fall, ran several candidates in races across the Black Belt. But the names of the NDPA candidates were left off of the ballot or they were disqualified, either by way of new statutes designed for that purpose or by way of discriminatory use of existing statutes, both of which actions were subsequently enjoined by federal courts. NDPA candidates then won local elections in four Black Belt counties, and Fred Gray and Thomas Reed of Tuskegee, running as Democrats, became the first Black members of the state legislature since Reconstruction. Across the state, 23 Black candidates were elected to local bodies.<sup>27</sup>

With data from the 1970 census, the state legislature assumed its responsibility under the *Sims* decision to equitably reapportion and redistrict the state House and Senate. The court found the plans the state submitted to be “unacceptable since, in conjunction with their discriminatory effect, they fall considerably short of guaranteeing to each citizen of Alabama that his vote ‘is approximately equal in weight to that of any other citizen in the State’” (*Sims v. Amos*, 336 F. Supp. 924, 936, MD, 1972).<sup>28</sup> The court ordered the implementation of the plaintiffs’ plan,

---

<sup>26</sup> *Reynolds v. Sims*, 377 U.S. 533; *Wesberry v. Sanders*, 376 U.S. 1.

<sup>27</sup> *Hadnott v. Amos*, 394 U.S. 358 (1969); Jerris Leonard, Assistant Attorney General, Civil Rights Division, to MacDonald Gallion, Attorney General of Alabama, Aug. 1, 1969, CRD Voting Determination Letters; *New York Times*, Feb. 8, May 16, June 3, 1970; *Alabama Journal*, Nov. 27, 1970; Matthew Edmonds, “The National Democratic Party of Alabama,” *Encyclopedia of Alabama*, May 1, 2008, Sept. 20, 2018, <http://www.encyclopediaofalabama.org/article/h-1518>; The NDPA continued to weather attempts by the legislature to bar it from full participation in politics; see e.g. Wm. Bradford Reynolds to Honorable Charles Graddick, May 6, 1976, CRD Voting Determination Letters (attempt to change date, time of primaries to stifle use of conventions to nominate).

<sup>28</sup> The CRD that year blocked two state laws that would have limited assistance to illiterate voters in municipal elections and another that would have increased the number of signatures necessary for candidates to qualify to run as

but it first gave the legislature another chance to produce a viable plan of its own. It submitted one in the spring of 1973, but the court rejected that plan as well. The court noted that a legislative floor leader for Governor George Wallace had instructed the reapportionment committee to take advantage of maximum-allowable deviations from one-person, one-vote. When the court ordered the implementation of plaintiffs' plan, Wallace himself called it "a most onerous and burdensome albatross around the necks of the people of Alabama." The following fall, Black voters were able to elect 13 preferred candidates to the state legislature.<sup>29</sup>

While 1973 marked the culmination of the *Sims* litigation, it marked only the beginning of redistricting battles. After the 1980 census, the legislature submitted its state House and Senate plan for preclearance, and the CRD concluded that if precleared and implemented, the plan would lead to "a retrogression in the position of black voters" through "unnecessary reconfiguration" in Jefferson County and in the Black Belt.<sup>30</sup> Black leaders in the state, meanwhile, filed suit seeking a preliminary injunction in advance of the September primaries. The court allowed the legislature to attempt to pass a constitutional plan via special session, but the CRD found the plan it produced to be objectionable due to the unnecessary cracking of Black communities in Jefferson County. The court in *Burton v. Hobbie* ordered the implementation of modifications for Jefferson County submitted by plaintiffs on an interim basis for that fall.<sup>31</sup>

The Attorney General's Section 5 objection rendered the plan as set out by the legislature legally unenforceable, so the court had not ruled on the merits of the plaintiffs' original claims. It had given the legislature yet one more chance to enact a plan that could pass muster, under the specter of Senate hearings on amending Section 2 of the Voting Rights Act to include the discriminatory results standard in response to the Supreme Court's decision in *City of Mobile v. Bolden*.

In 1983 Act No. 83-154 passed the Alabama legislature and was precleared. The court ordered its use in special elections that fall, refusing, in its words, "to approve a settlement which would result in the continuation in office for four years of legislators who were not elected under a valid reapportionment plan" (*Burton v. Hobbie*, 561 F.Supp. 1029, 1036, MD). Judge Johnson quoted Judge Rives, who had written previously in *Dent v. Duncan*, "I look forward to the day when the State and its political subdivisions will again take up their mantle of responsibility, treating all of their citizens equally, and thereby relieve the federal government of the necessity of intervening in their affairs." Johnson observed in *Burton*, "Despite the repeated efforts of this Court, the Alabama Legislature has failed to enact a valid reapportionment plan for over eighty years. The day has finally arrived" (Id.).<sup>32</sup>

---

independents, in a plain effort to limit the ability of groups like NDPA to get candidates on the ballot. See Acts Nos 2229 and 2230, Alabama Legislative Acts, 1971, Organizational, Special, and Regular Sessions, Volume 5, pp. 3586-87, ADAH Digital Collections, <http://digital.archives.alabama.gov/cdm/compoundobject/collection/legislature/id/145593/rec/1>; David Norman, Assistant Attorney General, Civil Rights Division, to Leslie Hall, Assistant Attorney General, Alabama, April 4, 1972, and David Norman, Assistant Attorney General, Civil Rights Division, to William J. Baxley, Attorney General, Alabama, Aug. 14, 1972, CRD Voting Determination Letters.

<sup>29</sup> *Sims v. Amos*, 336 F.Supp. 924, 930-41 (MD, 1972); Act No. 3, Alabama Legislative Acts, 1973, Special and Regular Sessions, Volume 1, p. 6, ADAH Digital Collections, <http://digital.archives.alabama.gov/cdm/compoundobject/collection/legislature/id/147440/rec/6>; *Montgomery Advertiser*, Aug. 4, 1973; *Selma Times-Journal*, Aug. 6, 1973; *Alabama Journal*, Aug. 4, 1973; *Birmingham News*, May 2, 5, 8, 1974, Nov. 6, 7, 1974; *New York Times*, Dec. 4, 1974.

<sup>30</sup> William Bradford Reynolds, Asst. Attorney General, to Charlie Graddick, Attorney General of Alabama, May 6, 1982, CRD Section 5 Rejection Letters, <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/AL-1520.pdf>.

<sup>31</sup> *Burton v. Hobbie*, 543 F.Supp. 235, 236-39 (MD, 1982); *Montgomery Advertiser*, June 9, 13, 1982; *Anniston Star*, June 10, 1976; Blacksher, et.al., "Voting Rights in Alabama," pp. 271-273.

In the November election, Black citizens gained two seats each in the state House and Senate, bringing their numbers to 19/105 in the House and 5/35 in the Senate. The Court soon thereafter handed down *Gingles I*, adopting the Senate Factors I use for guidance in this report. By that time, the CRD had sent federal observers to Alabama 107 times and had registered 59 objections to proposed changes in state or local election law.<sup>33</sup>

That same year, 1986, Judge Thompson issued the court's ruling in *Dillard* (649 F Supp. 289, MD). The principle target of the lawsuit was the numbered place law, which in conjunction with at-large elections, staggered terms, and majority vote requirements, served to deny Black citizens across the state an equitable chance to elect candidates of their choice. Judge Thompson cited, among other evidence, the comments of Frank Mizell, who insisted that numbered place laws were needed to "protect the white people of Alabama," as proof of discriminatory intent. The Court recognized that at-large systems themselves were relics of the redemption period and that, in the 1950s and 1960s, these new elements like numbered post requirements were added to strengthen those systems and to deny victories to Black candidates. Inspired by a statewide structural injunction that had been issued in the *Lee v. Macon* school desegregation litigation (discussed *infra*), plaintiffs in *Dillard* sought similar relief. *Dillard* would eventually compel 183 local governments (17 county commissions, 28 county school boards, and 144 cities) to discard at-large systems for single-member district plans, though some at-large electoral schemes have only recently been discarded by federal courts (see *Jones v. Jefferson County*, No. 2:19-cv-01821-MHH, ND, 2019, and *Alabama State Conf. of the NAACP v. City of Pleasant Grove*, No. 2:18-cv-02056, ND, 2019).<sup>34</sup>

Throughout the 1980s and into the 1990s, the CRD continued to register Section 5 objections to numerous proposed changes in state and local election law in Alabama. The types of changes that failed to receive preclearance included a court-packing scheme, changes in candidate qualification and nomination procedures, changes in voter registration procedures, voter roll purges, changes in voter identification requirements, the addition of at-large seats on top of district schemes, racially motivated municipal severances, and racially selective annexations intended to protect white majorities. The City of Pleasant Grove (which was created for the purpose of white exclusivity and which attempted unsuccessfully to secede from the Jefferson County school system for the same purpose) challenged CRD objections to its racially discriminatory annexations and sought a declaratory judgment in the D.C. Circuit Court. The claim was denied, with the Supreme Court upholding in 1987. The following year, a trial court found that a state law, which required any voter seeking assistance "swear an oath to the inspectors that he or she is unable to write the English language" and which limited voters to 5 minutes in the voting booth, "continue[d] . . . to have substantial adverse effects on the black citizens of this state" (*Harris v. Siegelman*, 695 F. Supp. 517, 528, MD).<sup>35</sup>

#### d. Redistricting since the 1990s Cycle

After the 1990 Census was published, Black plaintiffs brought suit challenging Alabama's legislative redistricting plan. The state ultimately negotiated a consent decree in circuit court after a federal trial court certified

---

<sup>32</sup> *Burton v. Hobbie*, 543 F.Supp. 235, 238-40 (MD, 1982), and 561 F. Supp. 1029, 1032-35 (MD, 1983); *Montgomery Advertiser*, Feb. 2, 1983; *Anniston Star*, Nov. 9, 1983; Blacksher, et.al., "Voting Rights in Alabama," pp. 271-73.

<sup>33</sup> James Blacksher, et al., "Voting Rights in Alabama, p. 253; Peyton McCrary, "History in the Courts," pp. 47-65; McCrary et al., "Minority Representation in Alabama," p. 414.

<sup>34</sup> *Anniston Star*, Aug. 27, 1986; *Selma Times-Journal*, June 25, 1989; Consent Order, *Taylor v. Jefferson County Commission*, No. 84-C-1730 (ND AL, Aug. 17, 1985); "White minority wins right to challenge at-large voting," *Chicago Tribune*, June 18, 1988; Blacksher, et.al., "Voting Rights in Alabama, 1982-2006," pp. 259-260.

<sup>35</sup> *City of Pleasant Grove v. United States*, 623 F. Supp. 782, DDC 1985, affirmed 479 U.S. 462, 1987; Blacksher, et.al., "Voting Rights in Alabama, 1982-2006," pp. 255-58, 268-69; CRD Voting Determination Letters; *Montgomery Advertiser*, April 12, 1984.



a question to the state Supreme Court regarding venue.<sup>36</sup> At the same time, the state legislature, then still controlled by white Democrats, submitted its congressional redistricting plan to the CRD, and the Attorney General objected. The CRD had determined that the legislators were cracking Black population centers due to “a predisposition on the part of state political leadership to limit black voting potential to a single district,” while hiding behind the idea that the state was prioritizing a lack of retrogression by creating the one majority-Black district and packing it with Black voters. Assistant Attorney General John R. Dunne wrote, “The proposed plan provides for one such district based on black population concentrations in Jefferson County, Montgomery County and intervening areas. The remainder of the state’s concentrated black population, however, is fragmented under the submitted plan among a number of districts none of which has a black population of as much as 30 percent.”<sup>37</sup>

A white realtor in Mobile brought suit against the plan under a one-person/one-vote claim, and Black voters joined the suit as plaintiff-intervenors with a Section 2 claim, citing specifically the lack of a second majority-Black congressional district. The court in *Wesch v. Hunt* was compelled to order the implementation of a plan, choosing from several that had been considered by the newly created Permanent Committee on Reapportionment and Redistricting and submitted to the court, while adding the court’s own modifications. A modified version of the “Pierce Plan” was adopted for Congressional elections that year, and the 7<sup>th</sup> District was created with a 65 percent Black majority of registered voters. The court in *Wesch* did not consider any analysis of racially polarized voting in the district, nor did it consider the “preconditions” established in *Gingles* or the totality of the circumstances.<sup>38</sup>

The Pierce Plan was originally the Larry Dixon Plan. Dixon was a white legislator who would later be recorded on tape making blatantly racist remarks directed against Black voters.<sup>39</sup> White lawmakers had acceded to the necessity that one Congressional district would have to be majority-minority, and all parties to the litigation had stipulated to as much. Birmingham’s Earl Hilliard became the first Black representative from Alabama to sit in the U.S. Congress since Reconstruction when he was elected to represent the 7<sup>th</sup> District. That seat has subsequently been held by Artur Davis and Terri Sewell. These three represent the only Black Alabamians to serve in Congress since Reconstruction.

After the 2000 Census, the first in which Americans could choose more than one race to identify themselves, the legislature, then still under white Democratic control, failed in regular and special sessions to pass a viable Congressional redistricting plan.<sup>40</sup> Three separate actions challenging the failure were filed and consolidated, and

---

<sup>36</sup> *Brooks v. Hobbie*, 631 So.2d 883 (Ala., 1993); *Peters v. Folsom*, CA 93-T-124-N (MD) and *Brooks v. Camp*, CA 93-T-364-N (MD), consolidated, dismissed.

<sup>37</sup> John R. Dunne, Assistant Attorney General, to Jimmy Evans, Attorney General, March 27, 1992, CRD Voting Determination Letters.

<sup>38</sup> *Wesch v. Hunt*, 785 F. Supp. 1491, 1495-99 (SD, 1992), affirmed sub nom. *Camp v. Wesch*, 504 U.S. 902 (1992); Blacksher, et.al., “Voting Rights in Alabama, 1982-2006,” pp. 273-75.

<sup>39</sup> A federal investigation in 2010 revealed an effort to keep a gambling referendum off of the 2010 ballot in order to limit Black voter turnout. Dixon was recorded saying, “Just keep in mind if [the gambling] bill passes and we have a referendum in November, every black in this state will be bused to the polls. And that ain’t gonna help.” Dixon added, “Every black, every illiterate” will be “based on HUD financed buses” with free food provided. Dixon was also a chief sponsor of the state’s voter photo ID law, which he argued would undermine the “black power structure” since the absence of such a law “benefits black elected leaders.” *Anniston Star*, April 2, 2010; *Montgomery Advertiser*, June 19, Nov. 16, 2011.

<sup>40</sup> The 2020 Census, for the first time, allows respondents to clarify their heritage by not just choosing white or black, but by adding information about their origin. This is important as the state of Alabama, and white society in general, have by law and custom long considered anyone with African heritage to be “Negro” or Black. See, e.g., Ala.Const. Art. IV, § 102 (“The legislature shall never pass any law to authorize or legalize any marriage between any white person and a negro, or descendant of a negro.”) repealed by Amend. 667. Historically, and today, people with African ancestry self-identify and are categorized by society as “Black,” not white, despite the reality that, since slavery, most Black Americans are mixed race.

the state was forced to acknowledge that it was malapportioned. A three-judge court invited the submission of plans from all parties, heard expert witness testimony, and even appointed two experts of its own, when the parties could not agree on any, to assist the court in what it admitted was extremely complex litigation. While that trial was ongoing, the legislature passed a plan for Congressional redistricting and submitted it for preclearance. The court hearing the consolidated cases deferred to the Justice Department and the state and, rather than enter an injunction or rule on the merits of the state's plan, awaited a preclearance ruling, which came in March of 2002. The legislature passed redistricting plans for state house and senate districts and state board of education districts that were precleared along with the Congressional plan. Despite calls from Black legislators to create a second majority-Black congressional district, the plan adopted by the legislature maintained only one such district.<sup>41</sup>

The Republican Party had begun siphoning local white Democrats and isolating Black elected officials and voters in the Democratic Party in the 1990s. White flight from the Democrats in presidential elections dated back at least to the Dixiecrats of 1948 if not the New Deal, but white voters remained loyal to the Democratic Party, in large part because George Wallace remained a dominant political force into the 1980s and never switched parties. Wallace retired in 1987, however, and was succeeded by Republican Guy Hunt. George Bush carried the state against Bill Clinton in 1992. In 1996, the GOP swept statewide elections. U.S. Senator Richard Shelby switched parties in 1998. Between the redistricting battles of the early 2000s and the end of the decade, Republican leaders began pressuring the remaining white Democrats, the so-called "Blue Dogs," to switch parties. The culmination of these efforts was the 2010 Republican takeover of the Alabama legislature after 136 years of Democratic Party rule.<sup>42</sup>

Republicans gained supermajorities in the state House and Senate, leading Senate President Pro-Tem Del Marsh to observe, "We are in the majority and in a position, if we have to, to run over people." It was those supermajorities that would oversee redistricting in the spring of 2011. White lawmakers had no need or incentive to bargain with Black Democrats. And if they could win at the ballot box, they would inherit, wholesale, the limited Congressional representation plan that provided for only one majority-minority district. After the 2010 elections, most white politicians in Alabama were Republican, and very nearly every Black politician a Democrat.<sup>43</sup>

Redistricting following the 2010 census was highly acrimonious. White Republican legislators made up a supermajority of the 22-member Permanent Joint Legislative Committee on Redistricting: 16 members were Republicans, and 6 members were Democrats. Black legislators insisted that this was not fair representation and proposed instead a nonpartisan appointed commission, but this proposal was rejected.<sup>44</sup> The committee was co-chaired by Senator Gerald Dial and then-Representative Jim McClendon, both white Republicans. The committee chairs held public hearings, ostensibly allowing for citizens' input, while the actual work of drafting a plan was farmed out, behind-the-scenes, and with minimal input from anyone, to attorney Dorman Walker, Georgia political consultant Randy Hinaman, and the late Thomas Hofeller, another consultant who has been called a "gerrymander

---

<sup>41</sup> Douglas v. Alabama, No. 01-D-922-N (MD), order dismissing consolidated Congressional cases as moot, Apr. 29, 2002; *Montgomery Advertiser*, Jan. 29, 30, March 5, 2002.

<sup>42</sup> Wayne Flynt, *Alabama in the Twentieth Century* (Tuscaloosa: University of Alabama Press, 2004), pp. 102-4; Merle Black and Earl Black, *The Rise of Southern Republicans* (New York: Belknap Press of Harvard, 2002), pp. 314-15; *Montgomery Advertiser*, March 14, Nov. 6, 2008, Aug. 23, Oct. 8, Nov. 14, 2010; *Anniston Star*, Aug. 1, 2008; *Alabama Journal*, Nov. 5, 1962.

<sup>43</sup> *Montgomery Advertiser*, Nov. 3, 2010, May 1, 2011; al.com and Mobile Press-Register Staff, "Republicans claim majority in Alabama House and Senate for 1st time in 136 years," Al.com Nov. 3, 2010, <https://www.al.com/live/2010/11/republicans-historic-alabama-majority.html>; Camille Corbett, "Hubbard reflects on GOP takeover," *The Crimson White*, Oct. 23, 2012, <https://cw.ua.edu/13191/news/hubbard-reflects-on-gop-takeover/>.

<sup>44</sup> Tim Reeves, "Congressional Redistricting: Piece by Piece," *Selma Times-Journal*, May 10, 2011.

whiz” and who worked on several redistricting plans that have been cited in state and federal courts as being racially gerrymandered.<sup>45</sup>

State Senator McClendon and Hofeller corresponded, in Sen. McClendon’s case via private email account, on redistricting matters. These included a draft, which Hofeller edited, of the reapportionment committee’s guidelines and the relevant racial data needed to draw the maps to the maximum benefit of white Republicans. Sen. McClendon later critiqued longtime state Senator Jimmy Holley, saying in an email that Holley was “bound and determined” to hold public hearings. Sen. McClendon also arranged a meeting between Hofeller, himself, and then Attorney General Luther Strange to discuss districts for the state board of education. Walker also communicated with Hofeller, commending his work in making changes to the committee guidelines document, under the email subject line “Confidential and Privileged Alabama Guidelines”; Walker added his own changes and emailed those back to Hofeller, Hofeller’s associate John Odlham, and John Ryder, who was at that time serving as general counsel for the Republican National Committee. None of the members of the reapportionment committee were included in any of this correspondence. When asked to comment on his correspondence with Hofeller, Sen. McClendon said, “Knowing that everything is going to show up in court, then you have to be very thoughtful about what you say. For that reason. I don’t say much.”<sup>46</sup>

Sen. McClendon denied any recollection of the correspondence with Hofeller, though no one has denied that most of the work done in actually drafting the plans and making adjustments was handled by Walker and Hinaman. McClendon has explained, “The strategy was very simple, and it was understood by everybody. It was pretty commonplace. We did this for congressional districts and we did this for House districts. We drew minority districts first. That’s how you guarantee they get to keep what they’ve got.” This seems to underscore that the primary concern of avoiding retrogression in terms of majority-minority districts, allowing “they” – Black voters – to “keep what they’ve got.” Sen. McClendon in 2019 stated that Black people accounted for about 25 percent of the state’s population, and “25 percent of our legislators are blacks. Are you getting the picture here? Yeah. So. Okay. What do you want?”<sup>47</sup>

The map initially approved by the committee was introduced into the house by McClendon but was rejected. Meanwhile, the committee plan was introduced into the senate, only to meet concerted opposition there as well. Legislators from Montgomery County, including some of the very few remaining white Democrats, opposed splitting the county among three districts. Black Democrats argued that the plan packed Black voters into the 7<sup>th</sup> District, especially by moving the almost exclusively Black portion of western Montgomery County into the 7<sup>th</sup> District and then cracking Black voters in heavily-white remaining districts. Sen. Bobby Singleton observed flatly,

---

<sup>45</sup> Michael Wines, “Republican Gerrymander Whiz Had Wider Influence Than Was Known,” *New York Times*, Sept. 10, 2019, <https://www.nytimes.com/2019/09/10/us/republican-gerrymander-thomas-hofeller.html>; Wines and Richard Fausset, “North Carolina’s Legislative Maps Are Thrown Out by State Court Panel,” *New York Times*, Sept. 3, 2019, <https://www.nytimes.com/2019/09/03/us/north-carolina-gerrymander-unconstitutional.html>; David Daley, “The Secrets of the Master of Modern Republican Gerrymandering,” *The New Yorker*, Sept. 6, 2019, <https://www.newyorker.com/news/news-desk/the-secret-files-of-the-master-of-modern-republican-gerrymandering>.

<sup>46</sup> Brian Lyman, “Report: GOP redistricting expert was in touch with Alabama legislator, attorney,” *Montgomery Advertiser*, Sept. 24, 2019, <https://www.montgomeryadvertiser.com/story/news/2019/09/24/documents-gop-redistricting-expert-touch-alabama-legislator-attorney/2430518001/>; David Daley, “GOP Racial Gerrymandering Mastermind Participated in Redistricting in More States Than Previously Known, Files Reveal,” *The Intercept*, Sept. 23, 2019, <https://theintercept.com/2019/09/23/gerrymandering-gop-west-virginia-florida-alabama/>.

<sup>47</sup> Eddie Burkhalter, “Gerrymandering expert worked with Alabama Republicans on 2011 redistricting lines, documents show,” *Alabama Political Reporter*, Sept. 24, 2019, <https://www.alreporter.com/2019/09/24/gerrymandering-expert-worked-with-alabama-republicans-on-2011-redistricting-lines-documents-show/>.

“I think it’s political packing.” The perennial population loss of the western Black Belt allowed the map-makers to excuse the packing by citing the necessity of upholding the one-person/one-vote principle.<sup>48</sup>

After debate in the Senate was cut off via a cloture vote, Sen. Scott Beason, a white Republican and another lawmaker recorded on tape making racist remarks, introduced an augmented version of the committee plan, with adjustments he had made to his own district.<sup>49</sup> When Democrats protested this irregularity – introducing a bill after debate had been terminated – then-Lieutenant Governor Kay Ivey allowed for three minutes of debate. After those three minutes, a vote was held, and the bill passed out of the senate. Black Democrats continued to protest but were cut off by Ivey. Senator Roger Bedford, a Black Democrat, called it a “back-room deal.” Sen. Quinton Ross, also a Black Democrat, said, “Nothing about their plan was transparent.”<sup>50</sup>

The House then approved a plan introduced by Representative Micky Hammon, a white Republican, that essentially restored the committee plan, leaving out the Beason adjustments. Black members of the House, including James Busky, made the same protestations as their colleagues in the senate – the plan packed Black voters into the 7<sup>th</sup> and cracked them everywhere else. Busky argued, “That’s stacking blacks in a congressional district [and] there’s no need to do it.” Busky introduced a plan that would have placed some Black voters from the 7<sup>th</sup> into the 2<sup>nd</sup> District, but it failed along party lines. The bill that was finally approved, out of a six-member conference committee, essentially adopted the Hammon Plan, and therefore produced a map preserving the basic characteristics of the Larry Dixon Plan, as modified by Walker and Hinaman. It was signed by Governor Robert Bentley on June 8, 2011.<sup>51</sup>

The legislative Black Caucus and the state Democratic Conference challenged the state’s plan as discriminatory, and a federal court took up the issue. Alabama Attorney General Luther Strange, after consulting with Sen. McClendon, asked a three-judge federal court in Washington D.C. to approve the plan, bypassing Section 5 administrative review under the Obama Administration Justice Department and likely with awareness that other relevant litigation was pending. A suit had been brought by officials in Shelby County, Alabama, seeking the end of Section 5 preclearance. The leader of the Alabama Democratic Conference, Joe Reed, argued that the state, in going to the court, was trying to fast-track preclearance in order make it harder for people to register opposition, particularly to the fact that a map could have been drawn that included either two majority-Black districts or at least 1 majority-Black district and one “opportunity” district. Two months later, and one day before the trial court upheld Section 5 in *Shelby County v. Holder*, the Attorney General precleared the state’s congressional plan. This severed that issue from the *Alabama Legislative Black Caucus* case, which moved forward in a contentious battle over the state’s legislative districts, the maps for which were drawn by Hinaman. Twelve of those districts were determined by the court to be unconstitutionally gerrymandered. The trial court ultimately approved the state’s plans in 2017.<sup>52</sup>

---

<sup>48</sup> *Montgomery Advertiser*, May 27, June 1, 3, 2011.

<sup>49</sup> During a pay-for-play investigation conducted by the FBI, Beason wore a wire and captured himself referring to Black Belt Black citizens as “aborigines.” Kim Chandler, “Sen. Scott Beason apologizes for comments revealed during bingo trial (video),” *al.com*, Sept. 27, 2011, [https://www.al.com/spotnews/2011/09/sen\\_scott\\_beason\\_apologizes\\_for.html](https://www.al.com/spotnews/2011/09/sen_scott_beason_apologizes_for.html).

<sup>50</sup> *Selma Times-Journal*, May 31, 2011.

<sup>51</sup> *Montgomery Advertiser*, June 1, 2, 3, 9, 2011.

<sup>52</sup> *State of Alabama v. Holder*, No. 1:11-cv-01628, Complaint filed (DC CCA), September 9, 2011; *Anniston Star*, Sept. 20, Dec. 21, 2011; *CNN*, “Justice Department approves congressional redistricting for Alabama,” Nov. 21, 2011, <https://www.cnn.com/2011/11/21/us/alabama-redistricting/index.html>; *Alabama Legislative Black Caucus v. Alabama*, 989 F.Supp.2d 1227 (MD, 2013), vac. 135 S. Ct. 1257 (2015); *Alabama Legislative Black Caucus v. Alabama*, 231 F.Supp.3d 1026 (MD, 2017).

### III. FACTOR 5: EFFECTS OF PAST DISCRIMINATION

Education, income, health, and legal vulnerability adversely affect political participation. Black Alabamians still suffer under the socioeconomic weight of that past and from continuing racism, even at the highest levels of government.<sup>53</sup> As the court acknowledged in *Alabama State Conference of the NAACP v. Alabama* in 2020, “Though things have changed, the effects of . . . discrimination persist to some degree” (CA 2:16-cv-00731-WKW-SMD, Feb. 5, 2020, MD, pp. 153-54). Black citizens in Alabama lag behind their white counterparts in nearly every statistical socioeconomic category, due largely to a history of discrimination, only elements of which are sketched above. When Congress amended Section II of the VRA, amid the apportionment fight that immediately preceded the adoption of the Dixon Plan, the 11<sup>th</sup> Circuit recognized the impact that a century of discrimination had on Black Alabamians. In doing so, the court quoted the Senate Report from which the *Gingles* Senate Factors were derived:

The courts have recognized that disproportionate educational, employment, income level, and living conditions arising from past discrimination tend to depress minority political participation . . . Where these conditions are shown, and where the level of black participation is depressed, plaintiffs need not prove any further causal nexus between their disparate socio-economic status and the depressed level of political participation.<sup>54</sup>

Today, white Alabamians with more education and therefore higher income can afford a car, internet service, a personal computer, or a smart phone; they can take time off from work; they can afford to contribute to political campaigns; they can afford to run for office; they have access to better healthcare. Education has repeatedly been found to correlate with income independently affects citizens’ ability to engage politically. Black people in Alabama are demonstrably poorer, less educated, less healthy, and far more likely to be incarcerated than white people as a consequence of past and continuing racism and discrimination. According to the most recent available data from the U.S. Census Bureau’s American Community Survey, Black Alabamians are less likely to have completed high school, more likely to live below the poverty line, more likely to be unemployed, more likely to work in a service industry job, more likely to rent rather than own their home, more likely to lack access to a vehicle, and more likely to have a significantly lower median household income than white households. These realities are inseparable from, and in significant part result from, the state’s history of official discrimination.<sup>55</sup>

#### a. Health, Employment, Criminal Justice

As the court observed in *People First v. Merrill* in 2020, “people who are Black, Latinx, or Native American are more likely to hold jobs that do not provide paid leave, cannot be performed remotely, and require more exposure to the public and, therefore, to COVID-19.” The parties to that action stipulated to the fact that “the discrimination and systemic racism that contribute to elevated COVID-19 risk for Black people and other minorities nationally are evident in Alabama,” wherein COVID-19 has also had a disproportionate impact on Black people in Alabama in terms of rate of infection and rate of death due to, in the words of the court, “pre-existing and evolving inequities

---

<sup>53</sup> In 2011, the court in *United States v. McGregor* acknowledged that “racist sentiments . . . remain regrettably entrenched in the high echelons of [Alabama] state government” (824 F. Supp. 2d 1339, 1344-1348, MD).

<sup>54</sup> Senate Report, quoted in *U.S. v. Marengo Co. Comm.*, 731 F.2d 1546, 1568-70 (1984).

<sup>55</sup> U.S. Bureau of Census, American Community Survey Data Profiles, Alabama, 2018, <https://www.census.gov/acs/www/data/data-tables-and-tools/data-profiles/2018/>.



in structural systems and social conditions.<sup>56</sup> The court in *People First* also acknowledged that “due to patterns resulting from a history of housing discrimination, Black and Latinx individuals are more likely to live in areas impacted by environmental pollutants, or in densely populated areas.”<sup>57</sup> This includes areas in Alabama that have been designated as “Superfund” cleanup sites by the U.S. Environmental Protection Agency (“EPA”), which I discuss in more detail below.<sup>58</sup>

The COVID-19 pandemic has also had a disparate impact on Black school children. When school systems were forced to go online, Black children in the Black Belt in Alabama and in the state’s urban areas were more likely to lack internet access or a computer, tablet, or smart phone, rendering them incapable of continuing in school. As a principal at a school in Perry County explained, “Our district cannot afford to get devices for our students. And then the biggest thing is connectivity. No broadband.”<sup>59</sup> Many school systems across the state saw serious enrollment declines from 2019-2020 to school year 2020-2021. Most either stabilized or saw increases in enrollment from 2020-2021 to fall 2021-2022. All but one school system in the state that saw a 5 percent or greater continued loss of enrollment in that span are in the Black Belt; the other is Chickasaw City, which is an overwhelmingly Black system in greater Mobile.<sup>60</sup>

Black people in the state also continue to face workforce discrimination, including on the part of the state. Of the 1,539 claims of discrimination brought before the Equal Employment Opportunity Commission in 2020 from Alabama, 45 percent were racially based claims, the highest percentage of any state in America. Alabama’s racially based claims accounted for 3.1 percent of national racial claims, although Alabama’s population accounts, as of the last Census, for only 1.5 percent of the national population.<sup>61</sup> Litigation in the last 50 years (and within the last ten

---

<sup>56</sup> Findings of Fact and Conclusions of Law, C.A. 2:20-cv-00619-AKK (MD), pp. 15-16, ¶ 13-14. The *New York Times* published the results of a study, backed by input from healthcare experts, that found socioeconomic factors with historical roots – such as access to healthy food options, access to decent healthcare, inability to work from home, etc. – were causal factors in COVID-19’s more deadly effects on Black persons. Infectious disease experts at the Centers for Disease Control (“CDC”) also determined that “Long-standing systemic health and social inequities have put some members of racial and ethnic minority groups at increased risk of getting COVID-19 or experiencing severe illness, regardless of age.” According to the CDC, at the height of the summer surge in COVID last year, “age-adjusted hospitalization rates [were] highest among non-Hispanic American Indian or Alaska Native and non-Hispanic black persons, followed by Hispanic or Latino persons.” CDC figures indicated that the age-adjusted hospitalization rate for Black people was at that time “approximately 5 times that of non-Hispanic white persons.” Richard A. Oppel Jr. et al, “The Fullest Look Yet at the Racial Inequity of Coronavirus,” *New York Times*, July 5, 2020, <https://www.nytimes.com/interactive/2020/07/05/us/coronavirus-latino-african-americans-cdc-data.html?action=click&module=Top%20Stories&pgtype=Homepage>; No Author, “COVID-19 in Racial and Ethnic Minority Groups,” Centers for Disease Control, June 25, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/racial-ethnic-minorities.html>.

<sup>57</sup> *Id.*

<sup>58</sup> The North Birmingham neighborhood has been determined to be so polluted by industrial waste that the EPA can use specially designated funds to remove and replace toxic soil.

<sup>59</sup> Nellie Peyton, “‘Who is standing up for us?’ - Black, rural students left behind as U.S. schools go online,” *Reuters*, Aug. 28, 2020, <https://www.reuters.com/article/us-health-coronavirus-usa-education-feat/who-is-standing-up-for-us-black-rural-students-left-behind-as-u-s-schools-go-online-idUSKBN25O1XR>.

<sup>60</sup> Trisha Powell Crane, “Alabama public schools shrunk by 6,000 students during pandemic,” *Al.com*, Nov. 16, 2021, <https://www.al.com/news/2021/11/alabama-public-schools-shrunk-by-6000-students-during-pandemic.html>.

<sup>61</sup> U.S. Equal Employment Opportunity Commission, 2020 EEOC Charge Receipts for AL, <https://www.eeoc.gov/statistics/enforcement/charges-by-state/AL>; United States Census Bureau, Quick Facts, <https://www.census.gov/quickfacts/fact/table/US/PST045219>.

years) has revealed numerous instances of racial discrimination in employment on the part of state entities – including the state Personnel Department and Personnel Board, the Department of Public Safety, the Alabama Cooperative Extension Service, the state Board of Education, and the state Department of Transportation – and also on the part of private employers.<sup>62</sup>

Recent research also demonstrates that the wage gap between white and Black workers, long thought to have been closing in the last 50 years, has actually increased. Studies have considered those who have given up on finding work and the incarcerated, both disproportionately Black groups, among the wage-earning citizenry. According to various scholars, this more accurately measures the wage gap as a socioeconomic indicator. The studies indicate that, when including these groups, the wage gap between Black and white men has grown steadily since the 1980s, a time when white backlash against civil rights and other issues coalesced in the Reagan revolution.<sup>63</sup>

Leaders in the city of Birmingham, most of them Black, attempted in 2016 to establish a minimum wage in the city higher than that of the federal minimum wage (Alabama has no minimum wage) to the rate of \$10.10/hour. The white-controlled state legislature responded by passing a bill preventing local governments from establishing minimum wages, thus invalidating the city's effort. State Sen. Linda Coleman-Madison, a Black Democrat, said at the time, "Alabama is a poor state. But I say we are poor by choice, because of bills like this that keep people poor." Black wage earners in the city are disproportionately beholden to white business owners. Recent studies have demonstrated that "Black residents make up 74% of Birmingham's population, but only 50% of businesses are Black-owned" and that "white residents make up 22% of the population, but 47% of businesses are white-owned."<sup>64</sup>

Not only are Black men in Alabama more likely to find it difficult to get a job or higher wages, they have also been incarcerated at a disproportionate rate, especially since the declaration of a "war on drugs" in the 1980s. Scholars have described this racial mass incarceration as a "New Jim Crow." The state of Alabama also currently faces a federal lawsuit, initiated by the Department of Justice, alleging unconstitutional conditions in Alabama's prisons. These conditions continue to exist despite decades-long-running remedial litigation dating back to the 1970s, in which Judge Johnson issued a *Lee v. Macon*-style statewide injunction, and more recently filed litigation in which Judge Thompson concluded, in 2017, that mental healthcare in the state's prison system was "horrendously inadequate" (*Braggs v. Dunn*, 257 F.Supp.3d 1171, 1297, MD, 2017).<sup>65</sup> The Justice Department's current suit

---

<sup>62</sup> United States by Wallace v. Frazer, 317 F. Supp. 1079 (MD, 1970); United States v. Dothard, 373 F. Supp. 504 (MD, 1974); Strain v. Philpott, 331 F. Supp. 836 (MD, 1971); Brown v. Alabama Department of Transportation, 597 F. 3d 1160 (11th CCA, 2010); Reynolds v. Alabama Department of Transportation, 4 F. Supp. 2d 1068 (MD, 1998); Allen v. Alabama State Board of Education, 816 F.2d 575 (11th CCA, 1987), 976 F.Supp. 1410 (1997); Shuford v. Alabama State Board of Education, 897 F. Supp. 1535 (1995); United States v. Jefferson County, 2013 WL 4482970 (ND); Ensley Branch, NAACP v. Seibels, 31 F.3d 1548 (11th CCA, 1994); Adams v. Austal USA, 754 F.3d 1240 (11th CCA, 2014); Ferrill v. The Parker Group, 168 F.3d 468 (11th CCA, 1999).

<sup>63</sup> Patrick Bayer and Kerwin Kofi Charles, "Divergent Paths: A New Perspective on Earnings Differences Between Black and White Men Since 1940," *The Quarterly Journal of Economics*, 133.3 (Aug., 2018) pp. 1459 -1501; Becky Pettit, *Invisible Men: Mass Incarceration and the Myth of Black Progress* (Russell Sage Foundation, 2012); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (The New Press, 2012); The Sentencing Project, "Fact Sheet: Trends in U.S. Corrections, U.S. State and Federal Prison Population, 1925-2017," <https://sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf>.

<sup>64</sup> Zachary Roth, "Birmingham Raises Minimum Wage and Alabama Takes it Away," *NBC*, Feb. 26, 2016, <https://www.nbcnews.com/news/nbcblk/birmingham-raises-minimum-wage-alabama-takes-it-away-n526806>; Sydney Cromwell, Birmingham Watch, "Business Capital, Knowledge Remains Out Of Reach For Many Minority Entrepreneurs," WBHM, <https://wbhm.org/2020/business-capital-knowledge-remains-out-of-reach-for-many-minority-entrepreneurs/>.

alleges that the Alabama Department of Corrections (“ADOC”) has failed to protect the incarcerated men from violence and sexual abuse at the hands of other prisoners, from excessive force by correctional officers, and from the inevitable consequences of unsafe and unsanitary housing. In both the Justice Department report and in a recent *New York Times* piece featuring letters from multiple inmates, a picture emerges of a system in Alabama in which correctional officers are so outnumbered and conditions are so systemically violent that officers and staff often simply hide behind barricades and allow the prison population to police itself. Rape, stabbings, attacks on both officers and other inmates, drug use, and corruption all appear to be commonplace.<sup>66</sup>

The representation of Black people among the incarcerated in Alabama is grossly disproportionate. As of a January 2020 report issued by the Alabama Department of Corrections (“ADOC”), Black inmates accounted for the majority of the inmate population, despite Black people only constituting 27 percent of the state’s population. Alabama’s prisons are also catastrophically overcrowded; the state was recently criticized for trying to address overcrowding by pledging funds intended for COVID-19 relief to the building of new prisons, thereby taking funds away from one crisis that disproportionately affects Black people to address another one.<sup>67</sup> Even when released, especially in Alabama, former Black inmates find it harder to exercise their right to vote. In the 1990s, the state reenacted its felon disenfranchisement law after the *Hunter v. Underwood* decision in 1985. The current law has disenfranchised 15 percent of the Black voting age population, and only 7 percent of the white voting age population.<sup>68</sup>

Beyond the issues with Alabama’s penal system, broadly, Black youth, many of whom attend segregated schools deemed by the state to be “failing,” also face disparities in the state’s juvenile justice system. A 2017 report of the Alabama Juvenile Justice Task Force, chaired by two white Republicans, found that “Racial disparities exist throughout the juvenile justice system.” The Task Force determined that “A larger share of black youth are placed in detention, out-of-home diversion, and DYS [Department of Youth Services] custody than their share of the overall youth population,” and that “Black youth also receive a disproportionately high share of dispositions to DYS custody when compared to their share of initial complaints,” a disparity that “holds true when comparing complaints and out-of-home placements for youth who commit misdemeanors or felonies.”<sup>69</sup>

---

<sup>65</sup> Ivana Hyrniw, “Judge rules mentally ill Alabama prison inmates receive inadequate care,” June 27, 2017, *Al.com*, [https://www.al.com/news/2017/06/federal\\_judges\\_rules\\_in\\_mental.html](https://www.al.com/news/2017/06/federal_judges_rules_in_mental.html); Larry Yackle, *Reform and Regret: The Story of Federal Judicial Involvement in the Alabama Prison System* (New York: Oxford University Press, 1989); *James v. Wallace*, 382 F.Supp. 1177 (MD, 1974); *Pugh v. Locke*, 406 F.Supp. 318 (MD, 1976).

<sup>66</sup> “Investigation of Alabama’s State Prisons for Men,” United States Department of Justice, Civil Rights Division, April 2, 2019, <https://www.justice.gov/opa/press-release/file/1150276/download>; New York Times Staff, “‘No One Feels Safe Here’: Life in Alabama’s Prisons,” *New York Times*, April 29, 2019, <https://www.nytimes.com/2019/04/29/us/alabama-prison-inmates.html>; Mike Cason, “New Department of Justice complaint says Alabama has not improved prison conditions since 2019 allegations,” *al.com*, Nov. 23, 2021, <https://www.al.com/news/2021/11/new-department-of-justice-complaint-says-alabama-has-not-improved-prison-conditions-since-2019-allegations.html>.

<sup>67</sup> “Alabama Department of Corrections, Monthly Statistical Report for January 2020 Fiscal Year 2020,” Research and Planning division, State of Alabama, <http://www.doc.state.al.us/docs/MonthlyRpts/DMR%2001%20January%202020PUB.pdf>; Associated Press Wire, “Alabama to use Covid rescue funds to build prisons,” NBC News, Oct. 2, 2021, <https://www.nbcnews.com/news/us-news/alabama-use-covid-rescue-funds-build-prisons-n1280624>.

<sup>68</sup> No author, “NAACP fights for prison registration,” *Birmingham News*, Oct. 1, 2008; Desiree Hunter, “Pastor, state prisons settle suit on inmate voting,” *Anniston Star*, Oct. 22, 2008.

<sup>69</sup> “Final Report,” Alabama Juvenile Justice Task Force, December 2017, <http://lisa.state.al.us/PDF/Other/JJTF/JJTF-Final-Report.pdf>.



In terms of health, between Reconstruction and enactment of the Civil Rights Act of 1964, Black citizens had to fend for themselves, with help from charitable organizations like the Rosenwald Fund and the Catholic Church. Following the passage of the Civil Rights Act and the enactment of Great Society social welfare programs, Black Alabamians experienced racially discriminatory dispersion of federal aid in, for example, the program now known as Temporary Assistance to Needy Families, for which state dispersion of aid has been twice cited by federal courts for discrimination.<sup>70</sup>

Today, Black communities in the Black Belt continue to struggle in primitive conditions and suffer unusual health difficulties and lack of even the most basic services. A 2019 United Nations (“U.N.”) mission to the United States aimed at examining conditions of “extreme poverty” found conditions in Alabama’s that were “very uncommon in the First World.” The U.N.’s Special Rapporteur on Extreme Poverty and Human Rights, Philip Alston, reported that Black residents lacked proper sewage and drinking water systems and had unreliable electricity. Residents had constructed homemade water delivery systems using PVC pipe, did not have consistent access to drinking water that had not been tainted by raw sewage, and often fell ill, entire households at a time, with E. Coli and hookworm. After visiting a Black man’s Butler County home, where sewage was bubbling up out of the ground due to a failed septic tank, Alston assessed the situation, saying, “There is a human right for people to live decently, and that means the government has an obligation to provide people with the essentials of life, which include power, water and sewage service.” He added, “But if the government says, ‘oh no, we’re not going to do it,’ and leaves you to install very expensive septic tanks, that’s not how it should work.” Under H.B. 1, the state’s current congressional plan, Butler County lies in the 2<sup>nd</sup> Congressional District.<sup>71</sup>

Black residents of Uniontown, in Perry County, fought a decision by the state to allow 4 million tons of potentially toxic coal ash to be transferred from the site of a coal-fired electrical plant accident in Tennessee to a landfill in the town. The coal ash was spilled into a river in Kingston, Tennessee, where years later multiple residents have been diagnosed with various forms of cancer. Then-Congressman Artur Davis protested the coal ash’s transfer to Alabama, as did local residents, overwhelmingly Black, but met resistance from the state’s Department of Environmental Management.<sup>72</sup>

Black communities in the state’s urban areas suffer from industrial pollution as well, as the court in *People First* acknowledged. The North Birmingham neighborhood in the city of Birmingham is home to much of what remains of the city’s heavy industry, including coke plants. At the height of the “Magic City’s” rise, it provided company housing for workers. Over time it became an exclusively Black working class neighborhood. At the apex of the civil rights movement in Birmingham, it was the home of activist minister Fred Shuttlesworth’s Bethel Baptist church and a focal point for civil rights organization. In 2013 the EPA designated the 35th Avenue area in North Birmingham a “Superfund” site, meaning the EPA can use specially designated funds to remove and replace soil laden with toxic materials from airborne and waterborne pollution emanating from nearby factories. The following year, the EPA moved to place the site on a priority list for cleanup. The state of Alabama, via its Department of Environmental Management Office of External Affairs and the Office of the Attorney General, has consistently

---

<sup>70</sup> Flynt, *Alabama in the Twentieth Century*, pp. 365-66; *Smith v. King*, 277 F.Supp. 31 (MD, 1968); *Whitfield v. Oliver*, 399 F. Supp. 348 (MD, 1975).

<sup>71</sup> Connor Sheets, “UN poverty official touring Alabama’s Black Belt: ‘I haven’t seen this’ in the First World,” *al.com*, March 7, 2019, [https://www.al.com/news/2017/12/un\\_poverty\\_official\\_touring\\_al.html](https://www.al.com/news/2017/12/un_poverty_official_touring_al.html).

<sup>72</sup> Marianne Engelman-Lado, et al., “Environmental Injustice in Uniontown, Alabama, Decades after the Civil Rights Act of 1964: It’s Time For Action,” American Bar Association, May 21, 2021, [https://www.americanbar.org/groups/crsj/publications/human\\_rights\\_magazine\\_home/vol--44--no-2--housing/environmental-injustice-in-uniontown--alabama--decades-after-the/](https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/vol--44--no-2--housing/environmental-injustice-in-uniontown--alabama--decades-after-the/); Kristen Lombardi, “Welcome to Uniontown: Arrowhead Landfill Battle a Modern Civil Rights Struggle,” NBC News, Aug. 5, 2015, <https://www.nbcnews.com/news/nbcblk/epa-environmental-injustice-uniontown-n402836>; No Author, “Artur Davis Asks EPA For Coal Ash Standards,” Alabama Public Radio, Oct. 16, 2009, <https://www.apr.org/2009-10-16/artur-davis-asks-epa-for-coal-ash-standards>;

opposed the move, which would require that the state help pay for the cleanup if the corporations the EPA has deemed responsible do not. Birmingham Mayor Randall Woodfin and Representative Terri Sewell support adding the site to the priority list. Sewell has insisted, “No family should have to live with a contaminated backyard, and no community should be left to clean up decades of industrial waste.”<sup>73</sup>

b. Education

Alabama has a long history of discrimination in education. In 1967 Alabama became the first state ever subjected to a statewide structural injunction. That year, 13 years after *Brown v. Board*, a 3-judge federal trial court found that state officials had, “through their control and influence over” local school boards, “flouted every effort to make the Fourteenth Amendment a meaningful reality to Negro school children in Alabama” (*Lee v. Macon County Board of Education*, 267 F.Supp. 458, MD, affirmed 389 U.S. 215). The court enjoined state officials and, by proxy, 99 school systems across the state, along with the state’s junior colleges and trade schools, and eventually its teachers’ associations and athletic associations. The state’s actions before, during, and after the trial of that case on the merits demonstrate the vigor with which it resisted granting basic rights to Black citizens.

When *Brown* was decided in 1954, the NAACP in Alabama petitioned local school boards for a commitment to adhere to the ruling. White men who rejected the violent efforts of the Ku Klux Klan, especially the aforementioned state legislator Sam Engelhardt, responded by organizing Citizens’ Councils, which used economic reprisal to punish Black people who pressed for school desegregation. Black plaintiffs nonetheless began to file suit in the late 1950s, seeking redress in federal courts, but not until 1963 did trial courts in four cases order the desegregation of a handful of all-white schools. Klansmen then bombed a Black church in Birmingham in response, killing four children, and the governor and state legislature reinvigorated an already decades-long running campaign to keep public schools in the state entirely white.<sup>74</sup>

After the passage of the Civil Rights Act in 1964, the U.S. Department of Health, Education, and Welfare (“HEW”) pressed local school systems to desegregate. Governor George Wallace intimidated local school boards, threatening to remove state funding or to hold “mass meetings” in any county or town whose school board agreed to abide by HEW provisions or federal court orders. When the court added the United States as a party in *Lee v. Macon*, it brought the Justice Department into the case. Attorneys from the CRD and for the private litigants recognized that, not only had Wallace demonstrated that he had control over local school boards, but Alabama law gave the state Board of Education control over local boards, even in day-to-day affairs, a reality traceable to the state’s first “redeemer” constitution. Plaintiffs asked the court to compel the state to use that power to desegregate, rather than to prevent desegregation, and to issue a statewide desegregation order, which it did in March 1967.<sup>75</sup>

---

<sup>73</sup> Steven Mufson, “The betrayal: How a lawyer, a lobbyist and a legislator waged war on an Alabama Superfund cleanup,” *Washington Post*, Aug. 24, 2019, [https://www.washingtonpost.com/national/health-science/the-betrayal-how-a-lawyer-a-lobbyist-and-a-legislator-waged-war-on-an-alabama-superfund-cleanup/2019/04/24/834087ae-4c1a-11e9-9663-00ac73f49662\\_story.html](https://www.washingtonpost.com/national/health-science/the-betrayal-how-a-lawyer-a-lobbyist-and-a-legislator-waged-war-on-an-alabama-superfund-cleanup/2019/04/24/834087ae-4c1a-11e9-9663-00ac73f49662_story.html); Madison Underwood, “State fighting EPA drive to add North Birmingham pollution site to Superfund priority list,” *al.com*, Feb. 7, 2020, [https://www.al.com/news/birmingham/2014/11/state\\_at\\_odds\\_with\\_epa\\_on\\_nort.html](https://www.al.com/news/birmingham/2014/11/state_at_odds_with_epa_on_nort.html); Elizabeth Patton, “Terri Sewell, Randall Woodfin weigh-in on Birmingham indictments surrounding EPA clean-up site,” *Alabama Today*, Nov. 15, 2018, <https://altoday.com/archives/27527-terri-sewell-randall-woodfin-weigh-in-on-birmingham-indictments-surrounding-epa-clean-up-site>.

<sup>74</sup> Bagley, *The Politics of White Rights*, pp. 14-76; *Armstrong v. Birmingham Board of Education*, 220 F. Supp. 217 (ND); *Davis v. Board of Commissioners of Mobile* 219 F.Supp. 542 (SD); *Hereford v. Huntsville Board of Education*, *Race Relations Law Reporter* 8.3 (Fall, 1963, ND), p. 908; *Lee v. Macon County Board of Education*, 267 F.Supp. 458 (MD); *U.S. v. Wallace*, Civ. A. No. 1976-N (MD, 1963).

Judge Johnson, writing for the court, insisted that the relief awarded in *Lee v. Macon* had to “reach the limits of the defendants’ activities.” As Professor Brian Landsberg has explained, “Because the racial segregation was systemic, the violation could be cured only by systemic relief.” What made the 1967 *Lee v. Macon* ruling extraordinary was that it provided that kind of remedial, sustained systemic relief on a statewide level.<sup>76</sup> Under the court’s order, state officials, especially the state superintendent of education, were to ensure that the 99 school systems not already under court order in another case begin to disestablish their racially dual school systems by adopting the court’s model desegregation plan that fall. Private plaintiffs and the CRD would monitor progress and submit motions for further relief, as necessary. Gradually, each local school system would become a defendant party in the suit. The court, with plaintiffs’ counsel, determined when the systems had reached a point at which a consent decree could be entered and the individual system’s case could be transferred to a single judge in their district. Plaintiffs and the court would continue to monitor progress until “unitary status,” as articulated in *Green v. County School Board of New Kent County* (391 U.S. 430, 1968), had been achieved.

As a direct result of recalcitrance from officials at the state and local level, the “freedom of choice” plans adopted under the initial model plan had not, by the 1970s, resulted in actual integration, only token desegregation. And as Circuit Judge John Minor Wisdom explained, the goal of school desegregation litigation had always been to move beyond a scenario in which there were still “white schools or Negro schools” to one in where there were “just schools,” or in other words, to have a “*bona fide* unitary system” (*U.S. v. Jefferson County Board of Education*, 372 F.2d 836, para. 172, 5<sup>th</sup> CCA, 1965). Courts began to grant relief when plaintiffs moved for the adoption of compulsory assignment plans. Compulsory assignment led to a renewed white revolt against desegregation – violent, litigious, political, and otherwise – and many whites fled for exclusively or overwhelmingly white suburbs or private schools.<sup>77</sup>

Desegregation litigation continues today, and in some areas, segregation has gotten worse. As of 2020 nearly 50 school systems remain under desegregation orders. The Huntsville schools case remains active before this Court, for example, as several more factors, including student discipline, have not been adequately addressed. In the 2019-2020 school year, for example, 52 percent of Black students at Huntsville High received a disciplinary referral, compared to just 12 percent of white students.<sup>78</sup>

---

<sup>75</sup> Bagley, *The Politics of White Rights*, pp. 87-88, 119-22; federal courts also issued desegregation orders and guidelines involving public schools in Alabama in, *inter alia*, *U.S. and Bennett v. Madison County Board of Education*, 219 F. Supp. 60 (ND, 1963); *Brown v. Board of Education of Bessemer*, 419 F.2d 1211 (5<sup>th</sup> CCA, 1964); *Boykins and U.S. v. Fairfield Board of Education*, 457 F.2d 1091 (5<sup>th</sup> CCA, 1972); *U.S. and Miller v. Gadsden Board of Education*, 482 F.2d 1234 (5<sup>th</sup> CCA, 1973); *Huston v. Lawrence County Board of Education*, 320 F.Supp 790 (ND, 1970); *Harris v. Crenshaw County Board of Education*, 259 F. Supp. 167 (MD, 1966); *Franklin v. Barbour County Board of Education*, 259 F. Supp. 545 (MD, 1966); *Alabama State Teachers Association v. Lowndes County Board of Education*, 289 F. Supp. 300 (MD, 1968); *Adams v. Lucy*, 228 F.2d 619 (5<sup>th</sup> CCA, 1955), cert. denied 351 U.S. 931 (1956); *Franklin v. Parker*, 223 F. Supp. 724 (MD, 1963), modified 331 F.2d 841 (5<sup>th</sup> CCA, 1964); *Carr v. Montgomery County Board of Education*, 395 U.S. 225 (1969); *Alabama NAACP v. Wallace*, 269 F.Supp. 346 (MD, 1967); *U.S. v. Choctaw County Board of Education*, 259 F.Supp. 458 (SD, 1966); *U.S. v. Hale County Board of Education*, 445 F.2d 1330 (5<sup>th</sup> CCA, 1971); see also notes 69, supra, and 74-77, *infra*.

<sup>76</sup> Bagley, *The Politics of White Rights*, pp. 119-22; Brian K. Landsberg, “*Lee v. Macon* County BOE: The Possibilities of Federal Enforcement of Equal Educational Opportunity,” *Duke Journal of Constitutional Law and Public Policy* 12, No. 1: pp. 1-52, pp. 37-38.

<sup>77</sup> Bagley, *The Politics of White Rights*, pp. 146-79.

<sup>78</sup> Yue Qiu and Nikole Hannah-Jones, A National Survey of School Desegregation Orders, Dec. 23, 2014, *ProPublica*, <https://projects.propublica.org/graphics/desegregation-orders>; School Segregation Data, *ProPublica*, <https://www.propublica.org/datastore/dataset/school-segregation-charter-district-data>; Anna Claire Vollers, “Huntsville chips away at 57-year-old school desegregation order,” Jan. 12, 2020, <https://www.al.com/news/huntsville/2020/01/huntsville-chips-away-at-57-year-old-school-desegregation-order.html>; *Hereford v. Huntsville Board of Education*, No. 5:63-CV-

Segregation in the state's metropolitan areas is almost as profound, with white families having left cities like Birmingham and Montgomery for suburbs with majority white, independent school systems or for private schools. In the *Stout v. Jefferson County* case, this Court recently granted, in part, the motion of the City of Gardendale, to separate from the Jefferson County system, even though the Court found that "race was a motivating factor" and that such motivation was "deplorable" (*Stout v. Jefferson County Board of Education*, No. 2:1965cv00396 – 1141, ND, April 24, 2017). In February of 2018, the order was reversed by the 11<sup>th</sup> Circuit, which affirmed the finding of discriminatory intent and blocked the City of Gardendale's attempt to separate.<sup>79</sup>

Recent litigation has addressed ongoing inequities and discrimination in schools across the state. The mother of a former student at Franklin County's Phil Campbell High School filed suit in January after her son was subjected to numerous incidents of racist harassment by white students. White administrators not only failed to address the harassment, but punished the Black student on more than one occasion. The Leeds Board of Education, after being sued by the parents of Black children in an ongoing desegregation case, agreed to restart its school lunch program. The board had shut the program down, citing Governor Kay Ivey's COVID stay-at-home order. Plaintiffs successfully argued that school lunch programs were exempt from the order and that suspending the program disproportionately affected Black children enrolled in the school system, some 80 percent of whom are economically disadvantaged.<sup>80</sup>

As recently as November 2021, white students in Alabama schools have made patently racist remarks and posted them online. White students at Cullman High School circulated a video, which was received by Black students, of a white student chanting "white power" and "kill all the n---rs." The student was the child of a member of the local board of education. A year prior to that, white students at Mountain Brook High School circulated a video showing students laughing and doing the Nazi salute as another student paraded around with swastikas on his back. The school board formed a diversity committee, which recommended anti-bias training, which the school system never implemented. A year before that incident, students at Hoover High School were filmed having the following exchange: Student 1, "F--- n-----'s, f--- Jews;" Student 2, "Jews are fine because they're white. We just need the n---'s gone."<sup>81</sup>

The Alabama Accountability Act, enacted in 2013, labels the bottom 6 percent of the state's schools, by proficiency in reading and math, as "failing," borrowing from the No Child Left Behind extension of the Elementary

---

00109-MHH, 2015, WL 13398941 (ND); No Author, "Huntsville City Schools granted partial unitary status in desegregation case," *al.com*, Jan. 9, 2009, WAFF48, <https://www.waff.com/2020/01/10/huntsville-city-schools-granted-partial-unitary-status-desegregation-case/>.

<sup>79</sup> *Stout and U.S. v. Jefferson County Board of Education*, 11<sup>th</sup> CCA, Feb. 13 (2018), <http://media.ca11.uscourts.gov/opinions/pub/files/201712338.pdf>.

<sup>80</sup> *Stout v. City of Leeds Board of Education*, No. 2:17-MC-681-MHH, 2020 WL 1983331; Ivana Hrynkiw, "Parent says son was harassed, sues Franklin County school for racial discrimination," Jan. 17, 2020, *al.com*, <https://www.al.com/news/huntsville/2020/01/parent-says-son-was-harassed-sues-franklin-county-school-for-racial-discrimination.html>; Trisha Powell Crain, "Alabama school district restarts student meals after legal action filed," *al.com*, April 17, 2020, <https://www.al.com/news/2020/04/stopping-school-meals-violates-federal-desegregation-order-group-says.html>.

<sup>81</sup> Trisha Powell Crane, "Alabama high school students filmed using racist slurs," March 4, 2019," *al.com*, <https://www.al.com/news/2019/03/alabama-high-school-students-filmed-using-racist-slurs.html>; Crane, "Jewish Federation concerned about video of Mountain Brook children drawing swastika," May 13, 2020, *al.com*, <https://www.al.com/news/2020/05/jewish-federation-concerned-about-video-of-mountain-brook-children-drawing-swastika.html>; Rebecca Griesbach, "'I can't say anything': Alabama students, parents wrestle with impact of racist video," *al.com*, <https://www.al.com/news/2021/11/i-cant-say-anything-alabama-students-parents-wrestle-with-impact-of-racist-video.html>.



and Secondary Education Act. For 2020-2021, as in previous years, all 75 schools on the list of failing schools were majority Black, most overwhelmingly so. Most of the schools are in majority-Black school systems in or around Birmingham, Montgomery, and Mobile, or in the Black Belt.<sup>82</sup>

Courts have also found that Alabama's institutions of higher learning have been plagued by "vestiges of segregation," decades after the initiation of court-ordered desegregation (*Knight v. Alabama*, 787 F.Supp. 1030, 1352, ND, 1991). The University of Alabama and Auburn University were desegregated in the 1960, but in 1991, a trial court in *Knight v. Alabama* found that the state was still obligated to eliminate the lingering effects of segregation and discrimination in those institutions, and their proposed satellites, and to make an effort to recruit Black students to those schools and to recruit white students to the state's Historically Black Colleges and Universities (HBCUs). After a partial reversal, the court in 1995 issued a remedial decree similar to that issued in *Lee v. Macon*, with the court overseeing implementation over the next decade.<sup>83</sup> Prior to that window closing, the *Knight* plaintiffs argued that the state had been "shielding the property of whites from being taxed to support the education of blacks," thereby "denying black citizens equal access to attend and to complete higher education." They cited two amendments to the state's 1901 constitution known as the "Lid Bills."<sup>84</sup>

### c. The Lid Bills

The original Lid Bill was conceived by state senator Walter Givhan, a Citizens' Council pioneer and arguably the most prolific segregationist lawmaker in Alabama history, in 1972. Four converging factors motivated Sen. Givhan: government-enabled white flight turning Black Belt public school systems all-Black; Black candidates beginning to get elected in those same districts thanks to enforcement of the VRA; the state legislature being forced to adopt an equitable reapportionment; and a federal trial court ruling in *Weissinger v. Boswell* insisting that the state overhaul its tax assessment system.<sup>85</sup> Givhan proposed constitutionalizing a scheme in which residential, farm, and timber land would be assessed at a lower percentage (15 percent) than commercial property (25 percent) or utilities property (30 percent). To this was added a 1.5 percent "lid" or cap on the total *ad valorem* tax revenue that could be collected from any piece of property. Underlying this effort was the fact that almost all of the land in the Alabama Black Belt was owned by white people or corporations controlled by them. The bill passed and was ratified by voters.<sup>86</sup>

By the end of the decade, white lawmakers and property owners had begun to worry that Black elected officials might exercise a "local option" in the original Lid Bill that allowed county or municipal governments to raise millage rates, provided such measures passed through the state legislature. With Black political representation increasing not just in the Black Belt but also in cities like Birmingham and Mobile, the fear was that an alliance of urban representatives, Black and white, and rural Black officials might allow the latter to raise tax millage rates. The *Mobile Press-Register* explained that white lawmakers were "fearful that the black political leaders, who also enjoy voting majorities, will exercise local options and set property taxes at the highest rates possible in order to raise additional funds for their governmental operations," with such taxes being paid by "white owners of large farms and corporate interests with large timberland holdings." As state Republican Party Chairman John Grenier would later acknowledge, "The problem with the property tax, like everything, goes back to race in Alabama. I

---

<sup>82</sup> Trisha Powell Crane, "Here's the new list of 'failing' schools in Alabama," *Al.com*, Nov. 1, 2019, <https://www.al.com/news/2019/11/heres-the-new-list-of-failing-schools-in-alabama.html>.

<sup>83</sup> Bagley, *The Politics of White Rights*, pp. 5-6, 223-24.

<sup>84</sup> Bagley, *The Politics of White Rights*, pp. 5-6, 223-24; *Knight v. Alabama*, affirmed in part, 14 F.3d 1534 (11th CCA, 1994), 900 F.Supp 272 (ND, 1995) (*Knight II*).

<sup>85</sup> Bagley, *The Politics of White Rights*, pp. 210-15; *Weissinger v. Boswell*, 330 F.Supp 615 (MD, AL 1971).

<sup>86</sup> Bagley, *The Politics of White Rights*, pp. 210-15.

think probably whites feel like they own the property, and the property tax goes up, and proceeds will go to blacks.”<sup>87</sup> George Wallace lent his support to a new bill that removed the local option, lowered the assessment rate for farm and timber land, and lowered the overall lid to one percent. It also allowed for “current use” assessment of land, as opposed to fair market value, which considered potential development, among other factors. State voters ratified the new amendment in 1978.<sup>88</sup>

The plaintiffs in *Knight* called historians to testify, who linked the Lid Bills to the redeemer constitutions of 1875 and 1901 and to a historical rejection of white tax dollars for Black education. The experts argued that the lingering effects of the amendments prevented Black students from enjoying equal access to higher education in the state. The court in 2004 agreed that the Lid Bills were a part of Alabama’s long and abysmal history of race discrimination but denied the plaintiffs’ claim on the ground that the action was an improper venue for a claim seeking their invalidation or injunction. A new case, targeting only the Lid Bills, was filed in 2008.<sup>89</sup>

In a 2011 decision in *Lynch v. Alabama*, the court insisted that it was limited by the Supreme Court’s decision in *San Antonio v. Rodriguez* – in which the Court denied that there is a fundamental constitutional right to equal educational opportunity – and that the defendants were arguably motivated by a history of antipathy to taxation that was independent of race discrimination. However, the court acknowledged, in a very lengthy opinion, the discriminatory effects of Alabama’s property taxation scheme and cited the plaintiffs’ expert witness historians, who fleshed out the testimony in *Knight*, linking the Lid Bills to the state’s white supremacist constitutions. The court agreed that the property tax scheme enshrined by the amendments was “crippling” Black education in the state.<sup>90</sup>

At the time *Lynch* was decided, Alabama had not only the lowest property tax revenues in the United States, but they were also twice as low as the state coming in at number 49 and three times lower than the national average. A mere five percent of the state’s tax revenue came from property taxes. Most of it came from regressive sales and incomes taxes that disproportionately affect poor people, of which Black people are disproportionately represented in Alabama. The 11th Circuit appellate court acknowledged this and insisted that it was “cognizant of Alabama’s deep and troubled history of racial discrimination,” which had been “illustrated vividly by the plaintiffs at trial.” But it could find no legal fault in the trial court’s ruling, since the plaintiffs were held to the standard of proving discriminatory intent. The Senate Factors, however, allow plaintiffs to consider the effects of past discrimination, which seem here to be relevant.<sup>91</sup>

#### IV. FACTOR 6: POLITICAL CAMPAIGNS CHARACTERIZED BY RACIAL APPEALS

White lawmakers in Alabama learned long ago to colormask their public statements, just as they have learned to colormask the legislation intended to protect their racial prerogatives. Not since the high-tide of brazen white supremacy, when George Wallace proclaimed, “segregation forever,” have public figures been so bold. Skilled politicians have since mastered the art of deploying coded racial appeals, and historians have been able to home in on certain messages that lawmakers know will resonate with white voters. Yet even today, in campaign

---

<sup>87</sup> Grenier quoted in Allen Tullos, *Alabama Getaway: The Political Imaginary and the Heart of Dixie* (Athens: University of Georgia Press, 2011), p. 188; *Mobile Press-Register* quoted in Bagley, *The Politics of White Rights*, pp. 210-15.

<sup>88</sup> Bagley, *The Politics of White Rights*, pp. 210-15.

<sup>89</sup> Bagley, *The Politics of White Rights*, pp. 224-26.

<sup>90</sup> *Lynch v. Alabama*, 2011 U.S. Dist. LEXIS 155012 (ND, AL, 2011), 798-800, *Lexis-Nexis Academic*.

<sup>91</sup> *Lynch v. Alabama*, No. 11-15464 (11th CCA, 2014), published at *Justia*, pp. 2, 28, <https://law.justia.com/cases/federal/appellate-courts/ca11/11-15464/11-15464-2014-01-10.html>

ads and in other public speech, including on social media, white Alabama politicians reveal that direct invocations of race still appeal to white voters. This is not to say that this or that white elected official is “racist,” but to acknowledge that racial appeals are present in campaigns.<sup>92</sup>

Former United States Senate candidate Roy Moore, who was twice removed from the state Supreme Court for failure to obey federal court orders, won the Republican Party nomination in 2017 for the seat vacated by candidate Jeff Sessions when he became Attorney General. During the campaign, Moore insisted that the United States would be better off without any of the Amendments to the Constitution that follow the 10th. Moore argued, “That would eliminate many problems. You know, people don’t understand how some of these amendments have completely tried to wreck the form of government that our forefathers intended.” This would of course include the 13th Amendment, which ended slavery, and the 15th Amendment, which established voting rights for Freedmen. Moore singled out the 14th Amendment, which was enacted to protect the rights of former enslaved people, insisting that it “allow[s] the federal government to do something which the first 10 amendments prevented them from doing.” Moore has also described the antebellum period in the South as follows: “I think it was great at the time when families were united — even though we had slavery. They cared for one another. People were strong in the families. Our families were strong. Our country had a direction.”<sup>93</sup>

Another Alabama jurist, state Supreme Court Chief Justice Tom Parker, in 2018 ran a campaign ad that a federal trial court found to be based upon a racial appeal. Justice Parker targeted the Southern Poverty Law Center, an advocacy group for minorities, and made clear that he opposed “the leftist mob tr[ying] to destroy our society” showing at that moment images of U.S. Congresswoman Maxine Waters, a Black member of Congress from California. The trial court concluded that, “when juxtaposed with images of an African-American Democratic congresswoman from California who had no other reason to appear in an ad for an Alabama judicial race ... one of the motives of the ad was to draw attention to race” (*Alabama State Conf. of the NAACP v. Alabama*, CASE NO. 2:16-CV-731-WKW, @ p. 153).

Mo Brooks, Republican U.S. Congressman for Alabama’s 5<sup>th</sup> District, has repeatedly claimed that Democrats are waging a “war on whites” by “claiming that whites hate everybody else.” In 2016, Brooks explained, “They are trying to motivate the African American vote to vote-bloc for Democrats by using every Republican as a racist tool that they can envision.” Brooks has also characterized people who receive assistance through the Supplemental Nutrition Assistance, or SNAP, program as undeserving. In applauding cuts to the program, the beneficiaries of which in Alabama would include tens of thousands of Black people, Brooks said, “It is wrong to let slackers take roughly \$70 billion per year from hard-working taxpayers who need that money for their own needs.” Such colormasked appeals are a product of half a century of connecting federal welfare and public health programs with racial animosity and deploying coded attacks on the former with appeals to the latter.<sup>94</sup>

---

<sup>92</sup> Bagley, *The Politics of White Rights*, pp.7-11. See also Wayne Flynt, *Alabama in the Twentieth Century*, pp. 104-5; Dan Carter, *From George Wallace to Newt Gingrich: Race in the Conservative Counterrevolution, 1963-1994* (Baton Rouge: Louisiana State University Press, 1999), and Joseph Crespino, *In Search of Another Country: Mississippi and the Conservative Counterrevolution* (Princeton University Press, 2009), *passim*.

<sup>93</sup> Philip Bump, “Roy Moore: America was great in era of slavery, is now ‘focus of evil in the world,’” *Washington Post*, Dec. 8, 2017, <https://www.washingtonpost.com/news/politics/wp/2017/12/08/roy-moore-america-was-great-in-era-of-slavery-is-now-focus-of-evil-in-the-world/>; German Lopez, “Roy Moore was once again caught making that can be interpreted as okay with slavery: maybe he believes what he keeps saying,” *Vox*, Dec. 11, 2017, <https://www.vox.com/policy-and-politics/2017/12/7/16748038/roy-moore-slavery-america-great>; Scott Douglas, “The Alabama Senate Race May Have Already Been Decided,” *New York Times*, Dec. 11, 2017, <https://www.nytimes.com/2017/12/11/opinion/roy-moore-alabama-senate-voter-suppression.html>.

Representative Bradley Byrne of the state's 1<sup>st</sup> Congressional District, when he was vying for a Senate seat, aired a campaign ad in which he condemned Black people by placing their images in a fire. The television spot begins with Byrne staring into a wood fire in a backyard and lamenting the loss of his brother in the armed services. He shifts to lamenting the course the country is taking, as the faces of Black and Brown people appear in the fire. Former National Football League quarterback Colin Kaepernick appears in the fire, as Byrne calls him an “entitled athlete dishonoring” the American flag. Members of the Congressional caucus known as “The Squad,” including Ilhan Omar and Alexandria Ocasio Cortez, appear in the fire and are accused of “attacking America” and “cheapening 9/11.” No white people appear in the fire.<sup>95</sup>

U.S. Representative Barry Moore has repeatedly downplayed the January 6, 2021, U.S. Capitol insurrection and has Tweeted about the shooting of Capitol-infiltrator Ashli Babbitt by U.S. Capitol Police, “I understand it was a black police officer that shot the white female veteran. You know that doesn’t fit the narrative.” Congressman Moore has also Tweeted out a meme that suggested people injured by a car driven into an unarmed crowd of protestors in Charlottesville in 2017 “didn’t fight back.”<sup>96</sup>

Finally, Representative Chris Pringle, co-chair of the Reapportionment Committee, previously gave up his seat in the state House to run for U.S. Congress in the 1<sup>st</sup> District. In a campaign ad, Pringle proudly labels himself “politically incorrect” and insists, “These days if you look like me and believe like me, everything that’s wrong in our society is your fault.” He explains, “If you’re straight, southern, conservative, and heaven forbid, Christian, they call you a racist and blame you for everyone else’s problems.”<sup>97</sup>

## V. FACTOR VII: THE EXTENT TO WHICH MINORITIES HAVE BEEN ELECTED TO OFFICE

Since Reconstruction, three Black candidates have won election to the U.S. House of Representatives from majority-Black districts, with never more than one serving at any given time. Despite constituting almost 27 percent

---

<sup>94</sup> Massie, “Rep. Brooks: Dems’ ‘war on whites’ behind some criticism of Sessions”; Leada Gore, “Rep. Mo Brooks: People who live ‘good lives’ should pay less for health insurance,” May 2, 2017, *al.com*, [https://www.al.com/news/2017/05/rep\\_mo\\_brooks\\_people\\_who\\_live.html](https://www.al.com/news/2017/05/rep_mo_brooks_people_who_live.html); Jonece Starr Dunigan, “Mo Brooks: ‘War on whites’ led to criticism of Jeff Sessions,” *al.com*, Jan. 12, 2020, [https://www.al.com/news/2017/01/mo\\_brooks\\_criticism\\_of\\_jeff\\_se.html](https://www.al.com/news/2017/01/mo_brooks_criticism_of_jeff_se.html); Sam Levine, “GOP Congressman Accuses Democrats Of Waging A ‘War On Whites,’” *Huffington Post*, Aug. 4, 2014, [https://www.huffpost.com/entry/mo-brooks-war-on-whites\\_n\\_5647967](https://www.huffpost.com/entry/mo-brooks-war-on-whites_n_5647967); Paul Gattis, “No more ‘war on whites’: Rep. Mo Brooks says RNC chair wants ‘better descriptive phrase,’” *al.com*, Aug. 8, 2014, [https://www.al.com/news/2014/08/no\\_more\\_war\\_on\\_whites\\_rep\\_mo\\_b.html](https://www.al.com/news/2014/08/no_more_war_on_whites_rep_mo_b.html); Paul Gattis, “Rep. Mo Brooks: Democrats ‘dividing America by race’ in ‘waging a war on whites,’” *al.com*, Aug. 4, 2014, [https://www.al.com/news/2014/08/rep\\_mo\\_brooks\\_democrats\\_dividi.html](https://www.al.com/news/2014/08/rep_mo_brooks_democrats_dividi.html); Chris Massie, “Rep. Brooks: Dems’ ‘war on whites’ behind some criticism of Sessions,” *CNN.com*, Jan. 12, 2016, <https://www.cnn.com/2017/01/11/politics/kfile-mo-brooks-war-on-whites/index.htmlsr=twCNN01117kfile-mo-brooks-war-on-whites1042PMVODtopPhoto&linkId=33295365>; Anna Claire Vollers, “Mo Brooks outspoken in Senate run, ‘I believe we need another Jeff Sessions,’” *al.com*, June 6, 2017, [https://www.al.com/news/2017/06/mo\\_brooks\\_senate\\_alabama\\_jeff.html](https://www.al.com/news/2017/06/mo_brooks_senate_alabama_jeff.html).

<sup>95</sup> Maria Pitofsky, “GOP rep releases campaign ad ripping Kaepernick, ‘The Squad,’” *The Hill*, Jan. 7, 2020, <https://thehill.com/blogs/blog-briefing-room/news/477092-gop-rep-releases-campaign-ad-ripping-kaepernick-the-squad>.

<sup>96</sup> Lawrence Specker, “Rep. Barry Moore Deletes Twitter account after suspension, controversial Capitol riot tweets,” Jan. 11, 2021, *al.com*, <https://www.al.com/news/mobile/2021/01/rep-barry-moore-deletes-personal-twitter-account-after-suspension.html>; Meghan Roos, “Alabama GOP Congressional Candidate Faces Backlash after Posting and Deleting Meme on Kenosha Shooting Suspect,” *Newsweek*, Aug. 30, 2020, <https://www.newsweek.com/alabama-gop-congressional-candidate-faces-backlash-after-posting-deleting-meme-kenosha-shooting-1528614>.

<sup>97</sup> Brent Wilson, “Chris Pringle: White Straight Southern Christian Conservatives Under Attack,” *Bama Politics*, Feb. 18, 2020, <https://www.bamapolitics.com/47024/chris-pringle-white-straight-southern-christian-conservatives-under-attack/>.



of the state's voting-age population, Black voters only form an effective voting majority, or anything approaching that, in one out of the state's seven congressional districts (14 percent).<sup>98</sup>

Black citizens hold no statewide offices in Alabama. Only three Black individuals have ever held any statewide office, despite Black candidates having run for Governor, Lieutenant Governor, U.S. Senate, Secretary of State, and state Auditor. Civil rights attorney Oscar Adams was appointed to a justiceship on the state Supreme Court in 1980 and won reelection in 1982 and 1988. Adams was replaced by Ralph Cook upon his retirement in 1993, and Justice Cook was able to win reelection in 1994. Justice John England was appointed to the court in 1999, but both he and Cook lost their reelection bids in 2000. Cook and Adams are the only African American candidates to ever run for and win statewide office. There are currently no Black judges on the state's Supreme Court or the Courts of Appeals.<sup>99</sup>

Only through enforcement of the VRA, through CRD administrative action, and through litigation, including *Gingles* and *Dillard*, were Black voters able to register to vote and to elect candidates of their choice to the Alabama state legislature. The vast majority of Black representatives in the legislature today represent majority-Black districts that were created with judicial oversight, federal administrative oversight, or under the specter of litigation.

## VI. FACTOR IIX: LACK OF RESPONSIVENESS

The state's lack of responsiveness to the needs of Black Alabamians is exemplified by Black lawmakers failed efforts to advocate for a second majority-minority Congressional district, something that has been repeatedly rejected by white lawmakers. State representative Prince Chestnut, named-plaintiff in a redistricting lawsuit that pending when the 2020 Census was published, argued that a second Congressional majority-minority district would not only more accurately reflect, in the ability of Black voters to elect candidates of their choice to Congress, the percentage of the Black voting age population, it would also, "have the effect of more people in Alabama having representation that is congruent with their beliefs and ideals."<sup>100</sup>

Representative Merika Coleman, Senate Minority Leader Bobby Singleton, and Senator Rodger Smitherman introduced Congressional redistricting plans in 2021 that provided for either a second majority-minority district or a Black "opportunity" district, but these were brushed aside by the Senator McClendon and Representative Pringle, the co-chairs of the Redistricting Committee. Senator McClendon has said of the possibility of drawing a second majority-minority district, "There is probably a way to maneuver around [and create two majority-minority districts], but it would be gerrymandering at its best [and] doesn't make sense at all."<sup>101</sup>

Lack of responsiveness is also evident in the state's response to the COVID-19 crisis. Black citizens have experienced higher rates of infection and death, and they have suffered from inequitable distribution of vaccines. White neighborhoods and suburbs in Birmingham and Mobile, for example, received vaccine doses months before, and in higher proportions, than poorer Black communities in those cities did.<sup>102</sup> As of June 23, 2020, there had been

---

<sup>98</sup> 2020 U.S. Census Quick Facts, Alabama, <https://www.census.gov/quickfacts/AL>.

<sup>99</sup> Blacksher, et.al., "Voting Rights in Alabama, 1982-2006," pp. 277-78.

<sup>100</sup> *Selma Times-Journal*, Nov. 16, 2019; *Montgomery Advertiser*, May 2, Nov. 3, 2021.

<sup>101</sup> *Montgomery Advertiser*, Nov. 3, 5, 2021.

<sup>102</sup> Margaret Newkirk, "A Black Neighborhood in Alabama Has Yet to Get a Single Vaccine, In a nearby wealthy White suburb, the doses flow," Bloomberg, Feb. 25, 2021, <https://www.bloomberg.com/news/features/2021-02-25/a-black-neighborhood-in-alabama-has-yet-to-get-a-single-vaccine>; Seam McMinn et al, "Across The South, COVID-19 Vaccine Sites

30.4 deaths per 100,000 people in the state among Black people and 12.5 deaths per 100,000 among white people. State Health Officer Scott Harris explained that this was not a biological phenomenon independent of sociohistorical factors. Harris said, “This is a disease that has worse outcomes in people that already have other social determinants like chronic health problems or issues just related to education and income.” As of March 2021, data by race still bore out that Black people were contracting the disease and dying from it at higher rates than white people.<sup>103</sup>

Much of what I discuss above under Factor 5 applies here as well. Black citizens who live in impoverished areas with lack of basic services and suffer the accompanying health issues, whose children attend “failing” schools and who lack transportation, or who otherwise do not have the means to attend some other school; whose children are disciplined more frequently in school or are subject to unequal treatment in the criminal justice system; whose school systems are crippled by underfunding thanks to the state’s property tax scheme; who suffer discrimination in the workplace; who supported Birmingham’s effort to raise the minimum wage only to see the state legislature block that effort: these are all people whose needs are not being met with a positive legislative response, either in the state legislature or in Congress. Alabama also recently enacted a Photo ID law that Black plaintiffs challenged in court as discriminatory, and it has closed numerous drivers’ license offices in predominantly Black areas, drawing censure from the U.S. Department of Transportation.<sup>104</sup>

The state of Alabama’s failure to respond to the needs of its Black citizens is also exemplified by its refusal to expand Medicaid under the Affordable Care Act (ACA). When a task force convened by then-governor Robert Bentley recommended in 2015 that the state reverse the course it had taken since the ACA was enacted in 2011 and opt-in to the expansion, state Senator Quinten Ross, an African American and a Democrat, applauded the recommendation and insisted that this was what the state’s Democratic Caucus had “been saying all along.” More recently, amid the COVID-19 pandemic, other Black leaders in the state legislature have insisted, “It is high time that we expand Medicaid to provide vital coverage to the more than 340,000 uninsured Alabamians,” adding, “There’s a reason this virus is killing African Americans and those in poorer communities at a much higher rate. ... outcomes are undoubtedly worse for those without coverage.”<sup>105</sup>

Proponents argue that a Medicaid expansion under the ACA would close the “coverage gap” that exists between current Medicaid and ACA marketplace parameters. Around 134,000 Alabamians were in that gap as of 2018, about 40 percent of them minorities (the vast majority of whom were/are Black). Black citizens in Alabama are disproportionately harmed by the existence of the gap and the state’s refusal to close it, despite insistence from

---

Missing From Black And Hispanic Neighborhoods,” NPR *Morning Addition*, Feb. 5, 2021, <https://www.npr.org/2021/02/05/962946721/across-the-south-covid-19-vaccine-sites-missing-from-black-and-hispanic-neighbor>; Abby Goodnough and Jan Hoffman, “The Wealthy Are Getting More Vaccinations, Even in Poorer Neighborhoods,” *The New York Times*, Feb. 2, 2021, <https://www.nytimes.com/2021/02/02/health/white-people-covid-vaccines-minorities.html>;

<sup>103</sup> Alabama Race and Ethnicity Data, Covid Tracking Project, Atlantic Monthly Group, <https://covidtracking.com/data/state/alabama/race-ethnicity>; APM Research Lab, “The Color of Coronavirus: COVID-19 Deaths by Race and Ethnicity in U.S.,” June 24, 2020, <https://www.apmresearchlab.org/covid/deaths-by-race>; Ramsey Archibald, “Death rate due to coronavirus highest for black Alabamians,” *al.com*, April 8, 2020, <https://www.al.com/news/2020/04/death-rate-due-to-coronavirus-highest-for-black-alabamians.html>; Brownlee, “Governor: It would be “irresponsible” for Alabama to expand Medicaid right now.”

<sup>104</sup> Melanie Zanona, “Feds: Closing driver's license offices in Ala. violates civil rights,” *The Hill*, Dec. 28, 2016, <https://thehill.com/policy/transportation/312055-feds-closing-driver-license-offices-in-alabama-violates-civil-rights>.

<sup>105</sup> Mike Cason, “Gov. Robert Bentley's task force recommends Medicaid expansion,” *al.com*, Nov. 18, 2015, [https://www.al.com/news/2015/11/gov\\_robert\\_bentleys\\_task\\_force.html](https://www.al.com/news/2015/11/gov_robert_bentleys_task_force.html); Anthony Daniels and Bobby Singleton, “Coronavirus crisis begs for Alabama Medicaid expansion,” *Alabama Political Reporter*, April 17, 2020, <https://www.alreporter.com/2020/04/17/opinion-coronavirus-crisis-begs-for-alabama-medicaid-expansion/>.

the governor's own task force that doing so would actually have long-term fiscal and economic benefits for the state. According to a June 2020 report released by the Urban Institute in conjunction with the Robert Wood Johnson Foundation, Alabama would see the largest decrease in its uninsured rate, 43 percent, in the nation if it were to adopt expansion. According to a 2020 Kaiser Family Foundation report, some 224,000 Alabamians would become Medicaid eligible under expansion, 34 percent of them Black.<sup>106</sup>

Representative Sewell earlier this year cosponsored a bill that would allow the Centers for Medicare and Medicaid Services to bypass state governments and work directly with local government entities and expand Medicaid coverage. Sewell has said of the bill, "Because of the State of Alabama's refusal to expand Medicaid, more than 200,000 low-income Alabamians who would otherwise qualify for health insurance coverage are being forced to go without care, putting their health and their lives at risk. If the State of Alabama won't expand access to health care for our underserved communities, local governments should have the power to do it themselves."<sup>107</sup>

Representative Sewell is the only member of Alabama's Congressional delegation who voted Yes to the infrastructure bill that recently passed Congress with bipartisan support. All other representatives voted No, including one who subsequently touted a project that can now move forward with the funding that the state will be awarded under the bill.<sup>108</sup>

## VII: CONCLUSION

Given Alabama's history of discrimination against Black citizens, the ongoing effects of that discrimination, the inability of Black voters to elect candidates of their choice to statewide office, the relative lack of representation of Black citizens in the state's Congressional delegations, and lawmaker's consistent lack of responsiveness to the needs of Black voters, the totality of the circumstances demonstrate that Black Alabamians lack an equal opportunity to right to participate in the political process and elect candidates of their choice.

---

<sup>106</sup> Cason, "Gov. Robert Bentley's task force recommends Medicaid expansion"; Rachel Garfield et al., "The Coverage Gap: Uninsured Poor Adults in States that Do Not Expand Medicaid," Kaiser Family Foundation (KFF), Jan. 14, 2020, <https://www.kff.org/report-section/the-coverage-gap-uninsured-poor-adults-in-states-that-do-not-expand-medicaid-data-and-methods/>; KFF, "Who Could Get Covered Under Medicaid Expansion? State Fact Sheets," Jan 23, 2020, <http://files.kff.org/attachment/fact-sheet-medicaid-expansion-AL>; Michael Simpson, "The Implications of Medicaid Expansion in the Remaining States: 2020 Update," Urban Institute/ Robert Wood Johnson Foundation, June 2020, [https://www.rwjf.org/en/library/research/2020/06/the-implications-of-medicaid-expansion-in-the-remaining-states--2020-update.html?cid=xem\\_other\\_unpd\\_ini:quickstrike\\_dte:20200608\\_des\\_medicaid%20exp](https://www.rwjf.org/en/library/research/2020/06/the-implications-of-medicaid-expansion-in-the-remaining-states--2020-update.html?cid=xem_other_unpd_ini:quickstrike_dte:20200608_des_medicaid%20exp).

<sup>107</sup> Press Release from Office of Congresswoman Sewell, July 17, 2021, "Rep. Sewell Introduces COVER Now Act to Empower Local Governments to Overcome Obstruction to Medicaid Expansion," <https://sewell.house.gov/media-center/press-releases/rep-sewell-introduces-cover-now-act-empower-local-governments-overcome>.

<sup>108</sup> Naomi Jagoda, "Alabama Republican touts provision in infrastructure bill he voted against," The Hill, Nov. 17, 2021, <https://thehill.com/policy/finance/581934-alabama-republican-touts-provision-in-infrastructure-bill-he-voted-against>; Lazaro Gamio and Alicia Parlapiano, "How Every House Member Voted on the Infrastructure Bill," *New York Times*, Nov. 5, 2021, <https://www.nytimes.com/interactive/2021/11/05/us/politics/house-vote-infrastructure.html>.

---

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge:

Respectfully Submitted and Executed, this day, 12-10-21,

  
\_\_\_\_\_  
JOSEPH BAGLEY, PhD

**Joseph Bagley, PhD**  
**Curriculum Vitae**



Assistant Professor of History  
Honors Program Coordinator

Perimeter College, Newton Campus  
Georgia State University  
239 Cedar Lane, Covington GA, 30014

Email: [jbagley3@gsu.edu](mailto:jbagley3@gsu.edu)  
Home: 10210 Northlake Heights Circle  
Atlanta, GA 30345  
Cell: 770-815-3771  
Office: 404-413-6364

**Education**

---

PhD, History, 2013, Georgia State University  
    *"School Desegregation, Law and Order, and Litigating Social Justice in Alabama, 1954-1974"*  
MA, History, 2007, Auburn University  
BA, History, 2004, Auburn University

**Major Publications**

---

*The Politics of White Rights: Race, Justice, and Integrating Alabama's Schools*  
(University of Georgia Press, Nov. 2018)

**Teaching and Administrative Experience**

---

Honors Program Coordinator, Perimeter College, Georgia State University, 2019 – Present

Assistant Professor, Perimeter College, Georgia State University, 2017 – Present (5/4/2 Load)

AAS 1142, African American History since 1865  
AAS 2010, Introduction to Africana Studies  
HIST 1111, Survey of World History to 1500  
HIST 1112, Survey of World History since 1500  
HIST 2110, Survey of United States History

Lecturer, Georgia Perimeter College, 2015 – 2017 (6/6/2 Load)

HIST 1112, Survey of World History since 1500  
HIST 2111, Survey of U.S. History to 1865; HIST 2112, Survey of U.S. History since 1865  
HIST 2110, Survey of U.S. History

Visiting Lecturer, Georgia State University, 2013 – 2015 (4/4/2 Load)

HIST 2110, Survey of United States History

Graduate Instructor of Record, Georgia State University, 2009 – 2013 (1/1/1 Load)

HIST 1112, Survey of World History since 1500  
HIST 2110, Survey of United States History

Graduate Teaching Assistant,

Georgia State University, 2008-2009, 2013

HIST 1112, Survey of World History since 1500; HIST 2110, Survey of United States History  
HIST 3000, Introduction to Historical Studies; HIST 4990, Historical Research (co-taught)

Auburn University, 2004-2008

HIST 1010, Survey of World History to 1789; HIST 1020, Survey of World History since 1789

## Joseph Bagley, PhD

### Curriculum Vitae



#### Invited Talks

---

Symposium on the Struggle for Black Freedom, Georgia State University, Perimeter College, Keynote Address, February 11, 2020, "The Struggle for Black Voting Rights: from Reconstruction to *Right Now*."

Georgia State University Constitution Day Event, September 18, 2019, "'To Abridge and Deny': Vote Dilution, Section 5 Preclearance, and Undermining the 15<sup>th</sup> Amendment."

Auburn University Critical Studies Working Group, College of Education, April 12, 2019, "*Teach Us All*, The Little Rock Nine, and Contemporary School Segregation."

League of Women Voters of Greater Jefferson County, February 21, 2019, "School Desegregation in Alabama."

Auburn University Caroline Marshall Draughon Center for the Arts and Humanities, January 29, 2019, Book Talk.

Alabama Department of Archives and History, *Alabama in the Age of Aquarius* Symposium, August 19, 2016, "Desegregating Alabama's Schools: the Montgomery Experience."

Alabama Department of Archives and History, Monthly Lecture Series, May 15, 2014, "Now a Single Shot Can Do It': *Lee v. Macon County Board of Education* and School Desegregation in Alabama."

#### Published Essays

---

"The Long, White History of 'Law and Order' Rhetoric: From Nixon to the Original Klan," *Tropics of Meta*, June 23, 2020.

"*Selma*, George Wallace, and the Real Legacy of White Resistance," *Tropics of Meta*, Feb. 23, 2016.

#### Notable Citations

---

Nikole Hannah-Jones, "The Resegregation of Jefferson County," *The New York Times Magazine*, Sept. 6, 2017.

Wendy Parker, "Why Alabama School Desegregation Succeeded (And Failed)," *67 Case Western Law Review*, 1091 (2017).

Rebecca Retzlaff, "Desegregation of City Parks and the Civil Rights Movement: The Case of Oak Park in Montgomery, Alabama," *Journal of Urban History* 47.4, 715 (2019).

Erika Frankenberg, "The Impact and Limits of Implementing *Brown*: Reflections from Sixty-Five Years of School Segregation and Desegregation in Alabama's Largest School District," *11 Alabama Civil Rights and Civil Liberties Law Review*, 33 (2019).

Bryan Mann, "Segregation Now, Segregation Tomorrow, Segregation Forever? Racial and Economic Isolation and Dissimilarity in Rural Black Belt Schools in Alabama," *Rural Sociology* 86.3, 523 (2021).

## Joseph Bagley, PhD

### Curriculum Vitae



#### Service

---

Newton Academic Community Engagement, 2019-present  
 Chair, Search Committee, Lecturer in History, Fall 2019  
 Search Committee, Adjunct Faculty in African American Studies, Summer 2019  
 Search Committee, Faculty Associates to Center for Excellence in Teaching and Learning, Summer 2018  
 Search Committee, Lecturers in History, Spring 2018  
 Panthers Vote Presidential Election Panel, Fall 2016  
 History 2110 Assessment Committee for the Georgia State-Georgia Perimeter Consolidation, 2016 - 2017  
 Consultant, Shiloh Community Restoration Foundation, Notasulga, Alabama, 2014 - 2015  
 Coordinating Committee, First Annual Atlanta Graduate Student Conference in History, Emory University, 2012

#### Conference Presentations

---

“‘We Have Had a Dream, Too’: School Desegregation Litigation, Racial Innocence, and Politics in Alabama,”  
 Organization of American Historians Annual Conference, St. Louis, Missouri, April 16, 2015.  
  
 “‘Life, Liberty, and the Pursuit of Alabama’s Happiness’: School Desegregation, the ‘Law and Order’ Narrative,  
 and Litigating Social Change in Alabama, 1954-75,” Midwest Political Science Association Annual  
 Conference, Chicago, Illinois, April 12, 2013.  
  
 “Black Alabamians’ Efforts to Desegregate Schools, 1954-1963: Civil Rights, Litigation, and the Road to *Lee v. Macon*,”  
 presented at the University of Alabama History Department’s Graduate Conference on Power  
 and Struggle, March 3, 2012.

#### Solicited Manuscript and Book Reviews

---

Outside Reader for Book Manuscript, Brian K. Landsberg, *Revolution by Law: The Federal Government and the  
 Desegregation of Alabama Schools*, University of Kansas Press (Spring 2021)  
  
 Camille Walsh, *Racial Taxation: Schools, Segregation, and Taxpayer Citizenship, 1869-1973* (UNC Press, 2018),  
*The Alabama Review* (Pending, Spring 2021)  
  
 Outside Reader for Essay Manuscript for *Urban History* (Fall, 2019), Anonymous  
  
 Stephanie R. Rolph, *Resisting Equality: The Citizens’ Council, 1954-1989* (LSU Press, 2018), in *The Journal of  
 Mississippi History* (Fall, 2019)  
  
 Wayne A. Weigand and Shirley A. Weigand, *The Desegregation of Public Libraries in Jim Crow South: Civil Rights  
 and Local Activism* (LSU Press, 2018), in *Georgia Historical Quarterly* (Summer, 2019)  
  
 Leeann G. Reynolds, *Maintaining Segregation: Children and Racial Instruction in the South, 1920-1955* (LSU  
 Press, 2018), in *The Alabama Review* (Summer, 2019)  
  
 Outside Reader for Essay Manuscript for *History of Education Quarterly* (Fall, 2018), Anonymous  
  
 James Turner, *Selma and the Liuzzo Murders: The First Modern Civil Rights Convictions* (University of Michigan  
 Press, 2018), in *Law and History Review, The Docket*, Vol. 1, Issue 2 (August, 2018)



**Joseph Bagley, PhD**  
**Curriculum Vitae**



**Solicited Manuscript and Book Reviews Cont.**

---

Tracy E. K'Meyer, *From Brown to Meredith: The Long Struggle for School Desegregation in Louisville, Kentucky, 1955—2007* (University of North Carolina Press, 2013), in *The Journal of Southern History* 80, No. 4 (Nov, 2014): pp. 1019-20

Frank Sikora, *The Judge: The Life and Opinions of Alabama's Frank M. Johnson, Jr.* (New South Books, 2007), in *The Alabama Review* 61, No. 2 (April, 2008): 153-4

**Awards**

---

- John M. Matthews Distinguished Dissertation Award, 2013, Georgia State University

**Examination Fields**

---

- 19<sup>th</sup>-20<sup>th</sup> Century United States History
- United States Legal and Constitutional History
- History of South Africa

**Professional Organizations**

---

- Organization of American Historians
- American Historical Association
- American Society for Legal History
- Southern Historical Association
- Alabama Historical Association

**Languages**

---

- Spanish: Reading, Good
- French: Reading, Good



IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF  
ALABAMA SOUTHERN DIVISION

Milligan *et al.*

*Plaintiffs,*

v.

Merrill *et al.*

*Defendants.*

---

**REBUTTAL EXPERT REPORT**

**Kosuke Imai, Ph.D.**

**December 20, 2021**

---

**Table of Contents**

I.	Introduction and Scope of Work	3
II.	Summary of Opinions	4
III.	Methodology	4
IV.	<u>Evaluation of the Enacted Plan</u>	5
V.	Appendix	7
A.	Compactness of the Simulated Plans . . . . .	7
B.	County Splits of the Simulated Plans . . . . .	7
C.	References . . . . .	8

**REBUTTAL EXPERT REPORT**

**I. INTRODUCTION AND SCOPE OF WORK**

1. My name is Kosuke Imai, Ph.D., and I am a Professor in the Department of Government and the Department of Statistics at Harvard University. I specialize in the development of statistical methods for and their applications to social science research. I am also affiliated with Harvard's Institute for Quantitative Social Science. My qualifications and compensation are described in my initial report.

2. I understand from Plaintiffs' counsel that one of Defendants' experts offered the opinion that Mobile and Baldwin Counties are communities of interest and should not be divided across congressional districts. I also understand from Plaintiffs' counsel that there is evidence supporting the Black Belt, as defined below, as a community of interest. I express no opinions on these issues.

3. I have been asked by Plaintiff's counsel to re-run my "one-MMD (majority-minority district) simulation" from my initial report with additional weighting that encourages the algorithm to keep Mobile/Baldwin and the Black Belt together and to examine the likely effect on the range of black voting-age population (BVAP) proportion of non-MMD districts, particularly District 2. The original one-MMD simulation I conducted for my initial report generated 10,000 alternative plans, each of which was designed to have exactly one MMD with the proportion of black voting-age population (BVAP) ranging from 50% to 51%. The other six districts of each simulated plan were generated without any consideration of race. This time, however, I instructed the algorithm to generate, with a high probability, plans which keep Mobile and Baldwin Counties together and the Black Belt together. Other than this additional weight, the new one-MMD simulation procedure I employed is identical to the one used in my initial expert report. Like the original one-MMD simulation, my new 10,000 simulated plans are, on average, more compact and have no more county splits than the enacted plan.

**REBUTTAL EXPERT REPORT****II. SUMMARY OF OPINIONS**

4. The comparison of the new one-MMD simulated plans with the enacted plan yields the following findings: the district with the second highest BVAP proportion in simulated plans achieves, on average, 6.2 percentage points higher BVAP proportion than the enacted plan. This difference is statistically significant using the conventional standard. The new one-MMD simulations generated many more plans with a greater BVAP proportion for the second highest BVAP district than my initial one-MMD simulation, which did not encourage the algorithm to avoid splitting Mobile/Baldwin Counties and the Black Belt.

5. My simulation analyses, therefore, provide evidence that race was a significant factor in drawing the enacted plan, and that, taking into account the identified communities of interest, the enacted plan is still an outlier in terms of how it cracks the Black community.

**III. METHODOLOGY**

6. The simulation procedure used for this report is identical to that of the one-MMD simulation from my initial report with the exception of one additional weighting I added to discourage the simulation algorithm from splitting Mobile and Baldwin Counties as well as the Black Belt. I was instructed by Plaintiffs' counsel to use the following set of counties for the Black Belt: Barbour, Bullock, Butler, Choctaw, Clarke, Conecuh, Crenshaw, Dallas, Escambia, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Montgomery, Perry, Pickens, Pike, Russell, Sumter, Washington, and Wilcox Counties. As standard in the literature, I used the so-called Gibbs measure to incorporate this constraint into the simulation algorithm (Autry et al. 2020; Carter et al. 2019; McCartan and Imai 2020; Kenny et al. 2021).<sup>1</sup> One MMD whose BVAP proportion is between 50% and 51% was generated for each simulated plan in the exactly same manner as done in the one-MMD simulation for my initial report. Finally, I used the same data set as the one analyzed in my initial report.

---

1. Specifically, I used the indicator variable for splitting each of these two county clusters with a penalty weight of 25.

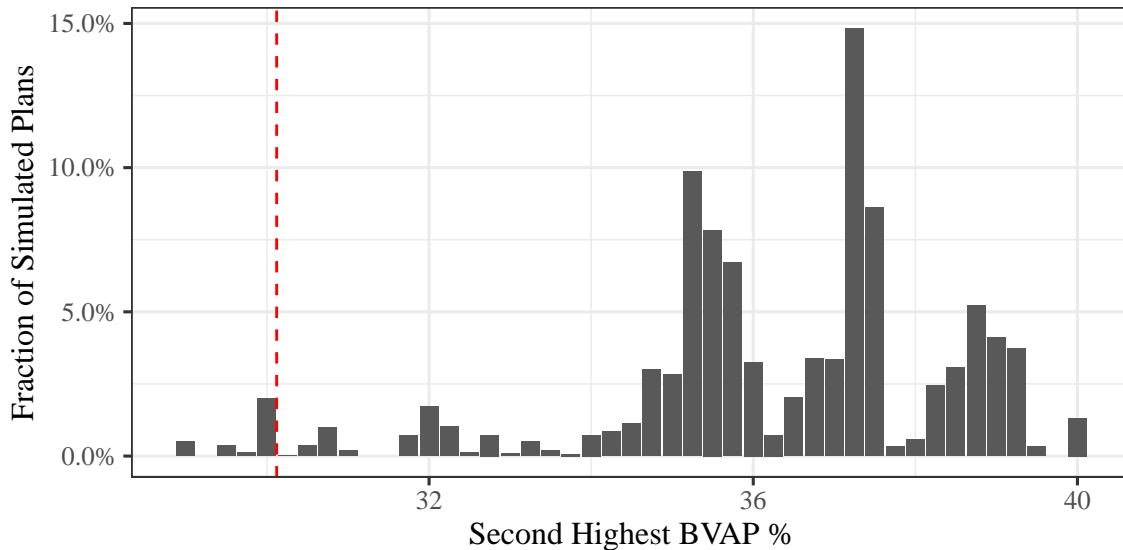
**REBUTTAL EXPERT REPORT**

Figure 1: The second highest Black voting age population (BVAP) proportion (after the simulated majority-minority district) in each simulated plan. The vast majority of simulated plans have greater BVAP than the enacted (red).

#### **IV. EVALUATION OF THE ENACTED PLAN**

7. Using the redistricting simulation methodology described above, I evaluate evidence regarding whether race was a primary factor in drawing the enacted plan. In Appendix A, I demonstrate that the simulated plans are on average at least as compact as the enacted plan based on the standard compactness measures. Appendix B further shows that all of the simulated plans have fewer than or equal to the number of county splits the enacted plan does. In addition, like the original one-MMD analysis conducted for my initial report, all simulated plans have at most one incumbent located in any given district.

8. I can easily generate additional plans by running the algorithm longer, but for the purpose of my analysis, 10,000 simulated plans for each set will yield statistically precise conclusions. In other words, generating more than 10,000 plans, while possible, will not materially affect the conclusions of my analysis.

9. Figure 1 shows the distribution of BVAP proportion for the district that has the second highest BVAP proportion under each simulated plan. Note that under more than 99% of the simulated plans, District 2 has the second highest BVAP proportion. When compared to the en-

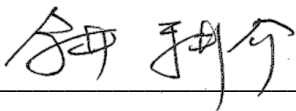
**REBUTTAL EXPERT REPORT**

acted plan (represented by the red dashed line), under the simulated plans, this district has a much higher BVAP proportion with a maximum value of 39.9%. Although all of non-MMD districts were generated without using any information about race, the simulation plan has, on average, the second highest district-level BVAP proportion at 36.3%, which is 6.2 percentage points higher than the corresponding BVAP proportion under the enacted plan (30.1%). Only 3% of the simulated plans have the second highest district-level BVAP proportion to be less than the one for the enacted plan. In other words, this difference between the simulated plans and the enacted plan is statistically significant.

10. When compared to the original one-MMD simulation reported in my initial report, this new one-MMD simulation generated many more plans with a greater BVAP proportion for the second highest district-level BVAP proportion. This implies that keeping Mobile and Baldwin Counties together and the Black Belt together is likely to significantly increase the second highest district-level BVAP proportion.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the forgoing is true and correct:

Executed, this day, December 20, 2021, in Cambridge, Massachusetts.



---

Kosuke Imai, Ph.D.

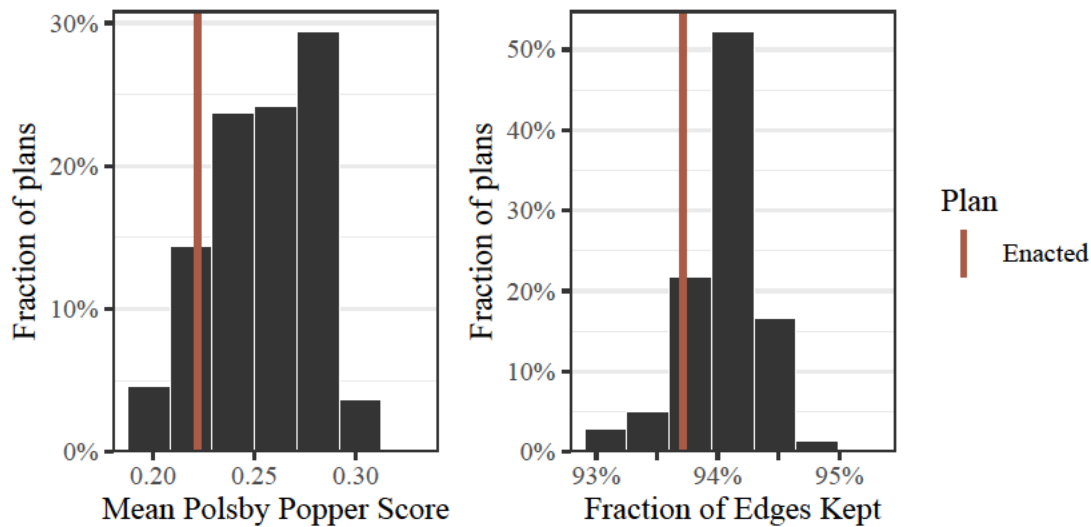
**REBUTTAL EXPERT REPORT**

Figure 2: The compactness of the one-MMD simulated plans according to two measures – Polsby-Popper compactness (left) and fraction of edges kept (right). In general, simulated plans are as compact or more compact than the enacted plan.

## V. APPENDIX

### A. Compactness of the Simulated Plans

1. I now show that the simulated plans are more compliant than the enacted plan. I use the average Polsby–Popper (Polsby and Popper 1991) and edge-removal (DeFord, Duchin, and Solomon 2021; McCartan and Imai 2020) scores, two commonly-used quantitative measures of district compactness. Figure 2 also shows that according to the Polsby–Popper and edge-removal scores, the new one-MMD simulated plans are, on average, more compact than the enacted plan.

### B. County Splits of the Simulated Plans

2. Figure 3 presents the number of counties split within the MMD (left plot) and the total number of counties split (right plot). The figure shows that when compared to the enacted plan, all of the new one-MMD simulated plans have fewer or equal number of county splits within the MMD and across all districts.



## REBUTTAL EXPERT REPORT

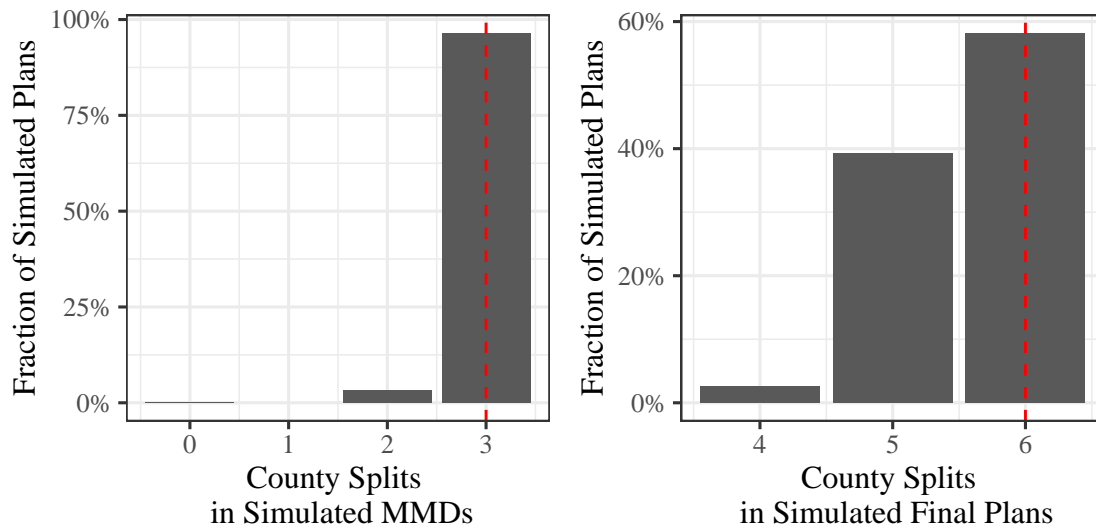


Figure 3: The number of county splits in each simulated majority-minority district (left) and in the complete simulated plans (right). All simulated plans used in the analysis have the same number or fewer splits than the enacted plan (red).

### C. References

- Autry, Eric, Daniel Carter, Gregory Herschlag, Zach Hunter, and Jonathan Mattingly. 2020. “Multi-scale merge-split Markov chain Monte Carlo for Redistricting.” *arXiv preprint arXiv:2008.08054*.
- Carter, Daniel, Gregory Herschlag, Zach Hunter, and Jonathan Mattingly. 2019. “A Merge-Split Proposal for Reversible Monte Carlo Markov Chain Sampling of Redistricting Plans.” *arXiv preprint arXiv:1911.01503*.
- DeFord, Daryl, Moon Duchin, and Justin Solomon. 2021. “Recombination: A Family of Markov Chains for Redistricting.” <https://hdsr.mitpress.mit.edu/pub/1ds8ptxu>, *Harvard Data Science Review* (March 31, 2021). <https://doi.org/10.1162/99608f92.eb30390f>. <https://hdsr.mitpress.mit.edu/pub/1ds8ptxu>.
- Kenny, Christopher T., Shiro Kuriwaki, Cory McCartan, Evan Rosenman, Tyler Simko, and Kosuke Imai. 2021. “The Use of Differential Privacy for Census Data and its Impact on Redistricting: The Case of the 2020 U.S. Census.” *Science Advances* 7, no. 41 (October): 1–17.

**REBUTTAL EXPERT REPORT**

McCartan, Cory, and Kosuke Imai. 2020. “Sequential Monte Carlo for sampling balanced and compact redistricting plans.” *arXiv preprint arXiv:2008.06131*.

Polsby, Daniel D, and Robert D Popper. 1991. “The third criterion: Compactness as a procedural safeguard against partisan gerrymandering.” *Yale Law & Policy Review* 9 (2): 301–353.

# Response to Report of Thomas Bryan

Moon Duchin  
Professor of Mathematics, Tufts University  
Collaborating Faculty in Race, Colonialism, and Diaspora Studies  
Senior Fellow, Tisch College of Civic Life

December 20, 2021

## 1 Background and assignment

I am a Professor of Mathematics and a Senior Fellow in the Jonathan M. Tisch College of Civic Life at Tufts University. I have previously submitted an expert report in the current case and have been asked by counsel to provide additional material providing my opinion on the report of Thomas Bryan, particularly focused on his discussion of compactness metrics and of racial categories on the Census.

## 2 Compactness metrics

Part 4(D) of the Thomas Bryan report (pages 29-30) covers the topic of compactness metrics. In that Part, four compactness metrics are presented: Polsby-Popper, Schwartzberg, Reock, and Convex Hull.

### 2.1 Erroneous calculation

The Schwartzberg scores are calculated incorrectly in Mr. Bryan's report. Quoting the original 1966 paper where the score was proposed by Joseph Schwartzberg<sup>1</sup>

For any given two dimensional area the most compact shape is a circle. No other geometric figure has as low a ratio between its perimeter and area. The relative compactness of any other figure may be determined by finding the ratio of its perimeter to the perimeter of a circle of equal area. The ratio serves as an index of compactness. The index number of a circle is taken to be one. All other indices are higher and represent varying degrees of departure from perfect compactness. Thus, the index number of a perfect square is 1.13, of an equilateral triangle 1.29, and of a perfect five point star 1.95.

As this makes clear, the Schwartzberg score takes a minimum value of 1 (realized only for perfect circles); all other shapes have values above that. In the Thomas Bryan report, all districts are reported to have Schwartzberg scores less than one. Mr. Bryan supports his calculation by citing the website ([fisherzachary.github.io/public/r-output.html](https://fisherzachary.github.io/public/r-output.html)) of an undergraduate student project, and including screenshots from that project in his report.

<sup>1</sup>Joseph E. Schwartzberg, Reapportionment, Gerrymanders, and the Notion of Compactness, 50 Minn. L. Rev. 443, 452 (1966).

## 2.2 Questionable combination

In addition to reporting scores incorrectly, Mr. Bryan also performs an operation that violates best practices in statistics and mathematical modeling: he adds scores that are in different units to create a "Total." Polsby-Popper scores are in dimensionless units that can be interpreted as a proportion of a certain circle's area; Reock scores are in proportion of a different circle's area; Convex Hull scores are in percentage of a certain polygon's area. It is unclear how one might interpret their sum, as the standard practice in quantitative analysis would be to only compute sums and averages of scores in like units.

The practice of summarizing multiple compactness scores of numerous districts in a single number is not just abstractly discouraged, but has a concrete impact: it serves to hide the fact that different compactness scores reward or penalize different kinds of features. This can mislead readers into thinking that two plans are directly comparable when in fact one is stronger in some ways while the other is stronger in other ways. In a case like this, the appropriate conclusion would be that the compactness comparison is marked by tradeoffs.

## 3 Racial population categories

Part 3 of the Thomas Bryan report (pages 9-13) discusses Census Race Definitions, tallying population with categories that he calls "Black Alone" and "All Black." Mr. Bryan writes on p.10 that "the 'alone' definition has been most defensible from a political science / Gingles 2 voting behavior perspective"—here, it is unclear what references support his claim, from political science or any other scholarly or practitioner literature.

As Mr. Bryan acknowledges, the ability to use multiple categories to self-identify race in the Census is relatively recent. I note the Decennial Census treats Black as a checkbox, i.e., a yes/no question (see Figure 1). Thus, the Any-Part-Black definition (AKA "All Black") can be very simply described: *it contains all residents who, when presented with the Yes-or-No question about whether they are Black, answered Yes.*

9. What is Person 1's race? Mark ☒ one or more boxes.

☐ White

☐ Black, African Am., or Negro

☐ American Indian or Alaska Native — Print name of enrolled or principal tribe. ↴

☐ Asian Indian    ☐ Japanese    ☐ Native Hawaiian

☐ Chinese    ☐ Korean    ☐ Guamanian or Chamorro

☐ Filipino    ☐ Vietnamese    ☐ Samoan

☐ Other Asian — Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on. ↴

☐ Other Pacific Islander — Print race, for example, Fijian, Tongan, and so on. ↴

☐ Some other race — Print race. ↴

Figure 1: The race question on the Decennial Census form in 2010.

I further note that Plan A, the first alternative plan presented in my report of December 10, has two majority-Black districts by any definition of Black that is plausibly used for VRA purposes: Any-Part-Black VAP, Black-Alone VAP, or Black Citizen VAP.<sup>2</sup>

	Black-Alone VAP	Any-Part-Black VAP	Black Citizen VAP
CD2	.5001	.5137	.5205
CD7	.5030	.5150	.5240

Table 1: Statistics for CD2 and CD7 in Plan A

### **Future inquiry via voter registration**

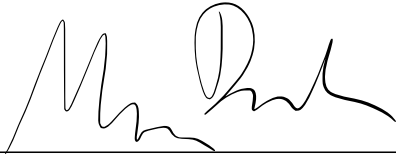
There is another source that could be useful to support the question of Black self-identification in Alabama: the voter registration file, in which citizens are asked to identify their race with a single choice. Counsel is currently attempting to secure a geocoded voter registration file. If I am provided with that resource in the near future, I hope to provide a supplemental report with the corresponding analysis.

---

<sup>2</sup>As explained in the supplemental material to my initial report, the BCVAP is estimated by using a special tabulation of the American Community Survey to calculate the citizenship rate for Black residents in the tract to which each block belongs, then applying that rate to the BVAP, in this case the Any-Part-Black VAP.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of December, 2021.

  
\_\_\_\_\_  
Moon Duchin

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

**Rebuttal Report of Baodong Liu, Ph.D.**

**December 20, 2021**

I have been asked to express my opinion on the expert report of Dr. M.V. Hood III, an expert for the Defendants in the above captioned litigation. This report serves as a rebuttal to Dr. Hood's report dated December 10, 2021.

This rebuttal summarizes the areas of agreement and the limitations of Dr. Hood's report.

**Areas of Agreement with Dr. Hood**

Despite my concerns about his methodology, Dr. Hood and I agree in four important areas. First, Dr. Hood rightly concluded in his report that "racially polarized voting is present [in Alabama] with black voters overwhelmingly supporting the Democratic candidate and more than a majority of white voters casting a ballot for the Republican candidate." (Hood p. 13) Second, Dr. Hood and I agree that white bloc voting will usually result in the defeat of Black-preferred candidates in white-majority districts in Alabama. (Hood p. 14, Liu p. 18) Third, Dr. Hood is correct about the necessity of using Gary King's ecological inference (ei) method for estimating the candidate of choice for different racial groups (Hood p. 3) Finally, Dr. Hood and I agree that, "[i]n a Democratic primary, white and black voters may support different candidates. If there is an insufficient number of black voters to constitute a majority in a Democratic primary, the black community may be unable to elect their candidate of choice." (Hood p. 14). Indeed, my initial report used ei to show racially polarized voting in the 2020 congressional district (CD) 1 primary election (Liu p. 10) and I reviewed exit poll data that showed racially polarized voting in the 2008 Democratic presidential primaries (Liu p. 14).



### **The Methodology in Dr. Hood's Study of Racial Turnout Rates**

Dr. Hood rightly acknowledged the need to consider racial turnout disparities when offering his opinion on functionality analysis (FA). His method for his FA was an attempt to predict what will happen in the future given how different plans including the “enacted plan” provide different opportunity structures for racial groups to vote for their candidate of choice.

In his first step of FAs, Dr. Hood used *ei* to derive his racial group vote estimates for candidates. For example, his Table 1 shows the racial estimates (Black, White and Other) for the vote choice between the Democratic candidate (Biden) and the Republican candidate (Trump) by using the 2020 Presidential election dataset. His Table 1 indicates the racially polarized voting (RPV) results between Black and white voters with respect to the enacted CD 7.

Strangely, after showing the results of RPV in Table 1, Dr. Hood went on to estimate racial turnout disparities by using what he labeled as “historical registration and turnout data”. This procedure is odd because his Table 1 results were already derived along with the racial turnout disparities. To be more specific, the *ei* package he used (*eiPack*) and the *RxC* procedure in his *ei* operation allowed him to estimate racial turnouts as well as racial vote estimates for candidates. This is the appropriate approach for his FA, and his R-code in his “Replication” folder showed that he indeed engaged in such R operation. Thus, he should already have had his racial turnout rates as he completed his Table 1 procedure. But Dr. Hood choose not to report these racial turnout estimates from his own *ei* operations. Instead, he went further to use a different dataset and a different method to derive his Tables 2 and 3 about racial turnout breakdown in enacted CD 7.

After being asked to provide a detailed explanation for how his method for arriving at the results reported in his Tables 2 and 3, Dr. Hood did not provide the requested explanation.

### **The Selected Elections in Dr. Hood's Report**

In Dr. Hood's published article, “From Legal Theory to Practical Application: A How-To for Performing Vote Dilution Analyses,” the appropriate approach to an RPV analysis, according to Dr. Hood and his two co-authors, “must also consider the race/ethnicity of the candidates running for election. Of the elections available for analysis, the more relevant are those that feature a minority candidate from the racial/ethnic group suing the jurisdiction in question. For example, in a vote dilution suit brought by Latino voters, one would seek election contests featuring Hispanic candidates, while also keeping in mind the other criteria previously discussed” (Hood, Morrison and Bryan, 2017, p.546).<sup>1</sup> But the two elections Dr. Hood analyzed (i.e., the 2020 Presidential Election and the 2018 Gubernatorial Election) did not directly involve a minority candidate. The 2018 Gubernatorial Election did not involve a minority candidate at all. Though the Democratic Vice-Presidential candidate was a minority (Black/Asian) candidate

---

<sup>1</sup> M.V. Hood III, Peter A. Morrison, and Thomas M. Bryan. 2017. “From Legal Theory to Practical Application: A How-To for Performing Vote Dilution Analyses.” *Social Science Quarterly* 99 (2): 536-552.

(Kamala Harris), the 2020 Presidential Election featured two white men on the top of the tickets for both major parties.<sup>2</sup>

### **The Misleading Assertion about Black Republican Candidate “Success” in Dr. Hood’s Report**

Dr. Hood next switched his attention to “minority Republican candidates” (p. 15). Arguing that “white conservatives support minority Republican candidates at the same rates or at significantly higher rates than Anglo (non-Hispanic white) GOP nominees”, Dr. Hood attempted to relate what happened in Alabama to his own 2015 publication on Public Opinion Quarterly. Without doing any RPV analysis for a single election that did take place in Alabama, Dr. Hood cited Kenneth Paschal from HD 73 as an example for his claim. Paschal won the Republican runoff election in 2021 with 51.1% votes cast, according to Dr. Hood, and he defeated his white Democratic opponent in the Special General Election at the end with 74.7% of the vote.

But as Dr. Hood indicated, Paschal, as an African American, “ran in a Shelby County district which is 84.1% white VAP.” Such a super white-majority district, unfortunately, does not allow any realistic opportunity to estimate the extent to which RPV, or lack thereof, may have any influence on the election outcome in a typical racially contested election in Alabama. To verify Dr. Hood’s claim, I ran an RxC ei operation by using the precinct-level election data from the 2021 special election in HD 73. The results of my RPV analysis shows that it is indeed an unreliable election to estimate white support for a Black Republican candidate. The turnout was low overall at 5.3% of the voting-age population. Especially among the white electorate, only 1.7% of the white voting-age population turned out to vote, which suggests that white voters were not highly interested in this election featuring a Black Republican candidate. Furthermore, both white and black racial vote estimates had an extremely large confidence interval<sup>3</sup> to the extent that the wide range for the ei results are not useful and cannot be taken seriously. The white vote, for instance, may be as low as 22% for Paschal or as high as 88.9%, while his Black support was similarly estimated between 15% and 72%.

To gauge the willingness of white voters in Alabama to vote for a Black Republican candidate, one should pay attention to state-wide elections where white voters are given a chance to vote for a Black Republican candidate with high name-recognition in a racially contested election.<sup>4</sup> To evaluate Dr. Hood’s claim, I conducted a RPV analysis of the 2016 Republican Presidential Primary in Alabama in which Ben Carson, a highly publicized Black candidate, ran against ten other candidates including President Donald Trump.

I report the RPV findings about this election in Table A below. Ben Carson, as shown in the table, received only about 9% of the white vote in Alabama. In contrast, Carson received about 31% of the Black Republican vote. Thus, Black Republicans were over three times more likely

---

<sup>2</sup> As a verification study, I ran a RxC ei operation for the 2020 Presidential election, and the state-wide results showed that indeed it was highly racially polarized in that Biden/Harris won around 95% of the Black vote and only 12% of the white vote.

<sup>3</sup> I explained confidence intervals in footnote 10 of my initial report.

<sup>4</sup> For example, national polls from October 2015 showed Carson as the lead Republican candidate. NBC/WSJ Poll: Carson Surges Into Lead of National GOP Race (Nov. 2, 2015), <https://www.nbcnews.com/politics/2016-election/nbc-wsj-poll-carson-surges-lead-national-gop-race-n456006>.

than whites to support Carson. Donald Trump, on the other hand, received more than 44% of the white vote and essentially tied with Carson with 33% of the Black Republican vote. When the primary outcome was announced, Trump was the overwhelming winner with more than 43% of the total votes cast while Carson was in the fourth place with barely over 10% of the votes.


Table A: RPV in the 2016 Republican Presidential Primary, Alabama

<b>Group</b>	<b>Turnout</b>	<b>Carson</b>	<b>Trump</b>	<b>All-others</b>
Black	0.013 (0.011, 0.022)	0.307 (0.268, 0.338)	0.333 (0.299, 0.368)	0.36 (0.326, 0.397)
White	0.312 (0.296, 0.319)	0.089 (0.078, 0.094)	0.447 (0.443, 0.455)	0.464 (0.461, 0.467)
Total	0.217	0.103	0.439	0.458

It is also worth noting that only 1.3% of Black voters participated in this Republican primary. Dr. Hood's assertion of the white conservative support for Black Republican candidates in Alabama has little, if any, empirical support.

\*\*\*

Per 28 U.S. Code § 1746, I declare under penalty of perjury that the forgoing is true and correct. Executed on December 20, 2021.

  
Baodong Liu, Ph.D.

**MILLIGAN V. MERRILL**  
**Case No.: 2:21-cv-012921**  
**SUPPLEMENTARY DECLARATION OF JOSEPH BAGLEY, PHD**  
**REBUTTAL OF REPORT OF THOMAS M. BRYAN**

Thomas M. Bryan asserts in his report for the defendants that Mobile and Baldwin Counties constitute an inseparable community of interest (“COI”) and that splitting these counties, as in the *Milligan* plaintiffs’ proposed plan, would “cause the most harm” among county splits in said plan. Mr. Bryan also alludes to the Black Belt region of the state but does not explain the historical, demographic, or socioeconomic characteristics of the region. In my opinion, the Bryan report fails to describe the Black community and the Black Belt and its close relationship to the Black people of Mobile.

The Black Belt is a region that stretches across America’s Deep South, from South Carolina to Texas. It is named for its rich black soil. Though the majority of the American Black Belt’s inhabitants are also Black people, the descendants of the enslaved who were forced to work that land before and during the Civil War.

The Alabama Black Belt extends, roughly, from Russell and Barbour Counties in East Alabama, through Montgomery County, to an expanding area covering Pickens County to Washington County on the Mississippi line.

As Native Americans were gradually and forcibly removed from the lands west of the Ocmulgee River in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries, white settlers realized that the Black Belt’s soil, and the Deep South’s climate, were perfect for growing long-staple cotton. At the same time, the invention of the cotton gin and the beginnings of industrialization increased demand for that crop, and a decline in the tobacco market created a “surplus” of enslaved Black people in the older plantation areas of the Tidewater of Virginia and North Carolina.

White settlers began to flood into the state of Alabama when most of the remaining Creek Indians were forced out via the Indian Removal Act of 1830. By then, the United States government had banned the importation of slaves from abroad, so many settlers brought enslaved Black people with them from the older plantation areas of the Upper South. Others purchased them from slave markets in Montgomery, Mobile, Jackson, and other cities. American chattel slavery expanded dramatically between that time and the Civil War, giving rise to the “Cotton Kingdom” of the antebellum era when cotton was America’s most valuable export and enslaved Black people were its most valuable commodity. The Black Belt of Alabama became home to not only the wealthiest white plantation owners in the state, but to some of the wealthiest individuals in the young nation, some of whom held hundreds of people in bondage.

When the 13<sup>th</sup> Amendment brought an end to chattel slavery, land was never systematically redistributed from white landowners and given to newly freed Black people. Formerly enslaved Black people became landless tenant farmers, beholden to their former

masters. And when Alabama replaced its constitution in 1875 and again in 1901, it was the “Bourbon redeemers” of the Black Belt region, hyper-wealthy white landowners, who pushed hardest for a document that would protect white supremacy. Black people were the overwhelming majority in most areas. The Black Belt’s white landowners feared that allowing Black people to vote freely would lead to land reform and their political and financial ruin. Thus, they lobbied for protections against white property tax dollars for Black education and for the total disenfranchisement of Black citizens.

When the nonviolent movement for civil rights reached its peak in the mid-1950s, it was the Black Belt where Black activists faced the most formidable reprisals – violent and economic. The Black Belt was also the seedbed of both the Ku Klux Klan and the Citizens’ Council in the state. The Citizens’ Councils ensured that any Black people engaged in civil rights activism received “the pressure,” meaning they would be fired by white employers, evicted by white landowners, denied credit by white bankers, etc.<sup>1</sup> “Bloody Sunday” occurred in the Black Belt city of Selma, and the related murder of Viola Liuzzo occurred in nearby Lowndes County, dubbed “Bloody Lowndes” for the violence meted out against voting rights protestors.<sup>2</sup> White people fled public schools in the Black Belt rather than integrate and even fled some cities entirely rather than share local governmental power.<sup>3</sup>

The Black Belt was also the site of Black citizens’ efforts to organize and to seek access to the franchise and to equal educational opportunity. When the National Association for the Advancement of Colored People encouraged local branches to petition school boards to address the Supreme Court’s *Brown v. Board of Education* decision in 1955, Black people in Butler, Russell, Bullock, and Dallas Counties were among those to answer the call (Black activists in Mobile did the same). The Lowndes County Freedom Association was founded in 1965 and the National Democratic Party of Alabama was formed soon thereafter with both independent focused on running Black candidates in elections in the Black Belt.<sup>4</sup>

White backlash to Black activism took the form of violence and economic reprisals, which contributed to Black Alabamians’ migration from the Black Belt to Mobile and elsewhere as early as the end of the Civil War. This migration of Black people from the Black Belt to Mobile continued through the end of the Nineteenth Century and into the Twentieth Century.

The historian Wayne Flynt has described a “massive hemorrhaging of people,” mostly Black people, from the Black Belt, in the early Twentieth Century. As Flynt explains, “These internal migrants generally headed for cities.” This would include Black people who left the Black Belt for Mobile in significant numbers during the Great Depression, when white

---

<sup>1</sup> Joseph Bagley, *The Politics of White Rights: Race, Justice, and Integrating Alabama’s Schools* (Athens: University of Georgia Press, 2018).

<sup>2</sup> Hasan Kwame Jeffries, *Bloody Lowndes: Civil Rights and Black Power in Alabama’s Black Belt* (New York: New York University Press, 2010); James P. Turner, *Selma and the Liuzzo Murder Trials: The First Modern Civil Rights Convictions* (Ann Arbor: University of Michigan Press, 2018).

<sup>3</sup> Bagley, *The Politics of White Rights*.

<sup>4</sup> Bagley, *The Politics of White Rights*; Jeffries, *Bloody Lowndes*.

landowners refused to pass down federal aid to their sharecropping tenant farmers. In the second half of the Twentieth Century, consolidation of land, mechanization, and the rise of the Sunbelt generated, in Flynt's words, "a hemorrhaging of people [from the Black Belt] even more severe" than the previous one. Again, Black people left the Black Belt for Mobile. By the end of the century, more Black people in Alabama lived in cities than in rural areas. Many Black families in Mobile are Black Belt migrants or the descendants thereof.<sup>5</sup>

As the political scientist Richard Pride writes of Mobile, "Its roots followed the rivers north into the heart of the black belt . . . where cotton and timber grew abundantly, and planters, rednecks, and blacks marked all the society that people acknowledged." Pride continues, "The city had its face turned toward the world, but it nevertheless grew out of the Old South."<sup>6</sup>

White flight accelerated significantly in Mobile when the city's long-running school desegregation case finally yielded positive results for Black plaintiffs in the early 1970s, at the same time that Black Belt public school systems were experiencing similar backlash and flight.<sup>7</sup> As in the Black Belt, white flight has left most public schools east of I-65 in Mobile overwhelmingly Black. The Black communities of Mobile and the Black Belt share significant historic, demographic, and socioeconomic interests.

I am aware that the State Board of Education ("SBOE") elects eight-members from single-member districts, including two majority Black districts. I am also aware that the parties in this case have agreed that, "[i]n each election since 2011, a Black Democrat won a majority of Black voters and the election in Districts 4 and 5 of the SBOE" and that "District 5 of the SBOE Plan connects the City of Mobile to the Black Belt Counties."<sup>8</sup> The fact that most Black voters in SBOE District 5 vote for the same candidates and the State Legislature's decision to place the Black communities in the City of Mobile and the Black Belt in the same SBOE district are consistent with my conclusions here.

In his analysis of Mobile and Baldwin Counties, Mr. Bryan relies exclusively upon the previous testimony of U.S. Congressional Representative Bradley Byrne and former Representative Jo Bonner, two white men elected from the overwhelmingly white 1<sup>st</sup> District who have asserted that Mobile and Baldwin form a sensible COI. But the population of the Mobile County east of Interstate 65 is overwhelming Black and shares little today with the rest of the metropolitan area, which is predominately white. And to the extent that western Baldwin County shares economic interest with the city, it is because safely white communities

---

<sup>5</sup> Wayne Flynt, *Alabama in the Twentieth Century* (Tuscaloosa: University of Alabama Press, 2004), pp. 115, 143, 177.

<sup>6</sup> Richard Pride, *The Political Use of Racial Narratives: School Desegregation in Mobile, Alabama, 1954-1997* (Champaign: University of Illinois Press, 2002); Scotty E. Kirkland, "Pink Sheets and Black Ballots: Politics and Civil Rights in Mobile, Alabama, 1945-1985," M.A. Thesis (University of South Alabama, 2009).

<sup>7</sup> *Davis v. Mobile Board of School Commissioners*, 430 F.2d 883, 889 (5th CCA, 1970), reversed, 402 U.S. 33 (1971).

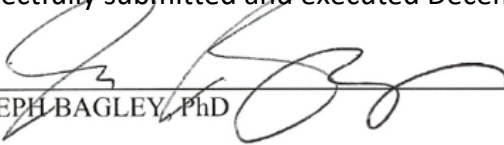
<sup>8</sup> Joint Stipulated Facts for Preliminary Injunction Proceedings, *Milligan v. Merrill*, Dec. 7, 2021.

like Fairhope, Spanish Fort, and Daphne became white flight destinations when courts called for compulsory school desegregation and white residents fled from the possibility of their kids attending majority Black Williamson High and Vigor High or a substantially Black Murphy High.<sup>9</sup> The remaining areas of Baldwin County are either sparsely populated or are Gulf Coast beach tourist destinations that have little meaningful connection to the city of Mobile save for waterfront access.<sup>10</sup>

In conclusion, it is my opinion that the Black communities in the Black Belt and Mobile County have longstanding, organic, and meaningful connections.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge.

Respectfully submitted and executed December 20, 2021.

  
JOSEPH BAGLEY, PhD

---

<sup>9</sup> Bagley, *The Politics of White Rights*; Brian Duke, "The Strange Career of Birdie Mae Davis: A History of a School Desegregation Lawsuit in Mobile, Alabama, 1963 – 1997," M.A. Thesis, Auburn University (2009).

<sup>10</sup> Allen Tullos, *Alabama Getaway: The Political Imaginary and the Heart of Dixie* (Athens: University of Georgia Press, 2011); Harvey Jackson, *The Rise and Decline of the Redneck Riviera: An Insider's History of the Florida-Alabama Coast* (Athens: University of Georgia Press, 2013).



DISTRICT	MEMBER	2020 CENSUS DATA	GAIN/LOSS FROM 2021 IDEAL	2011 TOTAL POP	2021 TOTAL POP	2011 WHITE POP	2021 WHITE POP	2011 WHITE POP %	2021 WHITE POP %	2011 BLACK POP	2021 BLACK POP	2011 BLACK POP %	2021 BLACK POP %	2011 WHT VAP POP	2021 WHT VAP POP	2011 WHT VAP %	2021 WHT VAP %	2011 BLK VAP POP	2021 BLK VAP POP	2011 BLK VAP %	2021 BLK VAP %
1	Carl	726,276	8,522	682, 820	717,754	458,705	461,324	67.18	64.27	188,859	186,921	27.66	26.04	359, 599	371,902	69.66	66.7	133,191	138,128	25.8	24.77
2	Moore	693,466	-24,288	682, 820	717,755	446,880	433,244	65.45	60.36	201,339	217,392	29.49	30.29	352,940	350,279	67.81	62.81	145,232	162,714	27.9	29.18
3	Rogers	735,132	17,378	682,819	717,754	482,435	479,432	70.65	66.8	171,780	176,953	25.16	24.65	380,198	386,048	72.42	68.41	126,215	136,382	24.04	24.17
4	Aderholt	702,982	-14,772	682,819	717,754	591,403	582,698	86.61	81.18	46,636	51,929	6.83	7.23	460,438	463,433	88.19	83.33	34,374	39,834	6.58	7.16
5	Brooks	761,102	43,348	682,819	717,754	518,464	499,707	75.93	69.62	116,026	124,642	16.99	17.37	406,038	403,155	77.65	71.84	85,841	95,757	16.42	17.06
6	Palmer	740,710	22,956	682,819	717,754	551,887	498,843	80.82	69.5	92,576	138,019	13.56	19.23	427,601	397,498	82.55	71.97	65,503	100,878	12.65	18.27
7	Sewell	664,611	-53,143	682,820	717,754	225,620	265,204	33.04	36.95	434,095	400,306	63.57	55.77	190,099	222,731	36.38	39.21	316,422	308,030	60.55	54.22

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

EVAN MILLIGAN, et al.,	)	
	)	CIVIL CASE NO.
Plaintiffs,	)	2:21-CV-01530-AMM
VS.	)	VIDEO DEPOSITION OF:
JOHN MERRILL, et al.,	)	RANDY HINAMAN
	)	
Defendants.	)	

S T I P U L A T I O N S

IT IS STIPULATED AND AGREED, by and  
between the parties through their respective  
counsel, that the deposition of:

RANDY HINAMAN,  
may be taken before LeAnn Maroney, Notary Public,  
State at Large, at the law offices of Balch &  
Bingham, 105 Tallapoosa Street, Montgomery,  
Alabama, 36104, on December 9, 2021, commencing at  
9:13 a.m.

Randy Hinaman  
December 09, 2021

<p style="text-align: right;">Page 2</p> <p>1 IT IS FURTHER STIPULATED AND AGREED that</p> <p>2 the signature to and reading of the deposition by</p> <p>3 the witness is waived, the deposition to have the</p> <p>4 same force and effect as if full compliance had</p> <p>5 been had with all laws and rules of Court relating</p> <p>6 to the taking of depositions.</p> <p>7</p> <p>8 IT IS FURTHER STIPULATED AND AGREED that</p> <p>9 it shall not be necessary for any objections to be</p> <p>10 made by counsel to any questions, except as to form</p> <p>11 or leading questions, and that counsel for the</p> <p>12 parties may make objections and assign grounds at</p> <p>13 the time of the trial, or at the time said</p> <p>14 deposition is offered in evidence, or prior</p> <p>15 thereto.</p> <p>16</p> <p>17</p> <p>18 ***</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 DAVIN M. ROSBOROUGH (Via Zoom)</p> <p>2 JULIE A. EBENSTEIN</p> <p>3 Attorneys at Law</p> <p>4 American Civil Liberties Union Foundation</p> <p>5 125 Broad Street</p> <p>6 New York, New York 10004</p> <p>7 drosborough@aclu.org</p> <p>8</p> <p>9 LaTISHA GOTELL FAULKS (Via Zoom)</p> <p>10 Attorney at Law</p> <p>11 American Civil Liberties Union of Alabama</p> <p>12 P.O. Box 6179</p> <p>13 Montgomery, Alabama 36106</p> <p>14 tgfaulks@aclualabama.org</p> <p>15</p> <p>16 FOR THE SINGLETON PLAINTIFFS: (Via Zoom)</p> <p>17 JAMES URIAH BLACKSHER</p> <p>18 Attorney at Law</p> <p>19 825 Linwood Road</p> <p>20 Birmingham, Alabama 35222</p> <p>21 jublacksher@gmail.com</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE MILLIGAN PLAINTIFFS:</p> <p>4 MICHAEL L. TURRILL</p> <p>5 Attorney at Law</p> <p>6 Hogan Lovells US LLP</p> <p>7 1999 Avenue of the Stars, Ste. 1400</p> <p>8 Los Angeles, California 90067</p> <p>9 michael.turrill@hoganlovells.com</p> <p>10</p> <p>11 BLAYNE R. THOMPSON</p> <p>12 Attorney at Law</p> <p>13 Hogan Lovells US LLP</p> <p>14 609 Main Street, Ste. 4200</p> <p>15 Houston, Texas 77002</p> <p>16 blayne.thompson@hoganlovells.com</p> <p>17</p> <p>18 DEUEL ROSS (Via Zoom)</p> <p>19 Attorney at Law</p> <p>20 NAACP Legal Defense &amp; Educational Fund</p> <p>21 700 14th Street N.W., Ste. 600</p> <p>22 Washington, DC 20005</p> <p>23 dross@naacpldf.org</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 MYRON C. PENN</p> <p>2 Attorney at Law</p> <p>3 Penn &amp; Seaborn</p> <p>4 1971 Berry Chase Place</p> <p>5 Montgomery, Alabama 36117</p> <p>6 myronpenn28@hotmail.com</p> <p>7</p> <p>8 ELI J. HARE</p> <p>9 Attorney at Law</p> <p>10 Dicello Levitt Gutzler</p> <p>11 420 20th Street North, Ste. 2525</p> <p>12 Birmingham, Alabama 35203</p> <p>13 Ehare@dicellolevitt.com</p> <p>14</p> <p>15 HENRY C. QUILLEN (Via Zoom)</p> <p>16 Attorney at Law</p> <p>17 Whatley Kallas, LLP</p> <p>18 159 Middle Street, Ste. 2C</p> <p>19 Portsmouth, New Hampshire 03801</p> <p>20 hquillen@whatleykallas.com</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Randy Hinaman  
December 09, 2021

<p>Page 6</p> <p>1 FOR THE CASTER PLAINTIFFS: (Via Zoom)</p> <p>2 LALI MADDURI</p> <p>3 Attorney at Law</p> <p>4 Elias Law Group</p> <p>5 10 G Street NE, Ste. 600</p> <p>6 Washington, DC 20002</p> <p>7 lmadduri@elias.law</p> <p>8</p> <p>9 FOR DEFENDANT JOHN H. MERRILL:</p> <p>10 JIM DAVIS</p> <p>11 Assistant Attorney General</p> <p>12 Office of the Attorney General</p> <p>13 501 Washington Avenue</p> <p>14 Montgomery, Alabama 36130</p> <p>15 jim.davis@alabamaag.gov</p> <p>16</p> <p>17 FOR THE DEFENDANTS JIM McCLENDON &amp; CHRIS PRINGLE:</p> <p>18 DORMAN WALKER</p> <p>19 Attorney at Law</p> <p>20 Balch &amp; Bingham</p> <p>21 105 Tallapoosa Street, Ste. 200</p> <p>22 Montgomery, Alabama 36104</p> <p>23 dwalker@balch.com</p> <p>24</p> <p>25</p>	<p>Page 8</p> <p>1 (5-5-21 Reapportionment Committee</p> <p>2 Redistricting Guidelines)</p> <p>3 Plaintiff's Exhibit 8 - 160</p> <p>4 (District 1-7 maps, RC 000556-562)</p> <p>5 Plaintiff's Exhibit 9 - 179</p> <p>6 (List of 2021 congressional plans)</p> <p>7 Plaintiff's Exhibit 10 - 201</p> <p>8 (State of AL v. US Department of Commerce</p> <p>9 Introduction)</p> <p>10 Plaintiff's Exhibit 11 - 203</p> <p>11 (9-1-21 public hearing transcript excerpt)</p> <p>12 Plaintiff's Exhibit 12 - 208</p> <p>13 (Whole County Plan)</p> <p>14 Plaintiff's Exhibit 13 - 213</p> <p>15 (Tuscaloosa and Montgomery Whole)</p> <p>16 Plaintiff's Exhibit 14 - 213</p> <p>17 (Data table)</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>Page 7</p> <p>1 ALSO PRESENT:</p> <p>2 Paige Ali, Videographer</p> <p>3 Elizabeth Baggett</p> <p>4</p> <p>5</p> <p>6 I N D E X</p> <p>7 MR. THOMPSON: 11-197</p> <p>8 MR. BLACKSHER: 197-229</p> <p>9</p> <p>10</p> <p>11 E X H I B I T L I S T</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>PAGE</p> <p>14</p> <p>14</p> <p>21</p> <p>25</p> <p>92</p> <p>93</p> <p>135</p>	<p>Page 9</p> <p>1 I, LeAnn Maroney, a Court Reporter of</p> <p>2 Birmingham, Alabama, and a Notary Public for the</p> <p>3 State of Alabama at Large, acting as commissioner,</p> <p>4 certify that on this date, pursuant to the Federal</p> <p>5 Rules of Civil Procedure and the foregoing</p> <p>6 stipulation of counsel, there came before me on</p> <p>7 December 9, 2021, RANDY HINAMAN, witness in the</p> <p>8 above cause, for oral examination, whereupon the</p> <p>9 following proceedings were had:</p> <p>10 * * * * *</p> <p>11 THE VIDEOGRAPHER: This marks the</p> <p>12 beginning of the deposition of Randy Hinaman in the</p> <p>13 matter of Evan Milligan, et al, versus John H.</p> <p>14 Merrill, et al., Civil Case Number 2:21-CV-01530-AMM</p> <p>15 filed in the United States District Court for the</p> <p>16 Northern District of Alabama. The date is December</p> <p>17 9, 2021. The time is 9:13 a.m</p> <p>18 All attorneys present, will you please</p> <p>19 state your names and whom you represent.</p> <p>20 MR. HARE: Eli Hare on behalf of the</p> <p>21 Singleton plaintiffs.</p> <p>22 MR. DAVIS: Jim Davis for Secretary</p> <p>23 Merrill.</p> <p>24 MR. WALKER: Dorman Walker for the</p> <p>25 Committee Chairs, Senator Jim McClendon and</p>

December 09, 2021

<p style="text-align: right;">Page 10</p> <p>1 Representative Chris Pringle.</p> <p>2 MR. PENN: Myron Penn for the Singleton</p> <p>3 plaintiffs.</p> <p>4 MR. TURRILL: Mike Turrill for the</p> <p>5 Milligan plaintiffs.</p> <p>6 MR. THOMPSON: And Blain Thompson for</p> <p>7 the Milligan plaintiffs.</p> <p>8 MR. BLACKSHER: And Jim Blacksher for</p> <p>9 the Singleton plaintiffs. I'll be asking questions</p> <p>10 virtually.</p> <p>11 MS. MADDURI: Lali Madduri for the</p> <p>12 Caster plaintiffs.</p> <p>13 MR. QUILLEN: Henry Quillen for the</p> <p>14 Singleton plaintiffs.</p> <p>15 MR. ROSS: Deuel Ross for the Milligan</p> <p>16 plaintiffs.</p> <p>17 MR. ROSBOROUGH: Davin Rosborough for</p> <p>18 the Milligan plaintiffs.</p> <p>19 MS. EBENSTEIN: Good morning. Julie</p> <p>20 Ebenstein for the Milligan plaintiffs.</p> <p>21 MS. FAULKS: Good morning. Tish Faulks</p> <p>22 for the Milligan plaintiffs.</p> <p>23 MS. BAGGETT: Good morning. It's</p> <p>24 Elizabeth Baggett for the Milligan plaintiffs. I'm</p> <p>25 a law clerk, not an attorney.</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. Is there anything that might prevent you</p> <p>2 from understanding my questions or answering</p> <p>3 truthfully today?</p> <p>4 A. No.</p> <p>5 Q. Are you being represented by a lawyer</p> <p>6 today?</p> <p>7 A. Dorman Walker with the reapportionment</p> <p>8 committee.</p> <p>9 Q. Are you paying Mr. Walker to be your</p> <p>10 lawyer today?</p> <p>11 A. I am not.</p> <p>12 Q. Do you assume that plaintiffs or the</p> <p>13 State of Alabama is paying Mr. Walker to be your</p> <p>14 lawyer today?</p> <p>15 A. I do.</p> <p>16 Q. Have you ever been deposed before?</p> <p>17 A. I have.</p> <p>18 Q. How many times?</p> <p>19 A. Once. Once is all I remember, not</p> <p>20 counting trial.</p> <p>21 Q. And was that in the ALBC versus the</p> <p>22 State of Alabama lawsuit?</p> <p>23 A. Yes, sir.</p> <p>24 Q. All right. So I'll go over a few of the</p> <p>25 key rules.</p>
<p style="text-align: right;">Page 11</p> <p>1 THE VIDEOGRAPHER: Court Reporter, will</p> <p>2 you please swear in the witness.</p> <p>3 RANDY HINAMAN,</p> <p>4 having been duly sworn, was examined and testified</p> <p>5 as follows:</p> <p>6 THE REPORTER: Usual stipulations?</p> <p>7 MR. WALKER: The ones that we've just</p> <p>8 discussed.</p> <p>9 MR. THOMPSON: Yes.</p> <p>10 Mr. Walker, did you want to say</p> <p>11 something before we begin?</p> <p>12 MR. WALKER: Yes. I'd like to put on</p> <p>13 the record that the committee chair, Senator Jim</p> <p>14 McClendon, and Representative Chris Pringle have</p> <p>15 asserted their legislative privilege and immunity in</p> <p>16 this case. Of course, the Court has not yet ruled</p> <p>17 on that. Thank you.</p> <p>18 EXAMINATION BY MR. THOMPSON:</p> <p>19 Q. Good morning, sir.</p> <p>20 A. Good morning.</p> <p>21 Q. Please state your name for the record.</p> <p>22 A. Randy Hinaman.</p> <p>23 Q. Mr. Hinaman, you understand that you're</p> <p>24 testifying under oath right now?</p> <p>25 A. I do.</p>	<p style="text-align: right;">Page 13</p> <p>1 I think that last deposition was about</p> <p>2 eight years ago. Is that correct?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. So I'll be asking questions</p> <p>5 today. And then after I'm done, there will be</p> <p>6 several other people asking questions, as well.</p> <p>7 If you don't understand a question, just</p> <p>8 let me know. Is that okay?</p> <p>9 A. Yes, sir.</p> <p>10 Q. If you answer a question, I will assume</p> <p>11 that you understood it. Is that fair?</p> <p>12 A. Yes.</p> <p>13 Q. Also, as you can see, we have a court</p> <p>14 reporter here who is doing an amazing job typing</p> <p>15 everything that we say as we go. But it's very</p> <p>16 important, because she's typing it, that we both</p> <p>17 speak one at a time. So I'll do my best to wait</p> <p>18 until you're done answering questions. And if you</p> <p>19 can do the same, that will help her out a lot. Is</p> <p>20 that all right?</p> <p>21 A. Yes.</p> <p>22 Q. And then we'll take a break about every</p> <p>23 hour. If you need a break before then, just let us</p> <p>24 know, and we can do that as long as there's not a</p> <p>25 question pending. Fair?</p>

December 09, 2021

<p style="text-align: right;">Page 14</p> <p>1 A. Very well.</p> <p>2</p> <p>3 (Plaintiff's Exhibits 1&amp;2</p> <p>4 were marked for identification.)</p> <p>5</p> <p>6 Q. I'm handing you what's been marked as</p> <p>7 Exhibit 1 and Exhibit 2.</p> <p>8 MR. THOMPSON: I've got copies for</p> <p>9 everyone else to the extent you would like one.</p> <p>10 Q. This is a copy of the deposition notice</p> <p>11 and subpoena.</p> <p>12 MR. WALKER: Which one is which?</p> <p>13 MR. THOMPSON: Exhibit 1 is the notice.</p> <p>14 MR. WALKER: Okay.</p> <p>15 MR. THOMPSON: And Exhibit 2 is the</p> <p>16 subpoena.</p> <p>17 MR. WALKER: Thanks.</p> <p>18 Q. Have you seen a copy of these documents</p> <p>19 before today?</p> <p>20 A. I have.</p> <p>21 Q. Both of them?</p> <p>22 A. Yes, sir.</p> <p>23 Q. Who provided them to you?</p> <p>24 A. Dorman Walker.</p> <p>25 Q. And when was that?</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. Did you review any of the complaints in</p> <p>2 this lawsuit?</p> <p>3 A. No, I didn't.</p> <p>4 Q. Did you review any maps?</p> <p>5 A. Yeah. I looked -- I looked at the</p> <p>6 current -- the map that was passed. And I also</p> <p>7 looked briefly at some of the other maps that were</p> <p>8 offered to the legislature.</p> <p>9 Q. Which other maps did you look at?</p> <p>10 A. The Singleton --</p> <p>11 MR. BLACKSHER: Randy needs to speak up</p> <p>12 a little bit, please.</p> <p>13 THE WITNESS: Sure.</p> <p>14 A. The Singleton maps, the Coleman map, and</p> <p>15 the Hatcher map, I believe.</p> <p>16 Q. Had you reviewed those maps, any of</p> <p>17 those maps, before preparing for your deposition?</p> <p>18 MR. WALKER: Objection to form.</p> <p>19 Q. You mentioned that you reviewed several</p> <p>20 of those maps in preparation for your deposition,</p> <p>21 correct?</p> <p>22 A. Correct.</p> <p>23 Q. Before then, had you reviewed any of</p> <p>24 those maps?</p> <p>25 A. I looked at them when they were offered</p>
<p style="text-align: right;">Page 15</p> <p>1 A. The end of last week. Friday maybe.</p> <p>2 Q. All right. You can set those aside.</p> <p>3 Without disclosing the content of any</p> <p>4 discussions that you had with your attorneys, what</p> <p>5 did you do to prepare for your deposition today?</p> <p>6 A. I met with Dorman Walker and Jim Davis</p> <p>7 and others and did some -- just reviewed numbers and</p> <p>8 talked about the process we followed.</p> <p>9 Q. When did you meet with them?</p> <p>10 A. Monday and Tuesday, Monday morning and</p> <p>11 -- Monday afternoon really and Tuesday morning of</p> <p>12 this week.</p> <p>13 Q. About how long would you say you met</p> <p>14 with them?</p> <p>15 A. I guess about four -- four or five hours</p> <p>16 on Monday. We also had lunch in there. And three</p> <p>17 hours on Tuesday.</p> <p>18 Q. Did you meet with anyone who was not an</p> <p>19 attorney?</p> <p>20 A. No, I don't believe so.</p> <p>21 Q. Did you review any documents in</p> <p>22 preparation for today?</p> <p>23 A. I just reviewed some of the census</p> <p>24 numbers and the guidelines, the committee</p> <p>25 guidelines. That would be about it.</p>	<p style="text-align: right;">Page 17</p> <p>1 on the floor of either -- whatever body they were</p> <p>2 offered in.</p> <p>3 Q. Other than in preparation for your</p> <p>4 deposition last Monday and Tuesday, have you</p> <p>5 discussed this lawsuit with anyone?</p> <p>6 A. No.</p> <p>7 Q. Did you do anything else to prepare for</p> <p>8 your deposition today?</p> <p>9 A. I did not.</p> <p>10 Q. Are you being compensated by anyone for</p> <p>11 being here today?</p> <p>12 A. I assume I am. I haven't -- I haven't</p> <p>13 billed anybody yet. But I'm planning to.</p> <p>14 Q. And who do you plan to bill for today?</p> <p>15 A. The attorney general's office.</p> <p>16 Q. How much do you plan to bill the</p> <p>17 attorney general's office for your time today?</p> <p>18 A. \$400 an hour.</p> <p>19 Q. Is that pursuant to some agreement that</p> <p>20 you have with the attorney general's office?</p> <p>21 A. Well, we really haven't even discussed</p> <p>22 it, honestly. I guess I'll send them the bill, and</p> <p>23 we'll see if they pay it.</p> <p>24 Q. Fair enough.</p> <p>25 Similarly, do you expect to be</p>

Randy Hinaman  
December 09, 2021

<p style="text-align: right;">Page 18</p> <p>1 compensated in any way to testify at trial?</p> <p>2 A. I would assume the same arrangement.</p> <p>3 Q. By the attorney general's office, as</p> <p>4 well?</p> <p>5 A. Yes.</p> <p>6 Q. All right. Taking a step back and just</p> <p>7 talking about your background a little bit, can you</p> <p>8 please state your date of birth?</p> <p>9 A. 5-5-57.</p> <p>10 Q. What's your address?</p> <p>11 A. 33267 River Road, Orange Beach, Alabama,</p> <p>12 36561.</p> <p>13 Q. Is that your full-time address now here</p> <p>14 in Alabama?</p> <p>15 A. Yes, sir.</p> <p>16 Q. You previously lived in Virginia; is</p> <p>17 that correct?</p> <p>18 A. That's correct.</p> <p>19 Q. When did you make that move?</p> <p>20 A. I bought this property about five years</p> <p>21 ago. But I really technically moved probably about</p> <p>22 three years ago.</p> <p>23 Q. Do you have a telephone number?</p> <p>24 A. Just my cell phone.</p> <p>25 Q. What's that number?</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Yeah. In the middle of that, I was</p> <p>2 offered a position with the Reagan campaign, which</p> <p>3 was sort of my dream job to work for his</p> <p>4 presidential race. So I left to take on that</p> <p>5 responsibility for the national field director for</p> <p>6 the Reagan Youth Campaign.</p> <p>7 Q. How far along had you gotten in your</p> <p>8 studies when you left?</p> <p>9 A. Two years.</p> <p>10 Q. Do you have any other -- excuse me. Do</p> <p>11 you have any educational certificates or anything</p> <p>12 like that?</p> <p>13 A. No.</p> <p>14 Q. Do you have any certain specializations</p> <p>15 in anything?</p> <p>16 A. No.</p> <p>17 Q. Mr. Hinaman, what do you do for a</p> <p>18 living?</p> <p>19 A. I do political consulting and lobbying.</p> <p>20 Q. Where do you work?</p> <p>21 A. I work for my own company out of my</p> <p>22 residence in Orange Beach.</p> <p>23 Q. What's the name of that company?</p> <p>24 A. R. Hinaman, LLC.</p> <p>25 Q. And what is your -- do you have a formal</p>
<p style="text-align: right;">Page 19</p> <p>1 A. (703)598-8383.</p> <p>2 Q. Do you have an email account?</p> <p>3 A. I do.</p> <p>4 Q. What is that?</p> <p>5 A. Sharhl@comcast.net.</p> <p>6 Q. Do you have any other email addresses?</p> <p>7 A. I do not.</p> <p>8 Q. Have you ever been involved in any other</p> <p>9 lawsuits?</p> <p>10 A. No. I mean, not as a witness or -- no.</p> <p>11 Q. What's the highest level of education</p> <p>12 you've completed?</p> <p>13 A. I attended Cornell University.</p> <p>14 Q. Was that for undergraduate?</p> <p>15 A. Yes.</p> <p>16 Q. Did you graduate?</p> <p>17 A. I did not.</p> <p>18 Q. What did you study at Cornell?</p> <p>19 A. Political science. Really they called</p> <p>20 it government.</p> <p>21 MR. WALKER: Called it what?</p> <p>22 THE WITNESS: Government. Anywhere else</p> <p>23 on earth, it would be political science.</p> <p>24 Q. And if you don't mind me asking, you</p> <p>25 said you did not graduate. Is there a reason why?</p>	<p style="text-align: right;">Page 21</p> <p>1 title within R. Hinaman, LLC?</p> <p>2 A. I guess I would be the president of R.</p> <p>3 Hinaman, LLC.</p> <p>4 Q. Are there other employees of that</p> <p>5 company?</p> <p>6 A. There are not.</p> <p>7 Q. If you can, explain to me briefly what</p> <p>8 you do as a political consultant and lobbyist.</p> <p>9 A. Sure. On the political consulting</p> <p>10 front, I usually do -- I consult political</p> <p>11 campaigns, usually on the federal level, mostly</p> <p>12 congress, put together the campaign team for various</p> <p>13 candidates to get elected to those offices.</p> <p>14 On the lobbying side, which I'm doing</p> <p>15 less and less and less of, I did lobbying on the</p> <p>16 federal level for various companies and</p> <p>17 organizations.</p> <p>18</p> <p>19 (Plaintiff's Exhibit 3 was</p> <p>20 marked for identification.)</p> <p>21</p> <p>22 Q. I think I can short-circuit our</p> <p>23 discussion about your background a little bit here.</p> <p>24 This is Exhibit 3.</p> <p>25 MR. THOMPSON: I can get you a copy, as</p>



December 09, 2021

<p style="text-align: right;">Page 22</p> <p>1 well, Mr. Walker.</p> <p>2 Q. And I'll state for the record that this</p> <p>3 is a copy of your resume that was shown to you in a</p> <p>4 prior deposition that you gave on June 25, 2013. I</p> <p>5 believe this was PX3 in that deposition.</p> <p>6 Do you recognize this document?</p> <p>7 A. I do.</p> <p>8 Q. Does this appear to be a true and</p> <p>9 correct copy of your resume as of June 25, 2013?</p> <p>10 A. It does.</p> <p>11 Q. Is this resume up to date?</p> <p>12 A. It is not.</p> <p>13 Q. What has changed?</p> <p>14 A. Well, technically, the name of my</p> <p>15 company changed because I moved from Virginia to</p> <p>16 Alabama. Obviously, my address has changed, again</p> <p>17 because of moving. Obviously, I've had some</p> <p>18 additional clients since 2013.</p> <p>19 Q. Who have your additional clients been?</p> <p>20 A. I was afraid you would ask me that.</p> <p>21 Congressman Ben Cline, I did his</p> <p>22 campaign to replace Bob Goodlatte who retired in</p> <p>23 2018. Let's see. The American Dental Association</p> <p>24 is on there.</p> <p>25 That's the major one. I can't say there</p>	<p style="text-align: right;">Page 24</p> <p>1 of staff at one point and then his consultant in</p> <p>2 Alabama, and helped draw a map in 1992 which was</p> <p>3 then put into practice by a federal court.</p> <p>4 Q. Anything beyond that?</p> <p>5 A. No. I mean, I assisted the majority</p> <p>6 leader of the Virginia senate in some of his efforts</p> <p>7 on redistricting ten years ago. Actually, it was</p> <p>8 more like 20 years ago. But I wasn't really the</p> <p>9 lead on it. I was just assisting his office.</p> <p>10 Q. Outside of Alabama and Virginia, have</p> <p>11 you ever worked in redistricting for any other</p> <p>12 states?</p> <p>13 A. I have not.</p> <p>14 Q. How did you get involved in drawing maps</p> <p>15 originally?</p> <p>16 A. Well, my first effort, I guess, was way</p> <p>17 back in 1992 when the legislature failed to draw a</p> <p>18 map for congress in Alabama. I was working for</p> <p>19 Congressman Callahan. And with him and some of the</p> <p>20 other members of the delegation, we decided that we</p> <p>21 needed to file a lawsuit to remedy that situation.</p> <p>22 And so I helped produce a map that was filed with</p> <p>23 that lawsuit. That was my first endeavor.</p> <p>24 Q. Had you ever drawn a map before then?</p> <p>25 A. I had not.</p>
<p style="text-align: right;">Page 23</p> <p>1 wasn't another campaign in there.</p> <p>2 Q. On here, it says that your company name</p> <p>3 is Hinaman &amp; Company, Inc. Did that change at some</p> <p>4 point?</p> <p>5 A. Yeah, when I moved. That was an LLC in</p> <p>6 Virginia. And when I moved to Alabama, I formed a</p> <p>7 new LLC.</p> <p>8 Q. And when was that?</p> <p>9 A. Again, approximately about three years</p> <p>10 ago.</p> <p>11 Q. Does a more current version of your</p> <p>12 resume exist anywhere?</p> <p>13 A. Yeah, I'm sure it does.</p> <p>14 Q. Is that something that you could produce</p> <p>15 in this case if you were asked to?</p> <p>16 A. Yes.</p> <p>17 Q. What experience do you have working with</p> <p>18 redistricting?</p> <p>19 A. Obviously, I drew three of the four maps</p> <p>20 for Alabama ten years ago, 2011, 2012. I drew the</p> <p>21 congressional maps and the two legislative maps. I</p> <p>22 also worked for the republican congressmen in</p> <p>23 Virginia to draw their map in 2012.</p> <p>24 And before that, I worked with</p> <p>25 Congressman Callahan, who was my -- I was his chief</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. So how did they come about saying,</p> <p>2 "Randy, we want you to draw this map"?</p> <p>3 A. I guess we drew straws and I lost.</p> <p>4 Q. Fair enough.</p> <p>5</p> <p>6 (Plaintiff's Exhibit 4 was</p> <p>7 marked for identification.)</p> <p>8</p> <p>9 Q. I'm going to hand you another exhibit</p> <p>10 here. This is being marked as Plaintiff's Exhibit</p> <p>11 4. This is also from the ALBC versus Alabama</p> <p>12 lawsuit. This is a declaration that was signed by</p> <p>13 you.</p> <p>14 And you can see at the top there,</p> <p>15 there's a date that says this was filed on June 17,</p> <p>16 2013, in the Alabama Legislative Black Caucus for</p> <p>17 the State of Alabama lawsuit. Do you see that?</p> <p>18 A. I do.</p> <p>19 Q. Do you recognize this document?</p> <p>20 A. Not particularly.</p> <p>21 Q. If you can, flip to Page 7. Do you see</p> <p>22 there's a signature?</p> <p>23 A. Yes.</p> <p>24 Q. And your name?</p> <p>25 A. Yes.</p>

December 09, 2021

<p style="text-align: right;">Page 26</p> <p>1 Q. Does that appear to be your signature?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Does this appear to be a true and</p> <p>4 correct copy of your declaration?</p> <p>5 A. Again, it doesn't ring a bell. But I</p> <p>6 have no reason to believe it isn't.</p> <p>7 Q. Take a look at paragraph two. It</p> <p>8 states, "I have substantial experience in drafting</p> <p>9 redistricting plans in Alabama, including drawing</p> <p>10 the congressional plan adopted by the three-judge</p> <p>11 federal district court in Mobile in 1992 and work on</p> <p>12 the 2011 congressional plan." Excuse me. "And work</p> <p>13 on the 2001 congressional plan. In 2011, I</p> <p>14 developed the redistricting plan for the Alabama</p> <p>15 congressional delegation. In that work, I worked</p> <p>16 within the guidelines for redistricting adopted by</p> <p>17 the reapportionment committee."</p> <p>18 Do you see that?</p> <p>19 A. I do.</p> <p>20 Q. Is that an accurate description of your</p> <p>21 experience in drafting redistricting plans in</p> <p>22 Alabama?</p> <p>23 A. It is. I mean, I don't know what that</p> <p>24 -- the sentence on 2001, I did not draft the 2001</p> <p>25 plans. But I did work with the leaders in the</p>	<p style="text-align: right;">Page 28</p> <p>1 it.</p> <p>2 Q. What's your understanding?</p> <p>3 A. Well, it was essentially a continuation</p> <p>4 of the 1992 map, just updated for the most part for</p> <p>5 population shift.</p> <p>6 Q. And you said you were working with the</p> <p>7 republican legislators?</p> <p>8 A. I was working with Congressman Callahan</p> <p>9 at that point.</p> <p>10 Q. Did you have any role whatsoever in</p> <p>11 drawing that map in 2001?</p> <p>12 A. I had no official role other than I was</p> <p>13 working with the leaders -- the democratic leaders</p> <p>14 who were working on that map. I would occasionally,</p> <p>15 you know, talk to them about the changes that were</p> <p>16 made, and for especially Congressman Callahan's</p> <p>17 district. But I didn't -- I didn't have control of</p> <p>18 the process, if that makes any sense.</p> <p>19 Q. Do you know who did draw the map?</p> <p>20 A. Senator Enfinger, I believe.</p> <p>21 Q. Did he --</p> <p>22 A. Well, that's who the -- he was the -- I</p> <p>23 don't know who he hired. That's who I interfaced</p> <p>24 with. Let's put it that way.</p> <p>25 Q. Understood. That was going to be my</p>
<p style="text-align: right;">Page 27</p> <p>1 legislature who did draft those plans. I didn't</p> <p>2 want it to imply that I drew those maps. I don't</p> <p>3 know that it does imply that.</p> <p>4 Q. Okay. Well, let's go to the first part</p> <p>5 there where you said that you -- your experience did</p> <p>6 include drawing the congressional plan adopted in</p> <p>7 1992. Does that mean that you did draw that map?</p> <p>8 A. I did, yes.</p> <p>9 Q. Is that the map that was used for the</p> <p>10 Alabama congressional elections in the '90s?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Did that map serve as the starting</p> <p>13 point, then, for the congressional map that was</p> <p>14 drafted for 2001?</p> <p>15 A. I didn't draw that map.</p> <p>16 Q. You said you worked on drawing that map.</p> <p>17 What does that mean?</p> <p>18 A. The legislature at that time was</p> <p>19 controlled by the democrats, and I was representing</p> <p>20 some republican Congressman in just interacting with</p> <p>21 them. But they -- they drew the map. I was just</p> <p>22 trying to give our point of view to it.</p> <p>23 Q. Are you familiar at all with how that</p> <p>24 map was drawn in 2001?</p> <p>25 A. Vaguely, but not -- not the specifics of</p>	<p style="text-align: right;">Page 29</p> <p>1 next question.</p> <p>2 You said you spoke to several members of</p> <p>3 the legislature. Do you remember who you spoke to?</p> <p>4 A. In 2001?</p> <p>5 Q. Yes.</p> <p>6 A. My primary -- my primary interface on</p> <p>7 that map was Senator Enfinger.</p> <p>8 Q. When you spoke with Senator Enfinger,</p> <p>9 did you provide any sort of input or recommendations</p> <p>10 about how the map should be drawn?</p> <p>11 A. Only as to how -- he had a draft, I</p> <p>12 believe, and was talking about the changes he wanted</p> <p>13 to make in various districts. And my primary focus</p> <p>14 was the first district because I was working for</p> <p>15 Congressman Callahan.</p> <p>16 So he had come with some suggestions,</p> <p>17 and we just talked about those. They were not -- I</p> <p>18 don't think I had any tremendously substantive</p> <p>19 changes to recommend. So I think it was pretty much</p> <p>20 what he had drawn, we were comfortable with.</p> <p>21 Q. Did you provide any other sort of</p> <p>22 feedback in drawing the 2001 congressional map</p> <p>23 beyond what you just mentioned with District 1?</p> <p>24 A. I did not.</p> <p>25 Q. Do you know if it was a goal in the 2001</p>

December 09, 2021

<p style="text-align: right;">Page 30</p> <p>1 congressional map to make sure that District 7  2 remained a majority black district?  3 A. I do not.  4 Q. Do you know if it was considered in 2001  5 to draw two majority black districts?  6 A. I do not, no.  7 Q. Let's go back to the 1992 congressional  8 map. Because you said you did draw that one,  9 correct?  10 A. Yes, sir.  11 Q. The 1992 congressional map created the  12 first majority black congressional district in  13 Alabama history; is that correct?  14 A. I believe so, yes.  15 Q. And you said you drafted that map?  16 A. I did.  17 Q. So you drafted District 7 as it stood in  18 1992?  19 A. Yes, sir.  20 Q. Who asked you to draw that map?  21 A. I was working for Congressman Callahan  22 and some of the other members of the Alabama  23 delegation.  24 Q. Did you work with Senator Larry Dixon in  25 drafting the map?</p>	<p style="text-align: right;">Page 32</p> <p>1 A. No, sir.  2 Q. Did you draw District 7 with the intent  3 to make it a majority black district?  4 A. I did.  5 Q. How did you make sure that District 7  6 would have a majority black voting age population?  7 A. I just included areas of high  8 concentration of African American voters.  9 Q. How did you do that?  10 A. By assigning counties and precincts that  11 fit that definition.  12 Q. Did you have a particular percentage of  13 black voters that you were shooting for?  14 A. I did not.  15 Q. How did you go about choosing District 7  16 to be the district that has the majority black  17 voting age population?  18 A. I don't -- I mean, I think it was a  19 function of geography, I mean, where areas with  20 concentration of black voters were.  21 Q. And how did you gather that information?  22 A. Census data.  23 Q. What specifically?  24 A. Just the census data from the -- related  25 to population and race.</p>
<p style="text-align: right;">Page 31</p> <p>1 A. Probably, yes.  2 I will point out that this was 30 years  3 ago. So if you ask me a specific question, it's  4 probably going to be hard for me to answer.  5 Q. Understood.  6 Do you remember any other legislators  7 that you worked with directly in drafting the 1992  8 map?  9 A. I do not. As you know, the legislature  10 did not ultimately pass a map. So we went -- it was  11 a court action that imposed this map.  12 Q. Were you asked to create a majority  13 black district in drawing the 1992 map?  14 A. I guess -- I guess I was, yeah.  15 Q. Who asked you to do that?  16 A. I think the -- well, Congressman  17 Callahan and the delegation probably in concert with  18 the NRCC.  19 Q. Do you know why you were asked to do  20 that?  21 A. At the time, I believe they thought that  22 was the proper thing to do under the Voting Rights  23 Act.  24 Q. Did you receive any instructions from  25 the court?</p>	<p style="text-align: right;">Page 33</p> <p>1 Q. So when you were drawing it, you were  2 able to pull up and see black voters, white voters  3 in different areas?  4 A. Yes.  5 MR. WALKER: Objection to form.  6 Q. How did you see that information when  7 you were drawing the map in 1992?  8 A. I'm not sure I understand your question.  9 Q. Did you use a software to draw the map  10 in 1992?  11 A. As I remember -- again, it was 30 years  12 ago -- I believe I used the computers at the Alabama  13 reapportionment office to draw the map. So I don't  14 know what their software was, to be honest with you.  15 Q. What specific racial data did you have  16 in front of you when you were drawing that map?  17 A. I would have total pop, total African --  18 total black, and voting age data.  19 Q. Was that broken down by county,  20 precinct, neighborhood, block?  21 A. County, precinct, block, yes. Yes, sir.  22 Q. And I realize it was 30 years ago. How  23 did you go about drawing District 7 in 1992?  24 A. Again, it was 30 years ago. I don't  25 remember the machinations that went into drawing the</p>

December 09, 2021

<p style="text-align: right;">Page 34</p> <p>1 map.</p> <p>2 Q. Did you have in your mind a certain</p> <p>3 black voting age population that you were shooting</p> <p>4 for?</p> <p>5 A. No.</p> <p>6 Q. So you just drew general lines and you</p> <p>7 found that it came to a certain percentage of black</p> <p>8 voting age population, and you thought that was</p> <p>9 good?</p> <p>10 A. Obviously, I was -- I had in my mind</p> <p>11 that we wanted it to be majority black district.</p> <p>12 But in terms of above 50 percent, I didn't have a</p> <p>13 specific number in mind.</p> <p>14 Q. Did you take into account any other</p> <p>15 characteristics of the black voting age population</p> <p>16 that you were looking at when you drew that map in</p> <p>17 1992?</p> <p>18 A. Such as?</p> <p>19 Q. For instance, did you look at any</p> <p>20 socioeconomic factors?</p> <p>21 A. I did not.</p> <p>22 Q. Did you look at attitudes?</p> <p>23 A. I did not.</p> <p>24 Q. Interests?</p> <p>25 A. (Witness shakes head).</p>	<p style="text-align: right;">Page 36</p> <p>1 race?</p> <p>2 A. Other than geography and deviation.</p> <p>3 Those would be the top -- obviously, things had to</p> <p>4 be contiguous.</p> <p>5 Q. If District 7 did not have a majority</p> <p>6 black population, would it have passed?</p> <p>7 A. Passed what?</p> <p>8 Q. Would it have been approved?</p> <p>9 A. You're asking me to question what three</p> <p>10 federal judges would approve?</p> <p>11 Q. You were asked to draw a map that had a</p> <p>12 majority black district, correct?</p> <p>13 A. Yes.</p> <p>14 Q. If you had turned in a map that did not</p> <p>15 have a majority black district, would you have done</p> <p>16 what you were asked to do?</p> <p>17 A. You mean turned into Congressman</p> <p>18 Callahan?</p> <p>19 Q. Correct.</p> <p>20 A. No. I think our goal was to draw a</p> <p>21 majority black district.</p> <p>22 Q. Why did you draw only one majority black</p> <p>23 district?</p> <p>24 A. That was our -- that was our goal, to</p> <p>25 draw a district.</p>
<p style="text-align: right;">Page 35</p> <p>1 Q. Type of employment?</p> <p>2 A. I did not.</p> <p>3 Q. Income?</p> <p>4 A. I did not.</p> <p>5 Q. Educational level?</p> <p>6 A. No.</p> <p>7 Q. Voter turnout?</p> <p>8 A. No.</p> <p>9 Q. Election results to assess party</p> <p>10 affiliation amongst the black voting age population?</p> <p>11 A. No, I don't believe so.</p> <p>12 Q. When you drew District 7 in 1992, did</p> <p>13 you determine that to be a community of interest?</p> <p>14 A. Yeah. Well, I think it included most of</p> <p>15 the black belt. I would say they had a community of</p> <p>16 interest along -- yeah. So yes.</p> <p>17 Q. And what was the basis for that</p> <p>18 determination?</p> <p>19 A. Well, geography and like demographics.</p> <p>20 Q. And race?</p> <p>21 A. And race.</p> <p>22 Q. Was race the main factor you considered</p> <p>23 in drawing District 7?</p> <p>24 A. It was a major factor.</p> <p>25 Q. Was there a more predominant factor than</p>	<p style="text-align: right;">Page 37</p> <p>1 Q. Your goal was to draw only one district?</p> <p>2 A. Well, I'm not sure at that -- I don't</p> <p>3 remember the numbers exactly. I'm not sure -- I'm</p> <p>4 not sure whether it would have been possible to draw</p> <p>5 two or not. I don't know that it would have.</p> <p>6 Q. Did you consider drawing two majority</p> <p>7 black districts?</p> <p>8 A. I did not.</p> <p>9 Q. Did anyone suggest to you to draw that?</p> <p>10 A. They did not.</p> <p>11 Q. Did you review or comment on any other</p> <p>12 maps that contained two majority black districts at</p> <p>13 the time?</p> <p>14 A. I don't --</p> <p>15 MR. WALKER: Objection to form.</p> <p>16 A. I don't remember seeing any majority two</p> <p>17 district maps.</p> <p>18 Q. Did you consider race in drawing any of</p> <p>19 the other districts in 1992?</p> <p>20 A. I did not. I mean, other than -- I did</p> <p>21 not, no.</p> <p>22 Q. Skipping ahead to the 2011 congressional</p> <p>23 map. You also drew that map, correct?</p> <p>24 A. Yes. But may I go back just one?</p> <p>25 Q. Sure.</p>

December 09, 2021

<p style="text-align: right;">Page 38</p> <p>1 A. Obviously, we drew this map -- I drew 2 this map, and it was submitted in a lawsuit. I had 3 no idea what would happen to it from there. So it's 4 not like I -- you know, I didn't know whether the 5 judges would change it or what would happen. 6 Q. That's a good point. Did the judges 7 change it after you submitted it? 8 A. I don't -- no, I don't believe they did. 9 Sorry. Go ahead. 10 Q. So you stated that you also drew the 11 2011 congressional map, correct? 12 A. Yes, sir. 13 Q. That one is a little bit more recent, 14 ten years ago. Do you recall the general method 15 that you used in drawing that map? 16 A. Yeah. I mean, essentially it was 17 updating the 2001 map based on demographic changes 18 that had happened over the last ten years and 19 working with the -- all of the -- I was hired by all 20 of the members to update the map and submit a -- 21 submit a map to the legislature for approval. 22 Q. So correct me if I'm wrong. But 23 generally when you're drawing these maps, it's more 24 of a redrawing than a drawing from scratch. Is that 25 fair to say?</p>	<p style="text-align: right;">Page 40</p> <p>1 probably used the 1992 map in drawing the 2001 map? 2 A. That's an -- a fair assumption, I guess. 3 Q. And the 2011 map then that you drew used 4 the 2001 map as its starting point? 5 A. Yes, sir. 6 Q. And then the 2021 map that you drew used 7 the 2011 map as its starting point? 8 A. Yes, sir. 9 Q. In drawing the 2011 congressional map, 10 did you speak to members of congress? 11 A. I spoke to all of them, yes, sir. 12 Q. All seven of the incumbents? 13 A. Yes. 14 Q. And what did you speak to them about? 15 A. We're talking about 2011? 16 Q. Correct. 17 A. I spoke to them about the over and under 18 nature of their districts, whether they needed to 19 gain population or lose population. And based on 20 that, where they would like to gain or where they 21 would like to -- where they would be -- you know, 22 like to lose. 23 And I tried to work with adjacent 24 districts to make sure that if person X wanted to 25 give up this county, that the other person would be</p>
<p style="text-align: right;">Page 39</p> <p>1 A. That is fair to say. 2 Q. So the general process is that you will 3 use the existing map from the prior census data and 4 update it with the new census data, correct? 5 A. That's correct. And obviously, whether 6 it's a congressional map or any other maps, you have 7 officeholders who have an interest in, for the most 8 part, keeping the voters that they've had for the 9 last ten years. So, most of them would not go into 10 a redistricting process looking for wholesale 11 change. 12 Q. So the 2021 map, for instance, can be 13 traced back to the 2011 map, the 2001 map, and the 14 1992 map in that order, correct? 15 A. Yeah. Preserving cores of existing 16 districts was a guideline for the 2021 map. 17 Q. For instance, the 2001 map used the 1992 18 map as a starting point, true? 19 A. I didn't draw that map. 20 Q. Do you have any other understanding of 21 how that map was drawn? 22 A. I mean, if you look at it, it looks like 23 it was continuing that map, yes. But I didn't -- 24 the democratic legislature drew that map. 25 Q. Is it a fair assumption to say that they</p>	<p style="text-align: right;">Page 41</p> <p>1 amenable to taking it. So I tried to negotiate a 2 map that everybody was happy with. 3 Q. Did you consult the state's 4 redistricting criteria in drawing that map? 5 A. I did. 6 Q. Did you review election returns in 7 drawing that map? 8 A. They were part of it, yes. 9 Q. What data did you have on that? 10 A. I don't remember if all their races were 11 in there. But I had the latest last three or four 12 state-wide races that were available. 13 Q. And how did you use that information? 14 A. I didn't use it all that much. It was a 15 common -- you know, a common question from a member 16 might be, you know, what did the governor get in my 17 district? And if we make this change -- or what did 18 whomever ran for president in the race before that, 19 whoever that was. 20 But I didn't use it so much in drawing 21 the map. It was more of confirming to them that 22 their district was going to perform similarly to how 23 the previous district had performed electorally. 24 Q. Did that data give you information on 25 party affiliation?</p>

December 09, 2021

<p style="text-align: right;">Page 42</p> <p>1 A. I don't believe so. I think it was just</p> <p>2 election returns.</p> <p>3 Q. Was that aggregate election returns? Or</p> <p>4 was that by individual counties or precincts? Does</p> <p>5 that make sense?</p> <p>6 A. Yeah. It was precinct-based. But then</p> <p>7 it was aggregate for counties and then for the</p> <p>8 districts.</p> <p>9 Q. You can look at all of that?</p> <p>10 A. Yes.</p> <p>11 Q. Understood.</p> <p>12 Did you look at any racial polarization</p> <p>13 data in drawing the 2011 map?</p> <p>14 A. I did not.</p> <p>15 Q. Did you look at any other voter behavior</p> <p>16 data?</p> <p>17 A. I did not.</p> <p>18 Q. Was it a goal in drafting the 2011</p> <p>19 congressional map to make sure that District 7</p> <p>20 remained a majority black district?</p> <p>21 (Zoom interruption.)</p> <p>22 A. What is that?</p> <p>23 Q. It sounds like we might have a singer.</p> <p>24 MR. TURRILL: Someone is off on mute on</p> <p>25 the line there.</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Their campaigns, yes.</p> <p>2 Q. Was that the extent of the verbal</p> <p>3 agreement?</p> <p>4 A. It was.</p> <p>5 Q. Was it a goal in drafting that 2011</p> <p>6 congressional map to make sure that District 7 kept</p> <p>7 a 60 percent black voting age population?</p> <p>8 A. No.</p> <p>9 Q. Was there any sort of specific black</p> <p>10 voting age population percentage that you were</p> <p>11 shooting for?</p> <p>12 A. No.</p> <p>13 Q. Were you successful in making sure that</p> <p>14 District 7 remained a majority black district?</p> <p>15 A. We were.</p> <p>16 Q. How did you make sure of that?</p> <p>17 A. By whatever -- you know, whatever -- and</p> <p>18 I don't even remember the various counties ten years</p> <p>19 ago. If you handed me a map, I could probably tell</p> <p>20 you.</p> <p>21 But by what we added county and</p> <p>22 precinct-wise to make sure it did not dramatically</p> <p>23 alter the makeup of the district.</p> <p>24 Q. Explain that to me a little bit further.</p> <p>25 So what changes were you making in 2011?</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. I think we're good now.</p> <p>2 A. Can you ask -- I'm sorry. Can you ask</p> <p>3 that again?</p> <p>4 Q. No problem.</p> <p>5 Was it a goal in drafting the 2011</p> <p>6 congressional map to make sure that District 7</p> <p>7 remained a majority black district?</p> <p>8 A. Yeah. Obviously, Congresswoman Sewell</p> <p>9 was one of my -- one of my clients for that map.</p> <p>10 And she wanted to maintain her majority black</p> <p>11 district, yes.</p> <p>12 Q. When you say that she was one of your</p> <p>13 clients, what do you mean?</p> <p>14 A. She was one of the members of congress</p> <p>15 who paid me to draw the map.</p> <p>16 Q. Did you have a contract with those</p> <p>17 members of congress?</p> <p>18 A. Verbally.</p> <p>19 Q. You didn't have a written contract?</p> <p>20 A. No.</p> <p>21 Q. What was the verbal contract?</p> <p>22 A. That they would all put in \$10,000 to</p> <p>23 draw -- each to draw -- pay me to draw this map.</p> <p>24 Q. That each individual congressman or</p> <p>25 woman would put in \$10,000?</p>	<p style="text-align: right;">Page 45</p> <p>1 A. Again, I don't even know how much -- I'm</p> <p>2 going to hazard a guess that District 7 was</p> <p>3 underpopulated in 2011. I don't remember the exact</p> <p>4 numbers. It was ten years ago.</p> <p>5 But I'm going to guess that it was</p> <p>6 underpopulated. And so then the discussion with</p> <p>7 Congresswoman Sewell would be, you know, where --</p> <p>8 what areas would we add to your district to get your</p> <p>9 district to ideal population.</p> <p>10 And, obviously, in looking at those</p> <p>11 areas, we, you know, wanted to make sure that we</p> <p>12 preserved the majority black district.</p> <p>13 Q. I know some of this was discussed in</p> <p>14 your deposition eight years ago. So I'll try not to</p> <p>15 tread the same water too much.</p> <p>16 But explain to me just a little bit</p> <p>17 about the process when you were drawing the 2011</p> <p>18 congressional map. So did you start with District</p> <p>19 7?</p> <p>20 A. I probably did start with District 7. I</p> <p>21 don't really remember, to be honest with you. I</p> <p>22 mean, I -- you know, I was meeting -- I met with the</p> <p>23 entire delegation to start. And then we went from</p> <p>24 there.</p> <p>25 But preserving Congresswoman Sewell's</p>



December 09, 2021

<p style="text-align: right;">Page 46</p> <p>1 majority black district was a priority for the</p> <p>2 delegation.</p> <p>3 Q. And that was the priority for you, as</p> <p>4 well?</p> <p>5 A. Yes.</p> <p>6 Q. Do you remember generally what sort of</p> <p>7 changes you made to District 7 in 2011?</p> <p>8 A. I really don't. I mean, I apologize.</p> <p>9 But I did so many maps and plans in the last ten</p> <p>10 years that I don't.</p> <p>11 Q. What other maps and plans have you done</p> <p>12 in the last ten years?</p> <p>13 A. Well, we just did four in the last</p> <p>14 couple of months.</p> <p>15 Q. Anything else?</p> <p>16 A. Those are the ones that are mostly stuck</p> <p>17 in my brain.</p> <p>18 Q. Are there any others?</p> <p>19 A. No.</p> <p>20 MR. WALKER: What was the question</p> <p>21 again?</p> <p>22 MR. THOMPSON: He said there were so</p> <p>23 many maps that he had drawn in the last ten years.</p> <p>24 And I asked him which ones, and he said just the</p> <p>25 four that he just did.</p>	<p style="text-align: right;">Page 48</p> <p>1 A. I looked at --</p> <p>2 MR. WALKER: And you're talking about --</p> <p>3 Q. We're talking about 2021 now. Did you</p> <p>4 review all the maps that were offered in the</p> <p>5 legislature in 2021?</p> <p>6 A. Yes, I tried to. Some of -- some of</p> <p>7 that may have been a very short review because some</p> <p>8 of those maps were literally submitted 24 hours</p> <p>9 before they were offered either on the floor or at</p> <p>10 committee. So it's not like it was a long review.</p> <p>11 Q. One more question going back to the 2011</p> <p>12 congressional map. Did you consider race -- excuse</p> <p>13 me. A couple more questions, to be fair.</p> <p>14 Did you consider race in drawing any of</p> <p>15 the other districts other than District 7 in 2011?</p> <p>16 MR. WALKER: Congressional.</p> <p>17 Q. The congressional map in 2011.</p> <p>18 A. Not specifically. I mean, I'm not sure</p> <p>19 I know what "consider" means. But, obviously, all</p> <p>20 that information was available on each district.</p> <p>21 But --</p> <p>22 Q. Did you review the racial data for each</p> <p>23 district when you were drawing the 2011</p> <p>24 congressional map?</p> <p>25 A. As a matter of course, yeah. I mean,</p>
<p style="text-align: right;">Page 47</p> <p>1 A. Well, "drawn" is -- we could find the</p> <p>2 exact number. But I think in this last legislative</p> <p>3 session, there were something like 41 various maps</p> <p>4 and plans that were submitted to the legislature.</p> <p>5 So while I certainly didn't draw most of those, I</p> <p>6 did look at them.</p> <p>7 So to ask me to go back ten years, it's</p> <p>8 hard to -- when you have some 41 pieces of 41 maps</p> <p>9 in your head, it's hard to expand back ten years.</p> <p>10 Q. So you reviewed all 41 maps that were</p> <p>11 submitted?</p> <p>12 A. I didn't review them all, but I looked</p> <p>13 at most of them.</p> <p>14 Q. What's the difference between looking at</p> <p>15 them and reviewing them?</p> <p>16 A. Well, reviewing them would take more</p> <p>17 time. Looking at them would be, okay, this is a --</p> <p>18 this is a house map or a senate map or whatever. I</p> <p>19 just looked at the cover sheet and maybe the overall</p> <p>20 numbers, but didn't review -- didn't -- some of them</p> <p>21 were never offered, obviously. So if they weren't</p> <p>22 offered, I didn't look at them more seriously than</p> <p>23 that.</p> <p>24 Q. Did you review all of the maps that were</p> <p>25 offered?</p>	<p style="text-align: right;">Page 49</p> <p>1 it's all there.</p> <p>2 Q. Explain that.</p> <p>3 A. Well, when you finish -- when you draw a</p> <p>4 map, obviously, you've got seven districts. And</p> <p>5 you're going to have -- if you look at the, you</p> <p>6 know, top data for each district, it's going to have</p> <p>7 race and voting age, black, so forth and so on for</p> <p>8 each district. It's not like it just only comes up</p> <p>9 on the majority black district. It would come up on</p> <p>10 all of them, obviously.</p> <p>11 Q. Did you review that data for each</p> <p>12 district?</p> <p>13 A. I looked at it.</p> <p>14 Q. What did that data tell you?</p> <p>15 A. Nothing specifically.</p> <p>16 Q. Did you do anything with that data?</p> <p>17 A. I did not.</p> <p>18 Q. Did you consider drawing two majority</p> <p>19 black districts when you drew the 2011 congressional</p> <p>20 map?</p> <p>21 A. I really did not.</p> <p>22 Q. Why not?</p> <p>23 A. Well, primarily because the people who</p> <p>24 were paying me to draw these maps preferred the</p> <p>25 districts similar to how they were.</p>



December 09, 2021

<p style="text-align: right;">Page 50</p> <p>1 Q. Did the people that were paying you to</p> <p>2 draw the map prefer not to have a second majority</p> <p>3 black district?</p> <p>4 A. I don't know about that. But they</p> <p>5 preferred to have their districts as close to what</p> <p>6 they had under that map going forward.</p> <p>7 Q. Did you discuss with anyone the</p> <p>8 possibility of creating a second majority black</p> <p>9 district?</p> <p>10 A. I don't believe so.</p> <p>11 Q. Were you aware of requests in the</p> <p>12 legislature in 2011 to create a second majority</p> <p>13 black district?</p> <p>14 A. Again, I don't have a -- I don't have a</p> <p>15 complete recollection of ten years ago what maps</p> <p>16 were offered or not offered on the -- I don't want</p> <p>17 to guess on what was offered and what wasn't</p> <p>18 offered.</p> <p>19 Q. Do you know if it would have been</p> <p>20 possible to create a second majority black district</p> <p>21 in 2011?</p> <p>22 MR. DAVIS: Object to the form.</p> <p>23 MR. WALKER: Objection. Go ahead.</p> <p>24 A. I did not do it. So I -- I don't have</p> <p>25 an opinion on whether it was possible.</p>	<p style="text-align: right;">Page 52</p> <p>1 in drawing all four maps that they -- the</p> <p>2 congressional, as well as the other maps that needed</p> <p>3 to be drawn in this session.</p> <p>4 Q. And those four would be the</p> <p>5 congressional, the house and senate for the state</p> <p>6 legislature, and the board of education?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Did you agree to draw all four?</p> <p>9 A. I did.</p> <p>10 Q. When were you officially retained?</p> <p>11 A. Around that time, I would think. Like</p> <p>12 maybe October of 2020.</p> <p>13 Q. And who officially retained you?</p> <p>14 A. Well, I was working for the two chairs</p> <p>15 of the -- the house chair, Representative Pringle,</p> <p>16 and the senate chair, Senator McClendon.</p> <p>17 Q. Did you sign a contract?</p> <p>18 A. I did.</p> <p>19 Q. When did you sign that contract?</p> <p>20 A. Again, I don't have that in front of me.</p> <p>21 But September or October of 2020, I would imagine.</p> <p>22 Q. Is the contract with you individually,</p> <p>23 or is it with your company?</p> <p>24 A. It was with R. Hinaman, yes.</p> <p>25 Q. And who is the other party that you</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. To be clear for the timeline, I'm moving</p> <p>2 ahead now to 2021 for the most recent maps that were</p> <p>3 drawn.</p> <p>4 A. Yes, sir.</p> <p>5 Q. And I'm going to refer now to the 2021</p> <p>6 congressional map. When I refer to that, I mean the</p> <p>7 one that was enacted. It was also referred to, I</p> <p>8 believe, as HB-1 and then ultimately Act 2021-555.</p> <p>9 Is that fair?</p> <p>10 A. Yes, sir.</p> <p>11 Q. And I'll refer to that either as the</p> <p>12 2021 map or the 2021 congressional map. Is that</p> <p>13 okay?</p> <p>14 A. Yes, sir.</p> <p>15 Q. When were you first approached about</p> <p>16 drawing the 2021 congressional map?</p> <p>17 A. That probably would have been the end --</p> <p>18 sometime in September or October of 2020.</p> <p>19 Q. Of 2020 or 2021?</p> <p>20 A. 2020. About a year out, I would say.</p> <p>21 Q. Who approached you?</p> <p>22 A. Senator McClendon and Representative</p> <p>23 Pringle on behalf of the republican leadership.</p> <p>24 Q. What were you asked to do?</p> <p>25 A. They asked me if I would be interested</p>	<p style="text-align: right;">Page 53</p> <p>1 contracted with?</p> <p>2 A. Citizens for Fair -- Citizens for Fair</p> <p>3 Representation. Or maybe Alabamians for Fair</p> <p>4 Representation.</p> <p>5 Q. Do you recall which one it is?</p> <p>6 A. Not off the top of my head.</p> <p>7 Q. Who is Citizens for Fair Representation</p> <p>8 or Alabamians or Fair Representation? Whichever the</p> <p>9 name is, who is that group?</p> <p>10 A. It's a 501(c)(4) which also paid me to</p> <p>11 do the map drawing that I did in 2011.</p> <p>12 Q. And what's your understanding of why you</p> <p>13 were contracted by this particular group?</p> <p>14 A. Meaning?</p> <p>15 Q. As opposed to the State of Alabama, the</p> <p>16 legislature, anyone else. Why this 501(c)(4)</p> <p>17 organization?</p> <p>18 A. The leadership had set up that (c)(4)</p> <p>19 for the purpose of drawing districts in 2020 -- 2011</p> <p>20 and then continued it for 2021.</p> <p>21 Q. So this 501(c)(4) organization was</p> <p>22 created for the purpose of drawing the redistricting</p> <p>23 in the state of Alabama?</p> <p>24 A. In 2011, that's my understanding, yes.</p> <p>25 Q. Do you know if that organization does</p>

December 09, 2021

<p style="text-align: right;">Page 54</p> <p>1 anything else?</p> <p>2 A. I do not.</p> <p>3 Q. The contract that you signed around</p> <p>4 September, October of 2020, did you draft that</p> <p>5 contract?</p> <p>6 A. I did.</p> <p>7 Q. What does the contract call for you to</p> <p>8 do?</p> <p>9 A. It calls for me to work with the two</p> <p>10 chairs and the leadership of the house and the</p> <p>11 senate to draw four maps, congressional, state</p> <p>12 senate, state house, and state board of education.</p> <p>13 And to the extent practical and possible, meet with</p> <p>14 the officeholders for those four maps to get their</p> <p>15 interest in changes and so forth.</p> <p>16 Q. In that last part, you said "to meet</p> <p>17 with the officeholders"?</p> <p>18 A. Yes.</p> <p>19 Q. Is that basically the incumbents for</p> <p>20 each of the various districts on each of those maps?</p> <p>21 A. Correct.</p> <p>22 Q. Do you have a copy of that contract?</p> <p>23 A. Not with me. But yes, I do.</p> <p>24 Q. Is that something that you could produce</p> <p>25 if you were requested in this case?</p>	<p style="text-align: right;">Page 56</p> <p>1 Q. Have you been fully paid at this point?</p> <p>2 A. I have.</p> <p>3 Q. Was any part of your compensation</p> <p>4 contingent on anything?</p> <p>5 A. No. However, the -- just to be clear on</p> <p>6 the payment, because the time frame of the project</p> <p>7 changed -- I mean, when we initially signed the</p> <p>8 contract, the theory was, again, we would have the</p> <p>9 census data in March and we would pass a plan in</p> <p>10 July. Obviously, that didn't happen.</p> <p>11 So my timeline for when I was supposed</p> <p>12 to get those four payments I modified so that they</p> <p>13 didn't have to pay me before I had actually even had</p> <p>14 census data. So we changed the timeline. But yes.</p> <p>15 Q. Were you able to do any work on the maps</p> <p>16 before you got the census data?</p> <p>17 A. Yeah. We -- especially the state-wide</p> <p>18 ones such as congress and state board of education.</p> <p>19 We had to -- we had the estimates, county estimates,</p> <p>20 from the census bureau. I guess it would have been</p> <p>21 the 2019 numbers.</p> <p>22 So it was possible to look at them and</p> <p>23 say, okay, this district is likely to be under, this</p> <p>24 district is likely to be over, which on the</p> <p>25 congressional level allowed me to start meeting with</p>
<p style="text-align: right;">Page 55</p> <p>1 A. Yes.</p> <p>2 Q. What were the terms of your compensation</p> <p>3 in that contract?</p> <p>4 A. Four payments spaced out over various</p> <p>5 months, four payments of \$50,000 spaced out over the</p> <p>6 length of the contract.</p> <p>7 I believe when we actually signed the</p> <p>8 contract back in September or October, we were</p> <p>9 hoping or planning to do a special session in July.</p> <p>10 So we didn't at that time know that COVID was going</p> <p>11 to delay the census numbers and so forth and so on.</p> <p>12 So when I started the process at the end</p> <p>13 of 2020, the theory was we would, you know, probably</p> <p>14 have a special session in June or July sometime to</p> <p>15 pass these maps.</p> <p>16 Q. You said you started the process around</p> <p>17 the end of 2020. What do you --</p> <p>18 A. Well, when I signed the contract.</p> <p>19 Q. You also said that there was -- the</p> <p>20 contract called for four payments of \$50,000. Is</p> <p>21 that four separate payments of 50,000 each, for a</p> <p>22 total of --</p> <p>23 A. Yes, sir.</p> <p>24 Q. -- 200,000?</p> <p>25 A. Yes, sir.</p>	<p style="text-align: right;">Page 57</p> <p>1 members before we had the official census data which</p> <p>2 we didn't get until the end of August.</p> <p>3 Q. So you didn't get the official census</p> <p>4 data until the end of August. But you had</p> <p>5 unofficial estimates from the census before then?</p> <p>6 A. Correct.</p> <p>7 Q. And when did you receive those</p> <p>8 unofficial results?</p> <p>9 A. I don't -- I don't know when the 2019</p> <p>10 numbers were updated. But I'm going to say around</p> <p>11 the end of -- somewhere around the end of 2020. But</p> <p>12 I don't know that exactly.</p> <p>13 Q. Did you begin working on the</p> <p>14 congressional map before you received the official</p> <p>15 census data?</p> <p>16 A. Yes, sir.</p> <p>17 Q. When did you begin working on that map?</p> <p>18 A. In earnest probably in May of 2021.</p> <p>19 Q. What do you mean "in earnest"?</p> <p>20 A. Well, meeting with members and talking</p> <p>21 substantively about potential changes.</p> <p>22 Q. Before we get into the specifics of</p> <p>23 that, just on your compensation real quick, were you</p> <p>24 paid or retained by anyone else?</p> <p>25 A. No. I mean, I assume you mean relative</p>

December 09, 2021

<p style="text-align: right;">Page 58</p> <p>1 to redistricting.</p> <p>2 Q. Certainly. You've received other</p> <p>3 payments --</p> <p>4 A. Yes.</p> <p>5 Q. -- for other --</p> <p>6 A. Consulting.</p> <p>7 Q. Correct.</p> <p>8 So you stated that you began drawing the</p> <p>9 2021 map in earnest in May of 2021. Did you do</p> <p>10 anything else in preparation for drawing the maps</p> <p>11 before that date?</p> <p>12 A. No. I mean, I had conversations with</p> <p>13 members of the congressional delegation. And as you</p> <p>14 may -- may know, there was considerable</p> <p>15 concerns/discussion about whether Alabama would have</p> <p>16 seven members of congress or six.</p> <p>17 And until we really knew the answer to</p> <p>18 that -- which I think we were told by the census</p> <p>19 bureau in April, sometime in April what the answer</p> <p>20 to that question was -- there really wasn't much --</p> <p>21 I didn't -- my position with the congressmen was it</p> <p>22 would not make sense to work on a map until we knew</p> <p>23 how many districts we were going to have.</p> <p>24 Because, obviously, working on a</p> <p>25 six-person map where somebody would be paired with</p>	<p style="text-align: right;">Page 60</p> <p>1 wait until we knew how many districts the state</p> <p>2 would have. And then I would go to Washington and</p> <p>3 meet with the members and start formulating a plan</p> <p>4 from there to hopefully reach some consensus on a</p> <p>5 map.</p> <p>6 Q. Before you received word from the census</p> <p>7 bureau that there were going to be seven districts</p> <p>8 in Alabama again, did you do anything else in</p> <p>9 furtherance of drawing the 2021 congressional map?</p> <p>10 A. I did not.</p> <p>11 Q. When did you actually begin redrawing</p> <p>12 the 2021 congressional map?</p> <p>13 A. After my May round of meetings in</p> <p>14 Washington.</p> <p>15 Q. You say after then. Would that have</p> <p>16 been in May? Or June, July?</p> <p>17 A. I think the end of May, beginning --</p> <p>18 again, this was all based on estimates. We did not</p> <p>19 have the real census data. So I just -- I probably</p> <p>20 roughed out a map sometime in May or June based off</p> <p>21 of the estimates, knowing full well they were not</p> <p>22 going to be completely accurate.</p> <p>23 Q. From the time that you started drawing</p> <p>24 the 2021 congressional map until it was completed,</p> <p>25 about how much time did you spend in terms of hours</p>
<p style="text-align: right;">Page 59</p> <p>1 somebody was not going to be a lot of fun. And</p> <p>2 there was no need to do that if we didn't ever have</p> <p>3 to.</p> <p>4 Q. Certainly. So the census bureau</p> <p>5 informed --</p> <p>6 A. All the states, I think, in April of how</p> <p>7 many -- how many members of congress they would</p> <p>8 have. And then that allowed me to set up meetings</p> <p>9 and work off of the estimates of 2019 to talk about</p> <p>10 whether your district was over or under and so</p> <p>11 forth.</p> <p>12 Q. And you began those meetings around May</p> <p>13 of --</p> <p>14 A. I went to DC with the goal to meet with</p> <p>15 everybody in May, yes, sir.</p> <p>16 Q. So you said you went to DC. So I assume</p> <p>17 that you're referring to meetings with the</p> <p>18 congressional members.</p> <p>19 A. Yes.</p> <p>20 Q. Did you meet with any other -- for</p> <p>21 instance, did you meet with anybody in the Alabama</p> <p>22 state legislature in the spring of 2021?</p> <p>23 A. Well, I met with the two co-chairs to</p> <p>24 talk about my plan to how to -- you know, how to</p> <p>25 move forward on the congressional, that we would</p>	<p style="text-align: right;">Page 61</p> <p>1 on drawing that map?</p> <p>2 A. I have no idea. I guess I would make a</p> <p>3 bad lawyer.</p> <p>4 Q. Well, I don't want you to guess.</p> <p>5 When was the map completed for the 2021</p> <p>6 congressional?</p> <p>7 A. Complete. When was I done with what I</p> <p>8 was doing with it?</p> <p>9 Q. Correct.</p> <p>10 A. Probably the Friday before the week we</p> <p>11 went into session. So whatever that -- October 23rd</p> <p>12 or -- I'm making up that date. Whatever the Friday</p> <p>13 before we went into session was.</p> <p>14 Q. And you're referring to the special</p> <p>15 session that was called in the fall of 2021?</p> <p>16 A. Correct.</p> <p>17 Q. Going back to how much time it took you</p> <p>18 in terms of hours. Would you say that you spent</p> <p>19 more than 100 hours drawing the congressional map in</p> <p>20 2021?</p> <p>21 A. Well, if you're including meetings and</p> <p>22 discussions about it, yeah, probably.</p> <p>23 Q. Would you say you spent more than 150</p> <p>24 hours?</p> <p>25 A. I don't know. I just -- I don't really</p>

December 09, 2021

<p style="text-align: right;">Page 62</p> <p>1 have a -- I didn't think of it in terms of hours.</p> <p>2 My contract didn't -- my contract was just you were</p> <p>3 going to draw these four maps. And whether it took</p> <p>4 123 hours or 217 was irrelevant to what I was doing.</p> <p>5 Q. Right. I'm just trying to get an idea</p> <p>6 about how long it took you. I know there were</p> <p>7 months involved.</p> <p>8 But how much time you were actually</p> <p>9 spending on this in that time frame, would you say</p> <p>10 it took you more than 200 hours?</p> <p>11 A. I have no way of even guessing that. I</p> <p>12 really -- I apologize, but I don't.</p> <p>13 Q. Were you doing other things work-wise</p> <p>14 between May 2021 and -- when was the special</p> <p>15 session? Was it in October?</p> <p>16 A. October of 2021, yes.</p> <p>17 Q. Between May 2021 and October 2021, were</p> <p>18 you doing anything else work-wise other than drawing</p> <p>19 these four maps?</p> <p>20 A. Not very much because it was an</p> <p>21 off-year, obviously. I had clients that I did</p> <p>22 things for, obviously, in 2020, working up to the</p> <p>23 November 2020 election. But -- and I still had an</p> <p>24 ongoing relationship with some of -- a couple of my</p> <p>25 clients. But there wasn't a lot of work that needed</p>	<p style="text-align: right;">Page 64</p> <p>1 clarification.</p> <p>2 Does that apply to all four of the maps</p> <p>3 that you were drawing?</p> <p>4 A. No. That's obviously the -- the only</p> <p>5 one that the census determined how many members</p> <p>6 there would be would be -- was congress.</p> <p>7 Q. Because you said you had unofficial</p> <p>8 census data on, I guess, population prior to that?</p> <p>9 A. By county, yes.</p> <p>10 Q. And did you use that unofficial data for</p> <p>11 the other maps?</p> <p>12 A. I used it -- I used it to start working</p> <p>13 with the state school board members.</p> <p>14 It was less effective at the senate and</p> <p>15 house levels, virtually useless at the house level</p> <p>16 because it was mostly county data at the beginning.</p> <p>17 And so most house districts are not made up of full</p> <p>18 counties, obviously. So it was less valuable in</p> <p>19 those maps and more valuable in the statewide maps.</p> <p>20 Q. When did you begin drawing the state</p> <p>21 house and senate maps in 2021?</p> <p>22 A. I did not start on a house map until we</p> <p>23 actually had all of our census data at the end of</p> <p>24 August. I had roughed out a few of the rural senate</p> <p>25 districts based on some of the estimates. But it</p>
<p style="text-align: right;">Page 63</p> <p>1 to be done in the off-year.</p> <p>2 Q. Were you working full 40-hour weeks</p> <p>3 during that entire time?</p> <p>4 A. By and large, yes.</p> <p>5 Q. Did you take any trips or personal</p> <p>6 vacation time during that time period?</p> <p>7 A. Well, it was during COVID. So I didn't</p> <p>8 travel a whole lot. But it was a crazy time, as you</p> <p>9 all remember.</p> <p>10 Q. Did you take any time off?</p> <p>11 A. Sure.</p> <p>12 Q. About how long did you take off?</p> <p>13 A. I don't know. A couple of weeks.</p> <p>14 Q. And in that -- you had mentioned that</p> <p>15 you weren't able to begin redrawing the</p> <p>16 congressional map before you received the census</p> <p>17 estimates in April of 2021. Does that apply to all</p> <p>18 --</p> <p>19 A. Before I received how many districts we</p> <p>20 had in April of 2021.</p> <p>21 Q. Correct. Does that --</p> <p>22 A. I think we had the census estimates</p> <p>23 before that. I'm saying we just didn't know how</p> <p>24 many districts there were.</p> <p>25 Q. Fair enough. Thank you for the</p>	<p style="text-align: right;">Page 65</p> <p>1 wasn't particularly effective.</p> <p>2 So I would -- I would really say I</p> <p>3 didn't seriously start drawing those maps until</p> <p>4 August of 2021.</p> <p>5 Q. And what about the board of education</p> <p>6 map?</p> <p>7 A. The board of education I was doing</p> <p>8 simultaneously to congress because that was</p> <p>9 obviously a statewide map. And the county numbers</p> <p>10 were more usable in that type of map than they were</p> <p>11 in a 105-member state house map.</p> <p>12 Q. So you began drawing the board of</p> <p>13 education map around --</p> <p>14 A. The same times as congress.</p> <p>15 Q. Which was around May of 2021?</p> <p>16 A. Correct. I think I started meeting with</p> <p>17 those members in May, as well.</p> <p>18 Q. We've been going about an hour. Do you</p> <p>19 want to take a break?</p> <p>20 A. Sure.</p> <p>21 THE VIDEOGRAPHER: We're off the record.</p> <p>22 The time is 10:17 a.m.</p> <p>23 (Recess was taken.)</p> <p>24 THE VIDEOGRAPHER: We are back on the</p> <p>25 record. The time is now 10:35 a.m.</p>

December 09, 2021

<p style="text-align: right;">Page 66</p> <p>1 Q. Mr. Hinaman, when we left off, we were</p> <p>2 talking about the preparation that you did starting</p> <p>3 to get into the beginnings of drawing the 2021 map.</p> <p>4 Prior to May 2021, did you anything in</p> <p>5 furtherance of drawing the 2021 congressional map?</p> <p>6 A. Other than reviewing the 2019 census</p> <p>7 estimates by county, no.</p> <p>8 Q. And what did you do when you were</p> <p>9 reviewing the --</p> <p>10 A. I was trying to get a feel for what</p> <p>11 districts would be underpopulated and what districts</p> <p>12 would be overpopulated based on those estimates.</p> <p>13 And while the estimates in the end</p> <p>14 didn't turn out to be obviously particularly close</p> <p>15 to the actual numbers, in order -- they were -- they</p> <p>16 were close in that they did predict the three</p> <p>17 districts that would be under and the four districts</p> <p>18 that would be over.</p> <p>19 So it was helpful to pay attention to</p> <p>20 that when I started to do my round of meetings with</p> <p>21 the members of congress.</p> <p>22 Q. Did you do anything else prior to May</p> <p>23 2021 in furtherance of drawing the 2021</p> <p>24 congressional map?</p> <p>25 A. No. I mean, obviously, I -- at some</p>	<p style="text-align: right;">Page 68</p> <p>1 guidelines had been passed in early May.</p> <p>2 The only other thing in there, obviously</p> <p>3 I had talked -- before we knew seven to six, I had</p> <p>4 talked to, obviously, all of the offices, the</p> <p>5 congressional offices, about what my -- what our</p> <p>6 proposed timeline was going to be based on the fact</p> <p>7 that the census data was delayed, and that hopefully</p> <p>8 we would be able to set up a round of meetings in</p> <p>9 May and then we would get our data in August or</p> <p>10 whatever, and then we would fine tune it from there.</p> <p>11 Q. So those were more of administrative</p> <p>12 coordination discussions?</p> <p>13 A. Yes, sir.</p> <p>14 Q. You flew to DC, you said, in May of 2021</p> <p>15 to meet with the congressional members. Did you</p> <p>16 meet with each -- all seven congressional members?</p> <p>17 A. I met with five in person, one by Zoom.</p> <p>18 And one of the members declined to meet because they</p> <p>19 were more interested in running for a different</p> <p>20 office, I guess.</p> <p>21 Q. Which member was that that declined to</p> <p>22 meet?</p> <p>23 A. Mo Brooks. I met with his chief of</p> <p>24 staff, but I did not meet with Congressman Brooks</p> <p>25 directly.</p>
<p style="text-align: right;">Page 67</p> <p>1 point in that time frame, the reapportionment</p> <p>2 committee met and passed their guidelines.</p> <p>3 Obviously, I reviewed those and how they would</p> <p>4 impact the drawing of the maps. But that was --</p> <p>5 that was about the May time frame, as well. It may</p> <p>6 have been early May rather than later May.</p> <p>7 Q. You met with members of congress in DC</p> <p>8 in May of 2021, correct?</p> <p>9 A. Yes.</p> <p>10 Q. Was that the first thing that you did</p> <p>11 after the census data came out in 2021?</p> <p>12 A. Well, the data --</p> <p>13 Q. Let me take a step back there.</p> <p>14 You said that prior to May 2021, the</p> <p>15 only thing that you had done was review some of the</p> <p>16 unofficial census data to get a feel for</p> <p>17 underpopulation, overpopulation?</p> <p>18 A. Yes.</p> <p>19 Q. Then the census bureau announced around</p> <p>20 April 2021 that there will be seven congressional</p> <p>21 districts again in Alabama?</p> <p>22 A. Correct.</p> <p>23 Q. Was the next step that you did flying to</p> <p>24 DC to meet with the congressional members?</p> <p>25 A. Yes. And that was, again, after</p>	<p style="text-align: right;">Page 69</p> <p>1 Q. You met with each of the other</p> <p>2 congressional members?</p> <p>3 A. Five in person and one by Zoom.</p> <p>4 Q. Who was the one you met with by Zoom?</p> <p>5 A. Congresswoman Sewell. She was back in</p> <p>6 Alabama on a personal matter. So I met with her by</p> <p>7 Zoom.</p> <p>8 Q. Did you meet personally with Congressman</p> <p>9 Sewell by Zoom?</p> <p>10 A. Yes.</p> <p>11 Q. And when was that?</p> <p>12 A. During the May trip. Is that what</p> <p>13 you're asking me?</p> <p>14 Q. Correct. Because you went to DC to meet</p> <p>15 with some of them.</p> <p>16 A. Yes. And she was not in DC because of a</p> <p>17 personal matter. So we did a Zoom call.</p> <p>18 Q. You were in DC when you had the</p> <p>19 Zoom call?</p> <p>20 A. And she was in Birmingham, I believe.</p> <p>21 Q. Was it just one call that you had with</p> <p>22 Congressman Sewell?</p> <p>23 A. During that trip, just one call.</p> <p>24 Q. Have you had other meetings with</p> <p>25 Congressman Sewell?</p>

December 09, 2021

<p style="text-align: right;">Page 70</p> <p>1 A. I've had other Zoom meetings with her.</p> <p>2 Microsoft Teams, technically. But yes, Zoom</p> <p>3 meetings.</p> <p>4 Q. Have you had any in-person meetings with</p> <p>5 Congressman Sewell?</p> <p>6 A. No, I don't think I did this time. I</p> <p>7 mean, as -- in-person meetings were rather</p> <p>8 difficult. It was actually May when I went to --</p> <p>9 the house office buildings were actually closed and</p> <p>10 didn't allow visitors. So meeting anybody in person</p> <p>11 was a bit challenging during that time.</p> <p>12 I would have met with her in person on</p> <p>13 that trip had she been in town. But she was not.</p> <p>14 But the other members that I met with were all</p> <p>15 off-campus, so to speak, because we couldn't go to</p> <p>16 -- I couldn't go to their offices.</p> <p>17 Q. As far as Congressman Brooks goes, you</p> <p>18 said you met with somebody from his staff?</p> <p>19 A. I met with his chief of staff, yes.</p> <p>20 Q. And what did you discuss with these</p> <p>21 representatives when you met with them in May of</p> <p>22 2021?</p> <p>23 A. I discussed the over and under nature of</p> <p>24 their district. And if their district was</p> <p>25 underpopulated based on the estimates, I said, you</p>	<p style="text-align: right;">Page 72</p> <p>1 information. And then what did you do with it?</p> <p>2 A. Tried to rough it out in an estimated</p> <p>3 map, but again knowing that it was going to change</p> <p>4 because the estimates were not going to be</p> <p>5 completely accurate.</p> <p>6 And, again, I didn't want to -- if there</p> <p>7 was a conflict somewhere between some -- two members</p> <p>8 wanted county X, I didn't really want to litigate</p> <p>9 that until we had real numbers because it may become</p> <p>10 irrelevant when it turns out that their district was</p> <p>11 10,000 off of what the estimate said.</p> <p>12 So I tried not to get into any</p> <p>13 negotiations at that point.</p> <p>14 Q. Were there some disputes in the</p> <p>15 recommendations and requests that you received?</p> <p>16 A. Minorly, yeah.</p> <p>17 Q. Were there specific counties that more</p> <p>18 than one representative wanted?</p> <p>19 A. Yeah. I mean, for example, the 1st</p> <p>20 District was going to be over. The 1st District was</p> <p>21 going to be overpopulated, and it was going to have</p> <p>22 to lose some. And the 1st District congressman</p> <p>23 wanted to probably lose some to the 2nd in Monroe,</p> <p>24 but the 2nd District congressman wanted to gain some</p> <p>25 from the 1st in Escambia, just things like that.</p>
<p style="text-align: right;">Page 71</p> <p>1 know, "Where would you envision picking up</p> <p>2 population?" If you were over populated, "What</p> <p>3 areas of your district would you envision</p> <p>4 potentially losing?"</p> <p>5 Q. Did you discuss anything other than</p> <p>6 population changes with them?</p> <p>7 A. Population changes and potential</p> <p>8 timelines and when we might get the real census</p> <p>9 data.</p> <p>10 Q. Anything else that you discussed with</p> <p>11 them?</p> <p>12 A. That was about it.</p> <p>13 Q. What did you do next after meeting with</p> <p>14 the representatives in May of 2021?</p> <p>15 A. I took -- took back that information and</p> <p>16 looked at it in terms of a map, and then waited for</p> <p>17 the real census data to come to see where we really</p> <p>18 were.</p> <p>19 Q. You said you took back that information.</p> <p>20 What sort of information did you get from these</p> <p>21 meetings?</p> <p>22 A. When somebody said if I need to lose</p> <p>23 10,000, I would like to lose them in county X or</p> <p>24 place Y or whatever.</p> <p>25 Q. And so you said you took that</p>	<p style="text-align: right;">Page 73</p> <p>1 They were not major.</p> <p>2 But, again, it really wasn't worth the</p> <p>3 point of negotiating it fully until we knew the real</p> <p>4 numbers. Because as it turned out, it only ended up</p> <p>5 being 739 people, and it wasn't particularly</p> <p>6 important which county it was in the scheme of</p> <p>7 717,000 voters or citizens in a district.</p> <p>8 Q. You said you then took that information</p> <p>9 from those meetings with the representatives and</p> <p>10 roughed out a map. What does that mean?</p> <p>11 A. It means I took the -- we had the</p> <p>12 estimates on Maptitude at the state reapportionment</p> <p>13 office. And I just roughed without -- I mean, I</p> <p>14 didn't get anywhere close to zero deviation because</p> <p>15 there was no point in it.</p> <p>16 I just generally roughed out based on</p> <p>17 what we had discussed in DC, knowing that it was all</p> <p>18 going to change when we got the real numbers. But</p> <p>19 just explored some of the potential.</p> <p>20 Q. And to be clear, for somebody that</p> <p>21 doesn't draw maps, what does "roughed out" mean?</p> <p>22 A. Meaning assigned various counties to</p> <p>23 districts just in an effort to get things closer to</p> <p>24 the ideal population.</p> <p>25 Q. Kind of playing with the numbers, just</p>



December 09, 2021

<p style="text-align: right;">Page 74</p> <p>1 kind of seeing what works as a preliminary  2 standpoint, I guess?</p> <p>3 A. Yes. And just to be clear, that was all  4 on total population. Because I certainly didn't  5 have the ability or trust the internals of any of  6 those -- I mean, I wouldn't have trusted like BVAP  7 or anything else to the extent it wouldn't have made  8 any sense to look at it at that point.</p> <p>9 Q. Did you have any data on the black  10 voting age population at that --</p> <p>11 A. I don't know what the estimates had.  12 But I didn't even look at it because I knew it  13 wasn't going to be significant to what we were  14 doing.</p> <p>15 Q. Did you do anything else before you  16 received the official census data in August of 2021?</p> <p>17 A. No.</p> <p>18 Q. Did you review any other materials in  19 that time frame before August 2021?</p> <p>20 A. Obviously, I reviewed the guidelines and  21 had discussions with the two chairs of how we will  22 proceed once we get the data in terms of all the  23 maps.</p> <p>24 Q. What were those discussions like?</p> <p>25 A. Just mostly timing and how we would --</p>	<p style="text-align: right;">Page 76</p> <p>1 A. No, sir.</p> <p>2 Q. And then in August 2021, you received  3 the official census data, correct?</p> <p>4 A. Correct.</p> <p>5 Q. What did you do once you received that  6 data?</p> <p>7 A. Well, the State received it.</p> <p>8 Q. And then ultimately it was passed on to  9 you, correct?</p> <p>10 A. Well, it was -- I used the state  11 computer. So their -- that data was then given to  12 Maptitude. This is my understanding. I did not do  13 any of this.</p> <p>14 That data was given to Maptitude, and  15 Maptitude turned it into their workable -- put it  16 into their program and sent it back to the State.  17 And the State loaded it into their computers, which  18 all took another week. And then I was able to  19 manipulate it on -- use it on a computer at that  20 point.</p> <p>21 Q. So walk me through that. So Maptitude  22 is a software on a computer, correct?</p> <p>23 A. Yes.</p> <p>24 Q. A map-drawing software?</p> <p>25 A. Correct.</p>
<p style="text-align: right;">Page 75</p> <p>1 how we would go forward. And hopefully we could get  2 some consensus on the state school board members and  3 some consensus with the congressional members.</p> <p>4 And, obviously, the house map I couldn't  5 do anything with until we got the real numbers. The  6 senate map I could do next to nothing with. I mean,  7 I could look at a few of the more rural districts  8 because they were whole counties. But once you got  9 into major metropolitan areas, I couldn't come up  10 with too many suggestions for that then.</p> <p>11 Q. Other than Pringle and McClendon, did  12 you meet with any other members of the Alabama  13 legislature?</p> <p>14 A. I don't believe so at that time.</p> <p>15 Q. And "that time" being before August  16 2021, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Did you review any election returns in  19 that time frame?</p> <p>20 A. I did not.</p> <p>21 Q. Did you review any voter registration  22 info in that time frame?</p> <p>23 A. I did not.</p> <p>24 Q. Did you review any voter primary  25 participation data in that time frame?</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. Is it the same software that you had  2 used previously in drawing maps?</p> <p>3 A. I used it in 2011, yes, sir.</p> <p>4 Q. Did you ever use it before then?</p> <p>5 THE WITNESS: I used it in 2011. The  6 State used ESRI.</p> <p>7 A. Excuse me?</p> <p>8 Q. Did you use it before 2011?</p> <p>9 A. I don't think so.</p> <p>10 Q. And you were clarifying with Mr. Walker  11 that you used in 2011 --</p> <p>12 A. Yeah. In 2011, I had a computer, and I  13 had Maptitude on it. The State used -- the State of  14 Alabama used a different software, I think, called  15 ESRI.</p> <p>16 THE REPORTER: Called what?</p> <p>17 A. ESRI.</p> <p>18 Q. Can you spell that?</p> <p>19 A. I don't know.</p> <p>20 MR. WALKER: E-S-R-I, all capital  21 letters.</p> <p>22 Q. And what is ESRI?</p> <p>23 A. It's just a -- it's similar to Maptitude  24 software for using the census data.</p> <p>25 Q. So in 2011, you drew the map using your</p>



December 09, 2021

<p style="text-align: right;">Page 78</p> <p>1 own computer and your own software?</p> <p>2 A. Correct.</p> <p>3 Q. Was that then imported into ESRI for the</p> <p>4 State?</p> <p>5 A. Yes, sir.</p> <p>6 Q. The file types can be imported from one</p> <p>7 to the other?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Then in 2021, you did not use your own</p> <p>10 computer and software, correct?</p> <p>11 A. That's correct.</p> <p>12 Q. You used the State's computers and</p> <p>13 software?</p> <p>14 A. Entirely.</p> <p>15 Q. Where was that physically?</p> <p>16 A. In the reapportionment office at the</p> <p>17 state house, Room 317.</p> <p>18 Q. So any time that you wanted to actually</p> <p>19 work on redrawing the map, you had to --</p> <p>20 A. Physically be there.</p> <p>21 Q. How often --</p> <p>22 A. Sorry. I didn't mean to finish your</p> <p>23 sentences.</p> <p>24 Q. That's fine. And we're doing a pretty</p> <p>25 decent job. But let's try to remember to let each</p>	<p style="text-align: right;">Page 80</p> <p>1 starting in August 2021 through October 2021?</p> <p>2 A. Yes.</p> <p>3 Q. And all four maps, you were doing the</p> <p>4 same process using the State's computers and using</p> <p>5 Maptitude, correct?</p> <p>6 A. Correct.</p> <p>7 Q. Were there any of those maps that took a</p> <p>8 significantly larger portion of your time to draw?</p> <p>9 A. Well, obviously, including meetings with</p> <p>10 members. 105 house members are significantly more</p> <p>11 meetings than, you know, seven for congress and</p> <p>12 eight for school board.</p> <p>13 So, obviously, the house map probably</p> <p>14 took a lot longer just in terms of meeting with 105</p> <p>15 different -- I didn't meet with everybody. But the</p> <p>16 vast majority of 105 people -- and sometimes more</p> <p>17 than once -- took a lot longer than meeting with</p> <p>18 seven congressmen, for example.</p> <p>19 Q. In addition to meeting, I assume that</p> <p>20 drawing 105 districts probably takes a lot more of</p> <p>21 your time to do than just drawing seven. Is that</p> <p>22 fair?</p> <p>23 A. That's fair.</p> <p>24 Q. If you had to put very rough percentages</p> <p>25 on the amount of time you spent on the congressional</p>
<p style="text-align: right;">Page 79</p> <p>1 other finish so that the court reporter can type</p> <p>2 everything down.</p> <p>3 How often -- starting in August 2021,</p> <p>4 how often would you go to the -- what did you say it</p> <p>5 was? The reapportionment office?</p> <p>6 A. Reapportionment office.</p> <p>7 Q. How often would you go to the</p> <p>8 reapportionment office after August 2021?</p> <p>9 A. Once the -- once the material was loaded</p> <p>10 into the computer, which was probably the last week</p> <p>11 of August maybe, I was there once or twice a week</p> <p>12 for the next week or so. And then after that, I was</p> <p>13 there four or five days a week until we were through</p> <p>14 the special session. I basically lived in</p> <p>15 Montgomery. For all intents and purposes, I lived</p> <p>16 in Montgomery for a couple of months.</p> <p>17 Q. From, say, the beginning of September</p> <p>18 through the end of October?</p> <p>19 A. Yeah. Certainly Labor Day until the end</p> <p>20 of October.</p> <p>21 Q. Would you work on weekends, as well?</p> <p>22 A. Rarely. I mean, once we got very close</p> <p>23 to the session, yes. But not -- not normally.</p> <p>24 Q. Of the four maps you were -- you were</p> <p>25 working on all four maps in that time frame, right,</p>	<p style="text-align: right;">Page 81</p> <p>1 map versus the other ones, about how much of your</p> <p>2 time would you say you spent?</p> <p>3 A. Now you're -- now you're making me a</p> <p>4 lawyer again. And I'm not good at this.</p> <p>5 I really -- I don't really know how to</p> <p>6 do that. I mean, you would be correct that the</p> <p>7 majority -- I mean, I put more time into the house</p> <p>8 map than I put into the state school board and the</p> <p>9 congressional. But I really don't have a way to</p> <p>10 quantify that.</p> <p>11 Q. Did you put more time into the senate</p> <p>12 map, as well?</p> <p>13 A. Yeah. Obviously, it's 35 members versus</p> <p>14 seven or eight. It just takes longer to do the</p> <p>15 meetings and follow-ups and so forth.</p> <p>16 Q. And the state school board --</p> <p>17 A. Is eight members.</p> <p>18 Q. Eight members. Did that take you about</p> <p>19 the same amount of time to draw as the --</p> <p>20 A. Yeah.</p> <p>21 Q. Sorry. Let me make sure that I can</p> <p>22 finish.</p> <p>23 Did drawing the state school board map</p> <p>24 take you about the same amount of time as it did for</p> <p>25 drawing the congressional map, given that they have</p>

December 09, 2021

<p style="text-align: right;">Page 82</p> <p>1 about the same number of districts?</p> <p>2 A. Yes.</p> <p>3 Q. Going back to the software, this</p> <p>4 Maptitude software, you said that it took about a</p> <p>5 week for the census information to be uploaded; is</p> <p>6 that correct?</p> <p>7 A. Yeah, that's what I said.</p> <p>8 Q. What does that mean?</p> <p>9 A. Again, this was not part of my</p> <p>10 responsibility. But the State got the data, as I</p> <p>11 understood it, and gave it to Maptitude. Maptitude</p> <p>12 translated it into their software and sent it back</p> <p>13 to the State to be loaded on the State computer.</p> <p>14 But, again, this is all my secondhand</p> <p>15 knowledge of what was going on. I was not doing</p> <p>16 this.</p> <p>17 Q. From your perspective, once you arrived</p> <p>18 around the end of August looking at Maptitude and</p> <p>19 the software, you were able to see what information</p> <p>20 has been uploaded, correct?</p> <p>21 A. Well, once it's -- yeah. Once it's</p> <p>22 uploaded, yes.</p> <p>23 Q. What sort of information is -- was</p> <p>24 available to you on the Maptitude software regarding</p> <p>25 the districts?</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Who did you meet with to discuss the</p> <p>2 drawing of the map between August 2021 and when you</p> <p>3 submitted the map in the week before the special</p> <p>4 session?</p> <p>5 A. Once we had the real data, I went back</p> <p>6 and had Zoom calls with all of the members of</p> <p>7 congress or their -- or their chief of staff to talk</p> <p>8 about what the differences were from the estimates</p> <p>9 versus the actual census data and to reiterate, you</p> <p>10 know, what we discussed in May, what was still</p> <p>11 operable and what maybe needed to be slightly</p> <p>12 revised based on what our thoughts were.</p> <p>13 Then after those round of Zoom calls, I</p> <p>14 went back and drew a proposed map. Which I then did</p> <p>15 another round of calls, Zoom calls with, to look at</p> <p>16 the final -- semifinal, final version, I guess.</p> <p>17 Q. In those meetings, did you discuss</p> <p>18 anything with the representatives other than changes</p> <p>19 that needed to be made for population deviation?</p> <p>20 A. No.</p> <p>21 Q. How many meetings would you say you had</p> <p>22 with each of the representatives in that time frame?</p> <p>23 A. It varied. For example, Mo Brooks would</p> <p>24 be zero because he again was not interested to</p> <p>25 participate. Others took, you know, three, four,</p>
<p style="text-align: right;">Page 83</p> <p>1 A. Once it's all loaded in, I have, you</p> <p>2 know, total population and voting age population and</p> <p>3 race down to the block level.</p> <p>4 Q. Is there any other information that's</p> <p>5 available to you in Maptitude?</p> <p>6 A. I don't believe so.</p> <p>7 Q. Did you, yourself, upload any additional</p> <p>8 information into Maptitude?</p> <p>9 A. I did not.</p> <p>10 Q. Did you review any other data in</p> <p>11 preparing the maps?</p> <p>12 A. I did not.</p> <p>13 Q. Did you meet with anyone between August</p> <p>14 2021 and the time that you submitted the maps before</p> <p>15 the special session in furtherance of drawing the</p> <p>16 2021 congressional map?</p> <p>17 A. Well, I met with virtually all of the</p> <p>18 officeholders.</p> <p>19 Q. You met with each of the seven</p> <p>20 congressional representatives again?</p> <p>21 A. Oh, yeah. I had Zoom calls with -- with</p> <p>22 them. And then -- are you talking just</p> <p>23 congressional now, or all of it?</p> <p>24 Q. Focusing on the 2021 congressional map.</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 85</p> <p>1 five phone calls. Some were one or two.</p> <p>2 In the final end, Representative Palmer</p> <p>3 decided not to do the final call. So I didn't have</p> <p>4 a final call with him. But everybody else, I had at</p> <p>5 least two, if not more.</p> <p>6 Q. Were all of the meetings with the</p> <p>7 representatives from August 2021 through the special</p> <p>8 session by Zoom?</p> <p>9 A. Yes.</p> <p>10 Q. When you had those meetings, would you</p> <p>11 share your screen to be able to show what the map</p> <p>12 looks like?</p> <p>13 A. Exactly, yes.</p> <p>14 Q. Did you discuss with each of the</p> <p>15 representatives the map as a whole or just their</p> <p>16 specific districts?</p> <p>17 A. Their specific districts and an adjacent</p> <p>18 district if there was some change there.</p> <p>19 Q. You stated for the 2011 congressional</p> <p>20 map that you were actually hired by the seven</p> <p>21 congressional representatives, correct?</p> <p>22 A. Correct.</p> <p>23 Q. That was not the case for 2021, correct?</p> <p>24 A. That's correct.</p> <p>25 Q. Why not?</p>

December 09, 2021

<p style="text-align: right;">Page 86</p> <p>1 A. That was not my -- the leadership</p> <p>2 decided that they would, you know, hire me through</p> <p>3 the 501(c)(4), which -- which is how they hired me</p> <p>4 for legislative. I did the legislative maps in</p> <p>5 2021, and I guess they preferred that model over the</p> <p>6 other one. I don't know. That was their choice,</p> <p>7 not mine.</p> <p>8 Q. Did you receive any other instructions</p> <p>9 or requests from the congressional representatives</p> <p>10 other than changes to make to account for population</p> <p>11 deviation?</p> <p>12 A. No.</p> <p>13 Q. Did you meet with any members of the</p> <p>14 Alabama state legislature to discuss the 2021</p> <p>15 congressional maps?</p> <p>16 A. Just -- just the two co-chairs, two</p> <p>17 chairs.</p> <p>18 Q. And that's --</p> <p>19 A. Senator McClendon and Representative</p> <p>20 Pringle.</p> <p>21 Q. What did you discuss with Senator</p> <p>22 McClendon and Representative Pringle?</p> <p>23 A. I would just update them on our progress</p> <p>24 and discussions with various members. And to the</p> <p>25 extent that there were conflicts like the one I</p>	<p style="text-align: right;">Page 88</p> <p>1 at 10:00 o'clock. It was just when they were both</p> <p>2 there or singularly there, I would just give them a</p> <p>3 quick update.</p> <p>4 Q. Were these updates by phone or email or</p> <p>5 in person?</p> <p>6 A. Usually in person.</p> <p>7 Q. Were there ever communications by email</p> <p>8 with them?</p> <p>9 A. No.</p> <p>10 Q. Did you attend any of the public</p> <p>11 hearings in preparation for the 2021 congressional</p> <p>12 maps?</p> <p>13 A. I didn't. They were happening</p> <p>14 simultaneously with me being in Montgomery. And I</p> <p>15 would occasionally walk in the room while they were</p> <p>16 happening to talk to somebody else or whatever. But</p> <p>17 I didn't officially attend them.</p> <p>18 Q. There were a few that you walked into</p> <p>19 the room while they were going, you said?</p> <p>20 A. Well, they were being done in an</p> <p>21 adjacent room, and I occasionally walked in. And I</p> <p>22 would also occasionally -- either the co-chairs or</p> <p>23 Dorman Walker or somebody would come back and update</p> <p>24 me as to something somebody said if they thought it</p> <p>25 was significant to my drawing.</p>
<p style="text-align: right;">Page 87</p> <p>1 described between the 1st and the 2nd, I just</p> <p>2 updated on that in case they were to receive a call</p> <p>3 from somebody, they would know what was happening.</p> <p>4 Q. In these meetings with Senator McClendon</p> <p>5 and Representative Pringle, were you pretty much</p> <p>6 just providing information to them?</p> <p>7 A. Yeah, pretty much.</p> <p>8 Q. Did you receive any feedback or</p> <p>9 particular requests from them about how to draw the</p> <p>10 map?</p> <p>11 A. No.</p> <p>12 Q. Beyond anything that you were told from</p> <p>13 the congressional -- U.S. congressional</p> <p>14 representatives, were you given any instructions or</p> <p>15 requests about how to draw the 2021 congressional</p> <p>16 map from anyone?</p> <p>17 A. No.</p> <p>18 Q. And how many times did you meet with</p> <p>19 Representative Pringle and Senator McClendon in</p> <p>20 preparation for drawing the 2021 congressional maps?</p> <p>21 A. I don't -- I mean, this was during the</p> <p>22 course in time when they were also in town doing</p> <p>23 meetings with their colleagues. So maybe I updated</p> <p>24 them every other week. It was rather -- I mean, it</p> <p>25 wasn't a formally structured we meet every Tuesday</p>	<p style="text-align: right;">Page 89</p> <p>1 Q. Do you recall what any of those sort of</p> <p>2 comments would have been?</p> <p>3 A. Yeah. For example -- and this was</p> <p>4 already in process, so it wasn't a tremendous shock.</p> <p>5 But there were comments, for example, in the</p> <p>6 Montgomery meeting that they didn't want to be split</p> <p>7 into three districts as they were in 2001, that they</p> <p>8 would prefer Montgomery not -- probably they</p> <p>9 preferred it not to be split at all. But if it were</p> <p>10 going to be split, to certainly not three ways and</p> <p>11 have it be two, which was a feature of a map I was</p> <p>12 already working on. But things like that.</p> <p>13 Q. Do you remember any other specific</p> <p>14 feedback that you received from the public hearings?</p> <p>15 A. Just areas like the Shoals area wanted</p> <p>16 to be kept as intact as possible. And people in</p> <p>17 Madison and Morgan wanted to be -- they thought</p> <p>18 there was obviously a lot of community of interest</p> <p>19 between those areas in north Alabama. People in</p> <p>20 Baldwin and Mobile wanted to be kept together.</p> <p>21 There was a lot of community of interest between</p> <p>22 those counties. Things like that.</p> <p>23 Q. When you refer to "the Shoals area,"</p> <p>24 you're referring to Muscle Shoals?</p> <p>25 A. Yes.</p>

December 09, 2021

<p style="text-align: right;">Page 90</p> <p>1 Q. Any other specific feedback that you</p> <p>2 recall receiving from the public hearings?</p> <p>3 A. Not on congressional. There was a lot</p> <p>4 of feedback on state maps that we also talked about.</p> <p>5 Q. And did you ever personally sit in on</p> <p>6 any of these hearings or hear anything that was</p> <p>7 being said personally?</p> <p>8 A. I did for ten-minute snippets</p> <p>9 occasionally when I was waiting to talk to somebody</p> <p>10 in that room.</p> <p>11 Q. Did you gather anything from the time</p> <p>12 that you spent in the hearing personally?</p> <p>13 A. Nothing other than observations that I</p> <p>14 relayed to you a minute ago.</p> <p>15 Q. You mentioned that Montgomery County,</p> <p>16 the public hearings provided feedback that they</p> <p>17 didn't want to be split. Do you remember why that</p> <p>18 was?</p> <p>19 A. I think -- I think both in Montgomery</p> <p>20 County and most any county when you have split</p> <p>21 counties or split precincts, there's confusion as to</p> <p>22 who somebody's -- who their representative may be.</p> <p>23 And it was a -- it was obviously a</p> <p>24 guideline of the committees on all these maps to try</p> <p>25 to split less precincts and less counties.</p>	<p style="text-align: right;">Page 92</p> <p>1 doing that split. So yes, it was in my mind when we</p> <p>2 were, for example, doing that split.</p> <p>3 Q. Other than the accommodations for the</p> <p>4 Lauderdale, Muscle Shoals area, did any of the</p> <p>5 public feedback that you received from the public</p> <p>6 hearings tangibly impact a change that you made on</p> <p>7 the map?</p> <p>8 A. Not so much a change. But it did -- it</p> <p>9 did confirm that our theory of putting -- not</p> <p>10 splitting Montgomery three ways was a worthy goal.</p> <p>11 And I worked to get Congressmen Rogers to agree to</p> <p>12 come out of Montgomery County because he was</p> <p>13 partially in Montgomery County.</p> <p>14 Q. Since we're talking about it, this may</p> <p>15 help a bit.</p> <p>16</p> <p>17 (Plaintiff's Exhibit 5 was</p> <p>18 marked for identification.)</p> <p>19</p> <p>20 Q. I'm handing you Exhibit 5. I don't want</p> <p>21 this to be a memory test for you. So this is a copy</p> <p>22 of the 2021 --</p> <p>23 A. I've had enough -- I've had enough of</p> <p>24 those already.</p> <p>25 Q. This is a copy of the 2021 congressional</p>
<p style="text-align: right;">Page 91</p> <p>1 Q. Do you know when Montgomery County was</p> <p>2 originally split?</p> <p>3 A. Originally split?</p> <p>4 Q. Correct.</p> <p>5 A. No. I mean -- no, I don't.</p> <p>6 Q. The first map you drew was in 1992. Was</p> <p>7 Montgomery County already split prior to that?</p> <p>8 A. I have no idea. I'm sorry. I don't</p> <p>9 even remember the map I drew, whether it was split,</p> <p>10 to be honest with you.</p> <p>11 Q. Did any of the information that you</p> <p>12 received from the public hearings impact the way you</p> <p>13 drew the 2021 congressional map?</p> <p>14 A. No, other than things like I said, not</p> <p>15 splitting Montgomery three ways, putting as much of</p> <p>16 the Shoals area together, keeping Mobile and Baldwin</p> <p>17 together, keeping Madison and Morgan together.</p> <p>18 Q. Was that something that you specifically</p> <p>19 made changes to your map to accommodate?</p> <p>20 A. No. Most of those features were already</p> <p>21 happening. It just -- I kept it in mind. For</p> <p>22 example, when -- we eventually had to split</p> <p>23 Lauderdale County between 5 and 4. And when we were</p> <p>24 doing that, I was trying to keep Florence and Muscle</p> <p>25 Shoals together as much as possible when we were</p>	<p style="text-align: right;">Page 93</p> <p>1 map. Do you recognize this?</p> <p>2 A. I do.</p> <p>3 Q. Does this appear to be a true and</p> <p>4 correct of the 2021 congressional map?</p> <p>5 A. It does.</p> <p>6 Q. We were talking about Montgomery County</p> <p>7 here not wanting to be split.</p> <p>8 A. Three ways, yes.</p> <p>9</p> <p>10 (Plaintiff's Exhibit 6 was</p> <p>11 marked for identification.)</p> <p>12</p> <p>13 Q. I'm also going to hand you what's being</p> <p>14 marked as Plaintiff's Exhibit 6 for your reference.</p> <p>15 This is a copy of the 2011 congressional map.</p> <p>16 So looking at Montgomery County, it</p> <p>17 looks like in -- well, first off, Plaintiff's</p> <p>18 Exhibit 6, does that appear to be a true and correct</p> <p>19 copy of the 2011 congressional map, to your</p> <p>20 knowledge?</p> <p>21 A. It does.</p> <p>22 Q. We were -- and you used this 2011</p> <p>23 congressional map as the starting point in drafting</p> <p>24 the 2021 congressional map, correct?</p> <p>25 A. I used the cores of the existing</p>

December 09, 2021

<p style="text-align: right;">Page 94</p> <p>1 districts as a starting point, yes.</p> <p>2 Q. Is that different from using this map as</p> <p>3 the starting point?</p> <p>4 A. I don't know. I don't think so.</p> <p>5 Q. When you began drawing the 2021</p> <p>6 congressional map, you didn't start from scratch,</p> <p>7 right?</p> <p>8 A. No. Correct.</p> <p>9 Q. You started using the 2011 congressional</p> <p>10 map?</p> <p>11 A. Correct.</p> <p>12 Q. Looking at Montgomery County, so that</p> <p>13 was split into three districts in 2011; is that</p> <p>14 right?</p> <p>15 A. That's correct.</p> <p>16 Q. Do you know why that was split into</p> <p>17 three districts at the time?</p> <p>18 A. Not specifically, other than, obviously,</p> <p>19 it had been -- Congressman Mike Rogers in the 3rd</p> <p>20 District had had an office in Montgomery, that part</p> <p>21 of Montgomery County, and had represented it for a</p> <p>22 while and probably didn't -- didn't want to lose</p> <p>23 that base of support and financial support and so</p> <p>24 forth.</p> <p>25 Q. In the 2011 congressional map, District</p>	<p style="text-align: right;">Page 96</p> <p>1 add a number of different counties to make up that</p> <p>2 population.</p> <p>3 Q. Well, it looks like District 7 also</p> <p>4 includes only a portion of Tuscaloosa County and</p> <p>5 Jefferson County, correct?</p> <p>6 A. That's correct.</p> <p>7 Q. So could you not have taken more of</p> <p>8 either Tuscaloosa County or Jefferson County and</p> <p>9 then been able to leave Montgomery County as being</p> <p>10 solely in one district?</p> <p>11 A. Well, yeah, it would have been possible</p> <p>12 certainly in Jefferson. I don't know about</p> <p>13 Tuscaloosa. I don't think actually -- I think there</p> <p>14 are many more people in the 7th District portion of</p> <p>15 Montgomery than there are in the 4th District</p> <p>16 portion of Tuscaloosa. But yes, certainly in</p> <p>17 Jefferson that would have been possible.</p> <p>18 But as you know, they -- these all have</p> <p>19 to fit back together at the end. So what might have</p> <p>20 been a perfect map for somebody in Montgomery may</p> <p>21 not have created a perfect situation for whatever</p> <p>22 member represented Jefferson or wherever.</p> <p>23 Q. Did you consider moving -- did you</p> <p>24 consider making Montgomery County solely District 2?</p> <p>25 A. I did not.</p>
<p style="text-align: right;">Page 95</p> <p>1 7 reaches into a portion in the middle of Montgomery</p> <p>2 County. Do you know why it does that?</p> <p>3 A. To gain population for that district.</p> <p>4 Q. Was District 7 reaching into a portion</p> <p>5 of Montgomery County in the prior 2001 congressional</p> <p>6 map?</p> <p>7 A. I don't know.</p> <p>8 Q. Do you remember if Montgomery County --</p> <p>9 do you remember if District 7 reached into a portion</p> <p>10 of Montgomery County in the 1992 congressional map</p> <p>11 that you drew?</p> <p>12 A. I do not remember, no. I'm sure</p> <p>13 somebody has a map and could tell me. But I don't</p> <p>14 know.</p> <p>15 Q. So it looks like from the 2011</p> <p>16 congressional map to the 2021 congressional map, you</p> <p>17 were able to take District 3 out of Montgomery so</p> <p>18 that it's not split three ways anymore and is only</p> <p>19 split two ways; is that correct?</p> <p>20 A. That's correct.</p> <p>21 Q. Is there a reason why it still needed to</p> <p>22 be split into two different districts?</p> <p>23 A. Yeah. I mean, obviously, the 7th</p> <p>24 District was underpopulated. So if you took it all</p> <p>25 the way out of Montgomery, then you would have to</p>	<p style="text-align: right;">Page 97</p> <p>1 Q. Why not?</p> <p>2 A. Because, again, I didn't think it --</p> <p>3 while that may look like geographically not a very</p> <p>4 large area, it has a considerable number of voters</p> <p>5 in it. And it would have been hard to take that out</p> <p>6 of 7 and make up the population somewhere else.</p> <p>7 About the only place, as you pointed</p> <p>8 out, to do that might have been Jefferson. But,</p> <p>9 again, we have two representatives in Jefferson</p> <p>10 County right now. And it would have been hard to</p> <p>11 eliminate one from that process.</p> <p>12 Q. Is there anything in particular about</p> <p>13 this specific portion of Montgomery County that's in</p> <p>14 District 7 that makes it a community of interest or</p> <p>15 something that ties it into District 7 versus</p> <p>16 District 2?</p> <p>17 A. Not necessarily. I mean, obviously,</p> <p>18 geographically it's next to -- it's adjacent to</p> <p>19 Lowndes County.</p> <p>20 Q. Did you look at racial data in including</p> <p>21 that portion of Montgomery County in District 7?</p> <p>22 A. I didn't. When we started doing -- I</p> <p>23 didn't initially. When we started filling in this</p> <p>24 -- all these discussions we've had up until now have</p> <p>25 all been based on total pop. I didn't look at race</p>

December 09, 2021

<p style="text-align: right;">Page 98</p> <p>1 at all on the computer when we were adding folks to</p> <p>2 these districts or subtracting folks from these</p> <p>3 districts.</p> <p>4 So at this point, I've basically just</p> <p>5 been looking at total pop and where do you get the</p> <p>6 total pop to get the districts back to ideal</p> <p>7 population. So at that point, there was no</p> <p>8 discussion of race. It was all a discussion of</p> <p>9 total pop.</p> <p>10 Q. You say "at this point." Where are we</p> <p>11 talking in the timeline?</p> <p>12 A. Up until -- up until we finished the</p> <p>13 map.</p> <p>14 Q. Finishing the map being the week before</p> <p>15 the special session?</p> <p>16 A. Correct.</p> <p>17 Q. So is it your testimony that you did not</p> <p>18 look at race at all in 2021 before submitting the</p> <p>19 maps to the special session?</p> <p>20 A. No, I did not look at it up until the</p> <p>21 week before we submitted the maps, when at that</p> <p>22 point we did turn on race and look at the racial</p> <p>23 breakdowns in the various maps.</p> <p>24 Q. Why did you look at the racial breakdown</p> <p>25 that week before the special session?</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. Anything else?</p> <p>2 A. That's it.</p> <p>3 Q. Other than modifying the existing</p> <p>4 district lines to account for population changes,</p> <p>5 did you make any other changes from the 2011</p> <p>6 congressional map?</p> <p>7 A. I'm not sure I follow that.</p> <p>8 Q. You made changes to the 2011</p> <p>9 congressional map for the 2021 map based on changes</p> <p>10 in population, correct?</p> <p>11 A. Correct.</p> <p>12 Q. Did you make any changes based on any</p> <p>13 other factors?</p> <p>14 A. Are we talking -- we're talking the 2021</p> <p>15 map?</p> <p>16 Q. Correct. So in drawing the 2021 map,</p> <p>17 you made certain changes from the prior map based on</p> <p>18 changes in population, correct?</p> <p>19 A. Correct.</p> <p>20 Q. Did you make any changes based on any</p> <p>21 other factors?</p> <p>22 A. No. I didn't make any changes.</p> <p>23 Obviously, where members lived was a consideration.</p> <p>24 I certainly would be mindful -- when I was moving a</p> <p>25 precinct in Jefferson County, for example, I</p>
<p style="text-align: right;">Page 99</p> <p>1 A. Well, to -- obviously, we wanted to see</p> <p>2 what the, you know, outcomes of our changes were.</p> <p>3 Q. What do you mean?</p> <p>4 A. We wanted to see what -- the changes we</p> <p>5 had made to get the population balanced among all</p> <p>6 these districts, if it changed any of the, you know,</p> <p>7 racial makeup of the districts.</p> <p>8 Q. Why did you want to know that?</p> <p>9 A. Well, one of our guidelines is to comply</p> <p>10 with the Voting Rights Act.</p> <p>11 Q. And you say "we wanted." Who is "we"?</p> <p>12 A. The two co-chairs, myself, and legal</p> <p>13 counsel.</p> <p>14 Q. "Legal counsel" being Mr. Dorman --</p> <p>15 A. Yes.</p> <p>16 Q. -- Walker?</p> <p>17 A. Yes.</p> <p>18 Q. And prior to that week before the</p> <p>19 special session, it's your testimony that you did</p> <p>20 not look at any of the racial data at all for any</p> <p>21 of the districts in drawing the 2021 congressional</p> <p>22 map?</p> <p>23 A. That's correct.</p> <p>24 Q. What data did you look at?</p> <p>25 A. Just -- just total pop and geography.</p>	<p style="text-align: right;">Page 101</p> <p>1 couldn't move Congresswoman Sewell out of her</p> <p>2 district, for example. But I didn't make any</p> <p>3 changes based on that.</p> <p>4 Q. Other than population data and race data</p> <p>5 starting the week before the map was submitted, did</p> <p>6 you review any other data about the constituents or</p> <p>7 the districts when drawing the 2021 map?</p> <p>8 A. I did not.</p> <p>9 Q. If any changes were made to the 2021</p> <p>10 map, would you have been the one to physically make</p> <p>11 those changes on the computer?</p> <p>12 A. Yes.</p> <p>13 Q. Was there anyone else who physically sat</p> <p>14 on the computer and made any changes for the 2021</p> <p>15 map?</p> <p>16 A. I don't believe so. I mean, Donna</p> <p>17 Loftin, who heads the reapportionment office,</p> <p>18 certainly was capable of doing that. But I don't</p> <p>19 believe she ever -- she's not really authorized to</p> <p>20 change a map, I guess, without me asking her to.</p> <p>21 Q. Do you know if she made any changes?</p> <p>22 A. I don't believe she did, no.</p> <p>23 Q. Did anyone else assist you in drawing</p> <p>24 the map?</p> <p>25 A. Nobody assisted me in drawing the map.</p>



December 09, 2021

<p style="text-align: right;">Page 102</p> <p>1 Q. When did you have a -- when did you</p> <p>2 first have an initial draft map completed?</p> <p>3 A. Using the real data? I mean, not an</p> <p>4 estimate.</p> <p>5 Q. Did you have an initial draft made from</p> <p>6 the estimates?</p> <p>7 A. I had a -- I roughed -- again, it wasn't</p> <p>8 -- it wasn't something that would have -- it wasn't</p> <p>9 to zero deviation. It was just roughed-out</p> <p>10 counties.</p> <p>11 So yes, when I came back from my May</p> <p>12 meetings, I roughed out a map using the estimates on</p> <p>13 Maptitude just to get a feel for what areas needed</p> <p>14 to be added and subtracted from various districts.</p> <p>15 But, again, it was -- it was not -- it</p> <p>16 was not to deviation and it was knowing that the</p> <p>17 estimates were going to be off by thousands, if not</p> <p>18 tens of thousands, which they turned out to be.</p> <p>19 Q. When was that draft completed?</p> <p>20 A. The end of May.</p> <p>21 Q. Did you save a copy of that draft?</p> <p>22 A. No.</p> <p>23 Q. After that, when was the next draft</p> <p>24 using official data completed?</p> <p>25 A. After my round of calls in September.</p>	<p style="text-align: right;">Page 104</p> <p>1 She felt strongly about picking up facilities and</p> <p>2 universities and things rather than just random</p> <p>3 citizens.</p> <p>4 Q. And what precinct did you take out from</p> <p>5 District 7 in exchange?</p> <p>6 A. Well, it was a split at an adjacent</p> <p>7 precinct. Whitfield, I think, was the name of it.</p> <p>8 Q. How do you choose that precinct?</p> <p>9 A. It just was adjacent to it.</p> <p>10 Q. That was the only factor?</p> <p>11 A. That was the only factor.</p> <p>12 Q. So you had the draft completed, you</p> <p>13 said, mid September?</p> <p>14 A. Yeah. And just to give a more complete</p> <p>15 answer, I also had to do a -- change the split a</p> <p>16 little bit in Lauderdale based on conversations with</p> <p>17 Congressman Adderholt. I had conversations with</p> <p>18 Representative -- Congressman Moore's</p> <p>19 representative, Bill Harris, about he would have</p> <p>20 preferred a change in Monroe rather than the way I</p> <p>21 did it in Escambia.</p> <p>22 So they were each -- not every district.</p> <p>23 But a number of districts had these little minor</p> <p>24 things that we talked through at that point.</p> <p>25 Q. Beyond any minor changes -- and I assume</p>
<p style="text-align: right;">Page 103</p> <p>1 So probably mid -- mid to late September would have</p> <p>2 been the next draft. And then I did a round of</p> <p>3 calls to go over those maps and make any last</p> <p>4 changes before the last week.</p> <p>5 Q. A round of calls being the calls that</p> <p>6 you discussed with the U.S. congress</p> <p>7 representatives?</p> <p>8 A. Yes.</p> <p>9 Q. Did you make any further changes to the</p> <p>10 draft based on any feedback you received from those</p> <p>11 calls?</p> <p>12 A. Very minorly. Congresswoman Sewell, I</p> <p>13 had split a precinct in Montgomery County that she</p> <p>14 did not want split. So I put it back together and</p> <p>15 split in a different -- an adjacent precinct. But</p> <p>16 very, very minorly.</p> <p>17 Q. What precinct was that?</p> <p>18 A. It was the Acadome precinct. I had</p> <p>19 split the university into two different districts,</p> <p>20 and she, I think wanted it all in her district. So</p> <p>21 I put that back together.</p> <p>22 Q. Do you know why she wanted that all in</p> <p>23 her district?</p> <p>24 A. I don't. I mean, other than that was</p> <p>25 one of her principles in this redistricting process.</p>	<p style="text-align: right;">Page 105</p> <p>1 this is more kind of a precinct-by-precinct type</p> <p>2 change that you're referring to there, correct?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Beyond that, were there any changes that</p> <p>5 you made based on those calls that you would</p> <p>6 consider to be significant changes?</p> <p>7 A. No.</p> <p>8 Q. So once you had the draft completed in</p> <p>9 mid September and then had the calls with the</p> <p>10 various representatives to go over that, then you</p> <p>11 made whatever minor changes you could based on that</p> <p>12 feedback.</p> <p>13 When did you have the next draft</p> <p>14 completed?</p> <p>15 A. Going into the last -- the next to last</p> <p>16 week of October. And in some of these -- as you</p> <p>17 well know, with congressional schedules, it's not</p> <p>18 like I had seven congressmen lined up to talk to me</p> <p>19 at 9:00 o'clock on a Monday morning. This took over</p> <p>20 a course of weeks. I would, you know, schedule, and</p> <p>21 move and change for voting schedules and all the</p> <p>22 wonderful things that go on with dealing with</p> <p>23 congressmen.</p> <p>24 Q. And in that same time frame, you were</p> <p>25 also drawing three other maps?</p>



December 09, 2021

<p style="text-align: right;">Page 106</p> <p>1 A. Correct.</p> <p>2 Q. And meeting with all of the</p> <p>3 representatives and senators and all of that?</p> <p>4 A. Yes, sir.</p> <p>5 Q. Was there any other drafts that you had</p> <p>6 other than the first one that you made using the</p> <p>7 unofficial data in the summer of 2021, the next</p> <p>8 draft that you made using the official data in mid</p> <p>9 September 2021, and then the draft that you had</p> <p>10 based on the congressional representatives' feedback</p> <p>11 that was completed the week before the special</p> <p>12 session in October of 2021? Were there any other</p> <p>13 drafts that you made of the 2021 congressional map?</p> <p>14 A. No.</p> <p>15 Q. Between those last two drafts that we</p> <p>16 discussed, between September 2021 and the special</p> <p>17 session, did you meet with anyone else to discuss</p> <p>18 the redrawing of the 2021 map, congressional map,</p> <p>19 other than the seven representatives and Senator</p> <p>20 McClendon and Representative Pringle?</p> <p>21 A. And legal counsel.</p> <p>22 Q. Anyone else?</p> <p>23 A. No.</p> <p>24 Q. At that time, did you consider</p> <p>25 Mr. Walker to be your attorney?</p>	<p style="text-align: right;">Page 108</p> <p>1 when you met with Senator McClendon and</p> <p>2 Representative Pringle about the draft map?</p> <p>3 MR. WALKER: I'm going to object to</p> <p>4 attorney-client privilege to the extent that I was</p> <p>5 present in the room and we were having an</p> <p>6 attorney-client communication. If you had any</p> <p>7 communications with them that I was not present, you</p> <p>8 may answer the question.</p> <p>9 A. There were -- they just looked at the</p> <p>10 map. There was nothing substantive in terms of a</p> <p>11 response.</p> <p>12 Q. And are you going to refuse to answer</p> <p>13 any questions that I were to ask you that would</p> <p>14 involve any discussions that you had where</p> <p>15 Mr. Walker was present?</p> <p>16 MR. WALKER: I would instruct him not to</p> <p>17 answer those questions if other conditions</p> <p>18 indicating it was an attorney-client privilege were</p> <p>19 present.</p> <p>20 Let me -- let me clarify that for you.</p> <p>21 If I believed we had a conversation that was an</p> <p>22 attorney-client privilege, I would -- I would</p> <p>23 instruct him not to answer the question. I don't</p> <p>24 think that all the conversations I had with him were</p> <p>25 covered by the privilege.</p>
<p style="text-align: right;">Page 107</p> <p>1 A. I considered him to be the</p> <p>2 reapportionment committee's attorney.</p> <p>3 Q. Did you consider him to represent you</p> <p>4 personally?</p> <p>5 A. I don't know how to answer that. I</p> <p>6 didn't -- I didn't feel I needed representation at</p> <p>7 that point personally.</p> <p>8 Q. Did you have any sort of retention</p> <p>9 agreement with Mr. Walker or his office?</p> <p>10 A. No.</p> <p>11 Q. Once you had the draft completed of the</p> <p>12 2021 congressional map the week before the special</p> <p>13 session, who did you provide it to?</p> <p>14 A. Well, obviously, all of the members saw</p> <p>15 their districts. But they didn't really see the</p> <p>16 rest of the map. The members of congress saw their</p> <p>17 district, but they didn't really -- and adjacent</p> <p>18 districts. But they didn't really see the rest of</p> <p>19 the map.</p> <p>20 I think at that last week, I went</p> <p>21 through that map with Representative Pringle and</p> <p>22 Senator McClendon and Dorman Walker. Obviously,</p> <p>23 Donna Loftin, who runs the office, was in the</p> <p>24 background during most of this.</p> <p>25 Q. What sort of feedback did you receive</p>	<p style="text-align: right;">Page 109</p> <p>1 MR. THOMPSON: When you say you don't</p> <p>2 think that all of the conversations you had with</p> <p>3 him, do you mean nonsubstantive conversations like</p> <p>4 lunch and dinner?</p> <p>5 MR. WALKER: Certainly that would be</p> <p>6 included. What I'm saying is there -- I can think</p> <p>7 of times when he and I were speaking, although I may</p> <p>8 not know exactly what we were talking about, when</p> <p>9 there were other people in the room who were not</p> <p>10 within the privilege. And we may have been talking</p> <p>11 about the map. I just don't know.</p> <p>12 But there were certain times when I</p> <p>13 reviewed with him specifically the map. And I would</p> <p>14 contend that that's covered by the attorney-client</p> <p>15 privilege.</p> <p>16 MR. THOMPSON: Understood. And you</p> <p>17 would instruct him not to answer on those.</p> <p>18 MR. WALKER: Yeah.</p> <p>19 Q. And would you follow that instruction?</p> <p>20 A. Yes.</p> <p>21 Q. So walk me through the timeline, then,</p> <p>22 once you provided the draft to Senator McClendon and</p> <p>23 Representative Pringle. What happened with the map</p> <p>24 at that point?</p> <p>25 A. I mean, once it was finalized and they</p>

December 09, 2021

<p style="text-align: right;">Page 110</p> <p>1 made no changes to it, it was submitted to be drawn  2 up into a bill and prepared to be presented at the  3 -- be sent out to the members of the reapportionment  4 committee the following Monday and then voted on in  5 committee on Tuesday.</p> <p>6 Q. Were there any changes made to the map  7 by the reapportionment committee?</p> <p>8 A. No.</p> <p>9 Q. Were there any changes made to the map  10 after it was submitted to the legislature?</p> <p>11 A. No.</p> <p>12 Q. So the version of the map that you  13 completed the week before the special session is  14 identical to the version of the map that was  15 ultimately enacted that we've marked as Exhibit 5,  16 Plaintiff's Exhibit 5, correct?</p> <p>17 A. Correct.</p> <p>18 Q. Did you save any drafts of the 2021  19 congressional map?</p> <p>20 A. No, sir. The way Maptitude works is it  21 just -- every time you make a change, it saves -- it  22 saves the map at that point. So previous iterations  23 don't -- don't really exist.</p> <p>24 Q. Did you print out any copies of any  25 drafts?</p>	<p style="text-align: right;">Page 112</p> <p>1 have preferred sort of a whole county map with  2 two -- I would call them influence districts.</p> <p>3 THE REPORTER: What districts?</p> <p>4 A. Influence districts</p> <p>5 Q. Would that be the same as -- I've heard  6 "opportunity district." Would "influence district"  7 and "opportunity district" be about the same?</p> <p>8 A. Yes, sir.</p> <p>9 Q. And what's your understanding of what an  10 influence district or opportunity district is?</p> <p>11 A. It would be a district that would be  12 less than a majority of BVAP, but still have a  13 substantial population of minorities that could  14 potentially impact the election of a candidate of  15 their choice.</p> <p>16 Q. And when we say "minorities" here  17 specifically, are we referring to the black voting  18 age population?</p> <p>19 A. Primarily here in Alabama, you would be  20 referring to the black voting age population.</p> <p>21 Q. So if in this case the court were to  22 find that the maps do not comply with the Voting  23 Rights Act or the 14th Amendment and they needed to  24 be modified, do you expect that you would be the one  25 that would be asked to make those modifications?</p>
<p style="text-align: right;">Page 111</p> <p>1 A. No.</p> <p>2 Q. Do you have any notes that you took or  3 used while drafting the 2021 congressional map?</p> <p>4 A. No. I mean, I'm sure I had a scrap of  5 paper somewhere that said Congressman Moore would  6 rather split Escambia and Congressman Carl would  7 rather split Monroe. But they were -- all these  8 things were so -- there were not very many of them.  9 There weren't too many. I didn't need notes to  10 remember that.</p> <p>11 Q. Do you have any of those notes saved?</p> <p>12 A. No.</p> <p>13 Q. If you needed to modify the maps now, do  14 you have any estimate of about how long that would  15 take you to do?</p> <p>16 A. Modify in what way?</p> <p>17 Q. For instance, are you familiar with what  18 this lawsuit is about?</p> <p>19 A. Well, it's three different lawsuits, if  20 I understand it correctly.</p> <p>21 Q. What is your understanding of the three  22 different lawsuits?</p> <p>23 A. I think two of the -- well, two of the  24 lawsuits I think would have preferred two majority  25 black districts. And the Singleton lawsuit would</p>	<p style="text-align: right;">Page 113</p> <p>1 A. I don't have a crystal ball. I can't  2 predict the future.</p> <p>3 Q. Is that something that's covered in your  4 contract?</p> <p>5 A. It is not.</p> <p>6 Q. If you were asked to modify the map to  7 make changes to comply with the Voting Rights Act or  8 the 14th Amendment, in that situation, do you have  9 any estimate about how long it would take you to do  10 that?</p> <p>11 A. No. I mean, asked by whom?</p> <p>12 Q. The Alabama state legislature, the  13 courts, Mr. Walker, any of us.</p> <p>14 A. No. I mean, I -- conceptually, I guess  15 that would depend on what the court deemed changes  16 were.</p> <p>17 Q. Is that something that you think you  18 could complete within a month?</p> <p>19 A. I would hope so. I don't know.</p> <p>20 Q. Is it something you think you could  21 complete within a week?</p> <p>22 A. You're asking me a hypothetical about  23 something that hasn't happened, and I don't have a  24 clue what the changes would be.</p> <p>25 Q. When you met with Congressman Sewell,</p>

December 09, 2021

<p style="text-align: right;">Page 114</p> <p>1 did you receive any specific instructions from her</p> <p>2 about how to draw District 7?</p> <p>3 A. No, not specifically. Again, it was</p> <p>4 more of -- our initial meetings were more of here is</p> <p>5 what the estimates show, here is -- you're</p> <p>6 obviously -- the district is going to be</p> <p>7 underpopulated. Let's talk about areas where you</p> <p>8 may -- may pick up population to get closer to the</p> <p>9 ideal.</p> <p>10 As I said earlier, she was interested in</p> <p>11 facilities and universities and some companies and</p> <p>12 military, like Maxwell, and so forth. So she was</p> <p>13 interested in things above and beyond just picking</p> <p>14 up additional voters or citizens. So we talked</p> <p>15 about that briefly.</p> <p>16 And then we just went through the most</p> <p>17 likely areas where she could pick up additional</p> <p>18 population. And the most likely in my mind, again,</p> <p>19 to present to her as options were counties that were</p> <p>20 split.</p> <p>21 For example, Clarke County was -- under</p> <p>22 this map, the 2011 map, was split between 7 and 1.</p> <p>23 We know 1 is going to be over. We knew -- at the</p> <p>24 beginning, we didn't know how much. But we knew 1</p> <p>25 would be over, and we knew 7 would be under.</p>	<p style="text-align: right;">Page 116</p> <p>1 she wanted that in her district not split. So we</p> <p>2 talked about things like that.</p> <p>3 Q. Do you remember the name of that</p> <p>4 university in Montgomery?</p> <p>5 A. Yeah, I do. I'm blanking on it at the</p> <p>6 moment. Alabama -- is it State?</p> <p>7 MR. WALKER: Alabama State, ASU.</p> <p>8 A. ASU. ASU. Sorry.</p> <p>9 Q. Other than those things that you just</p> <p>10 discussed, did you receive any other instructions or</p> <p>11 feedback from Congressman Sewell about how to draw</p> <p>12 District 7?</p> <p>13 A. No, not at that time. We did -- in the</p> <p>14 next round of those talks after we had real numbers,</p> <p>15 we did talk about some of the changes in Jefferson.</p> <p>16 In this -- in the 2011 map, some of the</p> <p>17 precincts of Homewood -- I think there were three or</p> <p>18 four Homewood precincts. Some were in her district,</p> <p>19 and some were in 6. She thought that maybe it might</p> <p>20 make sense for all of them to be in one district.</p> <p>21 She would be happy if they were hers, which I did.</p> <p>22 So we talked about a few things like</p> <p>23 that in the next round of discussions.</p> <p>24 Q. Did you discuss anything else with her</p> <p>25 about how to draw her map?</p>
<p style="text-align: right;">Page 115</p> <p>1 So a logical thing, in my mind anyway,</p> <p>2 would be let's put Clarke County back together. And</p> <p>3 whatever population that is, let's put that into 7.</p> <p>4 And also we talked about some of the</p> <p>5 changes that would happen that would cascade to her</p> <p>6 from north Alabama. As we knew, District 5 would be</p> <p>7 over. The only place District 5 can go to is to</p> <p>8 District 4 because it's the only district adjacent</p> <p>9 to it. And that would then put District 4 over.</p> <p>10 And one of the options was for her to pick up some</p> <p>11 more of District 4 in Tuscaloosa. So we talked</p> <p>12 about that.</p> <p>13 And then we talked about potential</p> <p>14 changes in Jefferson, another area where she could</p> <p>15 pick up additional population.</p> <p>16 Q. You mentioned that she wanted</p> <p>17 universities in her district. What were the names</p> <p>18 of the universities she wanted?</p> <p>19 A. She wanted to make sure that whatever</p> <p>20 changes we made in Tuscaloosa, we kept the</p> <p>21 University of Alabama in her district. She was</p> <p>22 interested in picking up Maxwell Air Force Base in</p> <p>23 Montgomery, if that was a possibility.</p> <p>24 As I discussed earlier, I had split a</p> <p>25 precinct that had a university in Montgomery. And</p>	<p style="text-align: right;">Page 117</p> <p>1 A. No.</p> <p>2 Q. Did you discuss race at all with</p> <p>3 Congressman Sewell?</p> <p>4 A. No.</p> <p>5 Q. Did she give you any instructions or</p> <p>6 requests about a certain black voting age population</p> <p>7 percentage that she wanted in District 7?</p> <p>8 A. She did not, other than I think there</p> <p>9 was -- we both assumed, and I think she would</p> <p>10 confirm, that she wanted a majority -- a majority</p> <p>11 black district for her district.</p> <p>12 And she also, I should add -- there was</p> <p>13 one other thing. When we initially asked every</p> <p>14 member for their home addresses so we made sure we</p> <p>15 had them inside their own districts, she actually</p> <p>16 sent in two addresses, knowing that only one of them</p> <p>17 was her official home address.</p> <p>18 One of them was also her home -- her</p> <p>19 mother's home or whatever in Dallas County. And she</p> <p>20 wanted -- would prefer that both of those addresses</p> <p>21 be inside her district. So that was one request she</p> <p>22 made.</p> <p>23 Q. Was that an accommodation you had to</p> <p>24 change the map to --</p> <p>25 A. No. They were -- it was already</p>

December 09, 2021

<p style="text-align: right;">Page 118</p> <p>1 happening. They both were -- they both under this</p> <p>2 map were in her district, and they both under this</p> <p>3 map were in her district.</p> <p>4 Q. Going back to your prior statement, you</p> <p>5 said that you didn't discuss race with Congressman</p> <p>6 Sewell; is that correct?</p> <p>7 A. Not at that point.</p> <p>8 Q. Did you at some point?</p> <p>9 A. In the last week, she did ask what was</p> <p>10 the BVAP of my -- her district.</p> <p>11 Q. And what did you tell her?</p> <p>12 A. I told her it was 54.22.</p> <p>13 Q. And what did she say?</p> <p>14 A. She didn't -- I mean, she was</p> <p>15 comfortable with that, I guess. She didn't comment</p> <p>16 further. She didn't ask me to make any changes, I</p> <p>17 guess, if that's what you're asking me.</p> <p>18 Q. You said before then that you both</p> <p>19 assumed that she wanted a majority black population.</p> <p>20 What are you basing that off of?</p> <p>21 A. I don't even know if it's an assumption.</p> <p>22 I think she -- I think she did say that, that she</p> <p>23 would prefer to continue to have a majority black</p> <p>24 district.</p> <p>25 Q. You think she said that, or you know she</p>	<p style="text-align: right;">Page 120</p> <p>1 Alabama legislators or their staff about the 2021</p> <p>2 congressional maps?</p> <p>3 A. No. Maybe -- maybe right before we went</p> <p>4 to the floor, I think I probably had a conversation</p> <p>5 with the pro tem and speaker just briefly to say</p> <p>6 that the members of congress were reasonably in</p> <p>7 agreement on this map. But it was just sort of a</p> <p>8 pro forma discussion, not about the details of the</p> <p>9 map.</p> <p>10 Q. Did you speak with anyone else?</p> <p>11 A. No.</p> <p>12 Q. Did you correspond with anyone by email</p> <p>13 regarding the redistricting process?</p> <p>14 A. No.</p> <p>15 Q. Did you make any recommendations to the</p> <p>16 committee, the reapportionment committee, about how</p> <p>17 the map should be drawn beyond just providing them a</p> <p>18 copy of the map?</p> <p>19 A. No.</p> <p>20 Q. Did the reapportionment committee make</p> <p>21 any requests or recommendations to you about how the</p> <p>22 map should be drawn or changed?</p> <p>23 A. None other than the guidelines they</p> <p>24 passed.</p> <p>25 Q. Did you receive any requests or</p>
<p style="text-align: right;">Page 119</p> <p>1 said that?</p> <p>2 A. I think she -- yeah, I think -- I think</p> <p>3 she said that.</p> <p>4 Q. But you don't know for certain?</p> <p>5 A. I'm pretty confident she said that, yes.</p> <p>6 Q. Are you certain that she said that?</p> <p>7 A. I'm pretty confident she said that.</p> <p>8 Q. Just to be clear, pretty confident, but</p> <p>9 not 100 percent certain, fair?</p> <p>10 A. Sure.</p> <p>11 Q. Did she say anything about any sort of</p> <p>12 percentage of black voting age population that she</p> <p>13 wanted in District 7?</p> <p>14 A. No.</p> <p>15 Q. Did you discuss race with any of the</p> <p>16 other representatives?</p> <p>17 A. I did not.</p> <p>18 Q. So Congressman Sewell was the only</p> <p>19 Congressman you discussed race with?</p> <p>20 A. Well, she's the only one who asked at</p> <p>21 the end of the process what her black -- black</p> <p>22 voting age population was.</p> <p>23 Q. Other than the U.S. congressional</p> <p>24 representatives and Senator McClendon and</p> <p>25 Representative Pringle, did you speak with any other</p>	<p style="text-align: right;">Page 121</p> <p>1 instructions about how to draw the 2021</p> <p>2 congressional map from anyone else that we haven't</p> <p>3 discussed yet?</p> <p>4 A. No.</p> <p>5 Q. Did you receive any feedback from anyone</p> <p>6 else that we haven't discussed yet about the way</p> <p>7 that the 2021 congressional map was drawn?</p> <p>8 A. No. I'm assuming you're including</p> <p>9 chiefs of staff as a subset of a congressman.</p> <p>10 Q. Certainly. No one other than the</p> <p>11 congressmen or their chiefs of staff or anyone else</p> <p>12 that we've discussed?</p> <p>13 A. Right.</p> <p>14 MR. THOMPSON: Dorman, I think we've</p> <p>15 been going a little over an hour. We're approaching</p> <p>16 that lunch time. We could go a little bit longer,</p> <p>17 or we could go ahead and break now. What do you</p> <p>18 prefer?</p> <p>19 MR. WALKER: I'm happy with whatever</p> <p>20 y'all want to do.</p> <p>21 MR. THOMPSON: Are you hungry, sir?</p> <p>22 THE WITNESS: Not overly. But I'm happy</p> <p>23 to --</p> <p>24 MR. WALKER: I usually go to lunch at</p> <p>25 11:30. So I'm happy to take a lunch break.</p>

December 09, 2021

<p style="text-align: right;">Page 122</p> <p>1 MR. THOMPSON: Let's -- let's take a</p> <p>2 lunch break, then.</p> <p>3 MR. WALKER: All right.</p> <p>4 THE VIDEOGRAPHER: We're off the record.</p> <p>5 The time is 11:42 a.m.</p> <p>6 (Lunch break was taken.)</p> <p>7 THE VIDEOGRAPHER: We are back on the</p> <p>8 record. The time is 12:57 p.m.</p> <p>9 Q. Mr. Hinaman, before we broke for lunch,</p> <p>10 we had discussed some of the conversations that you</p> <p>11 had with the seven U.S. congressmen. Do you recall</p> <p>12 that?</p> <p>13 A. Yes.</p> <p>14 Q. And we went into some specifics about</p> <p>15 your discussions with Congressman Sewell. Or</p> <p>16 Congresswoman Sewell. Excuse me. I would like to</p> <p>17 discuss some of the specifics with the other</p> <p>18 representatives. So I just kind of want to go down</p> <p>19 the line.</p> <p>20 So starting with Representative Carl in</p> <p>21 District 1, can you tell me what specifics you</p> <p>22 recall from your discussions with him?</p> <p>23 A. Yes. But just to be clear, are we --</p> <p>24 you just want -- over the whole time frame, just</p> <p>25 capsulize it? Or are you talking about a specific</p>	<p style="text-align: right;">Page 124</p> <p>1 in District 2.</p> <p>2 A. Well, we talked again about making</p> <p>3 Montgomery County only split between 7 and 2 and</p> <p>4 getting the 3rd District out of Montgomery County,</p> <p>5 which was good because 2 was under anyway. So they</p> <p>6 needed to pick up some people.</p> <p>7 Initially I said, well, depending on</p> <p>8 what the numbers are, we might need to split off a</p> <p>9 little bit of Elmore to balance out 3 if we're not</p> <p>10 splitting Montgomery. But as it turned out, we</p> <p>11 didn't have to do that. We did -- we did make some</p> <p>12 changes to 3 in Coosa and Chilton, but we made no</p> <p>13 further changes in the 2nd.</p> <p>14 We talked a little bit about the</p> <p>15 Escambia and Monroe thing. Again, he would have</p> <p>16 preferred not to have picked up another county. But</p> <p>17 unfortunately, that was not in the cards by 739</p> <p>18 people. So he needed to -- he did end up picking up</p> <p>19 Escambia.</p> <p>20 And we talked about just geographically</p> <p>21 making the 7th District a little more compact in</p> <p>22 Montgomery from where the 2011 lines were versus to</p> <p>23 what they are now in the 2021 plan.</p> <p>24 And at the end of it -- I mean, we had</p> <p>25 some discussions about Maxwell going into the 7th,</p>
<p style="text-align: right;">Page 123</p> <p>1 time frame?</p> <p>2 Q. At any point in the discussions you had</p> <p>3 with them in drawing the 2021 congressional map.</p> <p>4 A. Okay. So essentially from May to</p> <p>5 October?</p> <p>6 Q. Correct.</p> <p>7 A. Okay. Yeah. So we talked about Clarke</p> <p>8 County which was split, of course, between 7 and</p> <p>9 District 1. And we talked that the 1st District</p> <p>10 would likely be over or was over after we got the</p> <p>11 real numbers, and that one of the solutions to that</p> <p>12 would be putting Clarke County back together and be</p> <p>13 putting it in 7.</p> <p>14 And then whatever else the overage was,</p> <p>15 which turned out to be 739 people, that we would</p> <p>16 take those out of either -- initially we said Monroe</p> <p>17 or Escambia. And as it turned out, we fine tuned it</p> <p>18 to Escambia. And that's where we made that change.</p> <p>19 And those are basically the discussions</p> <p>20 with the 1st District congressman.</p> <p>21 Q. Did he have any objections to putting</p> <p>22 all of Clarke County in District 7?</p> <p>23 A. He did not.</p> <p>24 Q. All right. Tell me what specifics you</p> <p>25 recall from your discussions with Congressman Moore</p>	<p style="text-align: right;">Page 125</p> <p>1 which surprisingly he wasn't too excited about</p> <p>2 initially, but at the end was comfortable with I</p> <p>3 think primarily because there was some talk of</p> <p>4 another BRAC, base closing commission.</p> <p>5 And Congressman Moore probably thought</p> <p>6 it would be helpful to have Terri representing part</p> <p>7 -- that part of Maxwell that she would have, and he</p> <p>8 represents another part of Maxwell, the annex, in</p> <p>9 his district. So two congresspeople fighting that</p> <p>10 was maybe better than one.</p> <p>11 Q. Where is Maxwell?</p> <p>12 A. Maxwell is in the northern little part</p> <p>13 of Montgomery County here that was -- in 2011 was in</p> <p>14 the 2nd, but is now in the 7th.</p> <p>15 Q. With Congressman Sewell, especially in</p> <p>16 the area you were just discussing there, it had</p> <p>17 gotten as granular was this college or whatnot. Did</p> <p>18 you have discussions to that detail with either of</p> <p>19 the two representatives in District 1 or 2?</p> <p>20 A. No, other than the Maxwell, Maxwell</p> <p>21 annex thing we just talked about with Congressman</p> <p>22 Moore. He wanted to make sure he still had one of</p> <p>23 them. And he has the annex one, which is further</p> <p>24 west in Montgomery, but not the actual base itself.</p> <p>25 Q. Do you know why he wanted that in his</p>

December 09, 2021

<p style="text-align: right;">Page 126</p> <p>1 district?</p> <p>2 A. Again, so they had two voices on base</p> <p>3 closing issues rather than one.</p> <p>4 Q. Do you recall anything else specifically</p> <p>5 from your discussions with Congressman Moore?</p> <p>6 A. No.</p> <p>7 Q. How about Congressman Rogers in District</p> <p>8 3?</p> <p>9 A. Well, we talked briefly. There was a</p> <p>10 little piece of Cherokee County that was split off</p> <p>11 in the last redistricting, which was really somewhat</p> <p>12 needless. So we talked about putting that back</p> <p>13 together.</p> <p>14 We talked about again him getting out of</p> <p>15 Montgomery County so that it would only be split two</p> <p>16 ways instead of three. And then we talked about</p> <p>17 what that might mean in terms of where he would pick</p> <p>18 up.</p> <p>19 Coosa had been in the 3rd in some</p> <p>20 earlier maps, meaning 2001 or sometime back in the</p> <p>21 past. So he was fine picking up Coosa County from</p> <p>22 6. And then for population -- obviously, population</p> <p>23 reasons, he needed a little more than that. So we</p> <p>24 took, I think, like 12,000 people from Chilton and</p> <p>25 put it into 3 to get his population to where it</p>	<p style="text-align: right;">Page 128</p> <p>1 congressional districts.</p> <p>2 Q. Did you have any discussions with him</p> <p>3 about which specific areas of Tuscaloosa to include</p> <p>4 or not include?</p> <p>5 A. A little bit. I mean, we talked about</p> <p>6 the precincts, the next most likely geographical</p> <p>7 precincts to add into 7. We talked about them. It</p> <p>8 was sort of obvious geographically where he had to</p> <p>9 go next. So there wasn't much discussion about it.</p> <p>10 Q. How did you choose the precincts you</p> <p>11 chose other than geography?</p> <p>12 A. Well, that's -- population and geography</p> <p>13 were the only two ways to choose them.</p> <p>14 Q. Do you recall anything else, specifics</p> <p>15 about your conversations with Congressman Adderholt?</p> <p>16 A. No. And then at the end -- as I said, I</p> <p>17 had splint a precinct in Lauderdale to get to zero</p> <p>18 deviation in District 5, and he referred a different</p> <p>19 precinct split. So I changed it to the one he</p> <p>20 preferred. So that was -- that was one of the final</p> <p>21 changes at the end that we made.</p> <p>22 Q. Moving on to Congressman Brooks in</p> <p>23 District 5. What do you recall from those</p> <p>24 conversations?</p> <p>25 A. Well, there weren't any because</p>
<p style="text-align: right;">Page 127</p> <p>1 needed to be.</p> <p>2 Q. Anything else you recall?</p> <p>3 A. No.</p> <p>4 Q. What about Congressman Adderholt in</p> <p>5 District 4?</p> <p>6 A. Yeah, I talked to him numerous times.</p> <p>7 Part of it is, obviously, he was going to pick up a</p> <p>8 lot of folks from the 5th district. And there was</p> <p>9 initial discussion on which end of the 5th, should</p> <p>10 we take them from Jackson County or should we take</p> <p>11 them from Lauderdale, and how was the best way to do</p> <p>12 that.</p> <p>13 And we had a couple of different</p> <p>14 discussions about that, and finally decided that</p> <p>15 putting the Shoals -- Muscle Shoals area back</p> <p>16 together as much as possible in Lauderdale was the</p> <p>17 preferable way to do that. And that's what we</p> <p>18 talked about.</p> <p>19 And then, obviously, that required him</p> <p>20 to lose some of Tuscaloosa, a few precincts in</p> <p>21 Tuscaloosa, to make up for -- to get the population</p> <p>22 to equal out.</p> <p>23 And also he had a little chunk of Blount</p> <p>24 County, as well, from 6. And we talked about making</p> <p>25 Blount whole again and not splitting it between two</p>	<p style="text-align: right;">Page 129</p> <p>1 Congressman Brooks decided not to meet -- this is my</p> <p>2 presumption -- because he was running for the senate</p> <p>3 and had less interest in how this was going to come</p> <p>4 out.</p> <p>5 I did meet the first time with his chief</p> <p>6 of staff just to talk about keeping Morgan and</p> <p>7 Madison together. But that was -- that was about</p> <p>8 it.</p> <p>9 Q. What was the discussion there about</p> <p>10 keeping Morgan and Madison together?</p> <p>11 A. The community of interest. And a number</p> <p>12 of people that, obviously, live in northern Morgan</p> <p>13 work in Huntsville, in Madison County, and so forth,</p> <p>14 and thought it was a good combination to keep them</p> <p>15 whole and together.</p> <p>16 Q. Other than that first meeting -- and I</p> <p>17 guess that would have been back in May --</p> <p>18 A. May.</p> <p>19 Q. -- of 2021 with the chief of staff for</p> <p>20 Congressman Brooks, did you meet with anybody else</p> <p>21 on behalf of Congressman Brooks or his office?</p> <p>22 A. No. I called his chief of staff back</p> <p>23 once we had, you know, roughed out a -- gotten the</p> <p>24 math from the real data. And he -- he didn't call</p> <p>25 me back. I called him a couple of times. And I</p>



December 09, 2021

<p style="text-align: right;">Page 130</p> <p>1 assumed that meant he was less interested in how  2 this was going to go.  3 Q. And then finally, what about Congressman  4 Palmer in District 6? What do you recall about  5 those conversations?  6 A. Well, I talked to him about again  7 putting Blount back together and giving that all to  8 him. I talked to him -- in the meantime, he had --  9 he had initially, I thought, lived in Jefferson  10 County. And then he had moved to Shelby.  11 So I talked a little bit about making  12 sure I had the right home address for him. Because  13 I initially thought he still lived in Jefferson, but  14 he didn't. So we did have the right address in  15 Shelby. So that was fine.  16 I talked about he may lose Coosa to the  17 3rd and a little part of Chilton. He was  18 comfortable with that. And I talked to him about  19 some of the changes in Jefferson in the 7th District  20 where geographically I was trying to make the 7th  21 District's footprint in Jefferson more compact by  22 adding western Jefferson and shortening the district  23 on the top. And I wanted him to be aware of that.  24 But as I said earlier, we had initial  25 meetings and even a follow-up call. But when the</p>	<p style="text-align: right;">Page 132</p> <p>1 was relevant to what I was doing.  2 Q. Jefferson County, the way it's split in  3 the 2021 congressional map, is not exactly a  4 straight line. How did you decide which areas of  5 Jefferson County would move from District 6 to  6 District 7?  7 A. I was looking geographically to widen  8 the face of the protrusion into Jefferson -- if you  9 want to call it that, into Jefferson County. I was  10 looking to not split precincts. Those are all,  11 except for one that's split for deviation -- well,  12 two, technically. One Congressman Sewell --  13 Congresswoman Sewell lives in and another one.  14 But I was trying not to split precincts.  15 I was picking whole precincts. And I was trying to  16 make the district more compact, meaning widen it as  17 it goes into Jefferson County and eliminate some of  18 the longer, further-away ones at the northern part  19 of the county.  20 Q. So how does that process work when  21 you're choosing which precincts to pick up? Are you  22 just kind of choosing at random geographically as  23 you move up and seeing what works? Or are there  24 other factors at play that you're considering?  25 A. No, that's exactly it, seeing what works</p>
<p style="text-align: right;">Page 131</p> <p>1 final map was done, meaning that last week of  2 October, he -- he allowed as how he didn't really  3 want to -- his chief of staff told me that the  4 congressman did not really want to talk about it,  5 that he was convinced we were going to go to court,  6 and he didn't really see a need to discuss it.  7 Q. Who was that that told you that?  8 A. Congressman Palmer's chief of staff.  9 Q. And when was that discussion?  10 A. That was in mid October.  11 Q. And why did he say that he was convinced  12 that this was going to go to court?  13 A. I don't know. He was -- the chief of  14 staff said that -- the chief of staff said that he  15 had been told, I think, by the NRCC that this map  16 was going to go to court, and that Congressman  17 Palmer had decided to not discuss it further.  18 Q. Did you ask him why he thought it was  19 going to court?  20 A. No. I accepted his answer.  21 Q. Did you have any idea about why this  22 would go to court based on that discussion?  23 A. No.  24 Q. And you didn't care to ask?  25 A. It was his opinion. I didn't think it</p>	<p style="text-align: right;">Page 133</p> <p>1 numerically and making something, in my mind, look  2 more compact geographically.  3 Q. Are there any other factors or data that  4 you're considering when you're choosing which  5 precincts to include?  6 A. No. I mean, other than -- we had that  7 discussion about Homewood where she allowed that --  8 we had split a couple of Homewood precincts, some on  9 one side of her line in 7 and some on the other side  10 in 6, and thought it might be good to group them all  11 together.  12 Q. You mentioned that there were two  13 precincts that were split for deviation purposes,  14 one of which Congressman Sewell lives in you said.  15 What were those two precincts?  16 A. The names?  17 Q. Do you recall?  18 A. I do not.  19 Q. This isn't a memory test. I just --  20 A. I do not.  21 Q. Okay.  22 A. And the reason it's not one -- I was  23 trying to make the split just solely in one  24 precinct. But unfortunately the census blocks  25 didn't cooperate very much. And when I got to where</p>



December 09, 2021

<p style="text-align: right;">Page 134</p> <p>1 I got to geographically in the one -- the precinct</p> <p>2 she lived in, I was hoping I could pick up the right</p> <p>3 number of populations.</p> <p>4 But unfortunately I hit a situation</p> <p>5 where there was like a 550 block next to it, and</p> <p>6 that was too many. So that was not going to work.</p> <p>7 So I had to split another precinct to get to zero</p> <p>8 deviation.</p> <p>9 Q. Do you recall anything else specifically</p> <p>10 from your discussions with Congressman Palmer or his</p> <p>11 chief of staff in furtherance of drawing the 2021</p> <p>12 congressional map?</p> <p>13 A. No.</p> <p>14 Q. And I think we discussed this earlier.</p> <p>15 But in any of those discussions with any of those</p> <p>16 congressmen, Congressmen Carl, Moore, Rogers,</p> <p>17 Adderholt, Brooks, Palmer, did race ever come up in</p> <p>18 your discussions with any of them or their staff?</p> <p>19 A. No.</p> <p>20 I mean, I'll amend that slightly. I do</p> <p>21 think in the final when I went through with</p> <p>22 everybody, I think maybe Congressman Moore's</p> <p>23 district director, Bill Harris, who I was talking</p> <p>24 to, may have asked, "Can you tell me what the BVAP</p> <p>25 of the 2nd District is now?" I think I probably</p>	<p style="text-align: right;">Page 136</p> <p>1 A. I do.</p> <p>2 Q. What is this document?</p> <p>3 A. These are the guidelines that were</p> <p>4 approved by the reapportionment committee for</p> <p>5 drawing the four maps.</p> <p>6 Q. Were you provided a copy of these</p> <p>7 redistricting guidelines before you drafted the 2021</p> <p>8 congressional map?</p> <p>9 A. I was.</p> <p>10 Q. Who provided it to you?</p> <p>11 A. The two co-chairs, probably with Dorman</p> <p>12 Walker, as well. I'm not sure who handed it to me.</p> <p>13 Q. And when was that?</p> <p>14 A. It would have been around the time it</p> <p>15 was passed, May 5th.</p> <p>16 Q. What --</p> <p>17 A. Which very importantly happens to be my</p> <p>18 birthday.</p> <p>19 Q. That is an important note. Thank you</p> <p>20 for letting me know. Happy belated birthday.</p> <p>21 A. Thank you.</p> <p>22 Q. What were you told when you were</p> <p>23 provided these guidelines?</p> <p>24 A. I was told these were the guidelines for</p> <p>25 drawing the four maps that you've been contracted to</p>
<p style="text-align: right;">Page 135</p> <p>1 gave him that number.</p> <p>2 Q. And when was that?</p> <p>3 A. In the last -- that last week when we</p> <p>4 turned race on.</p> <p>5 Q. You gave him the --</p> <p>6 A. He asked --</p> <p>7 Q. -- black voting age population?</p> <p>8 A. Yeah. He asked what the BVAP for that</p> <p>9 district was, and I gave him that number.</p> <p>10 Q. Was there any further discussion about</p> <p>11 it?</p> <p>12 A. No.</p> <p>13</p> <p>14 (Plaintiff's Exhibit 7 was</p> <p>15 marked for identification.)</p> <p>16</p> <p>17 Q. I'm handing you what's been marked as</p> <p>18 Plaintiff's Exhibit 7. This is a copy of the</p> <p>19 reapportionment committee redistricting guidelines</p> <p>20 that was produced in this lawsuit. The Bates number</p> <p>21 at the bottom is RC 043723, and it's dated May 5th</p> <p>22 2021.</p> <p>23 Do you see that?</p> <p>24 A. I do.</p> <p>25 Q. Do you recognize this document?</p>	<p style="text-align: right;">Page 137</p> <p>1 draw, and to follow them to the best of my</p> <p>2 abilities.</p> <p>3 Q. Anything else that you recall?</p> <p>4 A. No.</p> <p>5 Q. And did you, in fact, follow these</p> <p>6 guidelines in drawing the 2021 congressional map?</p> <p>7 A. I did.</p> <p>8 Q. Let's take a look at the criteria that's</p> <p>9 listed here. So starting on Page 1, you see Line 10</p> <p>10 there. It says Section II, Criteria for</p> <p>11 Redistricting.</p> <p>12 A. Yes, sir.</p> <p>13 Q. I want to talk through these with you.</p> <p>14 So Sections II a and b both state that the</p> <p>15 congressional district should equalize total</p> <p>16 population and have minimal population deviation.</p> <p>17 Do you see that?</p> <p>18 A. I do.</p> <p>19 Q. What does minimal population deviation</p> <p>20 mean to you?</p> <p>21 A. I took that to mean for the</p> <p>22 congressional districts, that that was -- they</p> <p>23 should be zero for six of the districts and plus one</p> <p>24 for the remaining district because the population</p> <p>25 was not divisible by seven. So six were to zero</p>

December 09, 2021

<p style="text-align: right;">Page 138</p> <p>1 deviation, and one should be plus one.</p> <p>2 Q. Which district did you choose to be the</p> <p>3 plus one deviation?</p> <p>4 A. I knew you would ask me that. I don't</p> <p>5 -- I would have to look. I think it was the 6th</p> <p>6 maybe. I would have to look at a map. I don't have</p> <p>7 numbers. I'm sorry.</p> <p>8 Q. Was it District 7?</p> <p>9 A. No, I don't think so. I think it was 2</p> <p>10 or 6, but I can't remember which.</p> <p>11 Q. And what did you do to make sure that</p> <p>12 your map complied with that zero deviation for six</p> <p>13 of the districts and plus or minus one for the</p> <p>14 other?</p> <p>15 A. I moved -- I split seven precincts down</p> <p>16 to the census block level to get to zero deviation</p> <p>17 for six of the districts and plus one for the</p> <p>18 seventh one.</p> <p>19 Q. Did anyone tell you that zero percent</p> <p>20 deviation was required or that there was a certain</p> <p>21 cutoff that you had to reach to satisfy this</p> <p>22 criteria?</p> <p>23 MR. WALKER: Objection to form. You can</p> <p>24 answer.</p> <p>25 A. I was told that it was literally zero</p>	<p style="text-align: right;">Page 140</p> <p>1 Q. So that goes back to the population</p> <p>2 deviation?</p> <p>3 A. Correct.</p> <p>4 Q. And where does that understanding come</p> <p>5 from?</p> <p>6 A. Where does my understanding come from?</p> <p>7 I'm sure if I had any questions about it, I asked</p> <p>8 legal counsel.</p> <p>9 Q. So other than what you just discussed</p> <p>10 doing for Sections II a and b in adjusting for the</p> <p>11 population, did you do anything else to make sure</p> <p>12 that your plan complies with the one person, one</p> <p>13 vote principle?</p> <p>14 A. No.</p> <p>15 Q. Section II e looks like it just states</p> <p>16 that a plan that does not comply with the population</p> <p>17 requirements above will not be approved.</p> <p>18 Is there anything additional you needed</p> <p>19 to consider here for this section e beyond what</p> <p>20 we've already discussed?</p> <p>21 A. I don't believe so.</p> <p>22 Q. Section II f states, "Districts shall be</p> <p>23 drawn in compliance with the Voting Rights Act of</p> <p>24 1965 as amended. A redistricting plan shall have</p> <p>25 neither the purpose nor the effect of diluting</p>
<p style="text-align: right;">Page 139</p> <p>1 deviation, meaning zero -- not percent, but zero</p> <p>2 people except for the one that had to be plus one.</p> <p>3 Q. Is that plus one person?</p> <p>4 A. Yes.</p> <p>5 Q. Understood.</p> <p>6 A. Sorry. Plus one person.</p> <p>7 Q. And who told you --</p> <p>8 A. Dorman Walker, legal counsel.</p> <p>9 Q. Section II c looks like it's about</p> <p>10 legislative and board of education districts. So I</p> <p>11 don't think that would apply to the congressional</p> <p>12 map. Is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Section II d says that the plan must</p> <p>15 comply with the one person, one vote principle of</p> <p>16 the Equal Protection Clause of the 14th Amendment of</p> <p>17 the United States Constitution.</p> <p>18 Do you understand what the one person,</p> <p>19 one vote principle is?</p> <p>20 A. I think I do.</p> <p>21 Q. What's your understanding?</p> <p>22 A. Again, that's so no -- so people have</p> <p>23 equal representation, the representatives in those,</p> <p>24 in the congressional case, should be representing</p> <p>25 the same number of people.</p>	<p style="text-align: right;">Page 141</p> <p>1 minority voting strength, and shall comply with</p> <p>2 Section 2 of the Voting Rights Act and the United</p> <p>3 States Constitution."</p> <p>4 Are you familiar with the Voting Rights</p> <p>5 Act of 1965?</p> <p>6 A. I'm not a lawyer, but I'm familiar with</p> <p>7 it.</p> <p>8 Q. What is your understanding?</p> <p>9 A. Well, that the -- a plan should not have</p> <p>10 the intent or purpose of discriminating against any</p> <p>11 minority population.</p> <p>12 Q. Where does that understanding come from?</p> <p>13 A. Just conversations with legal counsel</p> <p>14 and others during the process.</p> <p>15 Q. Are you familiar with Section 2 of the</p> <p>16 Voting Rights Act?</p> <p>17 A. Again, I'm not a lawyer. But vaguely.</p> <p>18 Q. Have you ever read Section 2 of the</p> <p>19 Voting Rights Act?</p> <p>20 A. I'm not sure I have.</p> <p>21 Q. What is your understanding of what</p> <p>22 Section 2 requires?</p> <p>23 A. Where there -- I guess my understanding</p> <p>24 of it, a layman's understanding of it, would be</p> <p>25 where there's a sufficient and compact enough</p>

December 09, 2021

<p style="text-align: right;">Page 142</p> <p>1 population of -- minority population to create a</p> <p>2 district, a congressional district in this case,</p> <p>3 that a district should be drawn if it's compact and</p> <p>4 sort of meets the Gingles, I guess, requirements,</p> <p>5 compact, contiguous population.</p> <p>6 Q. Where there would be a majority black</p> <p>7 district?</p> <p>8 A. Right, and would have the opportunity to</p> <p>9 elect a candidate of their choice.</p> <p>10 Q. And does that understanding come from</p> <p>11 the same sources, conversations with counsel?</p> <p>12 A. Yes, sir.</p> <p>13 Q. What did you do to make sure that your</p> <p>14 plan complies with Section 2 of the Voting Rights</p> <p>15 Act?</p> <p>16 A. Again, once it was done and we turned on</p> <p>17 race, we talked about it. No one asked me to make</p> <p>18 any other changes. And I talked to legal counsel</p> <p>19 and, I guess, concluded that it satisfies Section 2</p> <p>20 of the Voting Rights Act.</p> <p>21 Q. Anything else?</p> <p>22 A. No.</p> <p>23 Q. Did you personally make a determination</p> <p>24 that your plan does not have the purpose or effect</p> <p>25 of diluting minority voting strength?</p>	<p style="text-align: right;">Page 144</p> <p>1 numbers related to the map.</p> <p>2 Q. Did you have anyone other than</p> <p>3 Mr. Walker or someone with his firm analyze your map</p> <p>4 at any point to confirm that it complies with</p> <p>5 Section 2 of the Voting Rights Act?</p> <p>6 A. I did not.</p> <p>7 Q. Do you know if anyone reviewed the map</p> <p>8 to determine whether it complies with Section 2 of</p> <p>9 the Voting Rights Act, other than potentially</p> <p>10 Mr. Walker and his firm?</p> <p>11 A. I do not, no.</p> <p>12 Q. And other than what we've discussed</p> <p>13 already, did you do anything else to make sure that</p> <p>14 your plan complies with Section 2 of the Voting</p> <p>15 Rights Act?</p> <p>16 A. I did not.</p> <p>17 Q. Moving on to the next criteria, Section</p> <p>18 II g. This one is a little longer.</p> <p>19 It states, "No district will be drawn in</p> <p>20 a manner that subordinates race-neutral districting</p> <p>21 criteria to considerations of race, color, or</p> <p>22 membership in a language-minority group, except that</p> <p>23 race, color, or membership in a language-minority</p> <p>24 group may predominate over race-neutral districting</p> <p>25 criteria to comply with Section 2 of the Voting</p>
<p style="text-align: right;">Page 143</p> <p>1 A. I'm -- I'm not a lawyer, so I don't know</p> <p>2 that I can make that -- I don't know that it's my</p> <p>3 job to make that distinction. But I don't believe</p> <p>4 it discriminated against anyone.</p> <p>5 Q. Did you do anything to make that</p> <p>6 determination yourself?</p> <p>7 A. Other than talk to legal counsel, no.</p> <p>8 Q. Other than potentially legal counsel,</p> <p>9 did you have discussions with anyone else about</p> <p>10 whether your plan complied with Section II of the</p> <p>11 Voting Rights Act?</p> <p>12 A. No.</p> <p>13 Q. In making the determination, whether</p> <p>14 that's through conversation with legal counsel or</p> <p>15 not, about whether your plan complies with this</p> <p>16 policy, did that require you to review the racial</p> <p>17 makeup of the districts?</p> <p>18 A. Well, yeah. I mean, race -- at that</p> <p>19 point, we had turned race on. So the BVAPs and</p> <p>20 numbers were available.</p> <p>21 Q. And you say they were available. So</p> <p>22 then you had to review them, as well, to make sure</p> <p>23 that everything was in compliance with this policy?</p> <p>24 A. Well, we -- the numbers were then</p> <p>25 revealed or available, and we discussed the various</p>	<p style="text-align: right;">Page 145</p> <p>1 Rights Act, provided there is a strong basis in</p> <p>2 evidence in support of such a race-based choice. A</p> <p>3 strong basis in evidence exists when there is good</p> <p>4 reason to believe that race must be used in order to</p> <p>5 satisfy the Voting Rights Act."</p> <p>6 Do you see that?</p> <p>7 A. I do.</p> <p>8 Q. What is your understanding of what that</p> <p>9 section requires?</p> <p>10 A. My understanding of what that section</p> <p>11 requires is that's why -- when we made all of our</p> <p>12 changes to the districts by adding or subtracting</p> <p>13 population, that's why race was not on. We did it</p> <p>14 based on total population. And then at the end of</p> <p>15 the process, we did turn race on to look at various</p> <p>16 districts.</p> <p>17 And because we were doing a number of</p> <p>18 these maps at the same time, there were a couple of</p> <p>19 instances in the other maps where we did look at</p> <p>20 race to add to a district. But that did not come</p> <p>21 into play in congressional.</p> <p>22 Q. What, if anything, did you do to make</p> <p>23 sure that specific congressional districts complied</p> <p>24 with this policy?</p> <p>25 A. I made sure that when I added -- I used</p>

December 09, 2021

<p style="text-align: right;">Page 146</p> <p>1 traditional redistricting principles of total pop 2 and geography considerations to add and subtract to 3 these districts, and that that was not based on 4 race.</p> <p>5 Q. Flip the page to Page 2. The next 6 section is Section 2 h, and it states that districts 7 must be composed of contiguous and reasonably 8 compact geography.</p> <p>9 What is your understanding of what this 10 section requires?</p> <p>11 A. Yeah, obviously contiguous counties 12 and/or precincts had to be adjacent, to be hooked 13 together, to form a district. You couldn't have 14 part of Madison County tied to Mobile or something 15 crazy like that.</p> <p>16 And to the extent possible, I was trying 17 to, when changing things inside a county as 18 Jefferson, I was trying to make -- or Montgomery, 19 for that matter, tried to make districts more 20 geographically compact so they were not as spread 21 out.</p> <p>22 Q. Beyond what you just mentioned with 23 Montgomery -- sorry. Was that Jefferson County?</p> <p>24 A. And Montgomery, too.</p> <p>25 Q. And Montgomery County. Beyond that,</p>	<p style="text-align: right;">Page 148</p> <p>1 already basically been covered in other things we've 2 discussed.</p> <p>3 Q. Anything else that you had to take into 4 account to comply with this policy?</p> <p>5 A. I don't think so.</p> <p>6 Q. Section II j starting at Line 21 there. 7 Section II j lists six redistricting policies. Do 8 you see that?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Sorry. Can you answer verbally?</p> <p>11 A. Yes. Sorry.</p> <p>12 Q. That's fine.</p> <p>13 Did you consider these redistricting 14 policies when drawing your map?</p> <p>15 A. I did.</p> <p>16 Q. How?</p> <p>17 A. Well, I wanted to make sure that no -- 18 to the extent possible that no incumbents were put 19 together, which they were not, in the congressional 20 map. While continuity by water was allowed, I was 21 trying to not use that. Which I don't think we did.</p> <p>22 I don't know how far down your --</p> <p>23 Q. I can walk through them with you. That 24 might make more sense.</p> <p>25 First off, did anyone explain to you</p>
<p style="text-align: right;">Page 147</p> <p>1 what did you do to make sure that your plan complies 2 with this policy?</p> <p>3 A. That's about it.</p> <p>4 Q. Moving on to the next section, Section 5 II i. It lists several requirements of the Alabama 6 Constitution. I'm not going to read all of them 7 here.</p> <p>8 Did you consider these factors in 9 drawing your map?</p> <p>10 A. I did.</p> <p>11 Q. It appears, just by looking at them, 12 that most of them do not apply to the congressional 13 map. Rather, they talk about Alabama senate and 14 Alabama house. Is that right?</p> <p>15 A. Correct.</p> <p>16 Q. How did you consider these factors here 17 under Section II i in drawing the congressional map?</p> <p>18 A. Well, I don't know how far down this 19 list -- I don't know how far down this list you're 20 counting.</p> <p>21 Q. It looks like II i. It's from Line 3 22 down to Line 20 on Page 2 of Exhibit 7.</p> <p>23 A. As you say, most of them don't really 24 apply. They are all -- all districts will be 25 single-member districts, they're contiguous. That's</p>	<p style="text-align: right;">Page 149</p> <p>1 what these policies mean?</p> <p>2 A. No. I'm sure if I had a question, I 3 would have asked legal counsel. But I don't 4 remember asking.</p> <p>5 Q. Similarly, did anyone explain to you how 6 to apply these policies in drawing the map?</p> <p>7 A. No.</p> <p>8 Q. What is your understanding of the 9 priority amongst these various policies?</p> <p>10 A. I think the only two that are paramount 11 to the rest of them would be one person, one vote 12 and the Voting Rights Act.</p> <p>13 The rest of them are somewhat -- can 14 occasionally be in conflict. And it depends on the 15 various situations where one might trump the other 16 or vice versa.</p> <p>17 You may have two incumbents that live 18 very close to one another. Maybe they need to be 19 split apart. That may make the districts not quite 20 as compact as you would like. But one of those -- 21 you know, you couldn't put the two incumbents 22 together. So sometimes they are in conflict, and 23 you have to resolve that.</p> <p>24 Q. Other than the two you just mentioned, 25 one person, one vote and the Voting Rights Act, did</p>

December 09, 2021

<p style="text-align: right;">Page 150</p> <p>1 you place any greater importance on one of these</p> <p>2 policies over the other?</p> <p>3 A. No.</p> <p>4 Q. Let's walk through these. So the first</p> <p>5 policy under Section J starting on Line 25 there</p> <p>6 states, "Contests between incumbents will be avoided</p> <p>7 whenever possible."</p> <p>8 What's your understanding of what this</p> <p>9 requires?</p> <p>10 A. That when -- certainly when possible, I</p> <p>11 would not put incumbents in the same district.</p> <p>12 Q. What did you do to make sure that you</p> <p>13 complied with that?</p> <p>14 A. Retrieved -- made sure that we retrieved</p> <p>15 all of the home addresses and looked to where they</p> <p>16 were and made sure two of them were not in the same</p> <p>17 district.</p> <p>18 Q. You might have answered this earlier.</p> <p>19 But did you have to make any modifications to your</p> <p>20 map to comply with this?</p> <p>21 A. Not the congressional map.</p> <p>22 Q. This factor applies equally to both</p> <p>23 parties, correct?</p> <p>24 A. Certainly, yes.</p> <p>25 Q. So you applied it equally to all</p>	<p style="text-align: right;">Page 152</p> <p>1 A. No.</p> <p>2 Q. Did you have to make any modifications</p> <p>3 to your map to comply with this policy?</p> <p>4 A. I did not.</p> <p>5 Q. The third one -- the third policy, which</p> <p>6 is Section II j(iii,) states, "Districts shall</p> <p>7 respect communities of interest, neighborhoods, and</p> <p>8 political subdivisions to the extent practicable and</p> <p>9 in compliance with paragraphs a through i."</p> <p>10 What is your understanding of what this</p> <p>11 policy requires?</p> <p>12 A. It requires -- like I said earlier, in</p> <p>13 areas; for example, Mobile and Baldwin which wanted</p> <p>14 to stay together or Madison and Morgan that had</p> <p>15 specific communities of interest, it was to keep</p> <p>16 areas together that have similar -- and, obviously,</p> <p>17 there are lots of different communities of interest.</p> <p>18 So I tried to keep areas, to the extent possible,</p> <p>19 together.</p> <p>20 Obviously, this comes into conflict with</p> <p>21 county lines, precinct lines, other things. So it's</p> <p>22 not always -- and everybody has -- a number of</p> <p>23 people have different views of what communities of</p> <p>24 interest are. So it's certainly not always possible</p> <p>25 to keep all of them together.</p>
<p style="text-align: right;">Page 151</p> <p>1 incumbents, both the republicans and to the</p> <p>2 democrat, correct?</p> <p>3 A. Correct.</p> <p>4 Q. The second policy there, Section II</p> <p>5 j(ii) starting on Line 26, states -- I don't know</p> <p>6 why I'm having trouble pronouncing the word.</p> <p>7 "Contiguity by water is allowed, but point-to-point</p> <p>8 contiguity and long-lasso contiguity is not."</p> <p>9 What is your understanding of what that</p> <p>10 policy requires?</p> <p>11 A. I'm not sure I even know what long-lasso</p> <p>12 contiguity is, to be honest with you.</p> <p>13 But point-to-point, occasionally you can</p> <p>14 have a precinct or a census block that connects to</p> <p>15 the next one just by one point in space. And that's</p> <p>16 not -- under their guidelines, not allowable in</p> <p>17 terms of connecting them together.</p> <p>18 Again, on the congressional map, it</p> <p>19 didn't come into play very much because I tried not</p> <p>20 to split -- I only split seven precincts and tried</p> <p>21 not to have situations where census blocks were --</p> <p>22 weren't any -- weren't close to any of those options</p> <p>23 there.</p> <p>24 Q. Did you have to do anything else to make</p> <p>25 sure your plan complied with this policy?</p>	<p style="text-align: right;">Page 153</p> <p>1 Q. What is your definition of a community</p> <p>2 of interest?</p> <p>3 A. My definition of community of interest,</p> <p>4 it can be geographic, it can be economic, where</p> <p>5 people work, it can be racial, it could be</p> <p>6 geography, it could be people on the bay, for</p> <p>7 example, for Mobile and Baldwin counties. A host</p> <p>8 of -- a host of communities of interest.</p> <p>9 Q. What do you consider to be communities</p> <p>10 of interest in Alabama?</p> <p>11 A. All those things I just listed.</p> <p>12 Q. Is there any sort of particular</p> <p>13 communities of interest that are well established or</p> <p>14 a list of any of these? Or is this just something</p> <p>15 that is subjectively known but doesn't really exist</p> <p>16 in writing anywhere?</p> <p>17 A. I don't know of a definitive list of all</p> <p>18 the communities of interest in Alabama.</p> <p>19 Q. Are there any specific communities of</p> <p>20 interest that come to mind for you right now?</p> <p>21 A. No, other than the ones I listed. I</p> <p>22 mean, precincts can be -- counties are, I guess,</p> <p>23 communities of interest sometimes. I mean, it's --</p> <p>24 there are a whole host of things.</p> <p>25 Q. It sounds like communities of interest</p>

December 09, 2021

<p style="text-align: right;">Page 154</p> <p>1 can be somewhat fluid. Is that fair to say?</p> <p>2 A. It is fair to say.</p> <p>3 Q. One area, say, where we're sitting right</p> <p>4 now in Montgomery, could be part of three, four,</p> <p>5 five, six different communities of interest</p> <p>6 depending on what factors you're looking at?</p> <p>7 A. Yeah, whether they're economic or racial</p> <p>8 or social or everybody roots for the same football</p> <p>9 team, I suppose.</p> <p>10 Q. Do they?</p> <p>11 A. No.</p> <p>12 Q. I see. I see. That would be a</p> <p>13 community of interest perhaps.</p> <p>14 Are you familiar with the black belt?</p> <p>15 You mentioned that earlier.</p> <p>16 A. I am.</p> <p>17 Q. What is the black belt?</p> <p>18 A. It's a group of mostly rural counties</p> <p>19 that have a -- for the most part have a majority</p> <p>20 black population.</p> <p>21 Q. Do you know what counties are in the</p> <p>22 black belt?</p> <p>23 A. I'm not sure I can list every one. But</p> <p>24 yeah, in general, I do.</p> <p>25 Q. What counties would you say are in the</p>	<p style="text-align: right;">Page 156</p> <p>1 for example, the Muscle Shoals area together in</p> <p>2 the -- in the 4th District when we split Lauderdale.</p> <p>3 Not that it was at issue, but the people in Mobile</p> <p>4 and Baldwin very much wanted to be together because</p> <p>5 they share the bay. But that didn't require a</p> <p>6 change. It just is a . . .</p> <p>7 Q. Other than the modification for the</p> <p>8 Muscle Shoals community, are there any other</p> <p>9 specific modifications that you felt like you made</p> <p>10 in drawing the 2021 map?</p> <p>11 A. No, not specifically.</p> <p>12 Q. Does your map split any communities of</p> <p>13 interest?</p> <p>14 A. Oh, I'm sure it does. I mean, all maps</p> <p>15 split some communities of interest.</p> <p>16 Q. And part of that is because of what we</p> <p>17 just discussed, that communities of interest can</p> <p>18 mean lots of different things?</p> <p>19 A. To different people, I'm sure.</p> <p>20 Q. Looking at the bottom of Section II</p> <p>21 j(iii,) that third policy, it gives a definition.</p> <p>22 It says, "The term communities of interest" --</p> <p>23 excuse me.</p> <p>24 It says, "A community of interest is</p> <p>25 defined as an area with recognized similarities of</p>
<p style="text-align: right;">Page 155</p> <p>1 black belt?</p> <p>2 A. I would say Sumpter, Greene, Choctaw,</p> <p>3 Marengo, Hale, Perry, Dallas, Wilcox, Lowndes, I</p> <p>4 guess Macon and Bullock. Some would say Montgomery.</p> <p>5 Q. Do you consider the black belt to be a</p> <p>6 community of interest?</p> <p>7 A. I do.</p> <p>8 Q. So in drawing your map, what did you do</p> <p>9 to make sure that your plan complies with this</p> <p>10 policy, that it respected communities of interest?</p> <p>11 A. Again, I mean, because there are so many</p> <p>12 different communities of interest, they're not -- I</p> <p>13 mean, no plan is going to respect all of them. So</p> <p>14 there are trade-offs.</p> <p>15 There are also -- you know, the entire</p> <p>16 black belt I imagine if you made into a</p> <p>17 congressional district would accomplish -- would hit</p> <p>18 up against other one person, one vote issues and</p> <p>19 other issues in here, as well. So they are</p> <p>20 sometimes in conflict. So you can't -- you can't</p> <p>21 satisfy all communities of interest.</p> <p>22 Q. Did you have to make any specific</p> <p>23 modifications to your map to make sure that you were</p> <p>24 respecting communities of interest?</p> <p>25 A. No. Although, again, I tried to keep,</p>	<p style="text-align: right;">Page 157</p> <p>1 interests, including but not limited to ethnic,</p> <p>2 racial, economic, tribal, social, geographic, or</p> <p>3 historical identities. The term communities of</p> <p>4 interest may in certain circumstances include</p> <p>5 political subdivisions such as counties, voting</p> <p>6 precincts, municipalities, tribal lands and</p> <p>7 reservations, or school districts."</p> <p>8 Did you review any ethnic, racial,</p> <p>9 tribal, or other similar data to identify</p> <p>10 communities of interest?</p> <p>11 A. I did not.</p> <p>12 Q. Moving to the next policy, the fourth</p> <p>13 policy, Section II j(iv.) It states, "The</p> <p>14 legislature shall try to minimize the number of</p> <p>15 counties in each district."</p> <p>16 I think that's pretty self-explanatory.</p> <p>17 But what is your understanding of what that policy</p> <p>18 requires?</p> <p>19 A. Yeah, that's sort of a compactness</p> <p>20 thing. I was trying to keep the fewest number of</p> <p>21 counties necessary to -- and it's not always --</p> <p>22 there are other -- the next one down says</p> <p>23 "preserving cores of existing districts."</p> <p>24 I mean, some of these things come into</p> <p>25 conflict. But to where possible, I tried to deal in</p>



December 09, 2021

<p style="text-align: right;">Page 158</p> <p>1 whole counties, keeping counties whole, and the</p> <p>2 minimum number to reach the ideal population.</p> <p>3 Q. Did you have to make any specific</p> <p>4 modifications to your map to comply with that</p> <p>5 policy?</p> <p>6 A. No. Although it does come into effect</p> <p>7 when people were talking about adding -- where you</p> <p>8 split a -- for example, the Escambia County split,</p> <p>9 you know, where does that go.</p> <p>10 I was trying to keep districts so that</p> <p>11 not all of the splits were in the same district and</p> <p>12 the number of counties in a particular district</p> <p>13 didn't grow a lot. Because for a congressional</p> <p>14 office, that takes on local governments and more</p> <p>15 work. So I tried to be mindful of that when looking</p> <p>16 at it.</p> <p>17 Q. Other than trying to be mindful of that,</p> <p>18 did you have to make any specific changes?</p> <p>19 A. No.</p> <p>20 Q. You referenced it just now. The next</p> <p>21 policy, the fifth policy, Section II j(v) states,</p> <p>22 "The legislature shall try to preserve the cores of</p> <p>23 existing districts."</p> <p>24 What is your understanding of what that</p> <p>25 policy requires?</p>	<p style="text-align: right;">Page 160</p> <p>1 district is?</p> <p>2 A. I did not.</p> <p>3 Q. Does maintaining the core of districts</p> <p>4 require considerations of racial data?</p> <p>5 A. I don't think it does, no.</p> <p>6</p> <p>7 (Plaintiff's Exhibit 8 was</p> <p>8 marked for identification.)</p> <p>9</p> <p>10 Q. I'm handing you what's been marked as</p> <p>11 Plaintiff's Exhibit 8. This is a document that was</p> <p>12 produced in this lawsuit. The Bates number in the</p> <p>13 corner is RC 00056. It's a seven-page document.</p> <p>14 Each page has one of the seven congressional</p> <p>15 districts from the 2021 congressional map.</p> <p>16 Do you see that?</p> <p>17 A. I do.</p> <p>18 Q. Have you seen this document before?</p> <p>19 A. I have not.</p> <p>20 Q. And you can take a look through it if</p> <p>21 you don't believe me. But these are the seven --</p> <p>22 these are maps of each of the seven congressional</p> <p>23 districts in the 2021 map that you drew; is that</p> <p>24 correct?</p> <p>25 A. Yes, sir.</p>
<p style="text-align: right;">Page 159</p> <p>1 A. That's basically the cores of the -- of</p> <p>2 existing districts or the counties that make up the</p> <p>3 majority of those districts, to keep them together</p> <p>4 in the same district.</p> <p>5 Obviously, incumbents have a preference</p> <p>6 to not have to add folks they haven't represented</p> <p>7 when they can continue to keep the folks they have</p> <p>8 been representing.</p> <p>9 Q. What, in your mind, is the core of an</p> <p>10 existing district?</p> <p>11 A. The core of an existing district is</p> <p>12 basically -- I view it as geography. It's the</p> <p>13 county -- the key counties that make up the current</p> <p>14 district, current as in 2001.</p> <p>15 Q. Where --</p> <p>16 A. Or 2011 I mean.</p> <p>17 Q. Where does that understanding come from?</p> <p>18 A. I don't know. That understanding comes</p> <p>19 from what the cores of a district are.</p> <p>20 Q. Your understanding of what a core of a</p> <p>21 district is comes from --</p> <p>22 A. I mean, that's what the definition of</p> <p>23 those words are to me anyway.</p> <p>24 Q. Did you have some sort of metric to use</p> <p>25 when determining what the core of an existing</p>	<p style="text-align: right;">Page 161</p> <p>1 Q. Looking at page one here, District 1,</p> <p>2 show me on here where the core of District 1 is.</p> <p>3 A. Well, the core of District 1 to me would</p> <p>4 be Mobile and Baldwin counties.</p> <p>5 Q. Flipping over to -- and why do you</p> <p>6 consider those two --</p> <p>7 A. Well, that's --</p> <p>8 Q. -- to be the core?</p> <p>9 A. Those are the two predominant counties.</p> <p>10 They have the vast majority of the population in the</p> <p>11 district.</p> <p>12 Q. Flipping the page to District 2. What</p> <p>13 do you consider to be the core of District 2?</p> <p>14 A. The core of District 2 is a little more</p> <p>15 complicated than that, I guess. You have the Wire</p> <p>16 -- you have Dothan, which is Houston County, you</p> <p>17 have the Wiregrass region, you have Montgomery, and</p> <p>18 then you have Autauga and Elmore on top -- of top of</p> <p>19 them.</p> <p>20 Q. And why do you consider those counties</p> <p>21 to be the core of this district?</p> <p>22 A. Again, that's where the majority of the</p> <p>23 population is. And they've been for the most part</p> <p>24 consistently inside the 2nd District for a</p> <p>25 considerable period of time.</p>



December 09, 2021

<p style="text-align: right;">Page 162</p> <p>1 Q. Moving the page to District 3, the same</p> <p>2 question. What do you consider to be the core of</p> <p>3 District 3?</p> <p>4 A. The core of District 3 would be Calhoun</p> <p>5 and St. Clair. And then obviously more down, Lee</p> <p>6 and Russell, which are very fast-growing counties,</p> <p>7 especially Lee County. That would be the core of</p> <p>8 the district to me.</p> <p>9 Q. And why do you say that?</p> <p>10 A. Again, it's the vast majority of the</p> <p>11 population. It's also -- those areas have been</p> <p>12 pretty much continuously in the 3rd District.</p> <p>13 Q. Turning the page to District 4, same</p> <p>14 question. What do you consider to be the core of</p> <p>15 District 4?</p> <p>16 A. The core of District 4 would be sort of</p> <p>17 the Winston, Walker, Cullman area, and then northern</p> <p>18 Tuscaloosa which was only added ten years ago but</p> <p>19 certainly plays a key role in the district now. And</p> <p>20 then sort of Marshall, Etowah, again large</p> <p>21 population, have been in the district a considerable</p> <p>22 amount of time.</p> <p>23 Q. Is your answer for why those are the</p> <p>24 core based on population again?</p> <p>25 A. Population, yeah.</p>	<p style="text-align: right;">Page 164</p> <p>1 in that district for a long period of time.</p> <p>2 Q. And going through each of these counties</p> <p>3 that you consider to be the core of each district,</p> <p>4 is that a determination that you made? Or is that</p> <p>5 something that you were told by someone else?</p> <p>6 A. That's a determination I made.</p> <p>7 Q. Have you discussed what you consider to</p> <p>8 be the core of each of these districts with anyone</p> <p>9 else?</p> <p>10 A. I may have discussed it with legal</p> <p>11 counsel. But I don't have a specific recollection</p> <p>12 of the discussion.</p> <p>13 Q. Has anyone ever told you before what the</p> <p>14 core of each district is?</p> <p>15 A. No.</p> <p>16 Q. Looking back at the policy that we were</p> <p>17 referencing here about preserving the cores of each</p> <p>18 of the districts, what did you do to make sure that</p> <p>19 your plan preserved the core of each of these</p> <p>20 districts?</p> <p>21 A. I kept the areas we referenced by</p> <p>22 district inside that district.</p> <p>23 Q. Did you have to make any specific</p> <p>24 modifications to comply with this?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 163</p> <p>1 Q. Flipping the page to District 5, same</p> <p>2 question. What's the core there?</p> <p>3 A. The core would be Madison and Morgan and</p> <p>4 Limestone, which is now rapidly growing, as well.</p> <p>5 Again, population, and they've been in that district</p> <p>6 for a considerable period of time.</p> <p>7 Q. Any other reasons?</p> <p>8 A. No.</p> <p>9 Q. Turning the page to District 6, same</p> <p>10 question.</p> <p>11 A. District 6, obviously Shelby and then</p> <p>12 Jefferson because of population would be, in my</p> <p>13 mind, the core of that district.</p> <p>14 Q. Any other reasons?</p> <p>15 A. No. It's population primarily.</p> <p>16 Q. Finally flipping the page to District 7.</p> <p>17 What would you consider to be the core of District</p> <p>18 7?</p> <p>19 A. I would say the core of District 7 is</p> <p>20 the black belt counties that we talked about earlier</p> <p>21 from Choctaw through to Lowndes, and then also the</p> <p>22 portions of Tuscaloosa and Jefferson.</p> <p>23 Q. What are the reasons for considering</p> <p>24 those to be the core?</p> <p>25 A. Again, population and that they've been</p>	<p style="text-align: right;">Page 165</p> <p>1 Q. Where did this policy rank in comparison</p> <p>2 to the other policies?</p> <p>3 A. It was equal to all except one person,</p> <p>4 one vote and the Voting Rights Act.</p> <p>5 Q. We're almost through the criteria here.</p> <p>6 The last policy, Section II j(vi) states, "In</p> <p>7 establishing legislative districts, the</p> <p>8 reapportionment committee shall give due</p> <p>9 consideration to all the criteria herein. However,</p> <p>10 priority is to be given to the compelling state</p> <p>11 interests requiring equality of population among</p> <p>12 districts and compliance with the Voting Rights Act</p> <p>13 of 1965, as amended, should the requirements of</p> <p>14 those criteria conflict with any other criteria."</p> <p>15 That sounds to be pretty much what you</p> <p>16 just said to me, correct?</p> <p>17 A. Correct.</p> <p>18 Q. To your knowledge, was there any</p> <p>19 conflict between the five policies we just discussed</p> <p>20 and the requirements regarding equality of</p> <p>21 population?</p> <p>22 A. No. I mean, obviously, there can be</p> <p>23 conflicts between one person, one vote and</p> <p>24 communities of interest and one person, one vote and</p> <p>25 how many counties are in a district. But not on</p>

December 09, 2021

<p style="text-align: right;">Page 166</p> <p>1 that level, I guess. You would have to ask me that</p> <p>2 one again.</p> <p>3 Q. And did you run into any of those</p> <p>4 conflicts? Did you have to make any modifications</p> <p>5 based on any sort of conflict like that in drawing</p> <p>6 the map?</p> <p>7 A. Well, I mean, I didn't run into them.</p> <p>8 But, I mean, I kept those in mind when we were doing</p> <p>9 our initial additions or subtractions to the plan.</p> <p>10 Q. Same question. To your knowledge, was</p> <p>11 there any conflict between those five policies we</p> <p>12 just discussed and the requirements under the Voting</p> <p>13 Rights Act of 1965?</p> <p>14 A. No. As I stated, when I added</p> <p>15 population to the 7th district, for example, I was</p> <p>16 not looking at race. So there was no conflict with</p> <p>17 any of it to the Voting Rights Act.</p> <p>18 THE REPORTER: There was no conflict</p> <p>19 what?</p> <p>20 A. With any of those to the Voting Rights</p> <p>21 Act.</p> <p>22 Q. I don't think it's another policy. But</p> <p>23 looking down here at the bottom, g, the last section</p> <p>24 under the criteria. Section g states that the six</p> <p>25 policies we just discussed in paragraphs j(i)</p>	<p style="text-align: right;">Page 168</p> <p>1 A. I'm not.</p> <p>2 Q. What is your understanding of what a</p> <p>3 racial polarization analysis entails?</p> <p>4 A. I think it -- I've never done one, and</p> <p>5 I'm not an expert. But my understanding -- a</p> <p>6 layman's understanding of it, it is an analysis of</p> <p>7 performance of how a district would perform in terms</p> <p>8 of electing a candidate of choice for a minority</p> <p>9 candidate.</p> <p>10 Q. Do you know why a racial polarization</p> <p>11 analysis was not conducted?</p> <p>12 A. I do -- that was -- I do not.</p> <p>13 Q. Did you ever suggest one?</p> <p>14 A. I did not.</p> <p>15 Q. Why not?</p> <p>16 A. It wasn't under my purview.</p> <p>17 Q. What do you mean?</p> <p>18 A. It wasn't part of my -- I was asked to</p> <p>19 draw four maps and submit them to the legislature.</p> <p>20 Q. Did anyone ever talk to you about a</p> <p>21 racial polarization analysis?</p> <p>22 A. Counsel. We talked -- we've talked</p> <p>23 about --</p> <p>24 MR. WALKER: Objection to form.</p> <p>25 Q. Without going into any discussion that</p>
<p style="text-align: right;">Page 167</p> <p>1 through (vi) are not listed in order of precedence,</p> <p>2 and in each instance where they conflict, the</p> <p>3 legislature shall at its discrimination determine</p> <p>4 which takes priority.</p> <p>5 Were you given any instruction on which</p> <p>6 policy should take priority over the others?</p> <p>7 A. No, other than section 6 that says</p> <p>8 clearly one person, one vote and the Voting Rights</p> <p>9 Act. But other than that, no.</p> <p>10 Q. Is there anything else in Exhibit 8,</p> <p>11 which is the reapportionment committee redistricting</p> <p>12 guidelines, that you considered other than the</p> <p>13 criteria we just discussed in Section II?</p> <p>14 A. No.</p> <p>15 Q. In looking back at these criteria in</p> <p>16 Exhibit 8, Section II, were these the main factors</p> <p>17 that you considered when drawing the 2021</p> <p>18 congressional map?</p> <p>19 A. They were.</p> <p>20 Q. Did you consider any other factors when</p> <p>21 drawing the 2021 congressional map?</p> <p>22 A. I did not.</p> <p>23 Q. Are you aware of any racial polarization</p> <p>24 analysis that was done on any of the districts on</p> <p>25 the 2021 congressional map?</p>	<p style="text-align: right;">Page 169</p> <p>1 you had with Mr. Walker, did anyone else ever talk</p> <p>2 to you about any racial polarization analysis being</p> <p>3 done for the 2021 congressional map?</p> <p>4 A. No.</p> <p>5 MR. THOMPSON: For the record, Counsel,</p> <p>6 I have a copy here of the joint stipulated facts</p> <p>7 that were agreed to by counsel and filed this past</p> <p>8 Friday. I only have one copy.</p> <p>9 MR. WALKER: Do you want me to get a</p> <p>10 copy made, copies made?</p> <p>11 MR. THOMPSON: We can. I just have a</p> <p>12 question about one of these. So if it works, I can</p> <p>13 just read it into the record and show the witness.</p> <p>14 MR. WALKER: That's fine.</p> <p>15 Q. Paragraph 62 of -- for your knowledge,</p> <p>16 sir, this is a document titled Joint Stipulated</p> <p>17 Facts for Preliminary Injunction Proceedings. And</p> <p>18 this was a document of stipulated facts that the</p> <p>19 parties in the three lawsuits here have agreed to.</p> <p>20 Does that make sense?</p> <p>21 A. Yes.</p> <p>22 MR. DAVIS: Actually, there are</p> <p>23 differences. What one set of counsel agreed to with</p> <p>24 us may not be exactly what another set of counsel</p> <p>25 agreed to with us. So you might want to clarify for</p>

December 09, 2021

<p style="text-align: right;">Page 170</p> <p>1 the record in which case those stipulations are.</p> <p>2 MR. THOMPSON: This is the Milligan</p> <p>3 plaintiffs versus Merrill stipulations.</p> <p>4 Q. All right. Paragraph 62 in this -- and</p> <p>5 I'll read it to you, and then I can show it to you.</p> <p>6 It states, "In recent litigation,</p> <p>7 Secretary Merrill stated that CD 7," which is</p> <p>8 Congressional District 7, "appears to be racially</p> <p>9 gerrymandered, with a finger sticking up from the</p> <p>10 black belt for the sole purpose of grabbing the</p> <p>11 black population of Jefferson County. Defendant</p> <p>12 does not believe that the law would permit Alabama</p> <p>13 to draw that district today if the finger into</p> <p>14 Jefferson County was for the predominant purpose of</p> <p>15 drawing African American voters into the district."</p> <p>16 And that's from Secretary of State Merrill's</p> <p>17 pretrial brief in Chestnut v. Merrill.</p> <p>18 And I'll show that to you. Just let me</p> <p>19 know when you've had a chance to look at it.</p> <p>20 A. Okay.</p> <p>21 Q. Do you agree with Secretary Merrill that</p> <p>22 District 7 appears to be racially gerrymandered?</p> <p>23 MR. DAVIS: Object to the form.</p> <p>24 MR. WALKER: Object to the form.</p> <p>25 MR. DAVIS: Which District 7? What</p>	<p style="text-align: right;">Page 172</p> <p>1 Q. And you drew the original District 7</p> <p>2 back in 1992, we discussed, right?</p> <p>3 A. Correct.</p> <p>4 Q. So you drew that original, for lack of</p> <p>5 better terms, finger that extends into District 6?</p> <p>6 A. Yeah. And I'm not sure it looked</p> <p>7 exactly like that. But yes, I did.</p> <p>8 Q. And why did you draw that long finger</p> <p>9 extension into District 6?</p> <p>10 A. Well, it partially probably had to do</p> <p>11 with where the incumbent lived at that point. But</p> <p>12 also to create a majority black district.</p> <p>13 Q. Moving ahead to the 2021 congressional</p> <p>14 map. Were you asked to do anything to District 7 so</p> <p>15 that it does not appear to be racially</p> <p>16 gerrymandered?</p> <p>17 A. I wasn't asked to do anything. But when</p> <p>18 I was looking at adding population to District 7, I</p> <p>19 was hoping -- my goal was to make it more compact</p> <p>20 and geographically comprehensible in terms of, for</p> <p>21 example, Jefferson County. So that's why I was</p> <p>22 adding west Jefferson County and gaining population</p> <p>23 there.</p> <p>24 Q. Did you do anything specifically in</p> <p>25 drawing the 2021 congressional map to modify it so</p>
<p style="text-align: right;">Page 171</p> <p>1 year?</p> <p>2 MR. THOMPSON: I believe this was in</p> <p>3 reference to the 2011 --</p> <p>4 MR. WALKER: Right.</p> <p>5 MR. THOMPSON: -- congressional map.</p> <p>6 Correct?</p> <p>7 MR. DAVIS: I just want to make sure</p> <p>8 it's clear if, in fact, you're asking him about the</p> <p>9 2011 district, that y'all are on the same page.</p> <p>10 MR. THOMPSON: Thank you.</p> <p>11 Q. So do you agree with Secretary Merrill</p> <p>12 that District 7 in the 2011 Alabama congressional</p> <p>13 map appears to be racially gerrymandered?</p> <p>14 A. Well, again, I'm not a lawyer nor an</p> <p>15 expert. But I think it's clear there is a racial</p> <p>16 component to the finger that goes into Jefferson</p> <p>17 County.</p> <p>18 Q. And why do you say that?</p> <p>19 A. Well, I think because of shape and size</p> <p>20 and what have you. And, again, I haven't done -- I</p> <p>21 haven't looked at it specifically. But I imagine,</p> <p>22 obviously, the majority of the folks inside that</p> <p>23 finger, for lack of a better word, are probably</p> <p>24 African American and the majority of folks on the</p> <p>25 outside probably aren't.</p>	<p style="text-align: right;">Page 173</p> <p>1 that District 7 does not appear to be racially</p> <p>2 gerrymandered?</p> <p>3 A. I don't know how to answer that other</p> <p>4 than I tried to make it more geographically compact</p> <p>5 in shape.</p> <p>6 Q. Other than that, did you make --</p> <p>7 A. And not -- and not split precincts.</p> <p>8 Which I think a number of precincts were split in</p> <p>9 this version.</p> <p>10 Q. Other than trying to make it</p> <p>11 geographically compact and not splitting precincts,</p> <p>12 did you make any other changes for that purpose?</p> <p>13 A. No.</p> <p>14 MR. WALKER: Just so the record is</p> <p>15 clear, the witness' reference to "this version" was</p> <p>16 to the 2011 version.</p> <p>17 A. When I said they were split. Is that</p> <p>18 what you're talking -- yeah.</p> <p>19 MR. THOMPSON: Thank you.</p> <p>20 Q. And I'm referring to when you were</p> <p>21 drawing the 2021 map now. So thank you for the</p> <p>22 clarification.</p> <p>23 Did you specifically make any changes in</p> <p>24 drawing the 2021 map to ensure that District 7 does</p> <p>25 not appear to be racially gerrymandered?</p>

December 09, 2021

<p style="text-align: right;">Page 174</p> <p>1 A. No, other than -- other than making the</p> <p>2 district more compact and more geographically</p> <p>3 contiguous.</p> <p>4 Q. Anything else?</p> <p>5 A. And not split precincts.</p> <p>6 Q. Anything beyond that?</p> <p>7 A. No.</p> <p>8 Q. Do you know if District 7 would still be</p> <p>9 majority black without that finger sticking up into</p> <p>10 Jefferson County?</p> <p>11 A. I do not.</p> <p>12 Q. Have you looked at that?</p> <p>13 A. No. But, of course, it's not really a</p> <p>14 finger anymore. It was basically the southwestern</p> <p>15 part of the county.</p> <p>16 Q. In drawing the 2021 congressional map,</p> <p>17 were you asked to consider anything about race when</p> <p>18 drawing District 7?</p> <p>19 A. No.</p> <p>20 Q. Did you consider anything about race</p> <p>21 when drawing District 7?</p> <p>22 A. No.</p> <p>23 Q. And you say "No." That was before the</p> <p>24 week before you submitted this to the special</p> <p>25 session, correct?</p>	<p style="text-align: right;">Page 176</p> <p>1 A. No.</p> <p>2 Q. Educational level?</p> <p>3 A. No.</p> <p>4 Q. Favorite football team?</p> <p>5 A. No.</p> <p>6 Q. Voter turnout?</p> <p>7 A. No, sir.</p> <p>8 Q. Election results to assess party</p> <p>9 affiliation?</p> <p>10 A. No.</p> <p>11 Q. Were you asked to consider anything</p> <p>12 about race when drawing any of the other districts?</p> <p>13 A. I was not.</p> <p>14 Q. Did you consider anything about race</p> <p>15 when drawing Districts 1 through 6?</p> <p>16 A. I did not.</p> <p>17 Q. Did you consider whether it would be</p> <p>18 possible to create a second black majority district</p> <p>19 when drawing the 2021 congressional map?</p> <p>20 A. I did.</p> <p>21 Q. When did you make that -- when did you</p> <p>22 consider that?</p> <p>23 MR. WALKER: I'm going to assert the</p> <p>24 attorney-client privilege.</p> <p>25 THE REPORTER: I'm sorry?</p>
<p style="text-align: right;">Page 175</p> <p>1 A. Correct. But even once we turned race</p> <p>2 on, nobody asked me to make any changes to District</p> <p>3 7 or any other district.</p> <p>4 Q. And did you make any changes to District</p> <p>5 7 at that point?</p> <p>6 A. No.</p> <p>7 Q. Did you look at the racial makeup of</p> <p>8 certain neighborhoods that week before the special</p> <p>9 session?</p> <p>10 A. I did not.</p> <p>11 Q. Did you take into account any of the</p> <p>12 other characteristics of the black voting age</p> <p>13 population when drawing District 7?</p> <p>14 A. Help me with that one.</p> <p>15 Q. Similar to what I asked before. Did you</p> <p>16 take into account different socioeconomic factors</p> <p>17 within the black voting age population?</p> <p>18 A. No, sir, I did not.</p> <p>19 Q. Attitudes?</p> <p>20 A. No, sir.</p> <p>21 Q. Interests?</p> <p>22 A. No.</p> <p>23 Q. Type of employment?</p> <p>24 A. No.</p> <p>25 Q. Income?</p>	<p style="text-align: right;">Page 177</p> <p>1 MR. WALKER: I'm asserting the</p> <p>2 attorney-client privilege in response to that</p> <p>3 question.</p> <p>4 MR. THOMPSON: To the question of when?</p> <p>5 MR. WALKER: He can answer when.</p> <p>6 Q. When did you consider whether making a</p> <p>7 -- excuse me. Let me ask the question again.</p> <p>8 When did you consider whether it would</p> <p>9 be possible to create a second majority black</p> <p>10 district?</p> <p>11 A. After we got the final census results.</p> <p>12 So early September.</p> <p>13 Q. Did anyone ask you to consider that?</p> <p>14 MR. WALKER: Objection.</p> <p>15 MR. THOMPSON: Was that an instruction</p> <p>16 not to answer, or just an objection?</p> <p>17 MR. WALKER: I think he can tell you</p> <p>18 that I asked him to consider that.</p> <p>19 Q. I'll go ahead and let you --</p> <p>20 A. Dorman Walker asked me to take -- to</p> <p>21 look at it, yes.</p> <p>22 Q. Did you attempt to draw such a plan?</p> <p>23 MR. WALKER: Objection. I instruct the</p> <p>24 witness not to answer. It's privileged.</p> <p>25 Q. Beyond your discussion with Mr. Walker,</p>

December 09, 2021

<p style="text-align: right;">Page 178</p> <p>1 did you discuss with anyone else the possibility of 2 creating a second majority black district? 3 A. I did not. 4 Q. Do you agree that it would be possible 5 to create a second majority black district in 6 Alabama? 7 MR. DAVIS: Object to the form. 8 MR. WALKER: Same objection. 9 THE WITNESS: Does that mean I'm not 10 supposed to answer? 11 MR. WALKER: It's an objection to the 12 form of the question. 13 A. I think it would be possible. It's a 14 question of whether -- how many counties and 15 precincts you feel comfortable splitting to do so 16 and how -- what the shape and size and scope of it 17 would be. 18 Q. Would it be possible to create a second 19 majority black district and still comply with the 20 reapportionment committee redistricting guidelines? 21 A. I would not think so. 22 Q. Why not? 23 A. Well, I can't say every -- some of the 24 plans that were submitted that did that either 25 paired incumbents or disallowed cores of districts</p>	<p style="text-align: right;">Page 180</p> <p>1 A. I don't think I have. 2 Q. Does this appear to be a list of the 3 congressional plans that were introduced in the 2021 4 special session? 5 A. It does. 6 Q. Did you review any of these maps? 7 A. I looked at most all of them, yes. 8 Q. Earlier today you made a distinction 9 between looking at and reviewing. 10 A. Well, because a couple of these plans I 11 know were put into the system very, very late in the 12 process. So my quote, unquote review of them may 13 have been ten minutes. 14 Q. Which plans were those? 15 A. Well, Senator Coleman's plan. Senator 16 Hatcher's plan, I think, came in very late. A 17 couple of these others which are full plans, 18 obviously, but they were more amendments. Like 19 Waggoner and Barfoot were done on the last day. So 20 I looked at them, but I didn't have very long to 21 look at them. 22 Q. Did you have an opportunity to review 23 the Holmes congressional plan? 24 A. Yeah. Again, that was basically a 25 change for Congressman Moore when we were discussing</p>
<p style="text-align: right;">Page 179</p> <p>1 or made an inordinate number of splits or had 20 2 counties in a congressional district or some other 3 thing that was not positive in our guidelines. 4 Q. You said some of the other plans that 5 were submitted. I know we referenced this way back 6 earlier there morning -- 7 A. Yes. 8 Q. -- that there were, you said, 9 approximately 41 plans that were offered at some 10 point in the special -- 11 A. Not congressional. All the -- all the 12 whole. That was all. That was legislative, that 13 was everything. 14 Q. Understood. This may help. 15 16 (Plaintiff's Exhibit 9 was 17 marked for identification.) 18 19 Q. I'm marking Plaintiff's Exhibit 9. This 20 is another document that was produced in this 21 lawsuit. It's Bates number RC 000007. And I will 22 represent to you that the file name for this 23 document is Congressional Plans Introduced in 2021 24 Special Session. 25 Have you seen this document before?</p>	<p style="text-align: right;">Page 181</p> <p>1 the whole Escambia versus Monroe thing. So it 2 was -- it was not really a whole -- it was a whole 3 plan. But the changes were very specific to 4 Congressman Moore. So yes, I'm familiar with it. 5 Q. Did you have an opportunity to review 6 the Faulkner congressional plan two? 7 A. I did. Those were changes that were 8 primarily in Jefferson County. Again, the vast 9 majority of the plan was the same this as the 10 Pringle plan. So I was familiar with those changes. 11 Q. You may or may not know the answer to 12 this. There's only one Faulkner plan listed here, 13 but it's numbered two. Do you know if there was a 14 Faulkner plan one? 15 A. I don't know. I don't know. 16 Q. It seems to be like the school prank 17 where you number the pigs one, two, and four. 18 A. One would guess there would be a one. 19 But I don't -- I don't know that. 20 MR. WALKER: I think that's the best 21 extraneous comment in a deposition I've ever heard. 22 Q. Understood. 23 Then did you review the Singleton 24 congressional plans? And there's three of those 25 here.</p>

December 09, 2021

<p style="text-align: right;">Page 182</p> <p>1 A. The first one, the whole county plan, I</p> <p>2 did because that was a plan that was submitted to</p> <p>3 public hearings along the way and had been in the</p> <p>4 office for quite a while. So yes, I did. I did</p> <p>5 have more time to look at that one, yes.</p> <p>6 Q. And that's plan one, the --</p> <p>7 A. Plan one, yeah, SB-10. Yes, sir.</p> <p>8 Q. I'm sorry. Go ahead.</p> <p>9 A. Yes, plan one, SB-10.</p> <p>10 Q. And are you aware that that one was</p> <p>11 submitted by the League of Women Voters?</p> <p>12 A. Yes, sir.</p> <p>13 Q. And there is also two other plans, plan</p> <p>14 two and plan three. Did you have an opportunity to</p> <p>15 review those?</p> <p>16 A. Much more quickly. I mean, they were</p> <p>17 offshoots of the initial plan that just changed</p> <p>18 deviation for the most part.</p> <p>19 Q. I want to walk through those, the Holmes</p> <p>20 plan, the Faulkner plan, and the Singleton plan.</p> <p>21 Starting with the Holmes plan, why did</p> <p>22 you review that one?</p> <p>23 A. I reviewed that because that was put in</p> <p>24 essentially for Congressman Moore because he did not</p> <p>25 want to pick up another county. And instead of</p>	<p style="text-align: right;">Page 184</p> <p>1 Q. Was that the only reason you didn't make</p> <p>2 those changes?</p> <p>3 A. Primarily. I didn't think it was a good</p> <p>4 -- first of all, it's 739 people. It's not really</p> <p>5 -- you couldn't make a case that Congressman Moore</p> <p>6 was going to lose re-election over gaining 739</p> <p>7 republicans in Escambia County.</p> <p>8 So I was not concerned about what it did</p> <p>9 to his district. I was concerned about the fairness</p> <p>10 issue of putting all of the splits in one</p> <p>11 congressional district.</p> <p>12 Q. Were there any other reasons why you</p> <p>13 didn't incorporate those changes in the Holmes plan</p> <p>14 into your map?</p> <p>15 A. That was -- that was the primary reason.</p> <p>16 Q. Were you asked by anybody to review the</p> <p>17 Holmes congressional plan?</p> <p>18 A. Well, when it was offered on the</p> <p>19 floor -- I'm not sure where it was offered. The</p> <p>20 house floor maybe. This doesn't say on here.</p> <p>21 But whatever chair where that was being</p> <p>22 offered asked me to, I'm sure, tell him what I knew</p> <p>23 about the Holmes plan.</p> <p>24 Q. What did you tell him?</p> <p>25 MR. WALKER: You can tell him.</p>
<p style="text-align: right;">Page 183</p> <p>1 splitting Escambia between 1 and 2, he wanted to</p> <p>2 split Monroe between 1 and 7 so that District 7</p> <p>3 would pick up an additional county and he would not,</p> <p>4 and then make the corresponding change in Montgomery</p> <p>5 to offset the 739 people that were needed to get 1</p> <p>6 to zero deviation. To my knowledge, those were the</p> <p>7 only changes.</p> <p>8 Q. You had had conversations with</p> <p>9 Congressman Moore when you were creating your map,</p> <p>10 correct?</p> <p>11 A. Correct.</p> <p>12 Q. Were these changes in the Moore --</p> <p>13 excuse me.</p> <p>14 Were these changes in the Holmes plan</p> <p>15 changes that you did not want to or did not for some</p> <p>16 reason make in the 2021 map that you drew?</p> <p>17 A. That's correct.</p> <p>18 Q. And why did you not make those changes?</p> <p>19 A. Because I didn't think it was fair to</p> <p>20 put the majority of split counties into the 7th</p> <p>21 District.</p> <p>22 Q. Why not?</p> <p>23 A. I just didn't think any one district</p> <p>24 should have to have four split counties when other</p> <p>25 districts only had one.</p>	<p style="text-align: right;">Page 185</p> <p>1 THE WITNESS: I thought you didn't want</p> <p>2 me to --</p> <p>3 MR. WALKER: You can tell him.</p> <p>4 A. I told him that I didn't -- I didn't</p> <p>5 think that was a good change to our map because,</p> <p>6 again, it put all of -- not all. But put another</p> <p>7 split into the 7th District. Which I didn't think</p> <p>8 it was equitable to put most of the splits in one</p> <p>9 congressional district.</p> <p>10 Q. Did you tell him anything else?</p> <p>11 A. That's basically it.</p> <p>12 Q. Did you provide any evaluations or</p> <p>13 recommendations regarding that map?</p> <p>14 A. Other than voting it down, no. I</p> <p>15 suggested they not vote for it.</p> <p>16 Q. Moving to the Faulkner congressional</p> <p>17 plan two.</p> <p>18 A. Yes.</p> <p>19 Q. Why did you review that map?</p> <p>20 A. That was the change where I had put</p> <p>21 Homewood back together that made a few people in</p> <p>22 Jefferson County, I guess, unhappy.</p> <p>23 So representative Faulkner, who is from</p> <p>24 Jefferson County, had a map that took the three</p> <p>25 Homewood precincts out of District 7 and put them</p>



December 09, 2021

<p style="text-align: right;">Page 186</p> <p>1 into District 6, and took four precincts in the</p> <p>2 Center Point area, which is the northern end of</p> <p>3 District 7, and put those back into District 7. So</p> <p>4 I reviewed those changes.</p> <p>5 Q. Similar to before, were you asked by</p> <p>6 anybody to review that plan?</p> <p>7 A. I was. And whatever -- again, I think</p> <p>8 these were offered in the house. So I think it</p> <p>9 probably would have been Representative Pringle that</p> <p>10 asked me for a quick analysis of what the plan</p> <p>11 changes were.</p> <p>12 Q. And what did you tell him?</p> <p>13 A. I told him that it moved the Homewood</p> <p>14 area into District 6, and it took those four</p> <p>15 precincts at the northern end of district -- who</p> <p>16 were in District 7 and added them back into District</p> <p>17 7.</p> <p>18 And I allowed as how I didn't think that</p> <p>19 was really a good thing to do because it eliminated</p> <p>20 some of my geographical compactness of what I was</p> <p>21 trying to do when we were adding in western</p> <p>22 Jefferson and not extending the quote, unquote</p> <p>23 finger further north into Jefferson County.</p> <p>24 Q. To your knowledge, did any of the</p> <p>25 changes from your plan to the Faulkner plan have to</p>	<p style="text-align: right;">Page 188</p> <p>1 A. Not that comes to mind, no.</p> <p>2 Q. Were you asked by anybody to review the</p> <p>3 Singleton plan?</p> <p>4 A. Again, I was when it was offered in the</p> <p>5 house or senate -- I guess it was offered on the</p> <p>6 senate floor maybe first. Whichever chair of</p> <p>7 wherever it was offered, I was asked to comment on</p> <p>8 it.</p> <p>9 Q. And what did you tell that chairperson?</p> <p>10 A. Well, the initial Singleton plan was not</p> <p>11 a zero deviation plan. So it really didn't meet our</p> <p>12 guidelines. I also think it paired a couple of</p> <p>13 incumbents, if I'm remembering the plan correctly,</p> <p>14 in the 3rd District. I think it put in -- put maybe</p> <p>15 Shelby County in the 3rd. So it would have paired</p> <p>16 Gary Palmer and Mike Rogers. And it wasn't to zero</p> <p>17 deviation. Also, it didn't have a majority black</p> <p>18 district in it.</p> <p>19 Q. Was that an issue to you, that there's</p> <p>20 not a majority black district?</p> <p>21 A. Yeah. Well, it -- it was an observation</p> <p>22 that it did not have a majority black district.</p> <p>23 Q. Does that matter for any particular</p> <p>24 reason to you?</p> <p>25 A. Well, it matters -- again, I'm not a</p>
<p style="text-align: right;">Page 187</p> <p>1 do with any racial factors?</p> <p>2 A. I don't know -- I mean, I don't know</p> <p>3 about the motivations of who drew the Faulkner plan.</p> <p>4 Q. Are you aware of any racial</p> <p>5 considerations that were taken in account in drawing</p> <p>6 the Faulkner plan?</p> <p>7 A. I'm not.</p> <p>8 MR. WALKER: Objection to form. You may</p> <p>9 answer.</p> <p>10 Q. What about the Singleton plan? Why did</p> <p>11 you review that plan?</p> <p>12 A. Well, that was one that -- the initial</p> <p>13 Singleton plan was one that was offered at a number</p> <p>14 of public -- virtually every public hearing, I</p> <p>15 believe. It had been in existence for quite a</p> <p>16 while.</p> <p>17 So I looked at it for what it -- you</p> <p>18 know, for what it was doing. And I had a little</p> <p>19 more time to look at it, actually, than some of</p> <p>20 these other ones that came in at the last minute.</p> <p>21 Q. Do you know what feedback there was from</p> <p>22 the public hearings on the Singleton plan?</p> <p>23 A. Not specifically. I really don't.</p> <p>24 Q. Did you ever hear of any public feedback</p> <p>25 on the Singleton plan?</p>	<p style="text-align: right;">Page 189</p> <p>1 lawyer. But I suppose there would be some question</p> <p>2 to how well it comported with Section 2 of the</p> <p>3 Voting Rights Act. But, again, that wasn't my major</p> <p>4 concern with it.</p> <p>5 Q. There were two subsequent Singleton</p> <p>6 plans, plan two and three.</p> <p>7 A. Yeah.</p> <p>8 Q. Both of which you stated -- and it</p> <p>9 describes here in Exhibit 9 as having adjustments</p> <p>10 for population deviation.</p> <p>11 Were there any other changes in</p> <p>12 Singleton plan two and three other than changes to</p> <p>13 deviation, to your knowledge?</p> <p>14 A. Not to my knowledge. And, again, I</p> <p>15 looked at -- I didn't look at these plans</p> <p>16 extensively. But to my knowledge, it was just a</p> <p>17 change in deviation.</p> <p>18 Q. Were those other observations that you</p> <p>19 made to Singleton plan one regarding incumbents</p> <p>20 being paired up against each other, a lack of a</p> <p>21 black majority district, any other observations you</p> <p>22 made, were any of those addressed with Singleton</p> <p>23 plan two or three?</p> <p>24 A. Not that I'm aware of.</p> <p>25 Q. Were you asked by anybody to review</p>



December 09, 2021

<p style="text-align: right;">Page 190</p> <p>1 Singleton plan two and three?</p> <p>2 A. Again, in whatever body they were</p> <p>3 offered in, the chair would have asked me about</p> <p>4 them, yes.</p> <p>5 Q. Do you recall what recommendations or</p> <p>6 observations you provided?</p> <p>7 A. Basically the same ones. The narrow</p> <p>8 deviation, again while a more narrow deviation, was</p> <p>9 not to zero deviation. And I think it still paired</p> <p>10 the incumbents. And as I remember, the BVAPs on the</p> <p>11 districts were very similar between -- among the</p> <p>12 three. So I don't think it changed any of those</p> <p>13 things.</p> <p>14 Q. You also mentioned that you looked at</p> <p>15 briefly the Coleman plan, Hatcher plan, Waggoner</p> <p>16 plan, and Barfoot --</p> <p>17 A. Yeah.</p> <p>18 Q. -- plan.</p> <p>19 A. Yes, sir.</p> <p>20 Q. Did you make any observations from your</p> <p>21 looking at or review of those?</p> <p>22 A. No. Well, the Barfoot plan was sort of</p> <p>23 just the senate version of the Holmes plan making</p> <p>24 the change for Representative Moore.</p> <p>25 The Wagner plan was basically Faulkner</p>	<p style="text-align: right;">Page 192</p> <p>1 plan, is it a similar response as you had to the</p> <p>2 other ones, that you were asked to look at those by</p> <p>3 whoever was presenting them on the floor?</p> <p>4 A. Whoever was managing the time, the time</p> <p>5 on the floor.</p> <p>6 Q. And as to each of those, do you recall</p> <p>7 what your feedback was?</p> <p>8 A. Yeah. I mean, obviously, the Waggoner</p> <p>9 plan was the same as the Faulkner plan. So I didn't</p> <p>10 think it was a good change. And the Barfoot plan</p> <p>11 was essentially the same as the Holmes plan. So I</p> <p>12 didn't think that was a good change. And the</p> <p>13 Waggoner three was just a compilation of the two of</p> <p>14 them added together, which didn't do anything to</p> <p>15 move the bar.</p> <p>16 Q. What about the Coleman plan?</p> <p>17 A. The Coleman plan, again, I didn't look</p> <p>18 -- didn't have a chance to look at very much. I</p> <p>19 believe it paired two incumbents in 1, in District</p> <p>20 1, Carl and Moore. And it certainly didn't respect</p> <p>21 the cores of districts because I think it had</p> <p>22 District -- District 7 went from Mobile to</p> <p>23 Tuscaloosa maybe.</p> <p>24 Anyway, again, I didn't spend a lot of</p> <p>25 time on either of those, looking at either of those</p>
<p style="text-align: right;">Page 191</p> <p>1 and Barfoot put together or Barfoot and Holmes put</p> <p>2 together. It also made the Moore change, but made</p> <p>3 the Faulkner change in Jefferson County. So they</p> <p>4 were just sort of different versions or compilations</p> <p>5 of those two things.</p> <p>6 Q. I'm going to stop you right there</p> <p>7 because I think there's -- it looks like there's two</p> <p>8 Waggoner plans here. Which one are you referring</p> <p>9 to, three or one?</p> <p>10 A. Three was the combination. One -- one</p> <p>11 was essentially the Faulkner version of the plan,</p> <p>12 only in a -- drawn up by a senator or offered by a</p> <p>13 senator.</p> <p>14 Q. And I interrupted you there. I think</p> <p>15 the only other plan we haven't discussed yet is the</p> <p>16 Hatcher plan.</p> <p>17 A. Right. And, again, that came in, if I</p> <p>18 remember correctly, the night before it was offered</p> <p>19 on the floor. So I really looked at it for</p> <p>20 literally ten minutes before whoever -- wherever it</p> <p>21 was offered. I guess on the senate side. So I</p> <p>22 didn't do a very deep analysis of the Hatcher plan.</p> <p>23 Q. For each of these plans that you said</p> <p>24 you just looked at briefly, the Coleman plan, the</p> <p>25 Waggoner plans, the Barfoot plan, and the Hatcher</p>	<p style="text-align: right;">Page 193</p> <p>1 plans.</p> <p>2 Q. What about the Hatcher plan?</p> <p>3 A. The Hatcher plan I think was obviously a</p> <p>4 two black district plan.</p> <p>5 THE REPORTER: Two?</p> <p>6 A. Two black district plan. I do think it</p> <p>7 -- I think it paired incumbents, but maybe I'm</p> <p>8 wrong. Again, geographically it was not very</p> <p>9 compact. I think it went from Mobile to Russell</p> <p>10 essentially on one of the black districts.</p> <p>11 So I didn't think it -- I didn't think</p> <p>12 it followed our guidelines very well in terms of</p> <p>13 compactness.</p> <p>14 Q. Other than compactness --</p> <p>15 A. And splits. I think it also had like 13</p> <p>16 county splits, where the Pringle plan had six. I</p> <p>17 think it split a lot more precincts.</p> <p>18 Q. Other than compactness and splitting</p> <p>19 precincts, was there any other reason that you felt</p> <p>20 that the Hatcher plan did not comply with the</p> <p>21 guidelines?</p> <p>22 A. Those were the main issues.</p> <p>23 Q. Were there any other issues?</p> <p>24 A. I don't think so.</p> <p>25 Q. And with the Singleton plan, were there</p>

December 09, 2021

<p style="text-align: right;">Page 194</p> <p>1 any reasons why you felt that the Singleton plan did 2 not comply with the redistricting guidelines? 3 A. Yeah. Well, the initial Singleton plan 4 was not to zero deviation. It did pair incumbents 5 again in the 6th -- in the 3rd District, it had two 6 incumbents together, Moore and -- not Moore. Palmer 7 and Mike Rogers. 8 Q. Any other reasons? 9 A. And, again, it didn't have a majority 10 black district. 11 Q. Speaking of that, when you drew your 12 map -- which on this table, I would assume that's 13 the Pringle congressional plan. Correct? 14 A. Yes, sir. 15 Q. When you drew the 2021 congressional 16 map -- remind me. Did you start with drawing 17 District 7? 18 A. No. Actually, I started -- I started 19 with District 5 because I knew it had to spill into 20 4. And I had to do that before I could do much else 21 there. 22 Q. What order did you go in for drawing the 23 districts after that? 24 A. I basically moved down -- moved down the 25 state. I did 5 to 4. And then the changes that 4</p>	<p style="text-align: right;">Page 196</p> <p>1 A. I think if it had come back under 50 2 percent, in consultation with legal counsel, I 3 assume we would have, under the guidelines, looked 4 for a basis and evidence to see if one existed to 5 add African Americans to the district. 6 Q. Did you draw any other maps other than 7 -- let me take a step back. 8 Did you draw any other congressional 9 maps other than the HB-1 Pringle congressional plan 10 that was ultimately enacted? 11 A. This cycle -- I don't know what time 12 frame we're talking about. 13 Q. I'll try again. Sorry. 14 In drawing the 2021 congressional maps, 15 through that process you drew the map that was 16 ultimately enacted, correct? 17 A. Yes, sir. 18 Q. Did you draw any other maps in that 19 cycle -- 20 MR. WALKER: I'm going to -- 21 Q. -- for the congressional plan? 22 MR. WALKER: -- object to the extent 23 that -- and you may not be intending to. You're 24 asking him whether he tried to draw a two majority 25 black district --</p>
<p style="text-align: right;">Page 195</p> <p>1 -- putting Cherokee back together in 3, putting 2 Blount back together in 6, corresponding changes in 3 Tuscaloosa in 7. I basically worked down the map 4 from there. 5 Q. And you stated that you did not look at 6 the racial data in drawing the 2021 map until the 7 week before the special session, correct? 8 A. Correct. 9 Q. When you did review the racial data, if 10 it had shown that District 7 was below 50 percent 11 black voting age population, what would you have 12 done? 13 A. I would have talked to legal counsel 14 about what steps to take at that point. 15 Q. Do you believe that you would have 16 needed to make modifications to make the black 17 voting age population percentage higher than 50 18 percent? 19 MR. WALKER: Object to the form, calls 20 for speculation. 21 Q. You can answer. 22 A. I'm sorry. Say that again. 23 MR. THOMPSON: Can I have the question 24 read back? 25 (Record read.)</p>	<p style="text-align: right;">Page 197</p> <p>1 Q. I'm just asking if you drew any other 2 maps at all. 3 MR. WALKER: And my instruction to you 4 is if you did anything at the instruction of me 5 alone, then that would not be part of your answer. 6 A. Other than that, no. 7 Q. I've gone a little over an hour there, 8 but I wanted to finish up. I think I'm done with my 9 questions for now. So I think we'll take a break 10 and then allow some other folks to ask you some 11 questions. Is that fair? 12 A. That's fair. 13 THE VIDEOGRAPHER: We are off the 14 record. The time is 2:28 p.m. 15 (Recess was taken.) 16 THE VIDEOGRAPHER: We are back on the 17 record. The time is now 2:47 p.m. 18 MR. THOMPSON: At this time, I'm going 19 to pass the questions to Mr. Blacksher. 20 EXAMINATION BY MR. BLACKSHER: 21 Q. Good afternoon, Mr. Hinaman. 22 A. Good afternoon. 23 Q. So it was Dorman Walker who told you you 24 were required to achieve zero population deviation; 25 is that right?</p>

December 09, 2021

<p style="text-align: right;">Page 198</p> <p>1 MR. WALKER: Object to the form.</p> <p>2 Q. You know, I'm having -- I've had trouble</p> <p>3 hearing you throughout. So I'm going to have to ask</p> <p>4 you to speak up a little louder.</p> <p>5 What was your last response?</p> <p>6 MR. WALKER: Are you talking to me, Jim?</p> <p>7 MR. BLACKSHER: The witness didn't</p> <p>8 respond? That was you?</p> <p>9 MR. WALKER: That was I who said "Object</p> <p>10 to the form." He doesn't make objections.</p> <p>11 MR. BLACKSHER: Oh, you said objection?</p> <p>12 MR. WALKER: Yes.</p> <p>13 Q. Okay. I'm going back to what you said</p> <p>14 in your examination, your direct examination, I</p> <p>15 guess we call it, where you said you were advised</p> <p>16 that you needed to use zero deviation in your plan.</p> <p>17 Is that right?</p> <p>18 A. That's correct. Under two criteria for</p> <p>19 redistricting, B, "Congressional districts shall</p> <p>20 have minimal population deviation."</p> <p>21 I was told by counsel that that was zero</p> <p>22 for six districts and plus one for one district.</p> <p>23 Q. And when you say "by counsel," you mean</p> <p>24 -- well, I didn't ask you. Were you advised by</p> <p>25 lawyers other than Dorman Walker?</p>	<p style="text-align: right;">Page 200</p> <p>1 Q. Okay. So if you read the West v. Hunt</p> <p>2 opinion -- let me ask this question -- do you recall</p> <p>3 the court saying that it felt compelled, because it</p> <p>4 was a court-ordered plan, to use zero deviation?</p> <p>5 A. I do not. As I said, I probably read it</p> <p>6 30 years ago. I certainly don't remember what it</p> <p>7 said today.</p> <p>8 Q. Were you advised to use zero deviation</p> <p>9 by anybody -- any lawyers in Washington, say,</p> <p>10 connected with the republican party, the RNC or --</p> <p>11 what was that other organization that you used</p> <p>12 letters for? NRRC or something?</p> <p>13 A. No. In terms of the -- are you talking</p> <p>14 about the 2021 plan?</p> <p>15 Q. The 2021 plan, yes.</p> <p>16 A. No, I did not speak to anybody at the</p> <p>17 NRCC or the RNC or anybody in Washington other than</p> <p>18 members of congress and their staffs.</p> <p>19 Q. Okay. NRCC, what does that stand for?</p> <p>20 A. National Republican Congressional</p> <p>21 Committee.</p> <p>22 Q. Okay. But they didn't give you any</p> <p>23 instructions or any advice about zero deviation?</p> <p>24 A. No, sir.</p> <p>25 Q. What about the members of congress in</p>
<p style="text-align: right;">Page 199</p> <p>1 A. No.</p> <p>2 Q. So it was Dorman who told you that</p> <p>3 minimal deviation means zero deviation?</p> <p>4 A. That's correct.</p> <p>5 Q. Okay. So you also drew the plan in</p> <p>6 1992. And did you read the opinion of the court in</p> <p>7 West v. Hunt, the 1992 opinion that adopted your</p> <p>8 plan?</p> <p>9 A. I'm sure I did in 1992 or '93. But I</p> <p>10 sure don't remember it today.</p> <p>11 Q. You don't recall -- well, let me ask you</p> <p>12 this: Did counsel tell you or remind you that in</p> <p>13 that decision, the three-judge court said that</p> <p>14 because it was a court-approved plan, a</p> <p>15 court-ordered plan, it felt constrained to have</p> <p>16 perfect or zero deviation. But that if the</p> <p>17 legislature had drawn the plan itself, it would have</p> <p>18 had greater leeway with respect to deviation?</p> <p>19 MR. WALKER: Objection.</p> <p>20 Q. Do you recall reading that?</p> <p>21 MR. WALKER: Jim, you've asked that</p> <p>22 question several ways. And one -- it could be</p> <p>23 interpreted in one way to be whether or not I gave</p> <p>24 him advice on that. If that's what you're asking, I</p> <p>25 object to that.</p>	<p style="text-align: right;">Page 201</p> <p>1 the Alabama delegation? Did they give you any</p> <p>2 instructions to use zero deviation?</p> <p>3 A. No, sir.</p> <p>4 MR. BLACKSHER: Eli, did I print out a</p> <p>5 copy of the passage from State of Alabama versus</p> <p>6 U.S. Department of Commerce that you can show him?</p> <p>7 MR. HARE: Let me see here.</p> <p>8 MR. BLACKSHER: It's got a highlighted</p> <p>9 section in it.</p> <p>10 MR. HARE: Yes.</p> <p>11 MR. BLACKSHER: Okay. Can you mark that</p> <p>12 as -- what did you say, PX 10?</p> <p>13 MR. HARE: Right. It's PX 10.</p> <p>14</p> <p>15 (Plaintiff's Exhibit 10 was</p> <p>16 marked for identification.)</p> <p>17</p> <p>18 MR. BLACKSHER: And show that to</p> <p>19 Mr. Hinaman</p> <p>20 Q. That, Randy, is the document that was</p> <p>21 filed by the State of Alabama, as you can see, in</p> <p>22 Montgomery's federal court against the census bureau</p> <p>23 and styled 21-211.</p> <p>24 And would you please read the</p> <p>25 highlighted part in Paragraph 116 of the State's</p>

December 09, 2021

<p style="text-align: right;">Page 202</p> <p>1 complaint?</p> <p>2 A. The part --</p> <p>3 Q. Read it into the record.</p> <p>4 A. I must admit highlighting in it in blue</p> <p>5 makes it rather hard to read. But nevertheless.</p> <p>6 "Even at the higher census geography of</p> <p>7 Alabama's congressional districts, the November 2020</p> <p>8 demonstration data indicated that the differential</p> <p>9 privacy algorithm skewed the data enough to create</p> <p>10 population deviation on a level that courts have</p> <p>11 found in other contexts to violate the supreme</p> <p>12 court's equal population jurisprudence."</p> <p>13 Q. Thank you.</p> <p>14 And under that language is a table that</p> <p>15 shows what the State thought were errors caused by</p> <p>16 differential privacy in the demonstration. And they</p> <p>17 were congressional districts.</p> <p>18 Did counsel tell you that the State of</p> <p>19 Alabama thought that the zero deviation requirement</p> <p>20 was using flawed data, in their opinion?</p> <p>21 MR. WALKER: Objection to form. And I</p> <p>22 instruct the witness not to answer.</p> <p>23 Q. Okay. Are you going to follow counsel's</p> <p>24 advice not to answer my question, Mr. Hinaman?</p> <p>25 A. I am.</p>	<p style="text-align: right;">Page 204</p> <p>1 read into that into the record, please?</p> <p>2 MR. WALKER: You haven't highlighted the</p> <p>3 whole statement. You've highlighted Lines 5 through</p> <p>4 16. Is that what you want him to read?</p> <p>5 MR. BLACKSHER: Yes, the highlighted</p> <p>6 lines, please.</p> <p>7 A. "Most of Jackson County, particularly</p> <p>8 all of Jackson County -- practically all of Jackson</p> <p>9 County is in Congressional District 5. But there is</p> <p>10 a tiny little sliver of southern Jackson County</p> <p>11 that's in 4. And I understand about trying to get</p> <p>12 everything equalized in terms of population. But</p> <p>13 the very few people who live there very frequently</p> <p>14 think they're in District 5 and do not know who to</p> <p>15 vote for. And I would ask that you consider that</p> <p>16 when you are redistricting so that you don't have</p> <p>17 that tiny little sliver out of that county. It is</p> <p>18 in a section called Macedonia. Senator Livingston</p> <p>19 would know where I'm talking about, I'm sure."</p> <p>20 Q. Thank you.</p> <p>21 So did anyone on the reapportionment</p> <p>22 committee, the chairs or counsel, show you or tell</p> <p>23 you about that testimony?</p> <p>24 MR. WALKER: Objection as to what he may</p> <p>25 have been told my counsel. Otherwise, he may answer</p>
<p style="text-align: right;">Page 203</p> <p>1 Q. So aside from what counsel told you,</p> <p>2 were you aware that the State of Alabama took the</p> <p>3 position in federal court that the -- that the 2020</p> <p>4 census, because of differential privacy, would not</p> <p>5 be reliable enough to use for zero -- for separating</p> <p>6 people at that level?</p> <p>7 A. I was not.</p> <p>8 MR. BLACKSHER: Eli, if you can find</p> <p>9 that passage from the public hearing at Northeast</p> <p>10 Alabama Community College.</p> <p>11 MR. HARE: I've got it right here.</p> <p>12 MR. BLACKSHER: And mark that as Exhibit</p> <p>13 11, please.</p> <p>14</p> <p>15 (Plaintiff's Exhibit 11 was</p> <p>16 marked for identification.)</p> <p>17</p> <p>18 MR. BLACKSHER: And show that to Randy,</p> <p>19 to Mr. Hinaman.</p> <p>20 Q. As you can see, this is a transcript of</p> <p>21 the reapportionment committee's hearing on September</p> <p>22 1 at Northeast Alabama Community College. And I've</p> <p>23 printed out Page 12 and highlighted it.</p> <p>24 Would you read the highlighted statement</p> <p>25 of one Toni McGriff who lives in Dutton? Would you</p>	<p style="text-align: right;">Page 205</p> <p>1 the question.</p> <p>2 A. I was not familiar with that testimony.</p> <p>3 But I did, of course, put Jackson County back</p> <p>4 together.</p> <p>5 Q. You sure did. And who paid the price</p> <p>6 for that? Lauderdale County?</p> <p>7 A. Well, you're comparing 17 people to</p> <p>8 43,000 or something. I'm not sure that's a fair</p> <p>9 comparison. But yes.</p> <p>10 Q. Was it 17 people in Jackson County?</p> <p>11 A. I'm making up that number. You're</p> <p>12 comparing a few people to many tens of thousands.</p> <p>13 But nevertheless.</p> <p>14 Q. In most of the cases on the 2021 plan,</p> <p>15 the enacted plan, for example, down in Escambia</p> <p>16 County where you had to put the eastern slice of</p> <p>17 Escambia into 2?</p> <p>18 A. Yeah, 739 people.</p> <p>19 Q. 739 people. Do you think that they're</p> <p>20 going to share the sentiment of Mr. Toni McGriff in</p> <p>21 Jackson County?</p> <p>22 A. They may very well.</p> <p>23 Q. And what I'm saying, what I'm trying to</p> <p>24 point out, can't we agree that most of these tiny</p> <p>25 splits to achieve zero population result in people</p>

December 09, 2021

<p style="text-align: right;">Page 206</p> <p>1 being basically separated from their home county and  2 put in a district where they really don't have much  3 influence at all over the member of congress, right?  4 A. In the Escambia County case, I would  5 agree with that. Although looking at the map, there  6 aren't many examples of that. Because most of the  7 other splits in the enacted map are much larger  8 segments of folks.  9 Q. Okay. Now, you said that you began  10 working on the congressional plan in May at some  11 point; is that correct, when you found out that  12 Alabama would have seven seats in congress  13 apportioned to it?  14 A. Yes, once we found out seven. And also  15 the guidelines were passed on May 5th. I started  16 work thereafter.  17 Q. And you were using estimated census data  18 to sort of rough out what that plan might look like;  19 is that correct?  20 A. That's correct.  21 Q. And those estimated census data were  22 only available for whole counties, right?  23 A. I believe that's the case, yes.  24 Q. So you were having to work with whole  25 counties. And when the final census data came out,</p>	<p style="text-align: right;">Page 208</p> <p>1 answers were very accurate on what Maptitude had for  2 estimates.  3 So I didn't -- I didn't -- I lumped some  4 counties together and I split some larger counties  5 based on precincts, knowing that those numbers were  6 not going to be very accurate, and then waited until  7 we got the real numbers.  8 Q. Okay. And when you got the real  9 numbers, did you attempt to draw a whole county  10 plan?  11 A. I did not.  12 Q. And why did you not attempt to do that?  13 A. No one asked me to do that. And, again,  14 my understanding of our guidelines would be that  15 that would not have followed the proper deviation.  16 Q. Take a look at our whole county --  17 MR. BLACKSHER: Can you mark a copy -- I  18 don't think it's been passed around yet -- just so  19 we can be talking from something, the same thing?  20 MR. HARE: This will be Plaintiff's  21 Exhibit 12.  22  23 (Plaintiff's Exhibit 12 was  24 marked for identification.)  25</p>
<p style="text-align: right;">Page 207</p> <p>1 you simply had to adjust with the correct 2020  2 legacy data; is that correct?  3 A. That's correct. Although while the  4 estimates captured the flavor of the changes that  5 happened over the last ten years, meaning four  6 districts were over and three districts were under  7 and the estimates properly identified those  8 districts, they didn't really capture the magnitude  9 of it.  10 Because I think the estimates had the  11 7th District being 30,000 and some odd number under  12 when it ended up being 54, and it had the 5th  13 District being something like 23,000 over when it  14 was really 43.  15 So while it captured the over/under  16 nature of the districts, it didn't -- it didn't do a  17 particularly good job of capturing the ultimate  18 numbers.  19 Q. Did you attempt drawing a whole county  20 plan at that point in May of 2021?  21 A. No. I just -- no.  22 Q. Why not?  23 A. Well, I don't even consider it a plan.  24 I mean, I was just lumping together -- and I do  25 think I was able to split. I just don't think the</p>	<p style="text-align: right;">Page 209</p> <p>1 Q. So think along with me, Mr. Hinaman,  2 about how you might have attempted to reproduce your  3 starting point of the plan, which was the 2011 plan,  4 right?  5 A. Yes, sir.  6 Q. And if you were going to attempt to take  7 the 2011 plan and create whole districts and you  8 start with Congressional District 7, then you would  9 try to make Jefferson, Tuscaloosa, and Montgomery  10 whole. And that's what this plan does, doesn't it?  11 A. It does.  12 Q. You would have attempted to keep as much  13 of the black belt together as you could. And that's  14 what this plan does, doesn't it?  15 MR. WALKER: Objection. I'm not sure,  16 Jim, the way you're phrasing your questions, what  17 you're asking him. You seem to be telling him what  18 he would have been doing and then -- I'm just  19 confused.  20 MR. BLACKSHER: I'm asking leading  21 questions, Counsel. Is that all right?  22 MR. WALKER: Well, you're allowed to ask  23 leading questions. I just didn't understand what  24 you were doing. So go ahead, if that's what you  25 want to do.</p>

December 09, 2021

<p style="text-align: right;">Page 210</p> <p>1 MR. BLACKSHER: Can you read the</p> <p>2 question back, please, Court Reporter? I'm sorry.</p> <p>3 (Record read.)</p> <p>4 MR. WALKER: Objection to form.</p> <p>5 A. It does, I guess. Hale and Perry I</p> <p>6 think would be considered part of the black belt,</p> <p>7 and that's in a different district. But by and</p> <p>8 large, you're correct, yes.</p> <p>9 Q. Switching gears for a minute. When you</p> <p>10 met with Congresswoman Sewell, do I understand you</p> <p>11 to say that she -- your testimony was that</p> <p>12 Congresswoman Sewell wanted to keep her district the</p> <p>13 way it is, adjusted for the population deviation</p> <p>14 known; is that correct?</p> <p>15 A. I would phrase it this way: I met with</p> <p>16 Congresswoman Sewell and told her her district was</p> <p>17 54,000 under. And I gave her some options of where</p> <p>18 it made, in my opinion anyway, sense to gain folks</p> <p>19 to make up that 54,000 difference. And then we</p> <p>20 worked through that on the map. That's how I would</p> <p>21 phrase it.</p> <p>22 Q. Did Congresswoman Sewell tell you she</p> <p>23 was opposed to attempting to draw two districts in</p> <p>24 which blacks could elect candidates of their choice?</p> <p>25 A. She did not. She didn't offer an</p>	<p style="text-align: right;">Page 212</p> <p>1 population in Montgomery -- in Tuscaloosa County,</p> <p>2 north Tuscaloosa County, with a population that</p> <p>3 extends into Montgomery County?</p> <p>4 A. I didn't offer that.</p> <p>5 Q. What did -- you said something in your</p> <p>6 earlier examination about considering that option.</p> <p>7 A. If I did, I didn't mean to. I did not</p> <p>8 consider that option.</p> <p>9 Q. You did not consider that option?</p> <p>10 A. No, I did not.</p> <p>11 Q. Why not?</p> <p>12 A. Because I started with her existing</p> <p>13 cores of districts and I looked at what she needed</p> <p>14 to gain, and I suggested areas that she may wish to</p> <p>15 gain in. And we worked through the map and made</p> <p>16 those changes.</p> <p>17 Q. Well, I mean, was the -- is the little</p> <p>18 -- the extension of District 7 that goes into</p> <p>19 Montgomery County part of the core of that</p> <p>20 district, in your opinion?</p> <p>21 A. It may be now. It probably wasn't at</p> <p>22 the -- obviously, I don't think it existed at the</p> <p>23 beginning. It's a lot of people. I mean, I don't</p> <p>24 know the exact number. We can obviously look it</p> <p>25 up. But it's --</p>
<p style="text-align: right;">Page 211</p> <p>1 opinion, to my knowledge, on that issue.</p> <p>2 Q. Say again.</p> <p>3 A. She didn't offer an opinion on that, to</p> <p>4 my knowledge.</p> <p>5 Q. And you didn't ask her about it?</p> <p>6 A. I did not.</p> <p>7 Q. Were you aware of all of the</p> <p>8 nongovernmental organizations and grass roots</p> <p>9 organizations in Alabama who have been urging the</p> <p>10 legislature to draw two districts from which blacks</p> <p>11 can elect candidates of their choice?</p> <p>12 A. I'm not sure that I was that aware of it</p> <p>13 in our initial meetings in May. Obviously, once</p> <p>14 public hearings were held and your whole county plan</p> <p>15 came out and so forth and so on, I was obviously</p> <p>16 more aware of it at that point.</p> <p>17 Q. Okay. So what you're saying is that you</p> <p>18 simply sat down with Ms. Sewell and made suggestions</p> <p>19 on how to increase -- get 53,000 and some odd</p> <p>20 additional population in District 7, correct?</p> <p>21 A. That's correct, and keeping her existing</p> <p>22 -- the core of her existing district together.</p> <p>23 Q. And didn't I hear you say you suggested</p> <p>24 that one option might be to making Tuscaloosa County</p> <p>25 and Montgomery County whole; that is, swapping the</p>	<p style="text-align: right;">Page 213</p> <p>1 Q. Well, I can tell you that based on the</p> <p>2 data that Dorman Walker and the reapportionment</p> <p>3 committee provided to us, the population of</p> <p>4 District 7 in Montgomery County is 62,519.</p> <p>5 A. Okay.</p> <p>6 Q. And the population of the portion of</p> <p>7 Tuscaloosa County that's in District 4, the</p> <p>8 northern part of Tuscaloosa County, is 42,770. So</p> <p>9 there's about a 20,000 difference between those two</p> <p>10 split counties making them whole in District 7.</p> <p>11 MR. BLACKSHER: So I'm going to ask</p> <p>12 Eli, if he would, to mark up those two documents</p> <p>13 that show -- that are labeled Plan Tuscaloosa and</p> <p>14 Montgomery Whole and show it to Mr. Hinaman.</p> <p>15 MR. HARE: I'm going to mark them as</p> <p>16 -- the map as Plaintiff's 13, and then the chart or</p> <p>17 the data sheet as Plaintiff's 14, Jim.</p> <p>18</p> <p>19 (Plaintiff's Exhibits 13&amp;14</p> <p>20 were marked for identification.)</p> <p>21</p> <p>22 Q. I'll tell you, Mr. Hinaman, that I did</p> <p>23 this with Dave's Redistricting app. Are you</p> <p>24 familiar with Dave's Redistricting app?</p> <p>25 A. I've heard of it. I've never used it.</p>



December 09, 2021

<p style="text-align: right;">Page 214</p> <p>1 Q. Okay. And I did exactly what I just  2 suggested. I made -- took Montgomery County  3 completely out of District 7, and I put all of  4 Tuscaloosa County into District 7. And that 20,000  5 difference I got out of Jefferson County.  6 Otherwise, it looks pretty close to  7 the map that you ended up drawing and that was  8 enacted. But, of course, would you -- would agree  9 that it otherwise (inaudible) the one that you  10 drew?  11 A. Yeah. Obviously, there's a split in  12 Blount and a split in Etowah that I don't have.  13 But yeah.  14 Q. Well, this is a good point. When you  15 talk about making changes in District 7 like I just  16 did with Dave's, you end up requiring changes in  17 several of the surrounding districts.  18 I mean, for example, because District  19 6 lost population to District 7, I elected to get  20 some population out of Blount. And that ended up  21 splitting Blount.  22 A. Right.  23 Q. And because Montgomery County went  24 into District 2, I ended up having to do a little  25 split of Elmore County, right?</p>	<p style="text-align: right;">Page 216</p> <p>1 didn't -- this is drawn with precincts. So you're  2 going to have to split some precincts, right?  3 A. Yes, sir.  4 Q. But that usually can be done after you  5 have achieved the goal you set out to in broader  6 terms in your districting scheme, right?  7 A. Sure.  8 Q. There are a lot of ways that you can  9 split precincts or counties in order to achieve  10 this -- this sacred zero deviation objective. And  11 yet you didn't consider this option at all when you  12 were going over the plan with Congresswoman Sewell;  13 is that correct?  14 A. That's correct.  15 Q. She did not -- she did not have an  16 option to consider this arrangement, right?  17 MR. WALKER: Objection to form.  18 A. Obviously, she could have said how  19 about if I get all of Tuscaloosa County and come  20 out of Montgomery? Which she said neither.  21 Q. Well, I wonder if the reason she said  22 neither is because it turns out that doing that  23 reduces the BVAP, the black voting age population,  24 to 49.79 percent?  25 MR. WALKER: For CD 7?</p>
<p style="text-align: right;">Page 215</p> <p>1 A. Yes, sir.  2 Q. And on up the line, if you will. But,  3 of course, I didn't have to interfere with the  4 split you made in Lauderdale County. And these are  5 -- and this is not zero deviation.  6 If you look to the left in that table,  7 you will see that there are as many as 471 people  8 in District 2 who are going to have to be -- I'm  9 sorry. District 3 who are going to have to be  10 taken out, right?  11 A. Yeah. I'll take -- I can't find that  12 number on this sheet. But I'll take your word for  13 it.  14 Q. Well, it's on the map.  15 A. Oh, I'm sorry. Yeah, I see it. Thank  16 you. I was looking on the corresponding number  17 sheet. Sorry.  18 Q. The point I want to make here is isn't  19 it true when you're drawing maps and you get to 471  20 people who have to be moved in order to get to zero  21 deviation, you go down to the block level, right?  22 A. Most times, yeah. Precincts aren't  23 going to have an exact number or that small a  24 number.  25 Q. And I'll represent to you that I</p>	<p style="text-align: right;">Page 217</p> <p>1 THE REPORTER: For what?  2 MR. WALKER: CD 7.  3 Q. Do you see that in the statistical  4 table?  5 A. Yes, sir, I do.  6 Q. So would that have been a problem for  7 Terri Sewell based on what she was telling you were  8 her objectives?  9 A. I don't know specifically. I don't  10 think she considered this map. So I can't -- I  11 don't really know how to answer your question.  12 Q. Okay. Did you and Congresswoman  13 Sewell discuss the whole county plan, the League of  14 Women Voters' whole county plan?  15 A. We did not. I don't think it -- in  16 our initial meetings, I don't think it existed. Or  17 at least I was not aware of it. I don't think she  18 was. So we really did not.  19 Q. It didn't exist in May, but it did  20 exist before you finalized the plan that became  21 HB-1, right?  22 A. Correct.  23 Q. And September 1, 2021, was the first  24 public hearing of the reapportionment committee.  25 And the League of Women Voters was the first</p>



December 09, 2021

<p style="text-align: right;">Page 218</p> <p>1 witness at the first hearing offering that plan;  2 isn't that correct?  3 A. I wasn't at that hearing. But I'll  4 take your word for it.  5 Q. So you're telling us that the  6 whole county plan offered by the League of Women  7 Voters was never discussed at all when you were  8 communicating with Congresswoman Sewell?  9 A. I don't believe it -- maybe it was  10 discussed at the very end about what other plans  11 are out there. We may have had a minor discussion  12 about -- frankly, I think at that point in time  13 yours would have been the only other publicly  14 acknowledged congressional plan. So she may have  15 mentioned it. But we didn't have a very healthy  16 discussion about it. Let's put it that way.  17 Q. What do you mean not healthy?  18 A. Very long, very detailed. She was  19 asking what other plans have you heard about. And  20 I think at that point, yours was the only one that  21 was public at that point in time.  22 Q. Did she tell you she would object to  23 that plan?  24 A. We didn't have that detailed a  25 discussion about it.</p>	<p style="text-align: right;">Page 220</p> <p>1 Terri Sewell doesn't even live in District 7 under  2 your whole county plan. She lives in District 6.  3 Q. I'm sorry. I'm not being clear, and  4 my question was not understood by you.  5 I'm just asking if the court wanted to  6 change the array -- if it was drawing a  7 court-ordered plan and it wanted to make the whole  8 county plan 5 and 4 look more like the whole --  9 like the 5 and 4 districts in the enacted plan, it  10 would simply be a matter of balancing out the  11 populations between 4 and 5, correct, splitting  12 some counties as needed?  13 A. Yeah. Obviously, 4 has changes in  14 Tuscaloosa and St. Clair that are different than  15 the enacted plan.  16 Q. Every -- every change has a ripple  17 effect, right?  18 A. Yes, sir.  19 Q. All right. But there would be no  20 problem in putting Lauderdale, Colbert, and  21 Franklin in CD 4 and moving Morgan County back up  22 into CD 5 if the court wanted to do that and made  23 the splits necessary to bring it into population  24 equality; isn't that correct?  25 A. Yeah. These hypothetical the court</p>
<p style="text-align: right;">Page 219</p> <p>1 Q. So we don't know -- we don't know  2 whether Congresswoman Sewell would be happy with  3 the whole county plan or not; is that correct?  4 A. I do not know, no. You may know.  5 Q. Sir?  6 A. I don't know. I mean, you may have  7 talked to her about it. I don't have any knowledge  8 of it directly.  9 Q. I understand.  10 Can you take another look at the  11 whole county plan map, please?  12 A. Yes, sir.  13 Q. And compare it -- and compare it with  14 the map of the 55 -- 555 plan, HB-1, the enacted  15 plan.  16 A. Yes, sir. Exhibit 5.  17 Q. If the court wanted to -- was drawing  18 a remedial plan in this case, just for the sake of  19 argument, it had reached the point where it was  20 going to draw its own plan, and it wanted to change  21 the whole county plan to look more like the plan  22 that the legislature enacted, that would simply be  23 a matter of changing the array between Districts 5  24 and 4, correct?  25 A. No. I mean -- well, first of all,</p>	<p style="text-align: right;">Page 221</p> <p>1 wants to change things are hard for me. But yes, I  2 guess that's correct.  3 Q. I'm looking at the map of the plan you  4 drew in 1992 that was adopted by the three-judge  5 court in West versus Hunt. Did that map ever get  6 shown to you today, or not?  7 A. It has not been shown to me today.  8 MR. BLACKSHER: Okay. I'm looking at  9 it in the amended complaint. I don't know if  10 anyone has a copy there that they can show  11 Mr. Hinaman or not.  12 But do you recall, Mr. Hinaman, that  13 the plan you drew in 1992 included all of the same  14 counties that are in the plan you drew in 2021?  15 A. I'm not sure I -- I'm not sure I know  16 what that -- I'm not sure I know what you mean by  17 that.  18 Q. The plan that you drew in 1992 had  19 Clarke split, it had Pickens split, Tuscaloosa and  20 Jefferson split, and Montgomery County split.  21 Now, your plan in 2021 leaves Pickens  22 whole, correct?  23 A. Correct, and Clarke whole.  24 Q. And Clarke whole. But Tuscaloosa,  25 Jefferson, and Montgomery are still split?</p>

December 09, 2021

<p style="text-align: right;">Page 222</p> <p>1 A. Yes, sir.</p> <p>2 Q. So your 2021 plan, the plan you drew</p> <p>3 and that was enacted by the legislature in 2021,</p> <p>4 preserves the core of the 1992 plan that you drew;</p> <p>5 is that correct?</p> <p>6 A. It's -- it's correct. But you've</p> <p>7 missed a few steps along the way, obviously.</p> <p>8 Because as we discussed earlier in the deposition</p> <p>9 testimony, it more preserves the cores of the 2011</p> <p>10 districts, which I guess by chain preserve some of</p> <p>11 the 2001 districts, which the legislature preserved</p> <p>12 some of the 1992 districts, if that made any sense.</p> <p>13 In other words, I did not use the 1992</p> <p>14 map as the starting point for my 2021 map.</p> <p>15 Q. No. You used the 2011 plan, correct?</p> <p>16 A. Correct.</p> <p>17 Q. And isn't it true that the 2002 plan</p> <p>18 and the 2011 plan preserved the cores -- the core</p> <p>19 of the 1992 plan?</p> <p>20 A. For the most part.</p> <p>21 Q. Can we sum up your testimony about how</p> <p>22 you went about drawing the 2021 enacted plan by</p> <p>23 saying that you drew the plan so that it satisfied</p> <p>24 what each incumbent member of the Alabama</p> <p>25 congressional delegation wanted? That was your</p>	<p style="text-align: right;">Page 224</p> <p>1 into the plan. But they chose to allow the members</p> <p>2 of congress to talk about what areas they wanted to</p> <p>3 gain and lose underneath the guidelines that they</p> <p>4 had already passed.</p> <p>5 Q. And, in fact, in 19 -- let's see.</p> <p>6 Excuse me.</p> <p>7 In 2011, that's what the legislature</p> <p>8 did, as well. They simply deferred to what the</p> <p>9 congressional delegation wanted in redrawing that</p> <p>10 plan, right?</p> <p>11 A. No, that's not -- that was the goal I</p> <p>12 had. But that's not what happened. When we got --</p> <p>13 as you may remember, when we got to the senate</p> <p>14 floor, there were some members of the senate who</p> <p>15 may have wanted to run in one district or another</p> <p>16 who moved some things around.</p> <p>17 My map -- my initial map in 2011</p> <p>18 didn't even have the 4th District in Tuscaloosa.</p> <p>19 It had the 6th District in Tuscaloosa.</p> <p>20 So there were numerous changes made on</p> <p>21 the senate floor and probably subsequently the</p> <p>22 house floor from the map that the members and I</p> <p>23 worked on, members of congress and I worked on.</p> <p>24 Q. But that didn't happen in 2021?</p> <p>25 A. It did not happen in 2021. The map</p>
<p style="text-align: right;">Page 223</p> <p>1 primary guideline, right?</p> <p>2 A. Well, that was a part of it. My</p> <p>3 primary guidelines were the guidelines given to me</p> <p>4 by the reapportionment committee, and then based</p> <p>5 off of the subsequent population shifts over the</p> <p>6 last ten years to repopulate or take away from,</p> <p>7 depending on the over/under of each district,</p> <p>8 population, and geography to reach the required</p> <p>9 guidelines of zero deviation and preserving the</p> <p>10 cores of districts.</p> <p>11 And, of course, where possible -- and</p> <p>12 we've had a couple of minor cases where it wasn't,</p> <p>13 as we discussed with Representative Moore and so</p> <p>14 forth. But preserving what the incumbents would</p> <p>15 have -- would like to accomplish, as well.</p> <p>16 Q. But your testimony is that nobody else</p> <p>17 but the members of the Alabama congressional</p> <p>18 delegation had any input into the decisions you</p> <p>19 made about how to draw that plan; isn't that</p> <p>20 correct?</p> <p>21 A. That's pretty much correct, yes, sir.</p> <p>22 Q. No member of the Alabama legislature's</p> <p>23 reapportionment committee, including its chairs,</p> <p>24 had any input into that plan; isn't that correct?</p> <p>25 A. They had all the input they wanted</p>	<p style="text-align: right;">Page 225</p> <p>1 that came out of -- the map that I gave to the</p> <p>2 chairs that was offered at the reapportionment</p> <p>3 committee was not amended through the process. So</p> <p>4 it was identical to what was passed into law and</p> <p>5 signed by the governor.</p> <p>6 Q. Okay. So let me just go over -- I</p> <p>7 think I'm about finished here. I want to make sure</p> <p>8 I understand what your testimony is.</p> <p>9 You considered no other plans that did</p> <p>10 not have a zero deviation; is that correct? You</p> <p>11 never considered drawing a plan that did not have a</p> <p>12 zero deviation?</p> <p>13 A. That's correct. My understanding and</p> <p>14 -- my understanding of the guidelines required us</p> <p>15 to be at zero deviation.</p> <p>16 Q. And you understood, didn't you, that</p> <p>17 Jefferson County was now at a population level that</p> <p>18 was smaller than an ideal congressional district</p> <p>19 and, therefore, no longer needed to be split? You</p> <p>20 were aware of that, weren't you?</p> <p>21 A. I'm aware of it. I'm not sure I</p> <p>22 focused on it. But what you say is true.</p> <p>23 Q. It wasn't -- it wasn't a priority for</p> <p>24 you to try to make Jefferson County whole? That's</p> <p>25 what you're saying?</p>

December 09, 2021

<p style="text-align: right;">Page 226</p> <p>1 A. That's correct.</p> <p>2 And, frankly, when I started the</p> <p>3 meetings, I didn't even -- at the time I started</p> <p>4 the meetings -- subsequently I realized it. But at</p> <p>5 the time I started the meetings, I actually thought</p> <p>6 that both Representative -- Congresswoman Sewell</p> <p>7 and Congressman Palmer both lived in Jefferson</p> <p>8 County. As I turned out, he had -- Representative</p> <p>9 Palmer had moved over the last few years into</p> <p>10 Shelby.</p> <p>11 But at the time, I would have thought</p> <p>12 that that wasn't possible under our guidelines.</p> <p>13 Because when I started the process, I thought they</p> <p>14 both lived in Jefferson County.</p> <p>15 Q. But, in fact, you found out that</p> <p>16 Congressman Gary Palmer lives about three blocks</p> <p>17 south of the Jefferson County line in Shelby</p> <p>18 County, and Congresswoman Sewell lives about a mile</p> <p>19 away from where Palmer lives. But she's on the</p> <p>20 Jefferson side of the line in Lake Cyrus, right?</p> <p>21 A. That's correct, yeah.</p> <p>22 Q. But I also understood you to say that</p> <p>23 Congresswoman Sewell considered making her</p> <p>24 residence, for purpose of redistricting, Dallas</p> <p>25 County. Am I correct?</p>	<p style="text-align: right;">Page 228</p> <p>1 perfectly comfortable. But I've -- I've seen in</p> <p>2 other races where, you know, the fact that somebody</p> <p>3 doesn't reside in their district is not a positive</p> <p>4 when you get around to campaigning.</p> <p>5 Q. Okay. I think I'm about done here. I</p> <p>6 need one more look at my notes.</p> <p>7 That's it. Thank you very much,</p> <p>8 Mr. Hinaman.</p> <p>9 A. Thank you.</p> <p>10 MS. MADDURI: This is Lali Madduri for</p> <p>11 the Caster plaintiffs. We don't have any</p> <p>12 questions.</p> <p>13 MR. THOMPSON: I think that's all the</p> <p>14 questions that I have at this time, too. So on</p> <p>15 behalf of all the plaintiffs, I'll pass the witness</p> <p>16 at this time.</p> <p>17 MR. WALKER: Let us have a few</p> <p>18 minutes.</p> <p>19 THE VIDEOGRAPHER: We're off the</p> <p>20 record. The time is 3:34 p.m.</p> <p>21 (Recess was taken.)</p> <p>22 THE VIDEOGRAPHER: We are back on the</p> <p>23 record. The time is 3:39 p.m.</p> <p>24 MR. WALKER: We have nothing to ask</p> <p>25 Mr. Hinaman. So I guess we're done. Thank you</p>
<p style="text-align: right;">Page 227</p> <p>1 A. I'm not sure I would phrase it that</p> <p>2 way.</p> <p>3 When asked what residence -- when</p> <p>4 asked for her residence address so it could be put</p> <p>5 in the computer so that we would make sure she was</p> <p>6 inside her district, she gave us both her address</p> <p>7 where she votes at, which is obviously Jefferson</p> <p>8 County, and her ancestral home. I don't know the</p> <p>9 right way to phrase it. Where she grew up in</p> <p>10 Dallas County.</p> <p>11 Q. She grew up in Selma, right?</p> <p>12 A. Yes. Yes, sir.</p> <p>13 Q. Okay. And you're aware, aren't you,</p> <p>14 that there is no residency requirement for members</p> <p>15 of congress, aren't you?</p> <p>16 A. I am aware. I'm also aware it's</p> <p>17 exceedingly difficult to get elected when you're</p> <p>18 outside of your district. It makes a rather good</p> <p>19 TV spot.</p> <p>20 Q. So even though congress -- Congressman</p> <p>21 Palmer still lives in the city of Birmingham, he's</p> <p>22 in that part that extends into Shelby County, he</p> <p>23 would not feel comfortable representing the</p> <p>24 Birmingham area again; is that right?</p> <p>25 A. I don't know that. He may feel</p>	<p style="text-align: right;">Page 229</p> <p>1 very much, everyone.</p> <p>2 THE VIDEOGRAPHER: This ends the</p> <p>3 deposition of Randy Hinaman. The time is now</p> <p>4 3:40 p.m.</p> <p>5</p> <p>6 (DEPOSITION ENDED AT 3:40 P.M.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Randy Hinaman  
December 09, 2021

Page 230

1 STATE OF ALABAMA )

2 JEFFERSON COUNTY )

3

4 I hereby certify that the above  
5 proceedings were taken down by me and transcribed  
6 by me using computer-aided transcription and that  
7 the above is a true and correct transcript of said  
8 proceedings taken down by me and transcribed by me.

9 I further certify that I am neither of  
10 kin nor of counsel to any of the parties nor in  
11 anywise financially interested in the result of  
12 this case.

13 I further certify that I am duly  
14 licensed by the Alabama Board of Court Reporting as  
15 a Certified Court Reporter as evidenced by the ACCR  
16 number following my name found below.

17 So certified on December 9, 2021.

18

19

20

21

22

\_\_\_\_\_  
LeAnn Maroney, Commissioner

23 ACCR# 134, Expires 9/30/25

24 505 North 20th Street, Suite 1250

25 Birmingham, AL 35203

Randy Hinaman  
December 09, 2021

Exhibits	EX 0010 Randy Hinaman 1209 21	1	12,000
EX 0001 Randy Hinaman 1209 21	8:7 201:15	1	126:24
EX 0002 Randy Hinaman 1209 21	EX 0011 Randy Hinaman 1209 21	14:7,13	123
EX 0003 Randy Hinaman 1209 21	8:10 203:12, 13,15	29:23	62:4
EX 0004 Randy Hinaman 1209 21	EX 0012 Randy Hinaman 1209 21	114:22,23,24	12:57
EX 0005 Randy Hinaman 1209 21	8:12 208:21, 23	122:21 123:9	122:8
EX 0006 Randy Hinaman 1209 21	EX 0013 Randy Hinaman 1209 21	125:19 137:9	13
EX 0007 Randy Hinaman 1209 21	8:14	161:1,2,3	193:15
EX 0008 Randy Hinaman 1209 21	EX 0014 Randy Hinaman 1209 21	176:15	213:16
EX 0009 Randy Hinaman 1209 21	7:19 25:6, 10,11	183:1,2,5	13&14
	EX 0005 Randy Hinaman 1209 21	192:19,20	213:19
	7:21 92:17, 20 110:15,16 219:16	203:22	14
	EX 0006 Randy Hinaman 1209 21	217:23	14th
	7:23 93:10, 14,18	1&2	112:23 113:8
	EX 0007 Randy Hinaman 1209 21	14:3	139:16
	7:25 135:14, 18 147:22	10	150
	EX 0008 Randy Hinaman 1209 21	137:9	61:23
	8:3 160:7,11 167:10,16	201:12,13,15	16
	EX 0009 Randy Hinaman 1209 21	10,000	204:4
	8:5 179:16, 19 189:9	71:23 72:11	17
		100	25:15 205:7, 10
		61:19 119:9	19
		105	224:5
		80:10,14,16, 20	1965
		105-member	140:24 141:5
		65:11	165:13
		10:00	166:13
		88:1	1992
		10:17	24:2,17
		65:22	26:11 27:7
		10:35	28:4 30:7,
		65:25	11,18 31:7,
		11	13 33:7,10,
		203:13,15	23 34:17
		116	35:12 37:19
		201:25	39:14,17
		11:30	40:1 91:6
		121:25	95:10 172:2
		11:42	199:6,7,9
		122:5	221:4,13,18
		12	222:4,12,13, 19
		203:23	1st
		208:21,23	72:19,20,22, 25 87:1

December 09, 2021

123:9,20	45:3,17 46:7	16,17 63:17,	22 224:24,25
	48:11,15,17,	20 64:21	<b>2021-555</b>
<b>2</b>	23 49:19	65:4,15	51:8
	50:12,21	66:3,4,5,23	<b>21</b>
<b>2</b>	53:11,19,24	67:8,11,14,	148:6
14:7,15	77:3,5,8,11,	20 68:14	<b>21-211</b>
96:24 97:16	12,25 85:19	70:22 71:14	201:23
124:1,3,5	93:15,19,22	74:16,19	<b>217</b>
125:19 138:9	94:9,13,25	75:16 76:2	62:4
141:2,15,18,	95:15 100:5,	78:9 79:3,8	<b>23,000</b>
22 142:14,19	8 114:22	80:1 83:14,	207:13
144:5,8,14,	116:16	16,24 84:2	<b>23rd</b>
25 146:5,6	124:22	85:7,23	61:11
147:22	125:13	86:5,14	<b>24</b>
161:12,13,14	159:16	87:15,20	48:8
183:1 189:2	171:3,9,12	88:11 91:13	<b>25</b>
205:17	173:16	92:22,25	22:4,9 150:5
214:24 215:8	209:3,7	93:4,24 94:5	<b>26</b>
<b>20</b>	222:9,15,18	95:16 98:18	151:5
24:8 147:22	224:7,17	99:21 100:9,	<b>2:21-CV-</b>
179:1	<b>2012</b>	14,16 101:7,	<b>01530-AMM</b>
<b>20,000</b>	23:20,23	9,14 106:7,	9:14
213:9 214:4	<b>2013</b>	9,12,13,16,	<b>2:28</b>
<b>200</b>	22:4,9,18	18 107:12	197:14
62:10	25:16	110:18 111:3	<b>2:47</b>
<b>200,000</b>	<b>2018</b>	120:1 121:1,	197:17
55:24	22:23	7 123:3	<b>2nd</b>
<b>2001</b>	<b>2019</b>	124:23	72:23,24
26:13,24	56:21 57:9	129:19 132:3	87:1 124:13
27:14,24	59:9 66:6	134:11	125:14
28:11 29:4,	<b>2020</b>	135:22 136:7	134:25
22,25 30:4	51:18,19,20	137:6 156:10	161:24
38:17 39:13,	52:12,21	160:15,23	
17 40:1,4	53:19 54:4	167:17,21,25	
89:7 95:5	55:13,17	169:3	
126:20	57:11 62:22,	172:13,25	
159:14	23 202:7	173:21,24	
222:11	203:3 207:1	174:16	
<b>2002</b>	<b>2021</b>	176:19	
222:17	9:7,17	179:23 180:3	
<b>2011</b>	39:12,16	183:16	
23:20 26:12,	40:6 48:3,5	194:15 195:6	
13 37:22	51:2,5,12,	196:14	
38:11 39:13	16,19 53:20	200:14,15	
40:3,7,9,15	57:18 58:9	205:14	
42:13,18	59:22 60:9,	207:20	
43:5 44:5,25	12,24 61:5,	217:23	
	15,20 62:14,	221:14,21	
		222:2,3,14,	

**3****3**

21:19,24  
95:17 124:9,  
12 126:8,25  
147:21  
162:1,3,4  
195:1 215:9

**30**

31:2 33:11,  
22,24 200:6

**30,000**

207:11

Randy Hinaman  
December 09, 2021

<b>317</b> 78:17 <b>33267</b> 18:11 <b>35</b> 81:13 <b>36561</b> 18:12 <b>3:34</b> 228:20 <b>3:39</b> 228:23 <b>3:40</b> 229:4,6 <b>3rd</b> 94:19 124:4 126:19 130:17 162:12 188:14,15 194:5 <hr/> <b>4</b> <hr/> <b>4</b> 25:6,11 91:23 115:8, 9,11 127:5 162:13,15,16 194:20,25 204:11 213:7 219:24 220:8,9,11, 13,21 <b>40-hour</b> 63:2 <b>41</b> 47:3,8,10 179:9 <b>42,770</b> 213:8 <b>43</b> 207:14 <b>43,000</b> 205:8 <b>471</b> 215:7,19	<b>49.79</b> 216:24 <b>4th</b> 96:15 156:2 224:18 <hr/> <b>5</b> <hr/> <b>5</b> 91:23 92:17, 20 110:15,16 115:6,7 128:18,23 163:1 194:19,25 204:3,9,14 219:16,23 220:8,9,11, 22 <b>5-5-57</b> 18:9 <b>50</b> 34:12 195:10,17 196:1 <b>50,000</b> 55:21 <b>501(c)(4)</b> 53:10,16,21 86:3 <b>53,000</b> 211:19 <b>54</b> 207:12 <b>54,000</b> 210:17,19 <b>54.22</b> 118:12 <b>55</b> 219:14 <b>550</b> 134:5 <b>555</b> 219:14 <b>5th</b> 127:8,9 135:21	136:15 206:15 207:12 <hr/> <b>6</b> <hr/> <b>6</b> 93:10,14,18 116:19 126:22 127:24 130:4 132:5 133:10 138:10 163:9,11 167:7 172:5, 9 176:15 186:1,14 195:2 214:19 220:2 <b>60</b> 44:7 <b>62</b> 169:15 170:4 <b>62,519</b> 213:4 <b>6th</b> 138:5 194:5 224:19 <hr/> <b>7</b> <hr/> <b>7</b> 25:21 30:1, 17 32:2,5,15 33:23 35:12, 23 36:5 42:19 43:6 44:6,14 45:2,19,20 46:7 48:15 95:1,4,9 96:3 97:6, 14,15,21 104:5 114:2, 22,25 115:3 116:12 117:7 119:13	123:8,13,22 124:3 128:7 132:6 133:9 135:14,18 138:8 147:22 163:16,18,19 170:7,8,22, 25 171:12 172:1,14,18 173:1,24 174:8,18,21 175:3,5,13 183:2 185:25 186:3,16,17 192:22 194:17 195:3,10 209:8 211:20 212:18 213:4,10 214:3,4,15, 19 216:25 217:2 220:1 <b>703 598-8383</b> 19:1 <b>717,000</b> 73:7 <b>739</b> 73:5 123:15 124:17 183:5 184:4,6 205:18,19 <b>7th</b> 95:23 96:14 124:21,25 125:14 130:19,20 166:15 183:20 185:7 207:11 <hr/> <b>8</b> <hr/> <b>8</b> 160:7,11 167:10,16
--	--	---	--



December 09, 2021

<b>9</b>	<b>accommodations</b> 92:3	<b>added</b> 44:21 102:14 145:25	<b>adjusting</b> 140:10
<b>9</b> 9:7,17 179:16,19 189:9	<b>accomplish</b> 155:17 223:15	162:18 166:14 186:16 192:14	<b>adjustments</b> 189:9 <b>administrative</b> 68:11
<b>90s</b> 27:10	<b>account</b> 19:2 34:14 86:10 100:4	<b>Adderholt</b> 104:17 127:4	<b>admit</b> 202:4
<b>93</b> 199:9	148:4 175:11,16 187:5	128:15 134:17	<b>adopted</b> 26:10,16 27:6 199:7
<b>9:00</b> 105:19	<b>accurate</b> 26:20 60:22 72:5 208:1,6	<b>adding</b> 98:1 130:22 145:12 158:7	221:4
<b>9:13</b> 9:17	<b>achieve</b> 197:24 205:25 216:9	172:18,22 186:21	<b>advice</b> 199:24 200:23 202:24
<b>A</b>	<b>achieved</b> 216:5	<b>addition</b> 80:19	<b>advised</b> 198:15,24 200:8
<b>a.m</b> 9:17	<b>acknowledged</b> 218:14	<b>additional</b> 22:18,19 83:7 114:14,	<b>affiliation</b> 35:10 41:25 176:9
<b>a.m.</b> 65:22,25 122:5	<b>Act</b> 31:23 51:8 99:10 112:23 113:7 140:23	140:18 183:3 211:20	<b>afraid</b> 22:20
<b>abilities</b> 137:2	141:2,5,16, 19 142:15,20 143:11	<b>additions</b> 166:9	<b>African</b> 32:8 33:17 170:15 171:24 196:5
<b>ability</b> 74:5	144:5,9,15 145:1,5 149:12,25 165:4,12 166:13,17,21 167:9 189:3	<b>address</b> 18:10,13 22:16 117:17 130:12,14 227:4,6	<b>afternoon</b> 15:11 197:21,22
<b>able</b> 33:2 56:15 63:15 68:8 76:18 82:19 85:11 95:17 96:9 207:25	<b>acting</b> 9:3	<b>addresses</b> 19:6 117:14, 16,20 150:15	<b>age</b> 32:6,17 33:18 34:3, 8,15 35:10 44:7,10 49:7 74:10 83:2 112:18,20 117:6 119:12,22 135:7 175:12,17 195:11,17 216:23
<b>above</b> 9:8 34:12 114:13 140:17	<b>action</b> 31:11	<b>addressed</b> 189:22	
<b>Acadome</b> 103:18	<b>actual</b> 66:15 84:9 125:24	<b>addresses</b> 19:6 117:14, 16,20 150:15	
<b>accepted</b> 131:20	<b>add</b> 45:8 96:1 117:12 128:7 145:20 146:2 159:6 196:5	103:15 104:6,9 107:17 115:8 146:12	
<b>accommodate</b> 91:19		<b>adjust</b> 207:1	
<b>accommodation</b> 117:23		<b>adjusted</b> 210:13	<b>aggregate</b> 42:3,7

Randy Hinaman  
December 09, 2021

<b>ago</b> 13:2 18:21, 22 23:10,20 24:7,8 31:3 33:12,22,24 38:14 44:19 45:4,14 50:15 90:14 162:18 200:6	115:6,21 116:6,7 120:1 147:5, 13,14 153:10,18 170:12 171:12 178:6 201:1,5,21 202:19 203:2,10,22 206:12 211:9 222:24 223:17,22	<b>amendments</b> 180:18 <b>American</b> 22:23 32:8 170:15 171:24 <b>Americans</b> 196:5 <b>amount</b> 80:25 81:19, 24 162:22 <b>analysis</b> 167:24 168:3,6,11, 21 169:2 186:10 191:22 <b>analyze</b> 144:3 <b>ancestral</b> 227:8 <b>and/or</b> 146:12 <b>annex</b> 125:8,21,23 <b>announced</b> 67:19 <b>answer</b> 13:10 31:4 58:17,19 104:15 107:5 108:8,12,17, 23 109:17 131:20 138:24 148:10 162:23 173:3 177:5,16,24 178:10 181:11 187:9 195:21 197:5 202:22,24 204:25 217:11 <b>answered</b> 150:18	<b>answering</b> 12:2 13:18 <b>answers</b> 208:1 <b>anybody</b> 17:13 59:21 70:10 129:20 184:16 186:6 188:2 189:25 200:9,16,17 <b>anymore</b> 95:18 174:14 <b>anyone</b> 15:18 17:5, 10 37:9 50:7 53:16 57:24 83:13 87:16 101:13,23 106:17,22 120:10,12 121:2,5,11 138:19 143:4,9 144:2,7 148:25 149:5 164:8,13 168:20 169:1 177:13 178:1 204:21 221:10 <b>apart</b> 149:19 <b>apologize</b> 46:8 62:12 <b>app</b> 213:23,24 <b>appears</b> 147:11 170:8,22 171:13 <b>applied</b> 150:25 <b>applies</b> 150:22 <b>apply</b> 63:17 64:2 139:11
<b>agree</b> 52:8 92:11 170:21 171:11 178:4 205:24 206:5 214:8 <b>agreed</b> 169:7,19,23, 25 <b>agreement</b> 17:19 44:3 107:9 120:7 <b>ahead</b> 37:22 38:9 50:23 51:2 121:17 172:13 177:19 182:8 209:24 <b>Air</b> 115:22 <b>Alabama</b> 9:2,3,16 12:13,22 18:11,14 22:16 23:6, 20 24:2,10, 18 25:11,16, 17 26:9,14, 22 27:10 30:13,22 33:12 53:15, 23 58:15 59:21 60:8 67:21 69:6 75:12 77:14 86:14 89:19 112:19 113:12	<b>Alabama's</b> 202:7 <b>Alabamians</b> 53:3,8 <b>ALBC</b> 12:21 25:11 <b>algorithm</b> 202:9 <b>allow</b> 70:10 197:10 224:1 <b>allowable</b> 151:16 <b>allowed</b> 56:25 59:8 131:2 133:7 148:20 151:7 186:18 209:22 <b>alter</b> 44:23 <b>amazing</b> 13:14 <b>amenable</b> 41:1 <b>amend</b> 134:20 <b>amended</b> 140:24 165:13 221:9 225:3 <b>Amendment</b> 112:23 113:8 139:16		

Randy Hinaman  
December 09, 2021

147:12,24 149:6 <b>apportioned</b> 206:13 <b>approached</b> 51:15,21 <b>approaching</b> 121:15 <b>approval</b> 38:21 <b>approve</b> 36:10 <b>approved</b> 36:8 136:4 140:17 <b>approximately</b> 23:9 179:9 <b>April</b> 58:19 59:6 63:17,20 67:20 <b>area</b> 89:15,23 91:16 92:4 97:4 115:14 125:16 127:15 154:3 156:1,25 162:17 186:2,14 227:24 <b>areas</b> 32:7,19 33:3 45:8,11 71:3 75:9 89:15, 19 102:13 114:7,17 128:3 132:4 152:13,16,18 162:11 164:21 212:14 224:2 <b>argument</b> 219:19 <b>around</b> 52:11 54:3 55:16 57:10,	11 59:12 65:13,15 67:19 82:18 136:14 208:18 224:16 228:4 <b>arrangement</b> 18:2 216:16 <b>array</b> 219:23 220:6 <b>arrived</b> 82:17 <b>asked</b> 23:15 30:20 31:12,15,19 36:11,16 46:24 51:24, 25 112:25 113:6,11 117:13 119:20 134:24 135:6,8 140:7 142:17 149:3 168:18 172:14,17 174:17 175:2,15 176:11 177:18,20 184:16,22 186:5,10 188:2,7 189:25 190:3 192:2 199:21 208:13 227:3,4 <b>asking</b> 10:9 13:4,6 19:24 36:9 69:13 101:20 113:22 118:17 149:4 171:8 196:24 197:1 199:24 209:17,20 218:19 220:5	<b>asserted</b> 11:15 <b>asserting</b> 177:1 <b>assess</b> 35:9 176:8 <b>asset</b> 176:23 <b>assigned</b> 73:22 <b>assigning</b> 32:10 <b>assist</b> 101:23 <b>assisted</b> 24:5 101:25 <b>assisting</b> 24:9 <b>Association</b> 22:23 <b>assume</b> 12:12 13:10 17:12 18:2 57:25 59:16 80:19 104:25 194:12 196:3 <b>assumed</b> 117:9 118:19 130:1 <b>assuming</b> 121:8 <b>assumption</b> 39:25 40:2 118:21 <b>ASU</b> 116:7,8 <b>attempt</b> 177:22 207:19 208:9,12 209:6 <b>attempted</b> 209:2,12 <b>attempting</b> 210:23 <b>attend</b> 88:10,17	<b>attended</b> 19:13 <b>attention</b> 66:19 <b>attitudes</b> 34:22 175:19 <b>attorney</b> 10:25 15:19 17:15,17,20 18:3 106:25 107:2 <b>attorney-client</b> 108:4,6,18, 22 109:14 176:24 177:2 <b>attorneys</b> 9:18 15:4 <b>August</b> 57:2,4 64:24 65:4 68:9 74:16,19 75:15 76:2 79:3,8,11 80:1 82:18 83:13 84:2 85:7 <b>Autauga</b> 161:18 <b>authorized</b> 101:19 <b>available</b> 41:12 48:20 82:24 83:5 143:20,21,25 206:22 <b>avoided</b> 150:6 <b>aware</b> 50:11 130:23 167:23 182:10 187:4 189:24 203:2 211:7,12,16 217:17 225:20,21 227:13,16
---	---	--	--

Randy Hinaman  
December 09, 2021

	156:4 161:4	160:12	<b>believed</b>
<b>B</b>	<b>ball</b>	179:21	108:21
	113:1	<b>bay</b>	<b>below</b>
<b>back</b>	<b>bar</b>	153:6 156:5	195:10
18:6 24:17	192:15	<b>Beach</b>	<b>belt</b>
30:7 37:24	<b>Barfoot</b>	18:11 20:22	35:15
39:13 47:7,9	180:19	<b>began</b>	154:14,17,22
48:11 55:8	190:16,22	58:8 59:12	155:1,5,16
61:17 65:24	191:1,25	65:12 94:5	163:20
67:13 69:5	192:10	206:9	170:10
71:15,19	<b>base</b>	<b>begin</b>	209:13 210:6
76:16 82:3,	94:23 115:22	11:11 57:13,	<b>Ben</b>
12 84:5,14	125:4,24	17 60:11	22:21
88:23 96:19	126:2	63:15 64:20	<b>best</b>
98:6 102:11	<b>based</b>	<b>beginning</b>	13:17 127:11
103:14,21	38:17 40:19	9:12 60:17	137:1 181:20
115:2 118:4	60:18,20	64:16 79:17	<b>better</b>
122:7 123:12	64:25 66:12	114:24	125:10
126:12,20	68:6 70:25	212:23	171:23 172:5
127:15	73:16 84:12	<b>beginnings</b>	<b>bill</b>
129:17,22,25	97:25 100:9,	66:3	17:14,16,22
130:7 140:1	12,17,20	<b>behalf</b>	26:5 104:19
164:16	101:3 103:10	9:20 51:23	110:2 134:23
167:15 172:2	104:16	129:21	<b>billed</b>
179:5 185:21	105:5,11	228:15	17:13
186:3,16	106:10	<b>behavior</b>	<b>Birmingham</b>
195:1,2,24	131:22	42:15	9:2 69:20
196:1,7	145:14 146:3	<b>belated</b>	227:21,24
197:16	162:24 166:5	136:20	<b>birth</b>
198:13 205:3	208:5 213:1	<b>believe</b>	18:8
210:2 220:21	217:7 223:4	15:20 16:15	<b>birthday</b>
228:22	<b>basically</b>	22:5 26:6	136:18,20
<b>background</b>	54:19 79:14	28:20 29:12	<b>bit</b>
18:7 21:23	98:4 123:19	30:14 31:21	16:12 18:7
107:24	148:1 159:1,	33:12 35:11	21:23 38:13
<b>bad</b>	12 174:14	38:8 42:1	44:24 45:16
61:3	180:24	50:10 51:8	70:11 92:15
<b>Baggett</b>	185:11	55:7 69:20	104:16
10:23,24	190:7,25	75:14 83:6	121:16
<b>balance</b>	194:24 195:3	101:16,19,22	124:9,14
124:9	206:1	140:21 143:3	128:5 130:11
<b>balanced</b>	<b>basing</b>	145:4 160:21	<b>black</b>
99:5	118:20	170:12 171:2	25:16 30:2,
<b>balancing</b>	<b>basis</b>	187:15	5,12 31:13
220:10	35:17 145:1,	192:19	32:3,6,13,
<b>Baldwin</b>	3 196:4	195:15	16,20 33:2,
89:20 91:16	<b>Bates</b>	206:23 218:9	18 34:3,7,
152:13 153:7	135:20		

Randy Hinaman  
December 09, 2021

11,15 35:10, 15 36:6,12, 15,21,22 37:7,12 42:20 43:7, 10 44:7,9,14 45:12 46:1 49:7,9,19 50:3,8,13,20 74:9 111:25 112:17,20 117:6,11 118:19,23 119:12,21 135:7 142:6 154:14,17, 20,22 155:1, 5,16 163:20 170:10,11 172:12 174:9 175:12,17 176:18 177:9 178:2,5,19 188:17,20,22 189:21 193:4,6,10 194:10 195:11,16 196:25 209:13 210:6 216:23	<b>block</b> 33:20,21 83:3 134:5 138:16 151:14 215:21 <b>blocks</b> 133:24 151:21 226:16 <b>Blount</b> 127:23,25 130:7 195:2 214:12,20,21 <b>blue</b> 202:4 <b>board</b> 52:6 54:12 56:18 64:13 65:5,7,12 75:2 80:12 81:8,16,23 139:10 <b>Bob</b> 22:22 <b>body</b> 17:1 190:2 <b>bottom</b> 135:21 156:20 166:23 <b>bought</b> 18:20 <b>BRAC</b> 125:4 <b>brain</b> 46:17 <b>break</b> 13:22,23 65:19 121:17,25 122:2,6 197:9 <b>breakdown</b> 98:24 <b>breakdowns</b> 98:23	<b>brief</b> 170:17 <b>briefly</b> 16:7 21:7 114:15 120:5 126:9 190:15 191:24 <b>bring</b> 220:23 <b>broader</b> 216:5 <b>broke</b> 122:9 <b>broken</b> 33:19 <b>Brooks</b> 68:23,24 70:17 84:23 128:22 129:1,20,21 134:17 <b>buildings</b> 70:9 <b>Bullock</b> 155:4 <b>bureau</b> 56:20 58:19 59:4 60:7 67:19 201:22 <b>BVAP</b> 74:6 112:12 118:10 134:24 135:8 216:23 <b>BVAPS</b> 143:19 190:10	130:25 132:9 198:15 <b>Callahan</b> 23:25 24:19 28:8 29:15 30:21 31:17 36:18 <b>Callahan's</b> 28:16 <b>called</b> 19:19,21 55:20 61:15 77:14,16 129:22,25 204:18 <b>calls</b> 54:9 83:21 84:6,13,15 85:1 102:25 103:3,5,11 105:5,9 195:19 <b>campaign</b> 20:2,6 21:12 22:22 23:1 <b>campaigning</b> 228:4 <b>campaigns</b> 21:11 44:1 <b>candidate</b> 112:14 142:9 168:8,9 <b>candidates</b> 21:13 210:24 211:11 <b>capable</b> 101:18 <b>capital</b> 77:20 <b>capsulize</b> 122:25 <b>capture</b> 207:8 <b>captured</b> 207:4,15 <b>capturing</b> 207:17
<b>blacks</b> 210:24 211:10 <b>Blacksher</b> 10:8 16:11 197:19,20 198:7,11 201:4,8,11, 18 203:8,12, 18 204:5 208:17 209:20 210:1 213:11 221:8 <b>Blain</b> 10:6 <b>blanking</b> 116:5		<hr/> <b>C</b> <hr/> <b>Calhoun</b> 162:4 <b>call</b> 54:7 69:17, 19,21,23 85:3,4 87:2 112:2 129:24	

December 09, 2021

<b>cards</b> 124:17	74:16 76:3 77:24 82:5	<b>challenging</b> 70:11	113:7,15,24 115:5,14,20
<b>care</b> 131:24	84:9 133:24	<b>chance</b> 170:19	116:15 118:16
<b>Carl</b> 111:6 122:20 134:16 192:20	138:16 151:14,21 177:11 201:22 202:6 203:4 206:17,21,25	192:18	124:12,13 128:21 130:19 142:18 145:12 158:18 173:12,23 175:2,4 181:3,7,10 183:7,12,14, 15,18 184:2, 13 186:4,11, 25 189:11,12 194:25 195:2 207:4 212:16 214:15,16 220:13 224:20
<b>cascade</b> 115:5	<b>Center</b> 186:2	<b>change</b> 23:3 38:5,7 39:11 41:17 72:3 73:18 85:18 92:6,8 101:20 104:15,20 105:2,21 110:21 117:24 123:18 156:6 180:25 183:4 185:5,20 189:17 190:24 191:2,3 192:10,12 219:20 220:6,16 221:1	<b>changing</b> 146:17 219:23
<b>case</b> 9:14 11:16 23:15 54:25 85:23 87:2 112:21 139:24 142:2 170:1 184:5 206:4,23 219:18	<b>certain</b> 20:14 34:2,7 100:17 109:12 117:6 119:4,6,9 138:20 157:4 175:8	<b>changed</b> 22:13,15,16 56:7,14 99:6 120:22 128:19 182:17 190:12	<b>characteristi cs</b> 34:15 175:12
<b>cases</b> 205:14 223:12	<b>certainly</b> 47:5 58:2 59:4 74:4 79:19 89:10 96:12,16 100:24 101:18 109:5 121:10 150:10,24 152:24 162:19 192:20 200:6	<b>changes</b> 28:15 29:12, 19 38:17 44:25 46:7 54:15 57:21 71:6,7 84:18 86:10 91:19 99:2,4 100:4,5,8,9, 12,17,18,20, 22 101:3,9, 11,14,21 103:4,9 104:25 105:4,6,11 110:1,6,9	<b>chart</b> 213:16
<b>Caster</b> 10:12 228:11	100:24 101:18 109:5 121:10 150:10,24 152:24 162:19 192:20 200:6		<b>Cherokee</b> 126:10 195:1
<b>Caucus</b> 25:16	<b>certificates</b> 20:11		<b>Chestnut</b> 170:17
<b>caused</b> 202:15	<b>certify</b> 9:4		<b>chief</b> 23:25 68:23 70:19 84:7 129:5,19,22 131:3,8,13, 14 134:11
<b>CD</b> 170:7 216:25 217:2 220:21,22	<b>chain</b> 222:10		<b>chiefs</b> 121:9,11
<b>cell</b> 18:24	<b>chair</b> 11:13 52:15, 16 184:21 188:6 190:3		<b>Chilton</b> 124:12 126:24 130:17
<b>census</b> 15:23 32:22, 24 39:3,4 55:11 56:9, 14,16,20 57:1,3,5,15 58:18 59:4 60:6,19 63:16,22 64:5,8,23 66:6 67:11, 16,19 68:7 71:8,17	<b>chairperson</b> 188:9		<b>Choctaw</b> 155:2 163:21
	<b>chairs</b> 9:25 52:14 54:10 74:21 86:17 204:22 223:23 225:2		



Randy Hinaman  
December 09, 2021

<b>choice</b> 86:6 112:15 142:9 145:2 168:8 210:24 211:11	171:8,15 173:15 220:3	<b>come</b> 25:1 29:16 49:9 71:17 75:9 88:23 92:12 129:3 134:17 140:4,6 141:12 142:10 145:20 151:19 153:20 157:24 158:6 159:17 196:1 216:19	223:4,23 225:3
<b>choose</b> 104:8 128:10,13 138:2	<b>clearly</b> 167:8	<b>committee's</b> 107:2 203:21	<b>committees</b> 90:24
<b>choosing</b> 32:15 132:21,22 133:4	<b>clerk</b> 10:25	<b>common</b> 41:15	<b>communicating</b> 218:8
<b>chose</b> 128:11 224:1	<b>clients</b> 22:18,19 43:9,13 62:21,25	<b>communication</b> 108:6	<b>communication</b> <b>s</b> 88:7 108:7
<b>Chris</b> 10:1 11:14	<b>Cline</b> 22:21	<b>comes</b> 49:8 152:20 159:18,21 188:1	<b>communities</b> 152:7,15,17, 23 153:8,9, 13,18,19,23, 25 154:5 155:10,12, 21,24 156:12,15, 17,22 157:3, 10 165:24
<b>chunk</b> 127:23	<b>close</b> 50:5 66:14, 16 73:14 79:22 149:18 151:22 214:6	<b>comfortable</b> 29:20 118:15 125:2 130:18 178:15 227:23 228:1	<b>community</b> 35:13,15 89:18,21 97:14 129:11 153:1,3 154:13 155:6 156:8,24 203:10,22
<b>circumstances</b> 157:4	<b>closed</b> 70:9	<b>comment</b> 37:11 118:15 181:21 188:7	<b>compact</b> 124:21 130:21 132:16 133:2 141:25 142:3,5 146:8,20 149:20 172:19 173:4,11 174:2 193:9
<b>citizens</b> 53:2,7 73:7 104:3 114:14	<b>closer</b> 73:23 114:8	<b>comments</b> 89:2,5	<b>compactness</b> 157:19 186:20 193:13,14,18
<b>city</b> 227:21	<b>closing</b> 125:4 126:3	<b>Commerce</b> 201:6	
<b>Civil</b> 9:5,14	<b>clue</b> 113:24	<b>commission</b> 125:4	
<b>Clair</b> 162:5 220:14	<b>co-chairs</b> 59:23 86:16 88:22 99:12 136:11	<b>commissioner</b> 9:3	
<b>clarification</b> 64:1 173:22	<b>Colbert</b> 220:20	<b>committee</b> 9:25 11:13 12:8 15:24 26:17 48:10 67:2 110:4, 5,7 120:16, 20 135:19 136:4 165:8 167:11 178:20 200:21 204:22 213:3 217:24	
<b>clarify</b> 108:20 169:25	<b>Coleman</b> 16:14 190:15 191:24 192:16,17		
<b>clarifying</b> 77:10	<b>Coleman's</b> 180:15		
<b>Clarke</b> 114:21 115:2 123:7,12,22 221:19,23,24	<b>colleagues</b> 87:23		
<b>Clause</b> 139:16	<b>college</b> 125:17 203:10,22		
<b>clear</b> 51:1 56:5 73:20 74:3 119:8 122:23	<b>color</b> 144:21,23		
	<b>combination</b> 129:14 191:10		



Randy Hinaman  
December 09, 2021

<b>companies</b> 21:16 114:11	165:12	<b>concern</b> 189:4	200:18,25
<b>company</b> 20:21,23 21:5 22:15 23:2,3 52:23	<b>complicated</b> 161:15	<b>concerned</b> 184:8,9	206:3,12
<b>compare</b> 219:13	<b>complied</b> 138:12 143:10 145:23 150:13 151:25	<b>concerns/ discussion</b> 58:15	224:2,23 227:15,20
<b>comparing</b> 205:7,12	<b>complies</b> 140:12 142:14 143:15 144:4,8,14 147:1 155:9	<b>concert</b> 31:17	<b>congressional</b> 23:21 26:10, 12,13,15 27:6,10,13 29:22 30:1, 7,11,12 37:22 38:11 39:6 40:9 42:19 43:6 44:6 45:18 48:12,16,17, 24 49:19 51:6,12,16 52:2,5 54:11 56:25 57:14 58:13 59:18, 25 60:9,12, 24 61:6,19 63:16 66:5, 24 67:20,24 68:5,15,16 69:2 75:3 80:25 81:9, 25 83:16,20, 23,24 85:19, 21 86:9,15 87:13,15,20 88:11 90:3 91:13 92:25 93:4,15,19, 23,24 94:6, 9,25 95:5, 10,16 99:21 100:6,9 105:17 106:10,13,18 107:12 110:19 111:3 119:23 120:2 121:2,7 123:3 128:1 132:3 134:12 136:8 137:6, 15,22 139:11,24
<b>compelled</b> 200:3	<b>comply</b> 99:9 112:22 113:7 139:15 140:16 141:1 144:25 148:4 150:20 152:3 158:4 164:24 178:19 193:20 194:2	<b>concluded</b> 142:19	
<b>compelling</b> 165:10	<b>component</b> 171:16	<b>conditions</b> 108:17	
<b>compensated</b> 17:10 18:1	<b>comported</b> 189:2	<b>conducted</b> 168:11	
<b>compensation</b> 55:2 56:3 57:23	<b>composed</b> 146:7	<b>confident</b> 119:5,7,8	
<b>compilation</b> 192:13	<b>comprehensibl e</b> 172:20	<b>confirm</b> 92:9 117:10 144:4	
<b>compilations</b> 191:4	<b>computer</b> 76:11,19,22 77:12 78:1, 10 79:10 82:13 98:1 101:11,14 227:5	<b>confirming</b> 41:21	
<b>complaint</b> 202:1 221:9	<b>computers</b> 33:12 76:17 78:12 80:4	<b>conflict</b> 72:7 149:14, 22 152:20 155:20 157:25 165:14,19 166:5,11,16, 18 167:2	
<b>complaints</b> 16:1	<b>concentration</b> 32:8,20	<b>conflicts</b> 86:25 165:23 166:4	
<b>complete</b> 50:15 61:7 104:14 113:18,21	<b>conceptually</b> 113:14	<b>confused</b> 209:19	
<b>completed</b> 19:12 60:24 61:5 102:2, 19,24 104:12 105:8,14 106:11 107:11 110:13		<b>confusion</b> 90:21	
<b>completely</b> 60:22 72:5 214:3		<b>congress</b> 21:12 24:18 40:10 43:14, 17 56:18 58:16 59:7 64:6 65:8,14 66:21 67:7 80:11 84:7 103:6 107:16 120:6	
<b>compliance</b> 140:23 143:23 152:9			

December 09, 2021

142:2	125:5,15,21	140:19	<b>consultant</b>
145:21,23	126:5,7	147:8,16	21:8 24:1
147:12,17	127:4	148:13 153:9	<b>consultation</b>
148:19	128:15,22	155:5 161:6,	196:2
150:21	129:1,20,21	13,20 162:2,	<b>consulting</b>
151:18	130:3 131:4,	14 163:17	20:19 21:9
155:17	8,16 132:12	164:3,7	58:6
158:13	133:14	167:20	<b>contained</b>
160:14,15,22	134:10,22	174:17,20	37:12
167:18,21,25	180:25 181:4	176:11,14,	<b>contend</b>
169:3 170:8	182:24 183:9	17,22 177:6,	109:14
171:5,12	184:5 226:7,	8,13,18	<b>content</b>
172:13,25	16 227:20	204:15	15:3
174:16	<b>congressmen</b>	207:23	<b>Contests</b>
176:19	23:22 58:21	212:8,9	150:6
179:2,11,23	80:18 92:11	216:11,16	<b>contexts</b>
180:3,23	105:18,23	<b>considerable</b>	202:11
181:6,24	121:11	58:14 97:4	<b>contiguity</b>
184:11,17	122:11	161:25	151:7,8,12
185:9,16	134:16	162:21 163:6	<b>contiguous</b>
194:13,15	<b>congresspeople</b>	<b>consideration</b>	36:4 142:5
196:8,9,14,	125:9	100:23 165:9	146:7,11
21 198:19	<b>Congresswoman</b>	<b>consideration</b>	147:25 174:3
200:20	43:8 45:7,25	<b>s</b>	<b>contingent</b>
202:7,17	69:5 101:1	144:21 146:2	56:4
204:9 206:10	103:12	160:4 187:5	<b>continuation</b>
209:8 218:14	122:16	<b>considered</b>	28:3
222:25	132:13	30:4 35:22	<b>continue</b>
223:17 224:9	210:10,12,	107:1	118:23 159:7
225:18	16,22 216:12	167:12,17	<b>continued</b>
<b>congressman</b>	217:12 218:8	210:6 217:10	53:20
22:21 23:25	219:2 226:6,	225:9,11	<b>continuing</b>
24:19 27:20	18,23	226:23	39:23
28:8,16	<b>connected</b>	<b>considering</b>	<b>continuity</b>
29:15 30:21	200:10	132:24 133:4	148:20
31:16 36:17	<b>connecting</b>	163:23 212:6	<b>continuously</b>
43:24 68:24	151:17	<b>consistently</b>	162:12
69:8,22,25	<b>connects</b>	161:24	<b>contract</b>
70:5,17	151:14	<b>constituents</b>	43:16,19,21
72:22,24	<b>consensus</b>	101:6	52:17,19,22
94:19	60:4 75:2,3	<b>Constitution</b>	54:3,5,7,22
104:17,18	<b>consider</b>	139:17 141:3	55:3,6,8,18,
111:5,6	37:6,18	147:6	20 56:8 62:2
113:25	48:12,14,19	<b>constrained</b>	113:4
116:11 117:3	49:18 96:23,	199:15	<b>contracted</b>
118:5	24 105:6	<b>consult</b>	53:1,13
119:18,19	106:24 107:3	21:10 41:3	136:25
121:9 122:15			
123:20,25			

December 09, 2021

<b>control</b>	163:2,3,13,	105:2 106:1	24 195:13
28:17	17,19,24	110:16,17	196:2
<b>controlled</b>	164:3,8,14,	118:6 123:6	198:21,23
27:19	19 211:22	139:12,13	199:12
<b>conversation</b>	212:19	140:3 147:15	202:18 203:1
108:21 120:4	222:4,18	150:23	204:22,25
143:14	<b>cores</b>	151:2,3	209:21
<b>conversations</b>	39:15 93:25	160:24	<b>counsel's</b>
58:12	157:23	165:16,17	202:23
104:16,17	158:22	171:6 172:3	<b>counties</b>
108:24	159:1,19	174:25 175:1	32:10 42:4,7
109:2,3	164:17	183:10,11,17	44:18 64:18
122:10	178:25	194:13	72:17 73:22
128:15,24	192:21	195:7,8	75:8 89:22
130:5 141:13	212:13	196:16	90:21,25
142:11 183:8	222:9,18	198:18 199:4	96:1 102:10
<b>convinced</b>	223:10	206:11,19,20	114:19
131:5,11	<b>Cornell</b>	207:1,2,3	146:11
<b>cooperate</b>	19:13,18	210:8,14	153:7,22
133:25	<b>corner</b>	211:20,21	154:18,21,25
<b>coordination</b>	160:13	216:13,14	157:5,15,21
68:12	<b>correct</b>	217:22 218:2	158:1,12
<b>Coosa</b>	13:2 16:21,	219:3,24	159:2,13
124:12	22 18:17,18	220:11,24	161:4,9,20
126:19,21	22:9 26:4	221:2,22,23	162:6 163:20
130:16	30:9,13	222:5,6,15,	164:2 165:25
<b>copies</b>	36:12,19	16 223:20,	178:14 179:2
14:8 110:24	37:23 38:11,	21,24	183:20,24
169:10	22 39:4,5,14	225:10,13	206:22,25
<b>copy</b>	40:16 54:21	226:1,21,25	208:4 213:10
14:10,18	57:6 58:7	<b>correctly</b>	216:9 220:12
21:25 22:3,9	61:9,16	111:20	221:14
26:4 54:22	63:21 65:16	188:13	<b>counting</b>
92:21,25	67:8,22	191:18	12:20 147:20
93:15,19	69:14 75:16,	<b>correspond</b>	<b>county</b>
102:21	17 76:3,4,9,	120:12	33:19,21
120:18	22,25 78:2,	<b>corresponding</b>	40:25 44:21
135:18 136:6	10,11 80:5,6	183:4 195:2	56:19 64:9,
169:6,8,10	81:6 82:6,20	215:16	16 65:9 66:7
201:5 208:17	85:21,22,23,	<b>counsel</b>	71:23 72:8
221:10	24 91:4	9:6 99:13,14	73:6 90:15,
<b>core</b>	93:4,18,24	106:21 139:8	20 91:1,7,23
159:9,11,20,	94:8,11,15	140:8 141:13	92:12,13
25 160:3	95:19,20	142:11,18	93:6,16
161:2,3,8,	96:5,6 98:16	143:7,8,14	94:12,21
13,14,21	99:23	149:3 164:11	95:2,5,8,10
162:2,4,7,	100:10,11,	168:22	96:4,5,8,9,
14,16,24	16,18,19	169:5,7,23,	24 97:10,13,

Randy Hinaman  
December 09, 2021

19,21 100:25 103:13 112:1 114:21 115:2 117:19 123:8,12,22 124:3,4,16 125:13 126:10,15,21 127:10,24 129:13 130:10 132:2,5,9, 17,19 146:14,17, 23,25 152:21 158:8 159:13 161:16 162:7 170:11,14 171:17 172:21,22 174:10,15 181:8 182:1, 25 183:3 184:7 185:22,24 186:23 188:15 191:3 193:16 204:7,8,9, 10,17 205:3, 6,10,16,21 206:1,4 207:19 208:9,16 211:14,24,25 212:1,2,3,19 213:4,7,8 214:2,4,5, 23,25 215:4 216:19 217:13,14 218:6 219:3, 11,21 220:2, 8,21 221:20 225:17,24 226:8,14,17, 18,25 227:8, 10,22	<b>couple</b> 46:14 48:13 62:24 63:13 79:16 127:13 129:25 133:8 145:18 180:10,17 188:12 223:12 <b>course</b> 11:16 48:25 87:22 105:20 123:8 174:13 205:3 214:8 215:3 223:11 <b>court</b> 9:1,15 11:1, 16 13:13 24:3 26:11 31:11,25 79:1 112:21 113:15 131:5,12,16, 19,22 199:6, 13 200:3 201:22 203:3 210:2 219:17 220:5,22,25 221:5 <b>court's</b> 202:12 <b>court-</b> <b>approved</b> 199:14 <b>court-ordered</b> 199:15 200:4 220:7 <b>courts</b> 113:13 202:10 <b>cover</b> 47:19 <b>covered</b> 108:25 109:14 113:3 148:1 <b>COVID</b> 55:10 63:7	<b>crazy</b> 63:8 146:15 <b>create</b> 31:12 50:12, 20 142:1 172:12 176:18 177:9 178:5,18 202:9 209:7 <b>created</b> 30:11 53:22 96:21 <b>creating</b> 50:8 178:2 183:9 <b>criteria</b> 41:4 137:8, 10 138:22 144:17,21,25 165:5,9,14 166:24 167:13,15 198:18 <b>crystal</b> 113:1 <b>Cullman</b> 162:17 <b>current</b> 16:6 23:11 159:13,14 <b>cutoff</b> 138:21 <b>cycle</b> 196:11,19 <b>Cyrus</b> 226:20 <hr/> <b>D</b> <hr/> <b>Dallas</b> 117:19 155:3 226:24 227:10 <b>data</b> 32:22,24 33:15,18 39:3,4 41:9,	24 42:13,16 48:22 49:6, 11,14,16 56:9,14,16 57:1,4,15 60:19 64:8, 10,16,23 67:11,12,16 68:7,9 71:9, 17 74:9,16, 22 75:25 76:3,6,11,14 77:24 82:10 83:10 84:5,9 97:20 99:20, 24 101:4,6 102:3,24 106:7,8 129:24 133:3 157:9 160:4 195:6,9 202:8,9,20 206:17,21,25 207:2 213:2, 17 <b>date</b> 9:4,16 18:8 22:11 25:15 58:11 61:12 <b>dated</b> 135:21 <b>Dave's</b> 213:23,24 214:16 <b>Davin</b> 10:17 <b>Davis</b> 9:22 15:6 50:22 169:22 170:23,25 171:7 178:7 <b>day</b> 79:19 180:19 <b>days</b> 79:13 <b>DC</b> 59:14,16 67:7,24
---	--	--	--

Randy Hinaman  
December 09, 2021

68:14 69:14, 16,18 73:17 <b>deal</b> 157:25 <b>dealing</b> 105:22 <b>December</b> 9:7,16 <b>decent</b> 78:25 <b>decide</b> 132:4 <b>decided</b> 24:20 85:3 86:2 127:14 129:1 131:17 <b>decision</b> 199:13 <b>decisions</b> 223:18 <b>declaration</b> 25:12 26:4 <b>declined</b> 68:18,21 <b>deemed</b> 113:15 <b>deep</b> 191:22 <b>Defendant</b> 170:11 <b>deferred</b> 224:8 <b>defined</b> 156:25 <b>definition</b> 32:11 153:1, 3 156:21 159:22 <b>definitive</b> 153:17 <b>delay</b> 55:11 <b>delayed</b> 68:7 <b>delegation</b> 24:20 26:15 30:23 31:17	45:23 46:2 58:13 201:1 222:25 223:18 224:9 <b>democrat</b> 151:2 <b>democratic</b> 28:13 39:24 <b>democrats</b> 27:19 <b>demographic</b> 38:17 <b>demographics</b> 35:19 <b>demonstration</b> 202:8,16 <b>Dental</b> 22:23 <b>Department</b> 201:6 <b>depend</b> 113:15 <b>depending</b> 124:7 154:6 223:7 <b>depends</b> 149:14 <b>deposed</b> 12:16 <b>deposition</b> 9:12 13:1 14:10 15:5 16:17,20 17:4,8 22:4, 5 45:14 181:21 222:8 229:3,6 <b>described</b> 87:1 <b>describes</b> 189:9 <b>description</b> 26:20 <b>detail</b> 125:18 <b>detailed</b> 218:18,24	<b>details</b> 120:8 <b>determination</b> 35:18 142:23 143:6,13 164:4,6 <b>determine</b> 35:13 144:8 167:3 <b>determined</b> 64:5 <b>determining</b> 159:25 <b>Deuel</b> 10:15 <b>developed</b> 26:14 <b>deviation</b> 36:2 73:14 84:19 86:11 102:9,16 128:18 132:11 133:13 134:8 137:16,19 138:1,3,12, 16,20 139:1 140:2 182:18 183:6 188:11,17 189:10,13,17 190:8,9 194:4 197:24 198:16,20 199:3,16,18 200:4,8,23 201:2 202:10,19 208:15 210:13 215:5,21 216:10 223:9 225:10,12,15 <b>difference</b> 47:14 210:19 213:9 214:5 <b>differences</b> 84:8 169:23	<b>different</b> 33:3 68:19 77:14 80:15 94:2 95:22 96:1 103:15, 19 111:19,22 127:13 128:18 152:17,23 154:5 155:12 156:18,19 175:16 191:4 210:7 220:14 <b>differential</b> 202:8,16 203:4 <b>difficult</b> 70:8 227:17 <b>diluting</b> 140:25 142:25 <b>dinner</b> 109:4 <b>direct</b> 198:14 <b>directly</b> 31:7 68:25 219:8 <b>director</b> 20:5 134:23 <b>disallowed</b> 178:25 <b>disclosing</b> 15:3 <b>discriminated</b> 143:4 <b>discriminatin g</b> 141:10 <b>discriminatio n</b> 167:3 <b>discuss</b> 50:7 70:20 71:5 84:1,17 85:14 86:14, 21 106:17
--	--	---	---

December 09, 2021

116:24 117:2	122:15,22	11 114:2,6	177:10
118:5 119:15	123:2,19,25	115:6,7,8,9,	178:2,5,19
122:17	124:25	11,17,21	179:2 183:2,
131:6,17	125:18 126:5	116:1,12,18,	21,23 184:9,
178:1 217:13	127:14 128:2	20 117:7,11,	11 185:7,9,
<b>discussed</b>	134:10,15,18	21 118:2,3,	25 186:1,3,
11:8 17:5,21	143:9	10,24 119:13	14,15,16
45:13 70:23	<b>disputes</b>	122:21	188:14,18,
71:10 73:17	72:14	123:9,20,22	20,22 189:21
84:10 103:6	<b>distinction</b>	124:1,4,21	192:19,22
106:16	143:3 180:8	125:9,19	193:4,6
115:24	<b>district</b>	126:1,7	194:5,10,17,
116:10	9:15,16	127:5,8	19 195:10
119:19	26:11 28:17	128:18,23	196:5,25
121:3,6,12	29:14,23	130:4,19,22	198:22
122:10	30:1,2,12,17	132:5,6,16	204:9,14
134:14	31:13 32:2,	134:23,25	206:2
140:9,20	3,5,15,16	135:9	207:11,13
143:25	33:23 34:11	137:15,24	209:8 210:7,
144:12 148:2	35:12,23	138:2,8	12,16
156:17	36:5,12,15,	142:2,3,7	211:20,22
164:7,10	21,23,25	144:19	212:18,20
165:19	37:1,17	145:20	213:4,7,10
166:12,25	41:17,22,23	146:13	214:3,4,15,
167:13 172:2	42:19,20	150:11,17	18,19,24
191:15	43:6,7,11	155:17 156:2	215:8,9
218:7,10	44:6,14,23	157:15	220:1,2
222:8 223:13	45:2,8,9,12,	158:11,12	223:7
<b>discussing</b>	18,20 46:1,7	159:4,10,11,	224:15,18,19
125:16	48:15,20,23	14,19,21	225:18
180:25	49:6,8,9,12	160:1 161:1,	227:6,18
<b>discussion</b>	50:3,9,13,20	2,3,11,12,	228:3
21:23 45:6	56:23,24	13,14,21,24	<b>District's</b>
98:8 120:8	59:10 70:24	162:1,3,4,8,	130:21
127:9 128:9	71:3 72:10,	12,13,15,16,	<b>districting</b>
129:9 131:9,	20,22,24	19,21 163:1,	144:20,24
22 133:7	73:7 85:18	5,9,11,13,	216:6
135:10	94:20,25	16,17,19	<b>districts</b>
164:12	95:3,4,9,17,	164:1,3,14,	29:13 30:5
168:25	24 96:3,10,	22 165:25	37:7,12,19
177:25	14,15,24	166:15 168:7	39:16 40:18,
218:11,16,25	97:14,15,16,	170:8,13,15,	24 42:8
<b>discussions</b>	21 100:4	22,25 171:9,	48:15 49:4,
15:4 61:22	101:2	12 172:1,5,	19,25 50:5
68:12 74:21,	103:20,23	9,12,14,18	53:19 54:20
24 86:24	104:5,22	173:1,24	58:23 60:1,7
97:24 108:14	107:17	174:2,8,18,	63:19,24
116:23	112:6,7,10,	21 175:2,3,	64:17,25
		4,13 176:18	



December 09, 2021

66:11,17	<b>divisible</b>	21,23 103:2,	<b>drawing</b>
67:21 73:23	137:25	10 104:12	24:14 26:9
75:7 80:20	<b>Dixon</b>	105:8,13	27:6,16
82:1,25	30:24	106:8,9	28:11 29:22
85:16,17	<b>document</b>	107:11 108:2	31:13 33:1,
89:7 94:1,	22:6 25:19	109:22	7,16,23,25
13,17 95:22	135:25 136:2	<b>drafted</b>	35:23 37:6,
98:2,3,6	160:11,13,18	27:14 30:15,	18 38:15,23,
99:6,7,21	169:16,18	17 136:7	24 40:1,9
101:7 102:14	179:20,23,25	<b>drafting</b>	41:4,7,20
103:19	201:20	26:8,21	42:13 45:17
104:23	<b>documents</b>	30:25 31:7	48:14,23
107:15,18	14:18 15:21	42:18 43:5	49:18 51:16
111:25	213:12	44:5 93:23	52:1 53:11,
112:2,3,4	<b>doing</b>	111:3	19,22 58:8,
117:15 128:1	13:14 21:14	<b>drafts</b>	10 60:9,23
137:22,23	61:8 62:4,	106:5,13,15	61:1,19
138:13,17	13,18 65:7	110:18,25	62:18 64:3,
139:10	74:14 78:24	<b>dramatically</b>	20 65:3,12
140:22	80:3 82:15	44:22	66:3,5,23
143:17	87:22 91:24	<b>draw</b>	67:4 77:2
145:12,16,23	92:1,2 97:22	23:23 24:2,	80:20,21
146:3,6,19	101:18 132:1	17 25:2	81:23,25
147:24,25	140:10	27:7,15	83:15 84:2
149:19 152:6	145:17 166:8	28:19 30:5,	87:20 88:25
157:7,23	187:18	8,20 32:2	94:5 99:21
158:10,23	209:18,24	33:9,13	100:16
159:2,3	216:22	36:11,20,22,	101:7,23,25
160:3,15,23	<b>Donna</b>	25 37:1,4,9	105:25 123:3
164:8,18,20	101:16	39:19 43:15,	134:11
165:7,12	107:23	23 47:5	136:5,25
167:24	<b>Dorman</b>	49:3,24 50:2	137:6 147:9,
176:12,15	9:24 12:7	52:8 54:11	17 148:14
178:25	14:24 15:6	62:3 73:21	149:6 155:8
183:25	88:23 99:14	80:8 81:19	156:10 166:5
190:11	107:22	87:9,15	167:17,21
192:21	121:14	114:2	170:15
193:10	136:11 139:8	116:11,25	172:25
194:23	177:20	121:1 137:1	173:21,24
198:19,22	197:23	168:19	174:16,18,21
202:7,17	198:25 199:2	170:13 172:8	175:13
207:6,8,16	213:2	177:22	176:12,15,19
209:7 210:23	<b>Dothan</b>	196:6,8,18,	187:5
211:10	161:16	24 208:9	194:16,22
212:13	<b>draft</b>	210:23	195:6 196:14
214:17	26:24 27:1	211:10	207:19 214:7
219:23 220:9	29:11 54:4	219:20	215:19
222:10,11,12	102:2,5,19,	223:19	219:17 220:6
223:10			222:22



Randy Hinaman  
December 09, 2021

225:11	126:20	<b>either</b>	214:8
<b>drawn</b>	130:24	17:1 48:9	219:14,22
24:24 27:24	134:14	51:11 88:22	220:9,15
29:10,20	150:18	96:8 123:16	222:3,22
39:21 46:23	152:12	125:18	<b>end</b>
47:1 51:3	154:15	178:24	15:1 51:17
52:3 110:1	163:20 179:6	192:25	55:12,17
120:17,22	180:8 212:6	<b>elect</b>	57:2,4,11
121:7 140:23	222:8	142:9 210:24	60:17 64:23
142:3 144:19	<b>early</b>	211:11	66:13 79:18,
191:12	67:6 68:1	<b>elected</b>	19 82:18
199:17 216:1	177:12	21:13 214:19	85:2 96:19
<b>dream</b>	<b>earnest</b>	227:17	102:20
20:3	57:18,19	<b>electing</b>	119:21
<b>drew</b>	58:9	168:8	124:18,24
23:19,20	<b>earth</b>	<b>election</b>	125:2 127:9
25:3 27:2,21	19:23	35:9 41:6	128:16,21
34:6,16	<b>eastern</b>	42:2,3 62:23	145:14
35:12 37:23	205:16	75:18 112:14	186:2,15
38:1,10	<b>Ebenstein</b>	176:8	214:16
39:24 40:3,6	10:19,20	<b>elections</b>	218:10
49:19 77:25	<b>economic</b>	27:10	<b>endeavor</b>
84:14 91:6,	153:4 154:7	<b>electorally</b>	24:23
9,13 95:11	157:2	41:23	<b>ended</b>
160:23	<b>education</b>	<b>Eli</b>	73:4 207:12
172:1,4	19:11 52:6	9:20 201:4	214:7,20,24
183:16 187:3	54:12 56:18	203:8 213:12	229:6
194:11,15	65:5,7,13	<b>eliminate</b>	<b>ends</b>
196:15 197:1	139:10	97:11 132:17	229:2
199:5 214:10	<b>educational</b>	<b>eliminated</b>	<b>Enfinger</b>
221:4,13,14,	20:11 35:5	186:19	28:20 29:7,8
18 222:2,4,	176:2	<b>Elizabeth</b>	<b>ensure</b>
23	<b>effect</b>	10:24	173:24
<b>due</b>	140:25	<b>Elmore</b>	<b>entails</b>
165:8	142:24 158:6	124:9 161:18	168:3
<b>duly</b>	220:17	214:25	<b>entire</b>
11:4	<b>effective</b>	<b>email</b>	45:23 63:3
<b>Dutton</b>	64:14 65:1	19:2,6 88:4,	155:15
203:25	<b>effort</b>	7 120:12	<b>Entirely</b>
	24:16 73:23	<b>employees</b>	78:14
	<b>efforts</b>	21:4	<b>envision</b>
	24:6	<b>employment</b>	71:1,3
	<b>eight</b>	35:1 175:23	<b>equal</b>
<b>E-S-R-I</b>	13:2 45:14	<b>enacted</b>	127:22
77:20	80:12 81:14,	51:7 110:15	139:16,23
<b>earlier</b>	17,18	196:10,16	165:3 202:12
114:10		205:15 206:7	
115:24			

<b>equality</b> 165:11,20 220:24	72:4 73:12 74:11 84:8 102:6,12,17	<b>exceedingly</b> 227:17	<b>exists</b> 145:3
<b>equalize</b> 137:15	114:5 207:4, 7,10 208:2	<b>exchange</b> 104:5	<b>expand</b> 47:9
<b>equalized</b> 204:12	<b>et al</b> 9:13,14	<b>excited</b> 125:1	<b>expect</b> 17:25 112:24
<b>equally</b> 150:22,25	<b>ethnic</b> 157:1,8	<b>excuse</b> 20:10 26:12 48:12 77:7 122:16 156:23 177:7 183:13 224:6	<b>experience</b> 23:17 26:8, 21 27:5
<b>equitable</b> 185:8	<b>Etowah</b> 162:20 214:12	<b>exhibit</b> 14:7,13,15 21:19,24 25:6,9,10 92:17,20 93:10,14,18 110:15,16 135:14,18 147:22 160:7,11 167:10,16 179:16,19 189:9 201:15 203:12,15 208:21,23 219:16	<b>expert</b> 168:5 171:15
<b>errors</b> 202:15	<b>evaluations</b> 185:12	<b>Exhibits</b> 14:3 213:19	<b>explain</b> 21:7 44:24 45:16 49:2 148:25 149:5
<b>Escambia</b> 72:25 104:21 111:6 123:17,18 124:15,19 158:8 181:1 183:1 184:7 205:15,17 206:4	<b>Evan</b> 9:13	<b>exist</b> 23:12 110:23 153:15 217:19,20	<b>explored</b> 73:19
<b>ESRI</b> 77:6,15,17, 22 78:3	<b>eventually</b> 91:22	<b>existed</b> 196:4 212:22 217:16	<b>extending</b> 186:22
<b>essentially</b> 28:3 38:16 123:4 182:24 191:11 192:11 193:10	<b>everybody</b> 41:2 59:15 80:15 85:4 134:22 152:22 154:8	<b>existence</b> 187:15	<b>extends</b> 172:5 212:3 227:22
<b>established</b> 153:13	<b>everyone</b> 14:9 229:1	<b>existing</b> 39:3,15 93:25 100:3 157:23 158:23 159:2,10,11, 25 211:21,22 212:12	<b>extension</b> 172:9 212:18
<b>establishing</b> 165:7	<b>evidence</b> 145:2,3 196:4		<b>extensively</b> 189:16
<b>estimate</b> 72:11 102:4 111:14 113:9	<b>exact</b> 45:3 47:2 212:24 215:23		<b>extent</b> 14:9 44:2 54:13 74:7 86:25 108:4 146:16 148:18 152:8,18 196:22
<b>estimated</b> 72:2 206:17, 21	<b>exactly</b> 37:3 57:12 85:13 109:8 132:3,25 169:24 172:7 214:1		<b>extraneous</b> 181:21
<b>estimates</b> 56:19 57:5 59:9 60:18, 21 63:17,22 64:25 66:7, 12,13 70:25	<b>examination</b> 9:8 11:18 197:20 198:14 212:6		<hr/> <b>F</b> <hr/>
	<b>examined</b> 11:4		<b>face</b> 132:8
	<b>examples</b> 206:6		<b>facilities</b> 104:1 114:11
			<b>fact</b> 68:6 137:5 171:8 224:5 226:15 228:2

Randy Hinaman  
December 09, 2021

<b>factor</b> 35:22,24,25 104:10,11 150:22	185:16,23 186:25 187:3,6 190:25 191:3,11 192:9	<b>file</b> 24:21 78:6 179:22	<b>firm</b> 144:3,10
<b>factors</b> 34:20 100:13,21 132:24 133:3 147:8,16 154:6 167:16,20 175:16 187:1	<b>Faulks</b> 10:21 <b>Favorite</b> 176:4 <b>feature</b> 89:11 <b>features</b> 91:20 <b>federal</b> 9:4 21:11,16 24:3 26:11 36:10 201:22 203:3	<b>filed</b> 9:15 24:22 25:15 169:7 201:21 <b>filling</b> 97:23 <b>final</b> 84:16 85:2, 3,4 128:20 131:1 134:21 177:11 206:25 <b>finalized</b> 109:25 217:20 <b>finally</b> 127:14 130:3 163:16 <b>financial</b> 94:23 <b>find</b> 47:1 112:22 203:8 215:11 <b>fine</b> 68:10 78:24 123:17 126:21 130:15 148:12 169:14 <b>finger</b> 170:9,13 171:16,23 172:5,8 174:9,14 186:23 <b>finish</b> 49:3 78:22 79:1 81:22 197:8 <b>finished</b> 98:12 225:7 <b>Finishing</b> 98:14	<b>first</b> 24:16,23 27:4 29:14 30:12 51:15 67:10 91:6 93:17 102:2 106:6 129:5, 16 148:25 150:4 182:1 184:4 188:6 217:23,25 218:1 219:25 <b>fit</b> 32:11 96:19 <b>five</b> 15:15 18:20 68:17 69:3 79:13 85:1 154:5 165:19 166:11 <b>flavor</b> 207:4 <b>flawed</b> 202:20 <b>flew</b> 68:14 <b>flip</b> 25:21 146:5 <b>flipping</b> 161:5,12 163:1,16 <b>floor</b> 17:1 48:9 120:4 184:19,20 188:6 191:19 192:3,5 224:14,21,22 <b>Florence</b> 91:24 <b>fluid</b> 154:1 <b>flying</b> 67:23
<b>facts</b> 169:6,17,18 <b>failed</b> 24:17 <b>fair</b> 13:11,25 17:24 25:4 38:25 39:1, 25 40:2 48:13 51:9 53:2,3,7,8 63:25 80:22, 23 119:9 154:1,2 183:19 197:11,12 205:8 <b>fairness</b> 184:9 <b>fall</b> 61:15 <b>familiar</b> 27:23 111:17 141:4,6,15 154:14 181:4,10 205:2 213:24 <b>far</b> 20:7 70:17 147:18,19 148:22 <b>fast-growing</b> 162:6 <b>Faulkner</b> 181:6,12,14 182:20	<b>feedback</b> 29:22 87:8 89:14 90:1, 4,16 92:5 103:10 105:12 106:10 107:25 116:11 121:5 187:21,24 192:7 <b>feel</b> 66:10 67:16 102:13 107:6 178:15 227:23,25 <b>felt</b> 104:1 156:9 193:19 194:1 199:15 200:3 <b>fewest</b> 157:20 <b>field</b> 20:5 <b>fifth</b> 158:21 <b>fighting</b> 125:9		

<b>focus</b> 29:13	<b>forma</b> 120:8	79:25 84:22	226:16
<b>focused</b> 225:22	<b>formal</b> 20:25	105:24	<b>gather</b> 32:21 90:11
<b>Focusing</b> 83:24	<b>formally</b> 87:25	122:24 123:1	<b>gave</b> 22:4 82:11
<b>folks</b> 98:1,2 127:8 159:6,7 171:22,24 197:10 206:8 210:18	<b>formed</b> 23:6	196:12	135:1,5,9 199:23 210:17 225:1 227:6
<b>follow</b> 100:7 109:19 137:1,5 202:23	<b>formulating</b> 60:3	<b>Franklin</b> 220:21	<b>gears</b> 210:9
<b>follow-up</b> 130:25	<b>forth</b> 49:7 54:15 55:11 59:11 81:15 94:24 114:12 129:13 211:15 223:14	<b>frequently</b> 204:13	<b>general</b> 34:6 38:14 39:2 154:24
<b>follow-ups</b> 81:15	<b>forward</b> 50:6 59:25 75:1	<b>Friday</b> 15:1 61:10, 12 169:8	<b>general's</b> 17:15,17,20 18:3
<b>followed</b> 15:8 193:12 208:15	<b>found</b> 34:7 202:11 206:11,14 226:15	<b>front</b> 21:10 33:16 52:20	<b>generally</b> 38:23 46:6 73:16
<b>following</b> 9:9 110:4	<b>four</b> 15:15 23:19 41:11 46:13, 25 52:1,4,8 54:11,14 55:4,5,20,21 56:12 62:3, 19 64:2 66:17 79:13, 24,25 80:3 84:25 116:18 136:5,25 154:4 168:19 181:17 183:24 186:1,14 207:5	<b>full</b> 60:21 63:2 64:17 180:17	<b>geographic</b> 153:4 157:2
<b>follows</b> 11:5	<b>fourth</b> 157:12	<b>full-time</b> 18:13	<b>geographical</b> 128:6 186:20
<b>football</b> 154:8 176:4	<b>frame</b> 56:6 62:9 67:1,5 74:19 75:19,22,25	<b>fun</b> 59:1	<b>geographicall y</b> 97:3,18 124:20 128:8 130:20 132:7,22 133:2 134:1 146:20 172:20 173:4,11 174:2 193:8
<b>footprint</b> 130:21		<b>function</b> 32:19	<b>geography</b> 32:19 35:19 36:2 99:25 128:11,12 146:2,8 153:6 159:12 202:6 223:8
<b>Force</b> 115:22		<b>further-away</b> 132:18	<b>gerrymandered</b> 170:9,22 171:13 172:16 173:2,25
<b>foregoing</b> 9:5		<b>furtherance</b> 60:9 66:5,23 83:15 134:11	
<b>form</b> 16:18 33:5 37:15 50:22 138:23 146:13 168:24 170:23,24 178:7,12 187:8 195:19 198:1,10 202:21 210:4 216:17		<b>future</b> 113:2	
		<hr/> <b>G</b> <hr/>	
		<b>gain</b> 40:19,20 72:24 95:3 210:18 212:14,15 224:3	
		<b>gaining</b> 172:22 184:6	
		<b>Gary</b> 188:16	

Randy Hinaman  
December 09, 2021

<b>get all</b> 216:19	118:4 121:15	<b>greater</b> 150:1 199:18	135:19
<b>getting</b> 124:4 126:14	124:25 127:7	<b>Greene</b> 155:2	136:3,7,23, 24 137:6
<b>Gingles</b> 142:4	129:3 130:2	<b>grew</b> 227:9,11	151:16
<b>give</b> 27:22 40:25 41:24 88:2 104:14 117:5 165:8 200:22 201:1	131:5,12,16, 19 134:6 147:6 155:13 164:2 168:25 176:23 184:6 191:6 196:20 197:18 198:3,13 202:23 205:20 208:6 209:6 213:11,15 215:8,9,23 216:2,12 219:20	<b>group</b> 53:9,13 133:10 144:22,24 154:18	167:12 178:20 179:3 188:12 193:12,21 194:2 196:3 206:15 208:14 223:3,9 224:3 225:14 226:12
<b>given</b> 76:11,14 81:25 87:14 165:10 167:5 223:3	<b>good</b> 10:19,21,23 11:19,20 34:9 38:6 43:1 81:4 124:5 129:14 133:10 145:3 184:3 185:5 186:19 192:10,12 197:21,22 207:17 214:14 227:18	<b>grow</b> 158:13	
<b>giving</b> 130:7		<b>growing</b> 163:4	<b>H</b>
<b>goal</b> 29:25 36:20, 24 37:1 42:18 43:5 44:5 59:14 92:10 172:19 216:5 224:11		<b>guess</b> 15:15 17:22 21:2 24:16 25:3 31:14 40:2 45:2,5 50:17 56:20 61:2,4 64:8 68:20 74:2 84:16 86:5 101:20 113:14 118:15,17 129:17 141:23 142:4,19 153:22 155:4 161:15 166:1 181:18 185:22 188:5 191:21 198:15 210:5 221:2 222:10 228:25	<b>Hale</b> 155:3 210:5
<b>goes</b> 70:17 132:17 140:1 171:16 212:18			<b>hand</b> 25:9 93:13
<b>going</b> 25:9 28:25 31:4 41:22 45:2,5 48:11 49:5,6 50:6 51:5 55:10 57:10 58:23 59:1 60:7,22 61:17 62:3 65:18 68:6 72:3,4,20,21 73:18 74:13 82:3,15 88:19 89:10 93:13 102:17 105:15 108:3,12 114:6,23	<b>Goodlatte</b> 22:22		<b>handed</b> 44:19 136:12
	<b>government</b> 19:20,22		<b>handing</b> 14:6 92:20 135:17 160:10
	<b>governments</b> 158:14		<b>happen</b> 38:3,5 56:10 115:5 224:24,25
	<b>governor</b> 41:16 225:5		<b>happened</b> 38:18 109:23 113:23 207:5 224:12
	<b>grabbing</b> 170:10		<b>happening</b> 87:3 88:13, 16 91:21 118:1
	<b>graduate</b> 19:16,25	<b>guessing</b> 62:11	<b>happy</b> 41:2 116:21 121:19,22,25 136:20 219:2
	<b>granular</b> 125:17	<b>guideline</b> 39:16 90:24 223:1	<b>hard</b> 31:4 47:8,9 97:5,10 202:5 221:1
	<b>grass</b> 211:8	<b>guidelines</b> 15:24,25 26:16 67:2 68:1 74:20 99:9 120:23	

Randy Hinaman  
December 09, 2021

<b>Hare</b> 9:20 201:7, 10,13 203:11 208:20 213:15	<b>help</b> 13:19 92:15 175:14 179:14	<b>Holmes</b> 180:23 182:19,21 183:14 184:13,17,23 190:23 191:1 192:11	13 81:7 147:14 184:20 186:8 188:5 224:22
<b>Harris</b> 104:19 134:23	<b>helped</b> 24:2,22		<b>Houston</b> 161:16
<b>Hatcher</b> 16:15 190:15 191:16,22,25 193:2,3,20	<b>helpful</b> 66:19 125:6	<b>home</b> 117:14,17, 18,19 130:12 150:15 206:1 227:8	<b>hungry</b> 121:21
<b>Hatcher's</b> 180:16	<b>Henry</b> 10:13	<b>Homewood</b> 116:17,18 133:7,8 185:21,25 186:13	<b>Hunt</b> 199:7 200:1 221:5
<b>hazard</b> 45:2	<b>high</b> 32:7		<b>Huntsville</b> 129:13
<b>HB-1</b> 51:8 196:9 217:21 219:14	<b>higher</b> 195:17 202:6	<b>honest</b> 33:14 45:21 91:10 151:12	<b>hypothetical</b> 113:22 220:25
<b>head</b> 34:25 47:9 53:6	<b>highest</b> 19:11	<b>honestly</b> 17:22	<hr/> <b>I</b> <hr/>
<b>heads</b> 101:17	<b>highlighted</b> 201:8,25 203:23,24 204:2,3,5	<b>hooked</b> 146:12	<b>idea</b> 38:3 61:2 62:5 91:8 131:21
<b>healthy</b> 218:15,17	<b>highlighting</b> 202:4	<b>hope</b> 113:19	<b>ideal</b> 45:9 73:24 98:6 114:9 158:2 225:18
<b>hear</b> 90:6 187:24 211:23	<b>Hinaman</b> 9:7,12 11:3, 22,23 20:17, 24 21:1,3 23:3 52:24 66:1 122:9 197:21 201:19 202:24 203:19 209:1 213:14,22 221:11,12 228:8,25 229:3	<b>hoping</b> 55:9 134:2 172:19	<b>identical</b> 110:14 225:4
<b>heard</b> 112:5 181:21 213:25 218:19		<b>host</b> 153:7,8,24	<b>identificatio n</b> 14:4 21:20 25:7 92:18 93:11 135:15 160:8 179:17 201:16 203:16 208:24 213:20
<b>hearing</b> 90:12 187:14 198:3 203:9, 21 217:24 218:1,3	<b>hire</b> 86:2	<b>hour</b> 13:23 17:18 65:18 121:15 197:7	<b>identified</b> 207:7
<b>hearings</b> 88:11 89:14 90:2,6,16 91:12 92:6 182:3 187:22 211:14	<b>hired</b> 28:23 38:19 85:20 86:3	<b>hours</b> 15:15,17 48:8 60:25 61:18,19,24 62:1,4,10	<b>identify</b> 157:9
<b>held</b> 211:14	<b>historical</b> 157:3	<b>house</b> 47:18 52:5, 15 54:10,12 64:15,17,21, 22 65:11 70:9 75:4 78:17 80:10,	<b>identities</b> 157:3
	<b>history</b> 30:13		<b>II</b> 137:10,14
	<b>hit</b> 134:4 155:17		

December 09, 2021

139:9,14	121:8 157:1	<b>initial</b>	121:1 200:23
140:10,15,22	223:23	102:2,5	201:2
143:10	<b>Income</b>	114:4 127:9	<b>intact</b>
144:18	35:3 175:25	130:24 166:9	89:16
147:5,17,21	<b>incorporate</b>	182:17	<b>intending</b>
148:6,7	184:13	187:12	196:23
151:4 152:6	<b>increase</b>	188:10 194:3	<b>intent</b>
156:20	211:19	211:13	32:2 141:10
157:13	<b>incumbent</b>	217:16	<b>intentions</b>
158:21 165:6	172:11	224:17	79:15
167:13,16	222:24	<b>initially</b>	<b>interacting</b>
<b>imagine</b>	<b>incumbents</b>	56:7 97:23	27:20
52:21 155:16	40:12 54:19	117:13	<b>interest</b>
171:21	148:18	123:16 124:7	35:13,16
<b>immunity</b>	149:17,21	125:2 130:9,	39:7 54:15
11:15	150:6,11	13	89:18,21
<b>impact</b>	151:1 159:5	<b>Injunction</b>	97:14 129:3,
67:4 91:12	178:25	169:17	11 152:7,15,
92:6 112:14	188:13	<b>inordinate</b>	17,24 153:2,
<b>imply</b>	189:19	179:1	3,8,10,13,
27:2,3	190:10	<b>input</b>	18,20,23,25
<b>importance</b>	192:19 193:7	29:9 223:18,	154:5,13
150:1	194:4,6	24,25	155:6,10,12,
<b>important</b>	223:14	<b>inside</b>	21,24
13:16 73:6	<b>indicated</b>	117:15,21	156:13,15,
136:19	202:8	146:17	17,22,24
<b>importantly</b>	<b>indicating</b>	161:24	157:4,10
136:17	108:18	164:22	165:24
<b>imported</b>	<b>individual</b>	171:22 227:6	<b>interested</b>
78:3,6	42:4 43:24	<b>instance</b>	51:25 68:19
<b>imposed</b>	<b>individually</b>	34:19 39:12,	84:24
31:11	52:22	17 59:21	114:10,13
<b>in-person</b>	<b>influence</b>	111:17 167:2	115:22 130:1
70:4,7	112:2,4,6,10	<b>instances</b>	<b>interests</b>
<b>inaudible</b>	206:3	145:19	34:24 157:1
214:9	<b>info</b>	<b>instruct</b>	165:11
<b>include</b>	75:22	108:16,23	175:21
27:6 128:3,4	<b>information</b>	109:17	<b>interface</b>
133:5 157:4	32:21 33:6	177:23	29:6
<b>included</b>	41:13,24	202:22	<b>interfaced</b>
32:7 35:14	48:20 71:15,	<b>instruction</b>	28:23
109:6 221:13	19,20 72:1	109:19 167:5	<b>interfere</b>
<b>includes</b>	73:8 82:5,	177:15	215:3
96:4	19,23 83:4,8	197:3,4	<b>internals</b>
<b>including</b>	87:6 91:11	<b>instructions</b>	74:5
26:9 61:21	<b>informed</b>	31:24 86:8	<b>interpreted</b>
80:9 97:20	59:5	87:14 114:1	199:23
		116:10 117:5	



Randy Hinaman  
December 09, 2021

<b>interrupted</b> 191:14	130:9,13,19, 21,22 132:2, 5,8,9,17		50:4,19
<b>interruption</b> 42:21	146:18,23	<b>K</b>	53:25 55:10, 13 57:9,12
<b>introduced</b> 179:23 180:3	163:12,22	<b>keep</b> 91:24 129:14	58:14 59:24
<b>involve</b> 108:14	170:11,14	152:15,18,25	61:25 62:6
<b>involved</b> 19:8 24:14	171:16	155:25	63:13,23
62:7	172:21,22	157:20	71:1 74:11
<b>irrelevant</b> 62:4 72:10	174:10 181:8	158:10	77:19 80:11
<b>issue</b> 156:3 184:10	185:22,24	159:3,7	81:5 83:2
188:19 211:1	186:22,23	209:12	84:10,25
<b>issues</b> 126:3	191:3 209:9	210:12	86:2,6 87:3
155:18,19	214:5	<b>keeping</b> 39:8 91:16,	91:1 94:4,16
193:22,23	221:20,25	17 129:6,10	95:2,7,14
<b>iterations</b> 110:22	225:17,24	158:1 211:21	96:12,18
	226:7,14,17, 20 227:7	<b>kept</b> 44:6 89:16,	99:2,6,8
<b>J</b>	<b>Jim</b> 9:22,25 10:8	20 91:21	101:21
	11:13 15:6	115:20	103:22
	198:6 199:21	164:21 166:8	105:17,20
	209:16	<b>key</b> 12:25 159:13	107:5 109:8,
	213:17	162:19	11 113:19
	<b>job</b> 13:14 20:3	<b>kind</b> 73:25 74:1	114:23,24
	78:25 143:3	105:1 122:18	118:21,25
	207:17	132:22	119:4 125:25
	<b>John</b> 9:13	<b>knew</b> 58:17,22	129:23
	<b>joint</b> 169:6,16	60:1 68:3	131:13
	<b>judges</b> 36:10 38:5,6	73:3 74:12	136:20
	<b>Julie</b> 10:19	114:23,24,25	143:1,2
	<b>July</b> 55:9,14	115:6 138:4	144:7
	56:10 60:16	184:22	147:18,19
	<b>June</b> 22:4,9 25:15	194:19	148:22
	55:14 60:16, 20	<b>know</b> 13:8,24	149:21
	<b>jurisprudence</b> 202:12	26:23 27:3	151:5,11
		28:15,19,23	153:17
		29:25 30:4	154:21
		31:9,19	155:15 158:9
		33:14 37:5	159:18
		38:4 40:21	168:10
		41:15,16	170:19 173:3
		44:17 45:1,	174:8 179:5
		7,11,13,22	180:11
		48:19 49:6	181:11,13,
			15,19 187:2,
			18,21 196:11
			198:2
			204:14,19
			212:24
			217:9,11
			219:1,4,6
			221:9,15,16

Randy Hinaman  
December 09, 2021

227:8,25	<b>Larry</b>	<b>leading</b>	157:14
228:2	30:24	209:20,23	158:22 167:3
<b>knowing</b>	<b>late</b>	<b>League</b>	168:19
60:21 72:3	103:1	182:11	199:17
73:17 102:16	180:11,16	217:13,25	211:10
117:16 208:5	<b>latest</b>	218:6	219:22
<b>knowledge</b>	41:11	<b>Leann</b>	222:3,11
82:15 93:20	<b>Lauderdale</b>	9:1	224:7
165:18	91:23 92:4	<b>leave</b>	<b>legislature's</b>
166:10	104:16	96:9	223:22
169:15 183:6	127:11,16	<b>leaves</b>	<b>length</b>
186:24	128:17 156:2	221:21	55:6
189:13,14,16	205:6 215:4	<b>Lee</b>	<b>letters</b>
211:1,4	220:20	162:5,7	77:21 200:12
219:7	<b>law</b>	<b>leeway</b>	<b>letting</b>
<b>known</b>	10:25 170:12	199:18	136:20
153:15	225:4	<b>left</b>	<b>level</b>
210:14	<b>lawsuit</b>	20:4,8 66:1	19:11 21:11,
	12:22 16:2	215:6	16 35:5
<b>L</b>	17:5 24:21,	<b>legacy</b>	56:25 64:15
	23 25:12,17	207:2	83:3 138:16
<b>labeled</b>	38:2 111:18,	<b>legal</b>	166:1 176:2
213:13	25 135:20	99:12,14	202:10 203:6
<b>Labor</b>	160:12	106:21 139:8	215:21
79:19	179:21	140:8 141:13	225:17
<b>lack</b>	<b>lawsuits</b>	142:18	<b>levels</b>
171:23 172:4	19:9 111:19,	143:7,8,14	64:15
189:20	22,24 169:19	149:3 164:10	<b>likes</b>
<b>Lake</b>	<b>lawyer</b>	195:13 196:2	147:21
226:20	12:5,10,14	<b>legislative</b>	<b>Limestone</b>
<b>Lali</b>	61:3 81:4	11:15 23:21	163:4
10:11 228:10	141:6,17	25:16 47:2	<b>limited</b>
<b>lands</b>	143:1 171:14	86:4 139:10	157:1
157:6	189:1	165:7 179:12	<b>line</b>
<b>language</b>	<b>lawyers</b>	<b>legislators</b>	42:25 122:19
202:14	198:25 200:9	28:7 31:6	132:4 133:9
<b>language-</b>	<b>layman's</b>	120:1	137:9
<b>minority</b>	141:24 168:6	<b>legislature</b>	147:21,22
144:22,23	<b>lead</b>	16:8 24:17	148:6 150:5
<b>large</b>	24:9	27:1,18 29:3	151:5 215:2
9:3 63:4	<b>leader</b>	31:9 38:21	226:17,20
97:4 162:20	24:6	39:24 47:4	<b>lined</b>
210:8	<b>leaders</b>	48:5 50:12	105:18
<b>larger</b>	26:25 28:13	52:6 53:16	<b>lines</b>
80:8 206:7	<b>leadership</b>	59:22 75:13	34:6 100:4
208:4	51:23 53:18	86:14 110:10	124:22
	54:10 86:1	113:12	152:21

December 09, 2021

204:3,6	133:14	56:22 74:8,	190:21
<b>list</b>	203:25 220:2	12 75:7	192:25 206:5
147:19	226:16,18,19	84:15 97:3,	215:16
153:14,17	227:21	20,25 98:18,	221:3,8
154:23 180:2	<b>living</b>	20,22,24	<b>looks</b>
<b>listed</b>	20:18	99:20,24	39:22 85:12
137:9	<b>Livingston</b>	133:1 137:8	93:17 95:15
153:11,21	204:18	138:5,6	96:3 139:9
167:1 181:12	<b>LLC</b>	145:15,19	140:15
<b>lists</b>	20:24 21:1,3	160:20	147:21 191:7
147:5 148:7	23:5,7	170:19 175:7	214:6
<b>literally</b>	<b>loaded</b>	177:21	<b>loose</b>
48:8 138:25	76:17 79:9	180:21 182:5	130:16
191:20	82:13 83:1	187:19	<b>lose</b>
<b>litigate</b>	<b>lobbying</b>	189:15	40:19,22
72:8	20:19 21:14,	192:2,17,18	71:22,23
<b>litigation</b>	15	195:5 206:18	72:22,23
170:6	<b>lobbyist</b>	208:16	94:22 127:20
<b>little</b>	21:8	212:24 215:6	184:6 224:3
16:12 18:7	<b>local</b>	219:10,21	<b>losing</b>
21:23 38:13	158:14	220:8 228:6	71:4
44:24 45:16	<b>Loftin</b>	<b>looked</b>	<b>lost</b>
104:16,23	101:17	16:5,7,25	25:3 214:19
121:15,16	107:23	47:12,19	<b>lot</b>
124:9,14,21	<b>logical</b>	48:1 49:13	13:19 59:1
125:12	115:1	71:16 108:9	62:25 63:8
126:10,23	<b>long</b>	150:15	80:14,17,20
127:23 128:5	13:24 15:13	171:21 172:6	89:18,21
130:11,17	48:10 62:6	174:12	90:3 127:8
144:18	63:12 111:14	180:7,20	158:13
161:14	113:9 164:1	187:17	192:24
187:18 197:7	172:8 180:20	189:15	193:17
198:4	218:18	190:14	212:23 216:8
204:10,17	<b>long-lasso</b>	191:19,24	<b>lots</b>
212:17	151:8,11	196:3 212:13	152:17
214:24	<b>longer</b>	<b>looking</b>	156:18
<b>live</b>	80:14,17	34:16 39:10	<b>louder</b>
129:12	81:14 121:16	45:10 47:14,	198:4
149:17	132:18	17 82:18	<b>Lowndes</b>
204:13 220:1	144:18	93:16 94:12	97:19 155:3
<b>lived</b>	225:19	98:5 132:7,	163:21
18:16 79:14,	<b>look</b>	10 147:11	<b>lumped</b>
15 100:23	16:9 26:7	154:6 156:20	208:3
130:9,13	34:19,22	158:15 161:1	<b>lumping</b>
134:2 172:11	39:22 42:9,	164:16	207:24
226:7,14	12,15 47:6,	166:16,23	<b>lunch</b>
<b>lives</b>	22 49:5	167:15	15:16 109:4
132:13		172:18 180:9	

Randy Hinaman  
December 09, 2021

121:16,24,25 122:2,6,9	<b>magnitude</b> 207:8	45:11 58:22 61:2 81:21 86:10 96:1 97:6 100:5, 12,20,22 101:2,10 103:3,9 110:21 112:25 113:7 115:19 116:20 118:16 120:15,20 124:11 125:22 127:21 130:20 132:16 133:23 138:11 140:11 142:13,17,23 143:2,3,5,22 144:13 145:22 146:18,19 147:1 148:17,24 149:19 150:12,19 151:24 152:2 155:9,22,23 158:3,18 159:2,13 164:18,23 166:4 169:20 171:7 172:19 173:4,6,10, 12,23 175:2, 4 176:21 183:4,16,18 184:1,5 190:20 195:16 198:10 209:9 210:19 215:18 220:7 225:7,24 227:5	<b>makes</b> 28:18 97:14 202:5 227:18 <b>makeup</b> 44:23 99:7 143:17 175:7 <b>making</b> 44:13,25 61:12 81:3 96:24 124:2, 21 127:24 130:11 133:1 143:13 174:1 177:6 190:23 205:11 211:24 213:10 214:15 226:23 <b>managing</b> 192:4 <b>manipulate</b> 76:19 <b>manner</b> 144:20 <b>map</b> 16:6,14,15 23:23 24:2, 18,22,24 25:2 27:7,9, 12,13,15,16, 21,24 28:4, 11,14,19 29:7,10,22 30:1,8,11, 15,20,25 31:8,10,11, 13 33:7,9, 13,16 34:1, 16 36:11,14 37:23 38:1, 2,11,15,17, 20,21 39:3, 6,12,13,14, 16,17,18,19, 21,23,24 40:1,3,4,6, 7,9 41:2,4,
<b>M</b>	<b>main</b> 35:22 167:16 193:22		
<b>Macedonia</b> 204:18	<b>maintain</b> 43:10		
<b>machinations</b> 33:25	<b>maintaining</b> 160:3		
<b>Macon</b> 155:4	<b>major</b> 22:25 35:24 73:1 75:9 189:3		
<b>Madduri</b> 10:11 228:10	<b>majority</b> 24:5 30:2,5, 12 31:12 32:3,6,16 34:11 36:5, 12,15,21,22 37:6,12,16 42:20 43:7, 10 44:14 45:12 46:1 49:9,18 50:2,8,12,20 80:16 81:7 111:24 112:12 117:10 118:19,23 142:6 154:19 159:3 161:10,22 162:10 171:22,24 172:12 174:9 176:18 177:9 178:2,5,19 181:9 183:20 188:17,20,22 189:21 194:9 196:24		
<b>made</b> 28:16 46:7 64:17 74:7 84:19 91:19 92:6 99:5 100:8,17 101:9,14,21 102:5 105:5, 11 106:6,8, 13 110:1,6,9 115:20 117:14,22 123:18 124:12 128:21 145:11,25 150:14,16 155:16 156:9 164:4,6 169:10 179:1 180:8 185:21 189:19,22 191:2 210:18 211:18 212:15 214:2 215:4 220:22 222:12 223:19 224:20			
<b>Madison</b> 89:17 91:17 129:7,10,13 146:14 152:14 163:3	<b>make</b> 18:19 29:13 30:1 32:3,5 40:24 41:17 42:5,19 43:6 44:6,16,22		

Randy Hinaman  
December 09, 2021

7,21 42:13, 19 43:6,9, 15,23 44:6, 19 45:18 47:18 48:12, 17,24 49:4, 20 50:2,6 51:6,12,16 53:11 57:14, 17 58:9,22, 25 60:5,9, 12,20,24 61:1,5,19 63:16 64:22 65:6,9,10, 11,13 66:3, 5,24 71:16 72:3 73:10 75:4,6 77:25 78:19 80:13 81:1,8,12, 23,25 83:16, 24 84:2,3,14 85:11,15,20 87:10,16 89:11 91:6, 9,13,19 92:7 93:1,4,15, 19,23,24 94:2,6,10,25 95:6,10,13, 16 96:20 98:13,14 99:22 100:6, 9,15,16,17 101:5,7,10, 15,20,24,25 102:2,12 106:13,18 107:12,16, 19,21 108:2, 10 109:11, 13,23 110:6, 9,12,14,19, 22 111:3 112:1 113:6 114:22 116:16,25 117:24	118:2,3 120:7,9,17, 18,22 121:2, 7 123:3 131:1,15 132:3 134:12 136:8 137:6 138:6,12 139:12 144:1,3,7 147:9,13,17 148:14,20 149:6 150:20,21 151:18 152:3 155:8,23 156:10,12 158:4 160:15,23 166:6 167:18,21,25 169:3 171:5, 13 172:14,25 173:21,24 174:16 176:19 183:9,16 184:14 185:5,13,19, 24 194:12,16 195:3,6 196:15 206:5,7 210:20 212:15 213:16 214:7 215:14 217:10 219:11,14 221:3,5 222:14 224:17,22,25 225:1 <b>map-drawing</b> 76:24 <b>maps</b> 16:4,7,9,14, 16,17,20,24	23:19,21 24:14 27:2 37:12,17 38:23 39:6 46:9,11,23 47:3,8,10,24 48:4,8 49:24 50:15 51:2 52:1,2 54:11,14,20 55:15 56:15 58:10 62:3, 19 64:2,11, 19,21 65:3 67:4 73:21 74:23 77:2 79:24,25 80:3,7 83:11,14 86:4,15 87:20 88:12 90:4,24 98:19,21,23 103:3 105:25 111:13 112:22 120:2 126:20 136:5,25 145:18,19 156:14 160:22 168:19 180:6 196:6,9,14, 18 197:2 215:19 <b>Maptitude</b> 73:12 76:12, 14,15,21 77:13,23 80:5 82:4, 11,18,24 83:5,8 102:13 110:20 208:1 <b>March</b> 56:9 <b>Marengo</b> 155:3	<b>mark</b> 201:11 203:12 208:17 213:12,15 <b>marked</b> 14:4,6 21:20 25:7,10 92:18 93:11, 14 110:15 135:15,17 160:8,10 179:17 201:16 203:16 208:24 213:20 <b>marking</b> 179:19 <b>marks</b> 9:11 <b>Maroney</b> 9:1 <b>Marshall</b> 162:20 <b>material</b> 79:9 <b>materials</b> 74:18 <b>math</b> 129:24 <b>matter</b> 9:13 48:25 69:6,17 146:19 188:23 219:23 220:10 <b>matters</b> 188:25 <b>Maxwell</b> 114:12 115:22 124:25 125:7,8,11, 12,20
--	--	---	---

December 09, 2021

<b>Mcclendon</b>	166:7,8	3,4,7 71:21	133:12
9:25 11:14	168:17 178:9	73:9 80:9,11	146:22
51:22 52:16	182:16 187:2	81:15 84:17,	149:24
75:11 86:19,	192:8 198:23	21 85:6,10	154:15
22 87:4,19	207:24	87:4,23	190:14
106:20	212:7,17,23	102:12 114:4	218:15
107:22 108:1	214:18	130:25	<b>Merrill</b>
109:22	218:17	211:13	9:14,23
119:24	219:6,25	217:16	170:3,7,17,
<b>Mcgriff</b>	221:16	226:3,4,5	21 171:11
203:25	<b>meaning</b>	<b>meets</b>	<b>Merrill's</b>
205:20	53:14 73:22	142:4	170:16
<b>mean</b>	126:20 131:1	<b>member</b>	<b>met</b>
19:10 24:5	132:16 139:1	41:15 68:21	15:6,13
26:23 27:7,	207:5	96:22 117:14	45:22 59:23
17 32:18,19	<b>means</b>	206:3 222:24	67:2,7
36:17 37:20	48:19 73:11	223:22	68:17,23
38:16 39:22	199:3	<b>members</b>	69:1,4,6
43:13 45:22	<b>meant</b>	24:20 29:2	70:12,14,18,
46:8 48:18,	130:1	30:22 38:20	19,21 83:17,
25 51:6 56:7	<b>meantime</b>	40:10 43:14,	19 108:1
57:19,25	130:8	17 57:1,20	113:25
58:12 66:25	<b>meet</b>	58:13,16	210:10,15
70:7 72:19	15:9,18	59:7,18 60:3	<b>method</b>
73:10,13,21	54:13,16	64:5,13	38:14
74:6 75:6	59:14,20,21	65:17 66:21	<b>metric</b>
78:22 79:22	60:3 67:24	67:7,24	159:24
81:6,7 82:8	68:15,16,18,	68:15,16,18	<b>metropolitan</b>
87:21,24	22,24 69:8,	69:2 70:14	75:9
91:5 95:23	14 75:12	72:7 75:2,3,	<b>Microsoft</b>
97:17 99:3	80:15 83:13	12 80:10	70:2
101:16 102:3	84:1 86:13	81:13,17,18	<b>mid</b>
103:24	87:18,25	84:6 86:13,	103:1 104:13
109:3,25	106:17	24 100:23	105:9 106:8
111:4	129:1,5,20	107:14,16	131:10
113:11,14	188:11	110:3 120:6	<b>middle</b>
118:14	<b>meeting</b>	200:18,25	20:1 95:1
124:24	45:22 56:25	223:17	<b>Mike</b>
126:17 128:5	57:20 65:16	224:1,14,22,	10:4 94:19
133:6 134:20	70:10 71:13	23 227:14	188:16 194:7
137:20,21	80:14,17,19	<b>membership</b>	<b>mile</b>
143:18 149:1	89:6 106:2	144:22,23	226:18
153:22,23	129:16	<b>memory</b>	<b>military</b>
155:11,13	<b>meetings</b>	92:21 133:19	114:12
156:14,18	59:8,12,17	<b>mentioned</b>	<b>Milligan</b>
157:24	60:13 61:21	16:19 29:23	9:13 10:5,7,
159:16,22	66:20 68:8	63:14 90:15	15,18,20,22,
165:22	69:24 70:1,	115:16	

Randy Hinaman  
December 09, 2021

24 170:2	<b>Mo</b>	97:13,21	<b>mother's</b>
<b>mind</b>	68:23 84:23	103:13	117:19
19:24 34:2,	<b>Mobile</b>	115:23,25	<b>motivations</b>
10,13 91:21	26:11 89:20	116:4 124:3,	187:3
92:1 114:18	91:16 146:14	4,10,22	<b>move</b>
115:1 133:1	152:13 153:7	125:13,24	18:19 59:25
153:20 159:9	156:3 161:4	126:15	101:1 105:21
163:13 166:8	192:22 193:9	146:18,23,	132:5,23
188:1	<b>model</b>	24,25 154:4	192:15
<b>mindful</b>	86:5	155:4 161:17	<b>moved</b>
100:24	<b>modification</b>	183:4 209:9	18:21 22:15
158:15,17	156:7	211:25	23:5,6
<b>mine</b>	<b>modifications</b>	212:1,3,19	130:10
86:7	112:25	213:4,14	138:15
<b>minimal</b>	150:19 152:2	214:2,23	186:13
137:16,19	155:23 156:9	216:20	194:24
198:20 199:3	158:4 164:24	221:20,25	215:20
<b>minimize</b>	166:4 195:16	<b>Montgomery's</b>	224:16 226:9
157:14	<b>modified</b>	201:22	<b>moving</b>
<b>minimum</b>	56:12 112:24	<b>month</b>	22:17 51:1
158:2	<b>modify</b>	113:18	96:23 100:24
<b>minor</b>	111:13,16	<b>months</b>	128:22
104:23,25	113:6 172:25	46:14 55:5	144:17 147:4
105:11	<b>modifying</b>	62:7 79:16	157:12 162:1
218:11	100:3	<b>Moore</b>	172:13
223:12	<b>moment</b>	111:5 123:25	185:16
<b>minorities</b>	116:6	125:5,22	220:21
112:13,16	<b>Monday</b>	126:5 134:16	<b>municipalitie</b>
<b>minority</b>	15:10,11,16	180:25 181:4	<b>s</b>
141:1,11	17:4 105:19	182:24	157:6
142:1,25	110:4	183:9,12	<b>Muscle</b>
168:8	<b>Monroe</b>	184:5 190:24	89:24 91:24
<b>minorly</b>	72:23 104:20	191:2 192:20	92:4 127:15
72:16	111:7 123:16	194:6 223:13	156:1,8
103:12,16	124:15 181:1	<b>Moore's</b>	<b>mute</b>
<b>minus</b>	183:2	104:18	42:24
138:13	<b>Montgomery</b>	134:22	<b>Myron</b>
<b>minute</b>	79:15,16	<b>Morgan</b>	10:2
90:14 187:20	88:14 89:6,8	89:17 91:17	
210:9	90:15,19	129:6,10,12	
<b>minutes</b>	91:1,7,15	152:14 163:3	
180:13	92:10,12,13	220:21	
191:20	93:6,16	<b>morning</b>	<b>name</b>
228:18	94:12,20,21	10:19,21,23	11:21 20:23
<b>missed</b>	95:1,5,8,10,	11:19,20	22:14 23:2
222:7	17,25 96:9,	15:10,11	25:24 53:9
	15,20,24	105:19 179:6	104:7 116:3
			179:22

---

N

---



Randy Hinaman  
December 09, 2021

<b>names</b> 9:19 115:17 133:16	<b>neighborhoods</b> 152:7 175:8	104:23 129:11 134:3	218:22
<b>narrow</b> 190:7,8	<b>never</b> 47:21 168:4 213:25 218:7 225:11	135:1,9,20 139:25 145:17 152:22 157:14,20 158:2,12 160:12 173:8 179:1,21 181:17 187:13 205:11 207:11 212:24 215:12,16, 23,24	<b>objection</b> 16:18 33:5 37:15 50:23 138:23 168:24 177:14,16,23 178:8,11 187:8 198:11 199:19 202:21 204:24 209:15 210:4 216:17
<b>national</b> 20:5 200:20	<b>night</b> 191:18		<b>objections</b> 123:21 198:10
<b>nature</b> 40:18 70:23 207:16	<b>nongovernmental</b> 211:8	<b>numbered</b> 181:13	<b>objective</b> 216:10
<b>necessarily</b> 97:17	<b>nonsubstantive</b> 109:3	<b>numbers</b> 15:7,24 37:3 45:4 47:20 55:11 56:21 57:10 65:9 66:15 72:9 73:4,18,25 75:5 116:14 123:11 124:8 138:7 143:20,24 144:1 207:18 208:5,7,9	<b>objectives</b> 217:8
<b>necessary</b> 157:21 220:23	<b>north</b> 89:19 115:6 186:23 212:2		<b>observation</b> 188:21
<b>need</b> 13:23 59:2 71:22 111:9 124:8 131:6 149:18 228:6	<b>Northeast</b> 203:9,22		<b>observations</b> 90:13 189:18,21 190:6,20
<b>needed</b> 24:21 40:18 52:2 62:25 84:11,19 95:21 102:13 107:6 111:13 112:23 124:6,18 126:23 127:1 140:18 183:5 195:16 198:16 212:13 220:12 225:19	<b>northern</b> 9:16 125:12 129:12 132:18 162:17 186:2,15 213:8		<b>obvious</b> 128:8
<b>needless</b> 126:12	<b>Notary</b> 9:2		<b>obviously</b> 22:16,17 23:19 34:10 36:3 38:1 39:5 43:8 45:10 47:21 48:19 49:4, 10 56:10 58:24 62:21, 22 64:4,18 65:9 66:14, 25 67:3 68:2,4 74:20 75:4 80:9,13 81:13 89:18 90:23 94:18 95:23 97:17 99:1 100:23 107:14,22
<b>needs</b> 16:11	<b>note</b> 136:19		
<b>negotiate</b> 41:1	<b>notes</b> 111:2,9,11 228:6	<b>numerically</b> 133:1	
<b>negotiating</b> 73:3	<b>notice</b> 14:10,13	<b>numerous</b> 127:6 224:20	
<b>negotiations</b> 72:13	<b>November</b> 62:23 202:7		
<b>neighborhood</b> 33:20	<b>NRCC</b> 31:18 131:15 200:17,19	<b>oath</b> 11:24	
	<b>NRRC</b> 200:12	<b>object</b> 50:22 108:3 170:23,24 178:7 195:19 196:22 198:1,9 199:25	
	<b>number</b> 9:14 18:23, 25 34:13 47:2 82:1 96:1 97:4		

Randy Hinaman  
December 09, 2021

114:6 126:22 127:7,19 129:12 146:11 152:16,20 159:5 162:5 163:11 165:22 171:22 180:18 192:8 193:3 211:13,15 212:22,24 214:11 216:18 220:13 222:7 227:7 <b>occasionally</b> 28:14 88:15, 21,22 90:9 149:14 151:13 <b>October</b> 51:18 52:12, 21 54:4 55:8 61:11 62:15, 16,17 79:18, 20 80:1 105:16 106:12 123:5 131:2,10 <b>odd</b> 207:11 211:19 <b>off-campus</b> 70:15 <b>off-year</b> 62:21 63:1 <b>offer</b> 210:25 211:3 212:4 <b>offered</b> 16:8,25 17:2 20:2 47:21, 22,25 48:4,9 50:16,17,18 179:9 184:18,19,22	186:8 187:13 188:4,5,7 190:3 191:12,18,21 218:6 225:2 <b>offering</b> 218:1 <b>office</b> 17:15,17,20 18:3 24:9 33:13 68:20 70:9 73:13 78:16 79:5, 6,8 94:20 101:17 107:9,23 129:21 158:14 182:4 <b>officeholders</b> 39:7 54:14, 17 83:18 <b>offices</b> 21:13 68:4,5 70:16 <b>official</b> 28:12 57:1, 3,14 74:16 76:3 102:24 106:8 117:17 <b>officially</b> 52:10,13 88:17 <b>offset</b> 183:5 <b>offshoots</b> 182:17 <b>okay</b> 13:4,8 14:14 27:4 47:17 51:13 56:23 123:4,7 133:21 170:20 198:13 199:5 200:1,19,22 201:11 202:23 206:9 208:8 211:17	213:5 214:1 217:12 221:8 225:6 227:13 228:5 <b>once</b> 12:19 74:22 75:8 76:5 79:9,11,22 80:17 82:17, 21 83:1 84:5 105:8 107:11 109:22,25 129:23 142:16 175:1 206:14 211:13 <b>one</b> 13:17 14:9, 12 22:25 24:1 30:8 36:22 37:1, 24 38:13 43:9,12,14 48:11 51:7 53:5 64:5 68:17,18 69:3,4,21,23 72:18 78:6 85:1 86:6,25 96:10 97:11 99:9 101:10 103:25 106:6 112:24 115:10 116:20 117:13,16, 18,21 119:20 121:10 123:11 125:10,22,23 126:3 128:19,20 132:11,12,13 133:9,14,22, 23 134:1 137:23 138:1,3,13, 17,18 139:2,	3,6,15,18,19 140:12 142:17 144:18 149:11,15, 18,20,25 150:1 151:15 152:5 154:3, 23 155:18 157:22 160:14 161:1 165:3,4,23, 24 166:2 167:8 168:4, 13 169:8,12, 23 175:14 181:12,14, 17,18 182:1, 5,6,7,9,10, 22 183:23,25 184:10 185:8 187:12,13 189:19 191:8,9,10 193:10 196:4 198:22 199:22,23 203:25 208:13 211:24 214:9 218:20 224:15 228:6 <b>ones</b> 11:7 46:16, 24 56:18 81:1 132:18 153:21 187:20 190:7 192:2 <b>ongoing</b> 62:24 <b>operable</b> 84:11 <b>opinion</b> 50:25 131:25 199:6,7 200:2 202:20 210:18
---	--	---	--

211:1,3 212:20 <b>opportunity</b> 112:6,7,10 142:8 180:22 181:5 182:14 <b>opposed</b> 53:15 210:23 <b>option</b> 211:24 212:6,8,9 216:11,16 <b>options</b> 114:19 115:10 151:22 210:17 <b>oral</b> 9:8 <b>Orange</b> 18:11 20:22 <b>order</b> 39:14 66:15 145:4 167:1 194:22 215:20 216:9 <b>organization</b> 53:17,21,25 200:11 <b>organizations</b> 21:17 211:8, 9 <b>original</b> 172:1,4 <b>originally</b> 24:15 91:2,3 <b>outcomes</b> 99:2 <b>outside</b> 24:10 171:25 227:18 <b>over/under</b> 207:15 223:7 <b>overage</b> 123:14 <b>overly</b> 121:22	<b>overpopulated</b> 66:12 72:21 <b>overpopulatio n</b> 67:17 <hr/> <b>P</b> <hr/> <b>p.m.</b> 122:8 197:14,17 228:20,23 229:4,6 <b>page</b> 25:21 137:9 146:5 147:22 160:14 161:1,12 162:1,13 163:1,9,16 171:9 203:23 <b>paid</b> 43:15 53:10 56:1 57:24 205:5 <b>pair</b> 194:4 <b>paired</b> 58:25 178:25 188:12,15 189:20 190:9 192:19 193:7 <b>Palmer</b> 85:2 130:4 131:17 134:10,17 188:16 194:6 226:7,9,16, 19 227:21 <b>Palmer's</b> 131:8 <b>paper</b> 111:5 <b>paragraph</b> 26:7 169:15 170:4 201:25	<b>paragraphs</b> 152:9 166:25 <b>paramount</b> 149:10 <b>part</b> 27:4 28:4 39:8 41:8 54:16 56:3 82:9 94:20 125:6,7,8,12 127:7 130:17 132:18 146:14 154:4,19 156:16 161:23 168:18 174:15 182:18 197:5 201:25 202:2 210:6 212:19 213:8 222:20 223:2 227:22 <b>partially</b> 92:13 172:10 <b>participate</b> 84:25 <b>participation</b> 75:25 <b>particular</b> 32:12 53:13 87:9 97:12 153:12 158:12 188:23 <b>parties</b> 150:23 169:19 <b>party</b> 35:9 41:25 52:25 176:8 200:10 <b>pass</b> 31:10 55:15 56:9 197:19 228:15 <b>passage</b> 201:5 203:9	<b>passed</b> 16:6 36:6,7 67:2 68:1 76:8 120:24 136:15 206:15 208:18 224:4 225:4 <b>past</b> 126:21 169:7 <b>pay</b> 17:23 43:23 56:13 66:19 <b>paying</b> 12:9,13 49:24 50:1 <b>payment</b> 56:6 <b>payments</b> 55:4,5,20,21 56:12 58:3 <b>pending</b> 13:25 <b>Penn</b> 10:2 <b>people</b> 13:6 49:23 50:1 73:5 80:16 89:16, 19 96:14 109:9 123:15 124:6,18 126:24 129:12 139:2,22,25 152:23 153:5,6 156:3,19 158:7 183:5 184:4 185:21 203:6 204:13 205:7,10,12, 18,19,25 212:23 215:7,20 <b>percent</b> 34:12 44:7 119:9 138:19
---	---	---	--

December 09, 2021

139:1	<b>phone</b>	203:15	194:1,3,13
195:10,18	18:24 85:1	208:20,23	196:9,21
196:2 216:24	88:4	213:16,17,19	198:16
<b>percentage</b>	<b>phrase</b>	<b>plaintiffs</b>	199:5,8,14,
32:12 34:7	210:15,21	9:21 10:3,5,	15,17 200:4,
44:10 117:7	227:1,9	7,9,12,14,	14,15
119:12	<b>phrasing</b>	16,18,20,22,	205:14,15
195:17	209:16	24 12:12	206:10,18
<b>percentages</b>	<b>physically</b>	170:3	207:20,23
80:24	78:15,20	228:11,15	208:10
<b>perfect</b>	101:10,13	<b>plan</b>	209:3,7,10,
96:20,21	<b>pick</b>	17:14,16	14 211:14
199:16	114:8,17	26:10,12,13,	213:13
<b>perfectly</b>	115:10,15	14 27:6 56:9	216:12
228:1	124:6 126:17	59:24 60:3	217:13,14,20
<b>perform</b>	127:7 132:21	124:23	218:1,6,14,
41:22 168:7	134:2 182:25	139:14	23 219:3,11,
<b>performance</b>	183:3	140:12,16,24	14,15,18,20,
168:7	<b>picked</b>	141:9	21 220:2,7,
<b>performed</b>	124:16	142:14,24	8,9,15
41:23	<b>Pickens</b>	143:10,15	221:3,13,14,
<b>period</b>	221:19,21	144:14 147:1	18,21 222:2,
63:6 161:25	<b>picking</b>	151:25	4,15,17,18,
163:6 164:1	71:1 104:1	155:9,13	19,22,23
<b>permit</b>	114:13	164:19 166:9	223:19,24
170:12	115:22	177:22	224:1,10
<b>Perry</b>	124:18	180:15,16,23	225:11
155:3 210:5	126:21	181:3,6,9,	<b>planning</b>
<b>person</b>	132:15	10,12,14	17:13 55:9
40:24,25	<b>piece</b>	182:1,2,6,7,	<b>plans</b>
68:17 69:3	126:10	9,13,14,17,	26:9,21,25
70:10,12	<b>pieces</b>	20,21 183:14	27:1 46:9,11
88:5,6	47:8	184:13,17,23	47:4 178:24
139:3,6,15,	<b>pigs</b>	185:17	179:4,9,23
18 140:12	181:17	186:6,10,25	180:3,10,14,
149:11,25	<b>place</b>	187:3,6,10,	17 181:24
155:18	71:24 97:7	11,13,22,25	182:13
165:3,23,24	115:7 150:1	188:3,10,11,	189:6,15
167:8	<b>plaintiff's</b>	13 189:6,12,	191:8,23,25
<b>personal</b>	14:3 21:19	19,23 190:1,	193:1
63:5 69:6,17	25:6,10	15,16,18,22,	218:10,19
<b>personally</b>	92:17 93:10,	23,25	225:9
69:8 90:5,7,	14,17 110:16	191:11,15,	<b>play</b>
12 107:4,7	135:14,18	16,22,24,25	132:24
142:23	160:7,11	192:1,9,10,	145:21
<b>perspective</b>	179:16,19	11,16,17	151:19
82:17	201:15	193:2,3,4,6,	<b>playing</b>
		16,20,25	73:25

December 09, 2021

<b>plays</b> 162:19	<b>policies</b> 148:7,14 149:1,6,9 150:2 165:2, 19 166:11,25	126:22,25 127:21 128:12 135:7 137:16,19,24 140:1,11,16 141:11 142:1,5 145:13,14 154:20 158:2 161:10,23 162:11,21, 24,25 163:5, 12,15,25 165:11,21 166:15 170:11 172:18,22 175:13,17 189:10 195:11,17 197:24 198:20 202:10,12 204:12 205:25 210:13 211:20 212:1,2 213:3,6 214:19,20 216:23 220:23 223:5,8 225:17	<b>possibility</b> 50:8 115:23 178:1 <b>possible</b> 37:4 50:20, 25 54:13 56:22 89:16 91:25 96:11, 17 127:16 146:16 148:18 150:7,10 152:18,24 157:25 176:18 177:9 178:4,13,18 223:11 226:12 <b>potential</b> 57:21 71:7 73:19 115:13 <b>potentially</b> 71:4 112:14 143:8 144:9 <b>practicable</b> 152:8 <b>practical</b> 54:13 <b>practically</b> 204:8 <b>practice</b> 24:3 <b>prank</b> 181:16 <b>precedence</b> 167:1 <b>precinct</b> 33:20,21 100:25 103:13,15, 17,18 104:4, 7,8 115:25 128:17,19 133:24 134:1,7 151:14 152:21
<b>please</b> 9:18 11:2,21 16:12 18:8 201:24 203:13 204:1,6 210:2 219:11	<b>policy</b> 143:16,23 145:24 147:2 148:4 150:5 151:4,10,25 152:3,5,11 155:10 156:21 157:12,13,17 158:5,21,25 164:16 165:1,6 166:22 167:6 <b>political</b> 19:19,23 20:19 21:8, 9,10 152:8 157:5 <b>pop</b> 33:17 97:25 98:5,6,9 99:25 146:1 <b>populated</b> 71:2 <b>population</b> 28:5 32:6, 17,25 34:3, 8,15 35:10 36:6 40:19 44:7,10 45:9 64:8 71:2,6, 7 73:24 74:4,10 83:2 84:19 86:10 95:3 96:2 97:6 98:7 99:5 100:4, 10,18 101:4 112:13,18,20 114:8,18 115:3,15 117:6 118:19 119:12,22	126:22,25 127:21 128:12 135:7 137:16,19,24 140:1,11,16 141:11 142:1,5 145:13,14 154:20 158:2 161:10,23 162:11,21, 24,25 163:5, 12,15,25 165:11,21 166:15 170:11 172:18,22 175:13,17 189:10 195:11,17 197:24 198:20 202:10,12 204:12 205:25 210:13 211:20 212:1,2 213:3,6 214:19,20 216:23 220:23 223:5,8 225:17 <b>populations</b> 134:3 220:11 <b>portion</b> 80:8 95:1,4, 9 96:4,14,16 97:13,21 213:6 <b>portions</b> 163:22 <b>position</b> 20:2 58:21 203:3 <b>positive</b> 179:3 228:3	<b>possibility</b> 50:8 115:23 178:1 <b>possible</b> 37:4 50:20, 25 54:13 56:22 89:16 91:25 96:11, 17 127:16 146:16 148:18 150:7,10 152:18,24 157:25 176:18 177:9 178:4,13,18 223:11 226:12 <b>potential</b> 57:21 71:7 73:19 115:13 <b>potentially</b> 71:4 112:14 143:8 144:9 <b>practicable</b> 152:8 <b>practical</b> 54:13 <b>practically</b> 204:8 <b>practice</b> 24:3 <b>prank</b> 181:16 <b>precedence</b> 167:1 <b>precinct</b> 33:20,21 100:25 103:13,15, 17,18 104:4, 7,8 115:25 128:17,19 133:24 134:1,7 151:14 152:21
<b>point</b> 23:4 24:1 27:13,22 28:9 31:2 38:6 39:18 40:4,7 56:1 67:1 72:13 73:3,15 74:8 76:20 93:23 94:1,3 98:4, 7,10,22 104:24 107:7 109:24 110:22 118:7,8 123:2 143:19 144:4 151:15 172:11 175:5 179:10 186:2 195:14 205:24 206:11 207:20 209:3 211:16 214:14 215:18 218:12,20,21 219:19 222:14 <b>point-to-</b> <b>point</b> 151:7,13 <b>pointed</b> 97:7 <b>polarization</b> 42:12 167:23 168:3,10,21 169:2	<b>policies</b> 148:7,14 149:1,6,9 150:2 165:2, 19 166:11,25 <b>policy</b> 143:16,23 145:24 147:2 148:4 150:5 151:4,10,25 152:3,5,11 155:10 156:21 157:12,13,17 158:5,21,25 164:16 165:1,6 166:22 167:6 <b>political</b> 19:19,23 20:19 21:8, 9,10 152:8 157:5 <b>pop</b> 33:17 97:25 98:5,6,9 99:25 146:1 <b>populated</b> 71:2 <b>population</b> 28:5 32:6, 17,25 34:3, 8,15 35:10 36:6 40:19 44:7,10 45:9 64:8 71:2,6, 7 73:24 74:4,10 83:2 84:19 86:10 95:3 96:2 97:6 98:7 99:5 100:4, 10,18 101:4 112:13,18,20 114:8,18 115:3,15 117:6 118:19 119:12,22	126:22,25 127:21 128:12 135:7 137:16,19,24 140:1,11,16 141:11 142:1,5 145:13,14 154:20 158:2 161:10,23 162:11,21, 24,25 163:5, 12,15,25 165:11,21 166:15 170:11 172:18,22 175:13,17 189:10 195:11,17 197:24 198:20 202:10,12 204:12 205:25 210:13 211:20 212:1,2 213:3,6 214:19,20 216:23 220:23 223:5,8 225:17 <b>populations</b> 134:3 220:11 <b>portion</b> 80:8 95:1,4, 9 96:4,14,16 97:13,21 213:6 <b>portions</b> 163:22 <b>position</b> 20:2 58:21 203:3 <b>positive</b> 179:3 228:3	<b>possibility</b> 50:8 115:23 178:1 <b>possible</b> 37:4 50:20, 25 54:13 56:22 89:16 91:25 96:11, 17 127:16 146:16 148:18 150:7,10 152:18,24 157:25 176:18 177:9 178:4,13,18 223:11 226:12 <b>potential</b> 57:21 71:7 73:19 115:13 <b>potentially</b> 71:4 112:14 143:8 144:9 <b>practicable</b> 152:8 <b>practical</b> 54:13 <b>practically</b> 204:8 <b>practice</b> 24:3 <b>prank</b> 181:16 <b>precedence</b> 167:1 <b>precinct</b> 33:20,21 100:25 103:13,15, 17,18 104:4, 7,8 115:25 128:17,19 133:24 134:1,7 151:14 152:21

Randy Hinaman  
December 09, 2021

<b>precinct-based</b> 42:6	111:24 112:1 124:16 128:20	87:5,7 119:5,7,8 157:16	95:5 99:18 100:17 118:4
<b>precinct-by-precinct</b> 105:1	<b>preliminary</b> 74:1 169:17	162:12 165:15 214:6 223:21	<b>priority</b> 46:1,3 149:9 165:10 167:4,6 225:23
<b>precinct-wise</b> 44:22	<b>preparation</b> 15:22 16:20 17:3 58:10 66:2 87:20 88:11	<b>prevent</b> 12:1	<b>privacy</b> 202:9,16 203:4
<b>precincts</b> 32:10 42:4 90:21,25 116:17,18 127:20 128:6,7,10 132:10,14, 15,21 133:5, 8,13,15 138:15 146:12 151:20 153:22 157:6 173:7,8,11 174:5 178:15 185:25 186:1,15 193:17,19 208:5 215:22 216:1,2,9	<b>prepare</b> 15:5 17:7 <b>prepared</b> 110:2 <b>preparing</b> 16:17 83:11 <b>present</b> 9:18 108:5, 7,15,19 114:19 <b>presented</b> 110:2 <b>presenting</b> 192:3 <b>preserve</b> 158:22 222:10 <b>preserved</b> 45:12 164:19 222:11,18 <b>preserves</b> 222:4,9 <b>preserving</b> 39:15 45:25 157:23 164:17 223:9,14 <b>president</b> 21:2 41:18 <b>presidential</b> 20:4 <b>presumption</b> 129:2 <b>pretrial</b> 170:17 <b>pretty</b> 29:19 78:24	<b>previous</b> 41:23 110:22 <b>previously</b> 18:16 77:2 <b>price</b> 205:5 <b>primarily</b> 49:23 112:19 125:3 163:15 181:8 184:3 <b>primary</b> 29:6,13 75:24 184:15 223:1,3 <b>principle</b> 139:15,19 140:13 <b>principles</b> 103:25 146:1 <b>Pringle</b> 10:1 11:14 51:23 52:15 75:11 86:20, 22 87:5,19 106:20 107:21 108:2 109:23 119:25 181:10 186:9 193:16 194:13 196:9 <b>print</b> 110:24 201:4 <b>printed</b> 203:23 <b>prior</b> 22:4 39:3 64:8 66:4,22 67:14 91:7	<b>privilege</b> 11:15 108:4, 18,22,25 109:10,15 176:24 177:2 <b>privileged</b> 177:24 <b>pro</b> 120:5,8 <b>probably</b> 18:21 31:1, 4,17 40:1 44:19 45:20 51:17 55:13 57:18 60:19 61:10,22 72:23 79:10 80:13,20 89:8 94:22 103:1 120:4 125:5 134:25 136:11 171:23,25 172:10 186:9 200:5 212:21 224:21 <b>problem</b> 43:4 217:6 220:20 <b>Procedure</b> 9:5 <b>proceed</b> 74:22 <b>proceedings</b> 9:9 169:17 <b>process</b> 15:8 28:18



Randy Hinaman  
December 09, 2021

39:2,10 45:17 55:12, 16 80:4 89:4 97:11 103:25 119:21 120:13 132:20 141:14 145:15 180:12 196:15 225:3 226:13 <b>produce</b> 23:14 24:22 54:24 <b>produced</b> 135:20 160:12 179:20 <b>program</b> 76:16 <b>progress</b> 86:23 <b>project</b> 56:6 <b>pronouncing</b> 151:6 <b>proper</b> 31:22 208:15 <b>properly</b> 207:7 <b>property</b> 18:20 <b>proposed</b> 68:6 84:14 <b>Protection</b> 139:16 <b>protrusion</b> 132:8 <b>provide</b> 29:9,21 107:13 185:12 <b>provided</b> 14:23 90:16 109:22 136:6,10,23	145:1 190:6 213:3 <b>providing</b> 87:6 120:17 <b>public</b> 9:2 88:10 89:14 90:2, 16 91:12 92:5 182:3 187:14,22,24 203:9 211:14 217:24 218:21 <b>publicly</b> 218:13 <b>pull</b> 33:2 <b>purpose</b> 53:19,22 140:25 141:10 142:24 170:10,14 173:12 226:24 <b>purposes</b> 79:15 133:13 <b>pursuant</b> 9:4 17:19 <b>purview</b> 168:16 <b>put</b> 11:12 21:12 24:3 28:24 43:22,25 76:15 80:24 81:7,8,11 103:14,21 115:2,3,9 126:25 148:18 149:21 150:11 180:11 182:23 183:20 185:6,8,20, 25 186:3	188:14 191:1 205:3,16 206:2 214:3 218:16 227:4 <b>putting</b> 91:15 92:9 123:12,13,21 126:12 127:15 130:7 184:10 195:1 220:20 <b>PX</b> 201:12,13 <b>PX3</b> 22:5 <hr/> <b>Q</b> <hr/> <b>quantify</b> 81:10 <b>question</b> 13:7,10,25 29:1 31:3 33:8 36:9 41:15 46:20 48:11 58:20 108:8,23 149:2 162:2, 14 163:2,10 166:10 169:12 177:3,4,7 178:12,14 189:1 195:23 199:22 200:2 202:24 205:1 210:2 217:11 220:4 <b>questions</b> 10:9 12:2 13:4,6,18 48:13 108:13,17 140:7 197:9, 11,19 209:16,21,23 228:12,14	<b>quick</b> 57:23 88:3 186:10 <b>quickly</b> 182:16 <b>Quillen</b> 10:13 <b>quite</b> 149:19 182:4 187:15 <b>quote</b> 180:12 186:22 <hr/> <b>R</b> <hr/> <b>race</b> 20:4 32:25 35:20,21,22 36:1 37:18 41:18 48:12, 14 49:7 83:3 97:25 98:8, 18,22 101:4 117:2 118:5 119:15,19 134:17 135:4 142:17 143:18,19 144:21,23 145:4,13,15, 20 146:4 166:16 174:17,20 175:1 176:12,14 <b>race-based</b> 145:2 <b>race-neutral</b> 144:20,24 <b>races</b> 41:10,12 228:2 <b>racial</b> 33:15 42:12 48:22 97:20 98:22,24
---	--	---	---



Randy Hinaman  
December 09, 2021

99:7,20	195:24,25	216:21	<b>recommend</b>
143:16 153:5	199:6 200:1,	<b>reasons</b>	29:19
154:7 157:2,	5 201:24	126:23	<b>recommendatio</b>
8 160:4	202:3,5	163:7,14,23	<b>ns</b>
167:23	203:24	184:12	29:9 72:15
168:3,10,21	204:1,4	194:1,8	120:15,21
169:2 171:15	210:1,3	<b>recall</b>	185:13 190:5
175:7 187:1,	<b>reading</b>	38:14 53:5	<b>record</b>
4 195:6,9	199:20	89:1 90:2	11:13,21
<b>racially</b>	<b>Reagan</b>	122:11,22	22:2 65:21,
170:8,22	20:2,6	123:25 126:4	25 122:4,8
171:13	<b>real</b>	127:2	169:5,13
172:15	57:23 60:19	128:14,23	170:1 173:14
173:1,25	71:8,17 72:9	130:4 133:17	195:25
<b>ran</b>	73:3,18 75:5	134:9 137:3	197:14,17
41:18	84:5 102:3	190:5 192:6	202:3 204:1
<b>random</b>	116:14	199:11,20	210:3
104:2 132:22	123:11	200:2 221:12	228:20,23
<b>Randy</b>	129:24	<b>receive</b>	<b>redistricting</b>
9:7,12 11:3,	208:7,8	31:24 57:7	23:18 24:7,
22 16:11	<b>realize</b>	86:8 87:2,8	11 26:9,14,
25:2 201:20	33:22	107:25 114:1	16,21 39:10
203:18 229:3	<b>realized</b>	116:10	41:4 53:22
<b>rank</b>	226:4	120:25 121:5	58:1 103:25
165:1	<b>reapportionme</b>	<b>received</b>	120:13
<b>rapidly</b>	<b>nt</b>	57:14 58:2	126:11
163:4	12:7 26:17	60:6 63:16,	135:19 136:7
<b>Rarely</b>	33:13 67:1	19 72:15	137:11
79:22	73:12 78:16	74:16 76:2,	140:24 146:1
<b>RC</b>	79:5,6,8	5,7 89:14	148:7,13
135:21	101:17 107:2	91:12 92:5	167:11
160:13	110:3,7	103:10	178:20 194:2
179:21	120:16,20	<b>receiving</b>	198:19
<b>re-election</b>	135:19 136:4	90:2	204:16
184:6	165:8 167:11	<b>recent</b>	213:23,24
<b>reach</b>	178:20	38:13 51:2	226:24
60:4 138:21	203:21	170:6	<b>redrawing</b>
158:2 223:8	204:21 213:2	<b>recess</b>	38:24 60:11
<b>reached</b>	217:24	65:23 197:15	63:15 78:19
95:9 219:19	223:4,23	228:21	106:18 224:9
<b>reaches</b>	225:2	<b>recognize</b>	<b>reduces</b>
95:1	<b>reason</b>	22:6 25:19	216:23
<b>reaching</b>	19:25 26:6	93:1 135:25	<b>refer</b>
95:4	95:21 133:22	<b>recognized</b>	51:5,6,11
<b>read</b>	145:4 183:16	156:25	89:23
141:18 147:6	184:1,15	<b>recollection</b>	<b>reference</b>
169:13 170:5	188:24	50:15 164:11	93:14 171:3
	193:19		173:15

December 09, 2021

<b>referenced</b> 158:20 164:21 179:5	<b>remember</b> 12:19 29:3 31:6 33:11, 25 37:3,16 41:10 44:18 45:3,21 46:6 63:9 78:25 89:13 90:17 91:9 95:8,9, 12 111:10 116:3 138:10 149:4 190:10 191:18 199:10 200:6 224:13	106:20 107:21 108:2 109:23 119:25 122:20 185:23 186:9 190:24 223:13 226:6,8	<b>requests</b> 50:11 72:15 86:9 87:9,15 117:6 120:21,25
<b>referencing</b> 164:17	<b>referred</b> 51:7 128:18	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>require</b> 143:16 156:5 160:4
<b>referring</b> 59:17 61:14 89:24 105:2 112:17,20 173:20 191:8	<b>refuse</b> 108:12	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>required</b> 127:19 138:20 197:24 223:8 225:14
<b>regarding</b> 82:24 120:13 165:20 185:13 189:19	<b>remembering</b> 188:13	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>requirement</b> 202:19 227:14
<b>region</b> 161:17	<b>remind</b> 194:16 199:12	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>requirements</b> 140:17 142:4 147:5 165:13,20 166:12
<b>registration</b> 75:21	<b>replace</b> 22:22	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>requires</b> 141:22 145:9,11 146:10 150:9 151:10 152:11,12 157:18 158:25
<b>reiterate</b> 84:9	<b>repopulate</b> 223:6	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>requiring</b> 165:11 214:16
<b>related</b> 32:24 144:1	<b>reporter</b> 9:1 11:1,6 13:14 77:16 79:1 112:3 166:18 176:25 193:5 210:2 217:1	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>reservations</b> 157:7
<b>relationship</b> 62:24	<b>represent</b> 9:19 107:3 179:22 215:25	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>reside</b> 228:3
<b>relative</b> 57:25	<b>representation</b> 53:3,4,7,8 107:6 139:23	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>residence</b> 20:22 226:24 227:3,4
<b>relayed</b> 90:14	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>residency</b> 227:14
<b>relevant</b> 132:1	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>resolve</b> 149:23
<b>reliable</b> 203:5	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	<b>respect</b> 152:7 155:13 192:20 199:18
<b>remained</b> 30:2 42:20 43:7 44:14	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	
<b>remaining</b> 137:24	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	
<b>remedial</b> 219:18	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	
<b>remedy</b> 24:21	<b>representative</b> 10:1 11:14 51:22 52:15 72:18 85:2 86:19,22 87:5,19 90:22 104:18,19	<b>representativ es</b> 70:21 71:14 73:9 83:20 84:18,22 85:7,15,21 86:9 87:14 97:9 103:7 105:10 106:3,19 119:16,24 122:18 125:19 139:23	

Randy Hinaman  
December 09, 2021

<b>respected</b> 155:10	157:8 180:6, 12,22 181:5, 23 182:15,22 184:16	<b>Rights</b> 31:22 99:10 112:23 113:7 140:23	129:23
<b>respecting</b> 155:24	185:19 186:6 187:11 188:2 189:25 190:21 195:9	141:2,4,16, 19 142:14,20 143:11 144:5,9,15 145:1,5 149:12,25 165:4,12 166:13,17,20 167:8 189:3	<b>roughed-out</b> 102:9
<b>respond</b> 198:8	<b>reviewed</b> 15:7,23 16:16,19,23 47:10 67:3 74:20 109:13 144:7 182:23 186:4	<b>ring</b> 26:5	<b>round</b> 60:13 66:20 68:8 84:13, 15 102:25 103:2,5 116:14,23
<b>response</b> 108:11 177:2 192:1 198:5	<b>reviewing</b> 47:15,16 66:6,9 180:9	<b>ripple</b> 220:16	<b>ruled</b> 11:16
<b>responsibilit y</b> 20:5 82:10	<b>revised</b> 84:12	<b>River</b> 18:11	<b>rules</b> 9:5 12:25
<b>rest</b> 107:16,18 149:11,13	<b>right</b> 11:24 12:24 13:20 15:2 18:6 62:5 79:25 94:7, 14 97:10 120:3 121:13 122:3 123:24 130:12,14 134:2 142:8 147:14	<b>RNC</b> 200:10,17	<b>run</b> 166:3,7 224:15
<b>result</b> 205:25		<b>Road</b> 18:11	<b>running</b> 68:19 129:2
<b>results</b> 35:9 57:8 176:8 177:11		<b>Rogers</b> 92:11 94:19 126:7 134:16 188:16 194:7	<b>runs</b> 107:23
<b>resume</b> 22:3,9,11 23:12		<b>role</b> 28:10,12 162:19	<b>rural</b> 64:24 75:7 154:18
<b>retained</b> 52:10,13 57:24		<b>room</b> 78:17 88:15, 19,21 90:10 108:5 109:9	<b>Russell</b> 162:6 193:9
<b>retention</b> 107:8		<b>roots</b> 154:8 211:8	<hr/> <b>S</b> <hr/>
<b>retired</b> 22:22		<b>Rosborough</b> 10:17	<b>sacred</b> 216:10
<b>retrieved</b> 150:14		<b>Ross</b> 10:15	<b>sake</b> 219:18
<b>returns</b> 41:6 42:2,3 75:18		<b>rough</b> 72:2 80:24 206:18	<b>sat</b> 101:13 211:18
<b>revealed</b> 143:25		<b>roughed</b> 60:20 64:24 73:10,13,16, 21 102:7,12	<b>satisfied</b> 222:23
<b>review</b> 15:21 16:1,4 37:11 41:6 47:12,20,24 48:4,7,10,22 49:11 67:15 74:18 75:18, 21,24 83:10 101:6 143:16,22			<b>satisfies</b> 142:19
			<b>satisfy</b> 138:21 145:5 155:21
			<b>save</b> 102:21 110:18
			<b>saved</b> 111:11

Randy Hinaman  
December 09, 2021

<b>saves</b> 110:21,22	<b>Secretary</b> 9:22 170:7, 16,21 171:11	<b>self-explanatory</b> 157:16	<b>sentiment</b> 205:20
<b>saying</b> 25:1 63:23 109:6 200:3 205:23 211:17 222:23 225:25	<b>section</b> 137:10 139:9,14 140:15,19,22 141:2,15,18, 22 142:14,19 143:10 144:5,8,14, 17,25 145:9, 10 146:6,10 147:4,17 148:6,7 150:5 151:4 152:6 156:20 157:13 158:21 165:6 166:23,24 167:7,13,16 189:2 201:9 204:18	<b>Selma</b> 227:11 <b>semifinal</b> 84:16 <b>senate</b> 24:6 47:18 52:5,16 54:11,12 64:14,21,24 75:6 81:11 129:2 147:13 188:5,6 190:23 191:21 224:13,14,21	<b>separate</b> 55:21 <b>separated</b> 206:1 <b>separating</b> 203:5 <b>September</b> 51:18 52:21 54:4 55:8 79:17 102:25 103:1 104:13 105:9 106:9, 16 177:12 203:21 217:23
<b>says</b> 23:2 25:15 137:10 139:14 156:22,24 157:22 167:7	<b>Sections</b> 137:14 140:10	<b>senator</b> 9:25 11:13 28:20 29:7,8 30:24 51:22 52:16 86:19, 21 87:4,19 106:19 107:22 108:1 109:22 119:24 180:15 191:12,13 204:18	<b>seriously</b> 47:22 65:3 <b>serve</b> 27:12 <b>session</b> 47:3 52:3 55:9,14 61:11,13,15 62:15 79:14, 23 83:15 84:4 85:8 98:15,19,25 99:19 106:12,17 107:13 110:13 174:25 175:9 179:24 180:4 195:7
<b>SB-10</b> 182:7,9	<b>see</b> 13:13 17:23 22:23 25:14, 17,21 26:18 33:2,6 71:17 82:19 99:1,4 107:15,18 131:6 135:23 137:9,17 145:6 148:8 154:12 160:16 196:4 201:7,21 203:20 215:7,15 217:3 224:5	<b>senators</b> 106:3 <b>send</b> 17:22 <b>sense</b> 28:18 42:5 58:22 74:8 116:20 148:24 169:20 210:18 222:12	<b>set</b> 15:2 53:18 59:8 68:8 169:23,24 216:5 <b>seven</b> 40:12 49:4 58:16 60:7 67:20 68:3, 16 80:11,18, 21 81:14 83:19 85:20
<b>schedule</b> 105:20			
<b>schedules</b> 105:17,21			
<b>scheme</b> 73:6 216:6			
<b>school</b> 64:13 75:2 80:12 81:8, 16,23 157:7 181:16			
<b>science</b> 19:19,23			
<b>scope</b> 178:16			
<b>scrap</b> 111:4			
<b>scratch</b> 38:24 94:6			
<b>screen</b> 85:11			
<b>seats</b> 206:12			
<b>second</b> 50:2,8,12,20 151:4 176:18 177:9 178:2, 5,18	<b>seeing</b> 37:16 74:1 132:23,25	<b>sentence</b> 26:24 <b>sentences</b> 78:23	
<b>secondhand</b> 82:14	<b>segments</b> 206:8		

Randy Hinaman  
December 09, 2021

105:18	<b>Sharhl@</b>	<b>side</b>	19,22 190:1
106:19	<b>comcast.net.</b>	21:14 133:9	193:25
122:11	19:5	191:21	194:1,3
137:25	<b>sheet</b>	226:20	<b>singularly</b>
138:15	47:19 213:17	<b>sign</b>	88:2
151:20	215:12,17	52:17,19	<b>sir</b>
160:14,21,22	<b>Shelby</b>	<b>signature</b>	11:19 12:23
206:12,14	130:10,15	25:22 26:1	13:3,9 14:22
<b>seven-page</b>	163:11	<b>signed</b>	18:15 26:2
160:13	188:15	25:12 54:3	27:11 30:10,
<b>seventh</b>	226:10,17	55:7,18 56:7	19 32:1
138:18	227:22	225:5	33:21 38:12
<b>several</b>	<b>shift</b>	<b>significant</b>	40:5,8,11
13:6 16:19	28:5	74:13 88:25	51:4,10,14
29:2 147:5	<b>shifts</b>	105:6	52:7 55:23,
199:22	223:5	<b>significantly</b>	25 57:16
214:17	<b>Shoals</b>	80:8,10	59:15 68:13
<b>Sewell</b>	89:15,23,24	<b>similar</b>	76:1 77:3
43:8 45:7	91:16,25	49:25 77:23	78:5,8 105:3
69:5,9,22,25	92:4 127:15	152:16 157:9	106:4 110:20
70:5 101:1	156:1,8	175:15 186:5	112:8 121:21
103:12	<b>shock</b>	190:11 192:1	137:12
113:25	89:4	<b>similarities</b>	142:12
116:11 117:3	<b>shooting</b>	156:25	160:25
118:6 119:18	32:13 34:3	<b>similarly</b>	169:16
122:15,16	44:11	17:25 41:22	175:18,20
125:15	<b>short</b>	149:5	176:7 182:7,
132:12,13	48:7	<b>simply</b>	12 190:19
133:14	<b>short-circuit</b>	207:1 211:18	194:14
210:10,12,	21:22	219:22	196:17
16,22 211:18	<b>shortening</b>	220:10 224:8	200:24 201:3
216:12	130:22	<b>simultaneousl</b>	209:5 215:1
217:7,13	<b>show</b>	<b>y</b>	216:3 217:5
218:8 219:2	85:11 114:5	65:8 88:14	219:5,12,16
220:1 226:6,	161:2 169:13	<b>singer</b>	220:18 222:1
18,23	170:5,18	42:23	223:21
<b>Sewell's</b>	201:6,18	<b>single-member</b>	227:12
45:25	203:18	147:25	<b>sit</b>
<b>shakes</b>	204:22	<b>Singleton</b>	90:5
34:25	213:13,14	9:21 10:2,9,	<b>sitting</b>
<b>shape</b>	221:10	14 16:10,14	154:3
171:19 173:5	<b>shown</b>	111:25	<b>situation</b>
178:16	22:3 195:10	181:23	24:21 96:21
<b>share</b>	221:6,7	182:20	113:8 134:4
85:11 156:5	<b>shows</b>	187:10,13,	<b>situations</b>
205:20	202:15	22,25 188:3,	149:15
		10 189:5,12,	151:21

<b>six-person</b> 58:25	119:11 120:7 128:8 142:4	<b>specializatio</b> <b>ns</b> 20:14	<b>splint</b> 128:17
<b>size</b> 171:19 178:16	153:12 157:19 159:24	<b>specific</b> 31:3 33:15 34:13 44:9 72:17 85:16, 17 89:13 90:1 97:13 114:1 122:25 128:3 145:23 152:15 153:19 155:22 156:9 158:3,18 164:11,23 181:3	<b>split</b> 89:6,9,10 90:17,20,21, 25 91:2,3,7, 9,22 92:1,2 93:7 94:13, 16 95:18,19, 22 103:13, 14,15,19 104:6,15 111:6,7 114:20,22 115:24 116:1 123:8 124:3, 8 126:10,15 128:19 132:2,10,11, 14 133:8,13, 23 134:7 138:15 149:19 151:20 156:2,12,15 158:8 173:7, 8,17 174:5 183:2,20,24 185:7 193:17 207:25 208:4 213:10 214:11,12,25 215:4 216:2, 9 221:19,20, 25 225:19
<b>skewed</b> 202:9	162:16,20 166:5 190:22 191:4 206:18	<b>specifically</b> 32:23 48:18 49:15 91:18 94:18 109:13 112:17 114:3 126:4 134:9 156:11 171:21 172:24 173:23 187:23 217:9	<b>splits</b> 158:11 179:1 184:10 185:8 193:15,16 205:25 206:7 220:23
<b>Skipping</b> 37:22	<b>sounds</b> 42:23 153:25 165:15	<b>specifics</b> 27:25 57:22 122:14,17,21 123:24 128:14	<b>splitting</b> 91:15 92:10 124:10 127:25 173:11 178:15 183:1 193:18
<b>slice</b> 205:16	<b>sources</b> 142:11	<b>speculation</b> 195:20	
<b>slightly</b> 84:11 134:20	<b>south</b> 226:17	<b>spell</b> 77:18	
<b>sliver</b> 204:10,17	<b>southern</b> 204:10	<b>spend</b> 60:25 192:24	
<b>small</b> 215:23	<b>southwestern</b> 174:14	<b>spending</b> 62:9	
<b>smaller</b> 225:18	<b>space</b> 151:15	<b>spent</b> 61:18,23 80:25 81:2 90:12	
<b>snippets</b> 90:8	<b>spaced</b> 55:4,5	<b>spill</b> 194:19	
<b>social</b> 154:8 157:2	<b>speak</b> 13:17 16:11 40:10,14 70:15 119:25 120:10 198:4 200:16		
<b>socioeconomic</b> 34:20 175:16	<b>speaker</b> 120:5		
<b>software</b> 33:9,14 76:22,24 77:1,14,24 78:1,10,13 82:3,4,12, 19,24	<b>speaking</b> 109:7 194:11		
<b>sole</b> 170:10	<b>special</b> 55:9,14 61:14 62:14 79:14 83:15 84:3 85:7 98:15,19,25 99:19 106:11,16 107:12 110:13 174:24 175:8 179:10,24 180:4 195:7		
<b>solely</b> 96:10,24 133:23			
<b>solutions</b> 123:11			
<b>somebody's</b> 90:22			
<b>sort</b> 20:3 29:9,21 44:9 46:6 71:20 82:23 89:1 107:8, 25 112:1			



Randy Hinaman  
December 09, 2021

214:21	101:5 122:20	140:15,22	<b>study</b>
220:11	137:9 148:6	141:3 144:19	19:18
<b>spoke</b>	150:5 151:5	146:6 150:6	<b>styled</b>
29:2,3,8	182:21 209:3	151:5 152:6	201:23
40:11,17	222:14	157:13	<b>subdivisions</b>
<b>spot</b>	<b>state</b>	158:21 165:6	152:8 157:5
227:19	9:3,19 11:21	166:24 170:6	<b>subjectively</b>
<b>spread</b>	12:13,22	<b>statewide</b>	153:15
146:20	18:8 22:2	64:19 65:9	<b>submit</b>
<b>spring</b>	25:17 52:5	<b>statistical</b>	38:20,21
59:22	53:15,23	217:3	168:19
<b>St</b>	54:11,12	<b>stay</b>	<b>submitted</b>
162:5 220:14	56:18 59:22	152:14	38:2,7 47:4,
<b>staff</b>	60:1 64:13,	<b>step</b>	11 48:8
24:1 68:24	20 65:11	18:6 67:13,	83:14 84:3
70:18,19	73:12 75:2	23 196:7	98:21 101:5
84:7 120:1	76:7,10,16,	<b>steps</b>	110:1,10
121:9,11	17 77:6,13	195:14 222:7	174:24
129:6,19,22	78:4,17	<b>sticking</b>	178:24 179:5
131:3,8,14	81:8,16,23	170:9 174:9	182:2,11
134:11,18	82:10,13	<b>stipulated</b>	<b>submitting</b>
<b>staffs</b>	86:14 90:4	169:6,16,18	98:18
200:18	113:12	<b>stipulation</b>	<b>subordinates</b>
<b>stand</b>	116:6,7	9:6	144:20
200:19	137:14	<b>stipulations</b>	<b>subpoena</b>
<b>standpoint</b>	165:10	11:6 170:1,3	14:11,16
74:2	170:16	<b>stood</b>	<b>subsequent</b>
<b>start</b>	194:25	30:17	189:5 223:5
45:18,20,23	201:5,21	<b>stop</b>	<b>subsequently</b>
56:25 60:3	202:15,18	191:6	224:21 226:4
64:12,22	203:2	<b>straight</b>	<b>subset</b>
65:3 94:6	<b>state's</b>	132:4	121:9
194:16 209:8	41:3 78:12	<b>straws</b>	<b>substantial</b>
<b>started</b>	80:4 201:25	25:3	26:8 112:13
55:12,16	<b>state-wide</b>	<b>strength</b>	<b>substantive</b>
60:23 65:16	41:12 56:17	141:1 142:25	29:18 108:10
66:20 94:9	<b>stated</b>	<b>strong</b>	<b>substantively</b>
97:22,23	38:10 58:8	145:1,3	57:21
194:18	85:19 166:14	<b>strongly</b>	<b>subtract</b>
206:15	170:7 189:8	104:1	146:2
212:12	195:5	<b>structured</b>	<b>subtracted</b>
226:2,3,5,13	<b>statement</b>	87:25	102:14
<b>starting</b>	118:4 203:24	<b>stuck</b>	<b>subtracting</b>
27:12 39:18	204:3	46:16	98:2 145:12
40:4,7 66:2	<b>states</b>	<b>studies</b>	<b>subtractions</b>
79:3 80:1	9:15 24:12	20:8	166:9
93:23 94:1,3	26:8 59:6		
	139:17		



Randy Hinaman  
December 09, 2021

<b>successful</b>	141:20	47:16 63:5,	123:7,9
44:13	142:13	10,12 65:19	124:2,14,20
<b>sufficient</b>	143:22	67:13 81:18,	125:21
141:25	144:13	24 95:17	126:9,12,14,
<b>suggest</b>	145:23,25	97:5 104:4	16 127:6,18,
37:9 168:13	147:1 148:17	111:15 113:9	24 128:5,7
<b>suggested</b>	149:2	121:25 122:1	130:6,8,11,
185:15	150:12,14,16	123:16	16,18
211:23	151:11,25	127:10 137:8	142:17,18
212:14 214:2	154:23	148:3 160:20	163:20
<b>suggestions</b>	155:9,23	167:6	168:22
29:16 75:10	156:14,19	175:11,16	195:13 219:7
211:18	164:18 171:7	177:20	<b>talking</b>
<b>sum</b>	172:6	195:14 196:7	18:7 29:12
222:21	184:19,22	197:9 208:16	40:15 48:2,3
<b>summer</b>	199:9,10	209:6	57:20 66:2
106:7	204:19	215:11,12	83:22 92:14
<b>Sumpter</b>	205:5,8	218:4 219:10	93:6 98:11
155:2	209:15	223:6	100:14
<b>support</b>	211:12 216:7	<b>taken</b>	109:8,10
94:23 145:2	221:15,16	65:23 96:7	122:25
<b>suppose</b>	225:7,21	122:6 187:5	134:23 158:7
154:9 189:1	227:1,5	197:15	173:18
<b>supposed</b>	<b>surprisingly</b>	215:10	196:12 198:6
56:11 178:10	125:1	228:21	200:13
<b>supreme</b>	<b>surrounding</b>	<b>takes</b>	204:19
202:11	214:17	80:20 81:14	208:19
<b>sure</b>	<b>swapping</b>	158:14 167:4	<b>talks</b>
16:13 21:9	211:25	<b>taking</b>	116:14
23:13 30:1	<b>swear</b>	18:6 41:1	<b>tangibly</b>
32:5 33:8	11:2	<b>talk</b>	92:6
37:2,3,4,25	<b>Switching</b>	28:15 59:9,	<b>team</b>
40:24 42:19	210:9	24 84:7	21:12 154:9
43:6 44:6,	<b>sworn</b>	88:16 90:9	176:4
13,16,22	11:4	105:18 114:7	<b>Teams</b>
45:11 48:18	<b>system</b>	116:15 125:3	70:2
63:11 65:20	180:11	129:6 131:4	<b>technically</b>
81:21 95:12		137:13 143:7	18:21 22:14
100:7 111:4	<b>T</b>	147:13	70:2 132:12
115:19		168:20 169:1	<b>telephone</b>
117:14	<b>table</b>	214:15 224:2	18:23
119:10	194:12	<b>talked</b>	<b>tell</b>
125:22	202:14 215:6	15:8 29:17	44:19 49:14
130:12	217:4	68:3,4 90:4	95:13 118:11
136:12	<b>take</b>	104:24	122:21
138:11	13:22 20:4	114:14	123:24
140:7,11	26:7 34:14	115:4,11,13	134:24
		116:2,22	138:19

Randy Hinaman  
December 09, 2021

177:17	<b>test</b>	153:11,24	192:10,12,21
184:22,24,25	92:21 133:19	156:18	193:3,6,7,9,
185:3,10	<b>testified</b>	157:24	11,15,17,24
186:12 188:9	11:4	190:13 191:5	196:1 197:8,
199:12	<b>testify</b>	221:1 224:16	9 204:14
202:18	18:1	<b>think</b>	205:19
204:22	<b>testifying</b>	13:1 21:22	207:10,25
210:22	11:24	29:18,19	208:18 209:1
213:1,22	<b>testimony</b>	31:16 32:18	210:6 212:22
218:22	98:17 99:19	35:14 36:20	217:10,15,
<b>telling</b>	204:23 205:2	42:1 43:1	16,17
209:17 217:7	210:11	47:2 52:11	218:12,20
218:5	222:9,21	58:18 59:6	225:7 228:5,
<b>tem</b>	223:16 225:8	60:17 62:1	13
120:5	<b>thank</b>	63:22 65:16	<b>third</b>
<b>ten</b>	11:17 63:25	70:6 77:9,14	152:5 156:21
23:20 24:7	136:19,21	90:19 94:4	<b>Thompson</b>
38:14,18	171:10	96:13 97:2	10:6 11:9,18
39:9 44:18	173:19,21	103:20 104:7	14:8,13,15
45:4 46:9,	202:13	107:20	21:25 46:22
12,23 47:7,9	204:20	108:24	109:1,16
50:15 162:18	215:15	109:2,6	121:14,21
180:13	228:7,9,25	111:23,24	122:1 169:5,
191:20 207:5	<b>Thanks</b>	113:17,20	11 170:2
223:6	14:17	116:17	171:2,5,10
<b>ten-minute</b>	<b>theory</b>	117:8,9	173:19
90:8	55:13 56:8	118:22,25	177:4,15
<b>tens</b>	92:9	119:2 120:4	195:23
102:18	<b>thing</b>	121:14 125:3	197:18
205:12	31:22 67:10,	126:24	228:13
<b>term</b>	15 68:2	131:15,25	<b>thought</b>
156:22 157:3	115:1 117:13	134:14,21,	31:21 34:8
<b>terms</b>	124:15	22,25 138:5,	88:24 89:17
34:12 55:2	125:21	9 139:11,20	116:19 125:5
60:25 61:18	157:20 179:3	148:5,21	129:14
62:1 71:16	181:1 186:19	149:10	130:9,13
74:22 80:14	208:19	157:16 160:5	131:18
108:10	<b>things</b>	166:22 168:4	133:10 185:1
126:17	36:3 62:13,	171:15,19	202:15,19
151:17 168:7	22 72:25	173:8 177:17	226:5,11,13
172:5,20	73:23 89:12,	178:13,21	<b>thoughts</b>
193:12	22 91:14	180:1,16	84:12
200:13	104:2,24	181:20	<b>thousands</b>
204:12 216:6	105:22 111:8	183:19,23	102:17,18
<b>Terri</b>	114:13	184:3 185:5,	205:12
125:6 217:7	116:2,9,22	7 186:7,8,18	<b>three</b>
220:1	146:17 148:1	188:12,14	15:16 18:22
	152:21	190:9,12	23:9,19 36:9
		191:7,14	

Randy Hinaman  
December 09, 2021

41:11 66:16	121:16	<b>told</b>	<b>trial</b>
84:25 89:7,	122:5,8,24	58:18 87:12	12:20 18:1
10 91:15	123:1 129:5	118:12	<b>tribal</b>
92:10 93:8	136:14	131:3,7,15	157:2,6,9
94:13,17	145:18	136:22,24	<b>trip</b>
95:18 105:25	161:25	138:25 139:7	69:12,23
111:19,21	162:22 163:6	164:5,13	70:13
116:17	164:1 182:5	185:4 186:13	<b>trips</b>
126:16 154:4	187:19	197:23	63:5
169:19	192:4,25	198:21 199:2	<b>trouble</b>
181:24	196:11	203:1 204:25	151:6 198:2
182:14	197:14,17,18	210:16	<b>true</b>
185:24	218:12,21	<b>Toni</b>	22:8 26:3
189:6,12,23	226:3,5,11	203:25	39:18 93:3,
190:1,12	228:14,16,	205:20	18 215:19
191:9,10	20,23 229:3	<b>top</b>	222:17
192:13 207:6	<b>timeline</b>	25:14 36:3	225:22
226:16	51:1 56:11,	49:6 53:6	<b>trump</b>
<b>three-judge</b>	14 68:6	130:23	149:15
26:10 199:13	98:11 109:21	161:18	<b>trust</b>
221:4	<b>timelines</b>	<b>total</b>	74:5
<b>tied</b>	71:8	33:17,18	<b>trusted</b>
146:14	<b>times</b>	55:22 74:4	74:6
<b>ties</b>	12:18 65:14	83:2 97:25	<b>truthfully</b>
97:15	87:18 109:7,	98:5,6,9	12:3
<b>time</b>	12 127:6	99:25 137:15	<b>try</b>
9:17 13:17	129:25	145:14 146:1	45:14 78:25
17:17 27:18	215:22	<b>town</b>	90:24 157:14
31:21 37:13	<b>timing</b>	70:13 87:22	158:22
47:17 52:11	74:25	<b>traced</b>	196:13 209:9
55:10 56:6	<b>tiny</b>	39:13	225:24
60:23,25	204:10,17	<b>trade-offs</b>	<b>trying</b>
61:17 62:8,9	205:24	155:14	27:22 62:5
63:3,6,8,10	<b>Tish</b>	<b>traditional</b>	66:10 91:24
65:22,25	10:21	146:1	130:20
67:1,5 70:6,	<b>title</b>	<b>transcript</b>	132:14,15
11 74:19	21:1	203:20	133:23
75:14,15,19,	<b>titled</b>	<b>translated</b>	146:16,18
22,25 78:18	169:16	82:12	148:21
79:25 80:8,	<b>today</b>	<b>travel</b>	157:20
21,25 81:2,	12:3,6,10,14	63:8	158:10,17
7,11,19,24	13:5 14:19	<b>tread</b>	173:10
83:14 84:22	15:5,22	45:15	186:21
87:22 90:11	17:8,11,14,	<b>tremendous</b>	204:11
94:17 105:24	17 170:13	89:4	205:23
106:24	180:8 199:10	<b>tremendously</b>	<b>Tuesday</b>
110:21	200:7 221:6,	29:18	15:10,11,17
116:13	7		

Randy Hinaman  
December 09, 2021

17:4 87:25 110:5 <b>tune</b> 68:10 <b>tuned</b> 123:17 <b>turn</b> 66:14 98:22 145:15 <b>turned</b> 36:14,17 73:4 76:15 102:18 123:15,17 124:10 135:4 142:16 143:19 175:1 226:8 <b>Turning</b> 162:13 163:9 <b>turnout</b> 35:7 176:6 <b>turns</b> 72:10 216:22 <b>Turrill</b> 10:4 42:24 <b>Tuscaloosa</b> 96:4,8,13,16 115:11,20 127:20,21 128:3 162:18 163:22 192:23 195:3 209:9 211:24 212:1,2 213:7,8,13 214:4 216:19 220:14 221:19,24 224:18,19 <b>TV</b> 227:19 <b>twice</b> 79:11 <b>two</b> 20:9 23:21 26:7 30:5	37:5,6,12,16 49:18 52:14 54:9 59:23 72:7 74:21 85:1,5 86:16 89:11 95:19, 22 97:9 99:12 103:19 106:15 111:23,24 112:2 117:16 125:9,19 126:2,15 127:25 128:13 132:12 133:12,15 136:11 149:10,17, 21,24 150:16 161:6,9 181:6,13,17 182:13,14 185:17 189:5,6,12, 23 190:1 191:5,7 192:13,19 193:4,5,6 194:5 196:24 198:18 210:23 211:10 213:9,12 <b>type</b> 35:1 65:10 79:1 105:1 175:23 <b>types</b> 78:6 <b>typing</b> 13:14,16  <hr/> <b>U</b> <hr/> <b>U.S.</b> 87:13 103:6 119:23	122:11 201:6 <b>Uh-huh</b> 148:9 <b>ultimate</b> 207:17 <b>ultimately</b> 31:10 51:8 76:8 110:15 196:10,16 <b>undergraduate</b> 19:14 <b>underneath</b> 224:3 <b>underpopulate</b> <b>d</b> 45:3,6 66:11 70:25 95:24 114:7 <b>underpopulati</b> <b>on</b> 67:17 <b>understand</b> 11:23 13:7 33:8 111:20 139:18 204:11 209:23 210:10 219:9 225:8 <b>understanding</b> 12:2 28:2 39:20 53:12, 24 76:12 111:21 112:9 139:21 140:4,6 141:8,12,21, 23,24 142:10 145:8,10 146:9 149:8 150:8 151:9 152:10 157:17 158:24 159:17,18,20 168:2,5,6 208:14 225:13,14	<b>understood</b> 13:11 28:25 31:5 42:11 82:11 109:16 139:5 179:14 181:22 220:4 225:16 226:22 <b>unhappy</b> 185:22 <b>United</b> 9:15 139:17 141:2 <b>universities</b> 104:2 114:11 115:17,18 <b>university</b> 19:13 103:19 115:21,25 116:4 <b>unofficial</b> 57:5,8 64:7, 10 67:16 106:7 <b>unquote</b> 180:12 186:22 <b>update</b> 38:20 39:4 86:23 88:3, 23 <b>updated</b> 28:4 57:10 87:2,23 <b>updates</b> 88:4 <b>updating</b> 38:17 <b>upload</b> 83:7 <b>uploaded</b> 82:5,20,22 <b>urging</b> 211:9 <b>usable</b> 65:10
---	---	--	---

Randy Hinaman  
December 09, 2021

<b>useless</b> 64:15	97:15 124:22	33:2 39:8	<b>waited</b> 71:16 208:6
<b>Usual</b> 11:6	170:3 181:1	73:7 97:4	<b>waiting</b> 90:9
	201:5 221:5	114:14	<b>walk</b> 76:21 88:15
<hr/>	<b>vi</b> 167:1	170:15	109:21
<b>v</b> <hr/>	<b>vice</b> 149:16	182:11	148:23 150:4
<b>vacation</b> 63:6	<b>VIDEOGRAPHER</b> 9:11 11:1	217:25 218:7	182:19
<b>vaguely</b> 27:25 141:17	65:21,24	<b>Voters'</b> 217:14	<b>walked</b> 88:18,21
<b>valuable</b> 64:18,19	122:4,7	<b>votes</b> 227:7	<b>Walker</b> 9:24 11:7,
<b>varied</b> 84:23	197:13,16	<b>voting</b> 31:22 32:6,	10,12 12:7,
<b>various</b> 21:12,16	228:19,22	17 33:18	9,13 14:12,
29:13 44:18	229:2	34:3,8,15	14,17,24
47:3 54:20	<b>view</b> 27:22 159:12	35:10 44:7,	15:6 16:18
55:4 73:22	<b>views</b> 152:23	10 49:7	19:21 22:1
86:24 98:23	<b>violate</b> 202:11	74:10 83:2	33:5 37:15
102:14	<b>Virginia</b> 18:16 22:15	99:10 105:21	46:20 48:2,
105:10	23:6,23	112:17,20,22	16 50:23
143:25	24:6,10	113:7 117:6	77:10,20
145:15	<b>virtually</b> 10:10 64:15	119:12,22	88:23 99:16
149:9,15	83:17 187:14	135:7 140:23	106:25
<b>vast</b> 80:16 161:10	<b>visitors</b> 70:10	141:1,2,4,	107:9,22
162:10 181:8	<b>voices</b> 126:2	16,19	108:3,15,16
<b>verbal</b> 43:21 44:2	<b>vote</b> 139:15,19	142:14,20,25	109:5,18
<b>verbally</b> 43:18 148:10	140:13	143:11	113:13 116:7
<b>versa</b> 149:16	149:11,25	144:5,9,14,	121:19,24
<b>version</b> 23:11 84:16	155:18	25 145:5	122:3 136:12
110:12,14	165:4,23,24	149:12,25	138:23 139:8
173:9,15,16	167:8 185:15	157:5 165:4,	144:3,10
190:23	204:15	12 166:12,	162:17
191:11	<b>voted</b> 110:4	17,20 167:8	168:24
<b>versions</b> 191:4	<b>voter</b> 35:7 42:15	175:12,17	169:1,9,14
<b>versus</b> 9:13 12:21	75:21,24	185:14 189:3	170:24 171:4
25:11 81:1,	176:6	195:11,17	173:14
13 84:9	<b>voters</b> 32:8,13,20	216:23	176:23
		<hr/>	177:1,5,14,
		<b>W</b> <hr/>	17,20,23,25
		<b>Waggoner</b> 180:19	178:8,11
		190:15	181:20
		191:8,25	184:25 185:3
		192:8,13	187:8 195:19
		<b>Wagner</b> 190:25	196:20,22
		<b>wait</b> 13:17 60:1	197:3,23
			198:1,6,9,
			12,25

Randy Hinaman  
December 09, 2021

199:19,21 202:21 204:2,24 209:15,22 210:4 213:2 216:17,25 217:2 228:17,24 <b>want</b> 11:10 25:2 27:2 50:16 61:4 65:19 72:6,8 89:6 90:17 92:20 94:22 99:8 103:14 121:20 122:18,24 131:3,4 132:9 137:13 169:9,25 171:7 182:19,25 183:15 185:1 204:4 209:25 215:18 225:7 <b>wanted</b> 29:12 34:11 40:24 43:10 45:11 72:8, 18,23,24 78:18 89:15, 17,20 99:1, 4,11 103:20, 22 115:16, 18,19 116:1 117:7,10,20 118:19 119:13 125:22,25 130:23 148:17 152:13 156:4 183:1 197:8 210:12 219:17,20 220:5,7,22 222:25	223:25 224:2,9,15 <b>wanting</b> 93:7 <b>Washington</b> 60:2,14 200:9,17 <b>water</b> 45:15 148:20 151:7 <b>way</b> 18:1 24:16 28:24 62:11 81:9 91:12 95:25 104:20 110:20 111:16 121:6 127:11,17 132:2 179:5 182:3 199:23 209:16 210:13,15 218:16 222:7 227:2,9 <b>ways</b> 89:10 91:15 92:10 93:8 95:18,19 126:16 128:13 199:22 216:8 <b>week</b> 15:1,12 61:10 76:18 79:10,11,12, 13 82:5 84:3 87:24 98:14, 21,25 99:18 101:5 103:4 105:16 106:11 107:12,20 110:13 113:21 118:9 131:1 135:3 174:24 175:8 195:7	<b>weekends</b> 79:21 <b>weeks</b> 63:2,13 105:20 <b>went</b> 31:10 33:25 45:23 59:14, 16 61:11,13 69:14 70:8 84:5,14 107:20 114:16 120:3 122:14 134:21 192:22 193:9 214:23 222:22 <b>west</b> 125:24 172:22 199:7 200:1 221:5 <b>western</b> 130:22 186:21 <b>whatnot</b> 125:17 <b>whatsoever</b> 28:10 <b>Whichever</b> 53:8 188:6 <b>white</b> 33:2 <b>Whitfield</b> 104:7 <b>wholesale</b> 39:10 <b>whomever</b> 41:18 <b>widen</b> 132:7,16 <b>Wilcox</b> 155:3 <b>Winston</b> 162:17 <b>Wire</b> 161:15	<b>Wiregrass</b> 161:17 <b>witness</b> 9:7 11:2 16:13 19:10, 22 34:25 77:5 121:22 169:13 177:24 178:9 185:1 198:7 202:22 218:1 228:15 <b>witness'</b> 173:15 <b>woman</b> 43:25 <b>Women</b> 182:11 217:14,25 218:6 <b>wonder</b> 216:21 <b>wonderful</b> 105:22 <b>word</b> 60:6 151:6 171:23 215:12 218:4 <b>words</b> 159:23 222:13 <b>work</b> 20:3,20,21 26:11,12,15, 25 30:24 40:23 54:9 56:15 58:22 59:9 62:25 78:19 79:21 129:13 132:20 134:6 153:5 158:15 206:16,24 <b>work-wise</b> 62:13,18 <b>workable</b> 76:15
---	--	--	--

Randy Hinaman  
December 09, 2021

<b>worked</b>	81:13,20	138:12,16,	
23:22,24	82:7,21	19,25 139:1	
24:11 26:15	83:21 87:7	183:6	
27:16 31:7	89:3 95:23	188:11,16	
92:11 195:3	96:11 104:14	190:9 194:4	
210:20	109:18 116:5	197:24	
212:15	119:2 123:7	198:16,21	
224:23	127:6 135:8	199:3,16	
<b>working</b>	143:18	200:4,8,23	
23:17 24:18	146:11	201:2 202:19	
28:6,8,13,14	154:7,24	203:5 205:25	
29:14 30:21	157:19	215:5,20	
38:19 52:14	162:25 172:6	216:10 223:9	
57:13,17	173:18	225:10,12,15	
58:24 62:22	180:24 182:7	<b>zoom</b>	
63:2 64:12	188:21 189:7	42:21 68:17	
79:25 89:12	190:17 192:8	69:3,4,7,9,	
206:10	194:3 205:18	17,19 70:1,2	
<b>works</b>	214:11,13	83:21 84:6,	
74:1 110:20	215:11,15,22	13,15 85:8	
132:23,25	220:13,25		
169:12	226:21		
<b>worth</b>	<b>year</b>		
73:2	51:20 171:1		
<b>worthy</b>	<b>years</b>		
92:10	13:2 18:20,		
<b>writing</b>	22 20:9		
153:16	23:9,20		
<b>written</b>	24:7,8 31:2		
43:19	33:11,22,24		
<b>wrong</b>	38:14,18		
38:22 193:8	39:9 44:18		
	45:4,14		
	46:10,12,23		
<b>Y</b>	47:7,9 50:15		
	162:18 200:6		
<b>y'all</b>	207:5 223:6		
121:20 171:9	226:9		
<b>yeah</b>	<b>Youth</b>		
16:5 20:1	20:6		
23:5,13			
31:14 35:14,			
16 38:16	<b>Z</b>		
39:15 42:6			
43:8 48:25	<b>zero</b>		
56:17 61:22	73:14 84:24		
72:16,19	102:9 128:17		
77:12 79:19	134:7		
	137:23,25		



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

EVAN MILLIGAN, et al.,

*Plaintiffs,*

v.

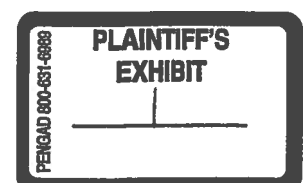
JOHN H. MERRILL, et al.,

*Defendants.*

Civil Case No. 2:21-CV-01530-AMM

**PLAINTIFFS' AMENDED NOTICE OF  
DEPOSITION FOR RANDY HINAMAN**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(1) of the Federal Rules of Civil Procedure, Plaintiffs Evan Milligan, Khadidah Stone, Adia Winfrey, Letetia Jackson, Shalela Dowdy, Greater Birmingham Ministries, and the Alabama State Conference of the NAACP, (collectively, "Plaintiffs") will take the deposition of Mr. Randy Hinaman. The deposition will commence on December 9, 2021, at 9:00 am CDT, at 105 Tallapoosa Street, Suite 200, Montgomery, AL 36104 (or at such other time and place as the parties may mutually agree upon). The deposition will be recorded stenographically by a certified court reporter, and may be recorded by video and audio by a certified videographer. The deposition will take place in-person and/or by videoconference and will continue from day to day, or according to a schedule mutually agreed upon by the parties, until completed.



david.dunn@hoganlovells.com

harmony.gbe@hoganlovells.com

Blayne R. Thompson\*  
HOGAN LOVELLS US LLP  
609 Main St., Suite 4200  
Houston, TX 77002  
(713) 632-1400  
blayne.thompson@hoganlovells.com

\*Motion for admission *pro hac vice* to be filed  
\*\*Admitted *pro hac vice*  
^Request for admission to the Northern District of Alabama

***Attorneys for Plaintiffs***

Janette McCarthy Wallace\*  
Anthony Ashton\* Anna-  
Kathryn Barnes\*  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
(NAACP)  
4805 Mount Hope Drive  
Baltimore, MD 21215  
(410) 580-5777  
jlouard@naacpnet.org  
aashton@naacpnet.org  
abarnes@naacpnet.org  
***Attorneys for Plaintiff Alabama  
State Conference of the NAACP***

AO 88A (Rev. 12/20) Subpoena to Testify at a Deposition in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Northern District of Alabama



EVAN MILLIGAN, et al.,

Plaintiff

v.

JOHN H. MERRILL, et al.

Defendant

Civil Action No. 2:21-cv-01530-AMM

## SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To:

Randy Hinaman

(Name of person to whom this subpoena is directed)

☒ **Testimony:** YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters:

Place: 105 Tallapoosa Street, Suite 200  
Montgomery, AL 36104

Date and Time:

12/09/2021 9:00 am

The deposition will be recorded by this method: court reporter/videographer

☐ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/03/2021

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Plaintiffs  
Evan Milligan, et al., , who issues or requests this subpoena, are:

Sidney Jackson, Esq.; 301 19th St. N., Birmingham, AL 35203; sjackson@wigginschilds.com; 205-314-0500

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).



**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(e) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

HINAMAN PXS

**Randy Hinaman**  
Hinaman and Company, Inc.  
703 Day Lane, Alexandria, VA 22314  
703.549.6760 [sharhl@comcast.net](mailto:sharhl@comcast.net)

1989 – Present	Owner and principal – Hinaman & Company, Inc. A general political consulting firm specializing in developing a winning strategy and assembling a campaign team for a select number of political clients. The firm's present and former clients include (partial list): Congressman Jo Bonner (R-AL-01) Congressman Bob Goodlatte (R-VA-06) Senator John Warner (R-VA) Senator Jeff Sessions (R-AL) Congressman Sonny Callahan (R-AL-01) Congressman Herb Batemen (R-VA-01) Congressman Tom Lewis (R-FL-12) Lieutenant Governor John Hager (R-VA) National Republican Congressional Committee All 7 Alabama Congressmen for redistricting 2011 Citizens for Fair Representation (AL) All 8 Republican Congressmen in VA for redistricting 2012 American Dental Association
1985 – 1988	Chief of Staff, Congressman Sonny Callahan (R-AL-01)
1984	Campaign Manager, Sonny Callahan for Congress
1984	Campaign Manager, Congressman Tom Lewis (R-FL-12)
1983	State Director – Roanoke Office, U. S. Senator Paul Trible (R-VA)
1982	Campaign Manager, Herb Bateman for Congress (R-VA-1)
1981	Campaign Manager, Herb Bateman for Lt. Governor
1980	Campaign Manager, Stan Parris for Congress (R-VA-08)
1979 – 1980	National Field Director – Youth Campaign, Reagan for President
1979	National Fieldman, Young Republican National Federation



**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION**

ALABAMA LEGISLATIVE  
BLACK CAUCUS, et al.,

Plaintiffs,

THE STATE OF ALABAMA, et al.,

Defendants.

DEMETRIUS NEWTON, et al.,

Plaintiffs,

v.

THE STATE OF ALABAMA, et al.,

Defendants.

Case No. 2:12-cv-691  
WKW-MHT-WHP

Case No. 2:12-cv-1081  
WKW-MHT-WHP

**DECLARATION OF RANDY HINAMAN**

1. My name is Randy Hinaman. I am over the age of 21 years, have personal knowledge of the facts set forth, and am competent to testify regarding them.

2. I have substantial experience in drafting redistricting plans in Alabama, including drawing the congressional plan adopted by the three-



4. In drawing the lines for all the new districts, I used information conveyed to me by Senator Dial, Representative McClendon, and individual legislators to try to make sure we accommodated the legislators' wishes to the extent possible. I did make recommendations, including the recommendations to move HD 53 from Birmingham to Huntsville and to make HD 85 a majority-black district thereby increasing the total number of black-majority districts under the House plan to 28, but the decision to follow those recommendations was made by Representative McClendon, not by me.

5. Senator Dial gave me a map of the Birmingham-area black-majority Senate districts (SDs 18, 19, and 20) that I understood came from Senator Rodger Smitherman. That map did not include any demographic information with it, but when I looked at the neighborhoods included in the new district boundaries, I saw that the black population in the proposed new districts was about the same percentage as in the old districts. That map also split a number of precincts, which I input into the draft Senate plan as they came to me. I estimate that I used 90-95% of that map in drawing the lines for the Senate plan, with the changes coming around the edges of the districts. The decision to follow these recommendations was made by Senator Dial.



Even so, I estimate that I used a great deal of the map that I received from Representative McClendon. HD 73 was moved to Shelby County, the fastest growing county in Alabama and one whose existing House districts were all over-populated. Again the decision to follow these recommendations, including the recommendation to move HD 73 to Shelby County, was made by Representative McClendon, not by me.

8. I recommended that HD 53 be moved from Birmingham to Huntsville because all of the black-majority districts in Jefferson County were significantly under-populated, while there was a compact, contiguous group of black voters in the Huntsville area that was large enough to be a majority in a Shaw-compliant House district. While the black-majority districts in Jefferson County needed to gain population, adding white voters from the rest of Jefferson County posed a serious problem with retrogression. Something had to be done, and the solution was to move the population from one of the black-majority districts into the adjoining districts and ripple it through to the other black-majority districts. I was told that Representative Demetrius Newton was retiring, so I suggested rolling up HD 53, which he represented. Again, the decision to move HD 53 to Madison County, where it became a new black-majority House district with

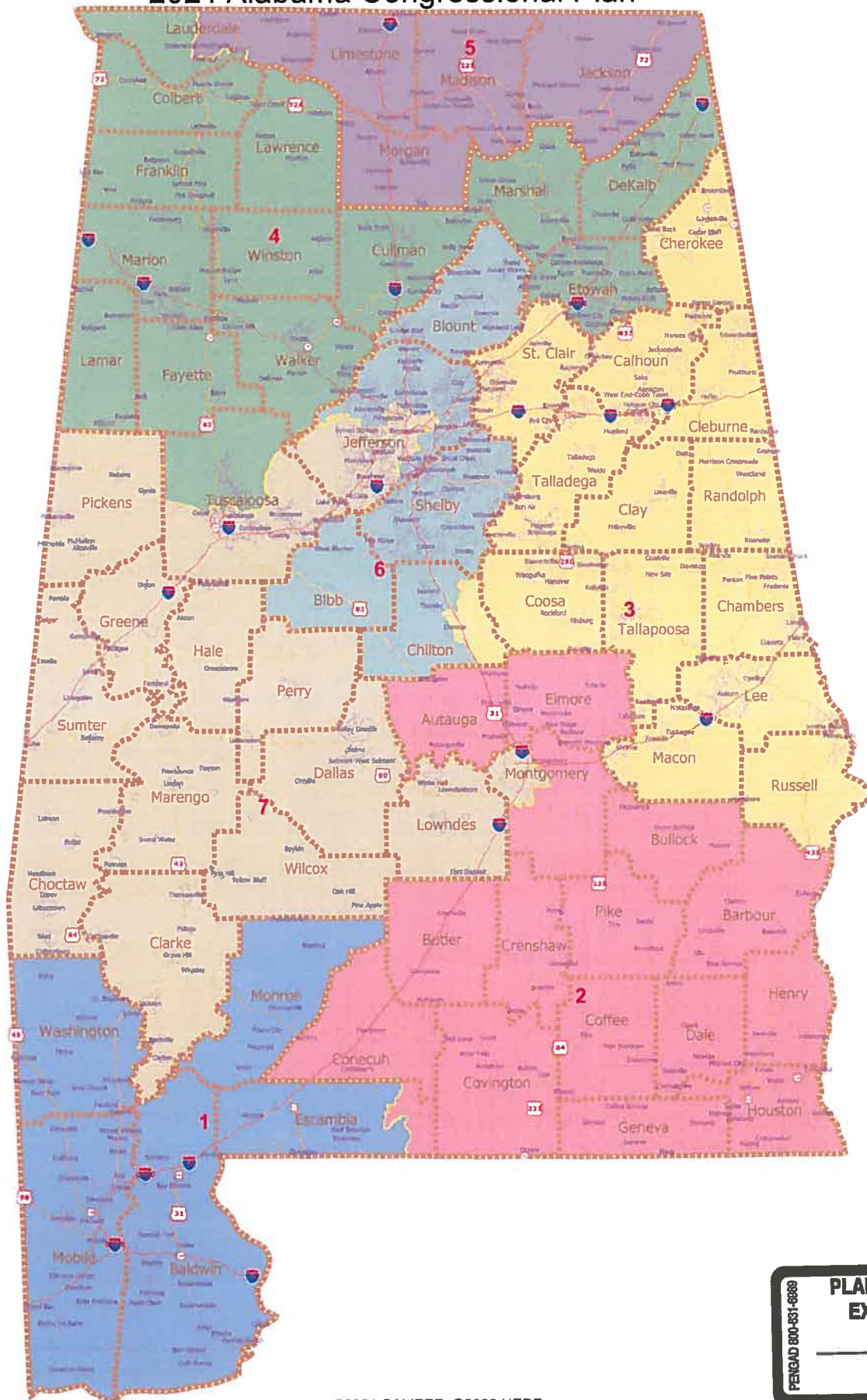
majority districts, and the best place to get the additional population was by pushing south into SD 22 and east into SD 30. That would cause less disruption to other districts than pushing north and east toward Tuscaloosa. This also kept the African-American percentages nearly identical to what they had been. Pushing south had the additional benefit of putting the extra 19,000 people in SD 32 in Baldwin County into a district that met the allowable population deviation. As a result, the changes I proposed included pushing SD 22 further into Baldwin County. Senator Dial made the decision on how to fit these districts into the Senate plan, not me.

Pursuant to 18 U.S.C. § 1746, I affirm that the foregoing is true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read "Randy Hinaman", written over a horizontal line.

Randy Hinaman

## 2021 Alabama Congressional Plan



©2021 CALIPER; ©2020 HERE

PLAINTIFF'S  
EXHIBIT  
5

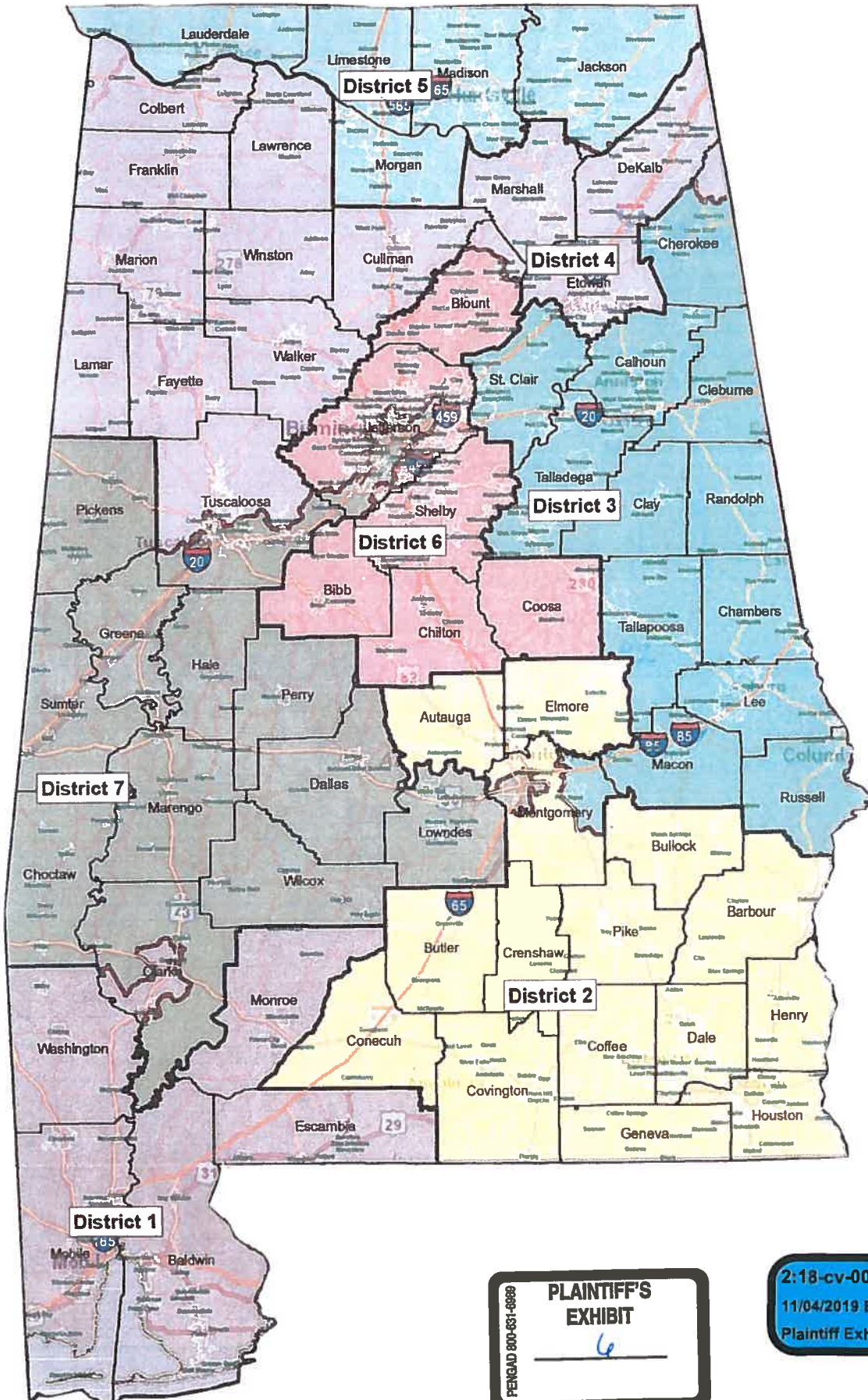
RC 000553



FILED

2019 Dec-04 PM 12:37  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

# 2011 Congressional Districts



PLAINTIFF'S  
EXHIBIT  
6

2:18-cv-00907-KOB  
11/04/2019 Bench Trial  
Plaintiff Exhibit No. 20

**REAPPORTIONMENT COMMITTEE REDISTRICTING GUIDELINES**

May 5, 2021

**I. POPULATION**

The total Alabama state population, and the population of defined subunits thereof, as reported by the 2020 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.

**II. CRITERIA FOR REDISTRICTING**

a. Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

b. Congressional districts shall have minimal population deviation.

c. Legislative and state board of education districts shall be drawn to achieve substantial equality of population among the districts and shall not exceed an overall population deviation range of  $\pm 5\%$ .

d. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.

e. The Reapportionment Committee shall not approve a redistricting plan that does not comply with these population requirements.

f. Districts shall be drawn in compliance with the Voting Rights Act of 1965, as amended. A redistricting plan shall have neither the purpose nor the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.

g. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations of race, color, or membership in a language-minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.



precincts, municipalities, tribal lands and reservations, or school districts. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.

(iv) The Legislature shall try to minimize the number of counties in each district.

(v) The Legislature shall try to preserve the cores of existing districts.

(vi) In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.

g. The criteria identified in paragraphs j(i)-(vi) are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.

### **III. PLANS PRODUCED BY LEGISLATORS**

1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.

2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.

3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.

4. In accordance with Rule 23 of the Joint Rules of the Alabama Legislature "[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office." Amendments or revisions must be part of a whole plan. Partial plans are not allowed.

5. In accordance with Rule 24 of the Joint Rules of the Alabama Legislature, "[d]rafts of all redistricting plans which are for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."



1 3. Any proposed redistricting plan drafted into legislation must be offered by a  
2 member of the Legislature for introduction into the legislative process.

3 4. A redistricting plan developed outside the Legislature or a redistricting plan  
4 developed without Reapportionment Office assistance which is to be presented for  
5 consideration by the Reapportionment Committee must:

6 a. Be clearly depicted on maps which follow 2020 Census geographic  
7 boundaries;

8 b. Be accompanied by a statistical sheet listing total population for each district  
9 and listing the census geography making up each proposed district;

10 c. Stand as a complete statewide plan for redistricting.

11 d. Comply with the guidelines adopted by the Reapportionment Committee.

12 5. Electronic Submissions

13 a. Electronic submissions of redistricting plans will be accepted by the  
14 Reapportionment Committee.

15 b. Plans submitted electronically must also be accompanied by the paper  
16 materials referenced in this section.

17 c. See the Appendix for the technical documentation for the electronic  
18 submission of redistricting plans.

19 6. Census Data and Redistricting Materials

20 a. Census population data and census maps will be made available through the  
21 Reapportionment Office at a cost determined by the Permanent Legislative  
22 Committee on Reapportionment.

23 b. Summary population data at the precinct level and a statewide work maps  
24 will be made available to the public through the Reapportionment Office at a cost  
25 determined by the Permanent Legislative Committee on Reapportionment.

26 c. All such fees shall be deposited in the state treasury to the credit of the  
27 general fund and shall be used to cover the expenses of the Legislature.

28 **Appendix.**

29 **ELECTRONIC SUBMISSION OF REDISTRICTING PLANS**

30 **REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA**



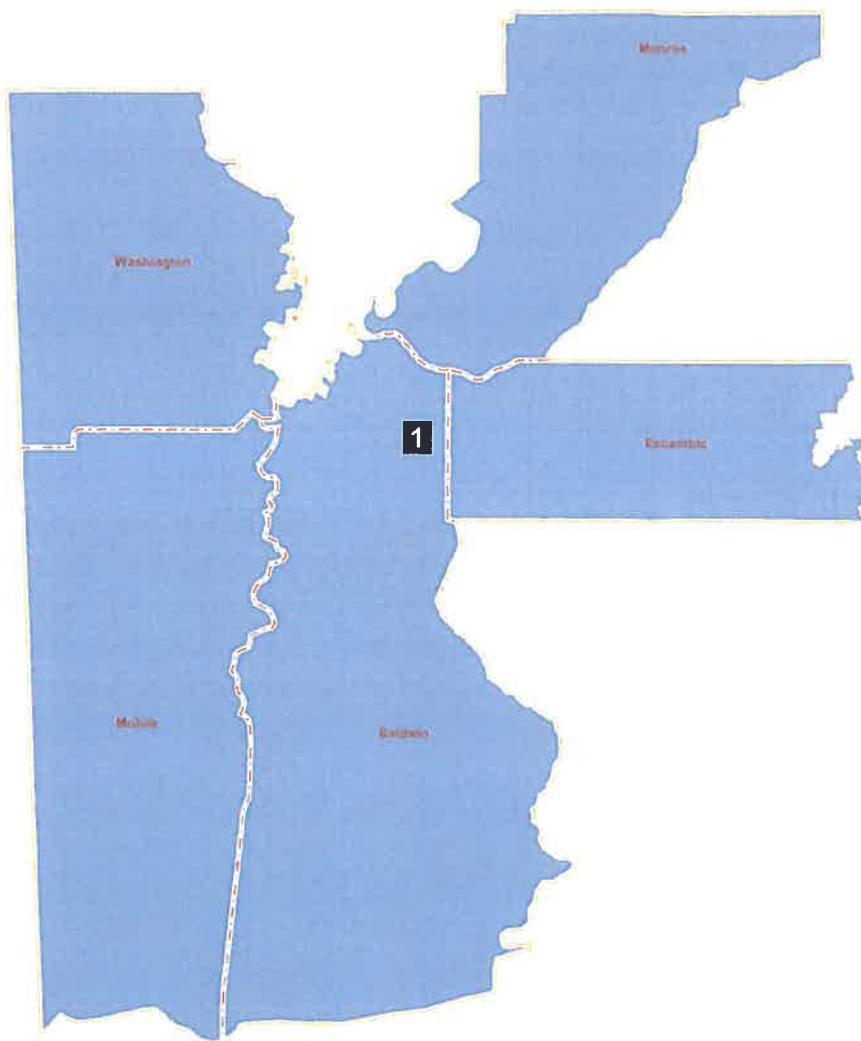
1 For questions relating to reapportionment and redistricting, please contact:

2 Donna Overton Loftin, Supervisor

3 Legislative Reapportionment Office

4 donna.overton@alsenate.gov

5 Please Note: The above e-mail address is to be used only for the purposes of  
6 obtaining information regarding redistricting. Political messages, including those  
7 relative to specific legislation or other political matters, cannot be answered or  
8 disseminated via this email to members of the Legislature. Members of the  
9 Permanent Legislative Committee on Reapportionment may be contacted through  
10 information contained on their Member pages of the Official Website of the  
11 Alabama Legislature, [legislature.state.al.us/aliswww/default.aspx](http://legislature.state.al.us/aliswww/default.aspx).

**District: 1**

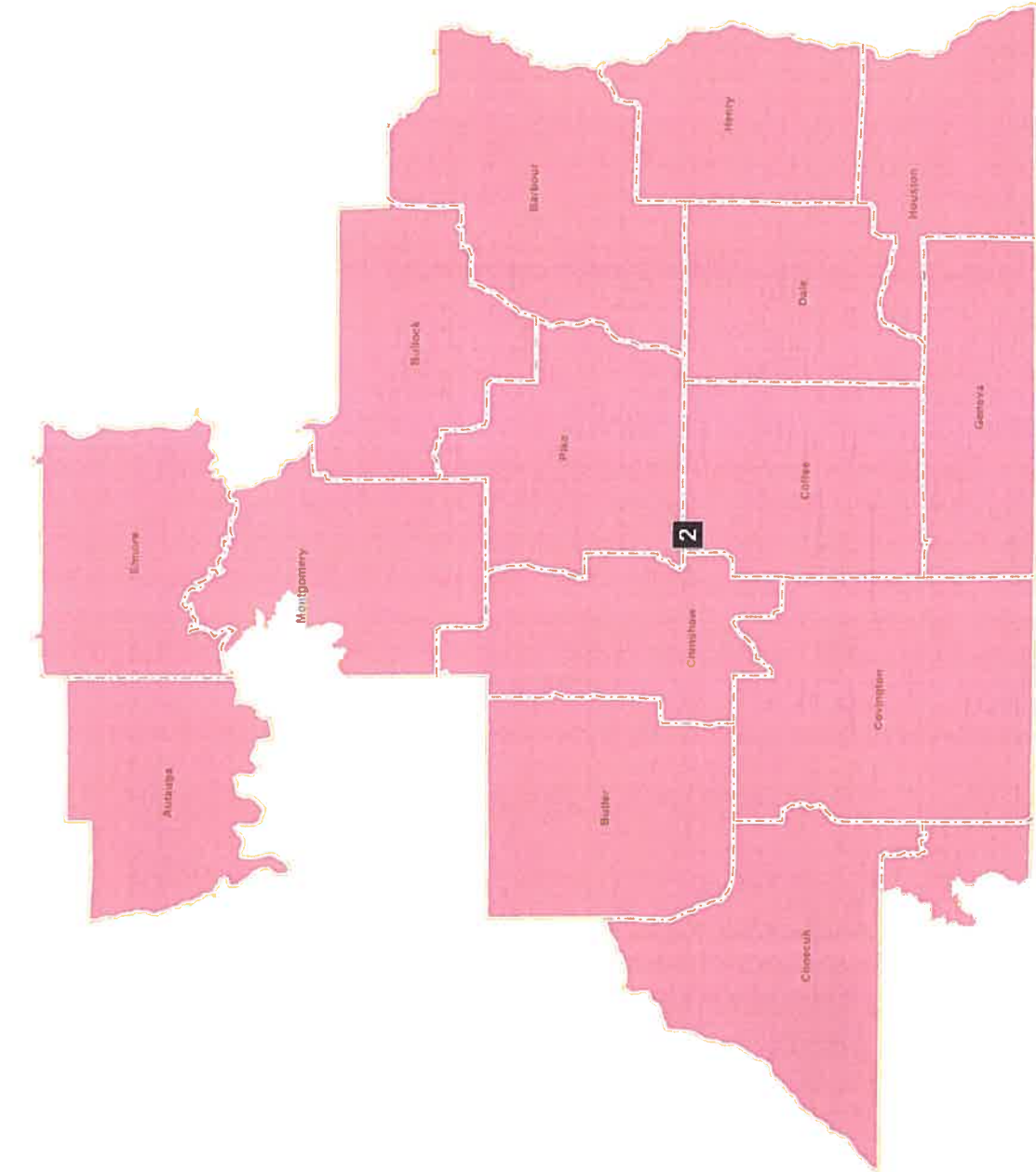
Field	Value
District	1
Population	717754
Deviation	0
% Deviation	0%
White	461324
% White	64.27%
Black	186921
% Black	26.04%
18+_Pop	557535
% 18+_Pop	77.68%
18+_Wht	371902
% 18+_Wht	66.7%
18+_Blk	138128
% 18+_Blk	24.77%
18+_Ind	6381
% 18+_Ind	1.14%
18+_Asn	8395
% 18+_Asn	1.51%
18+_Hwn	290
% 18+_Hwn	0.05%
18+_Oth	7947
% 18+_Oth	1.43%
AP_Wht	496638
% AP_Wht	69.19%
AP_Blkl	196827
% AP_Blkl	27.42%
18+_AP_Wht	394684
% 18+_AP_Wht	70.79%
18+_AP_Blkl	142777
% 18+_AP_Blkl	25.61%

©2021 CALIPER



RC 000556

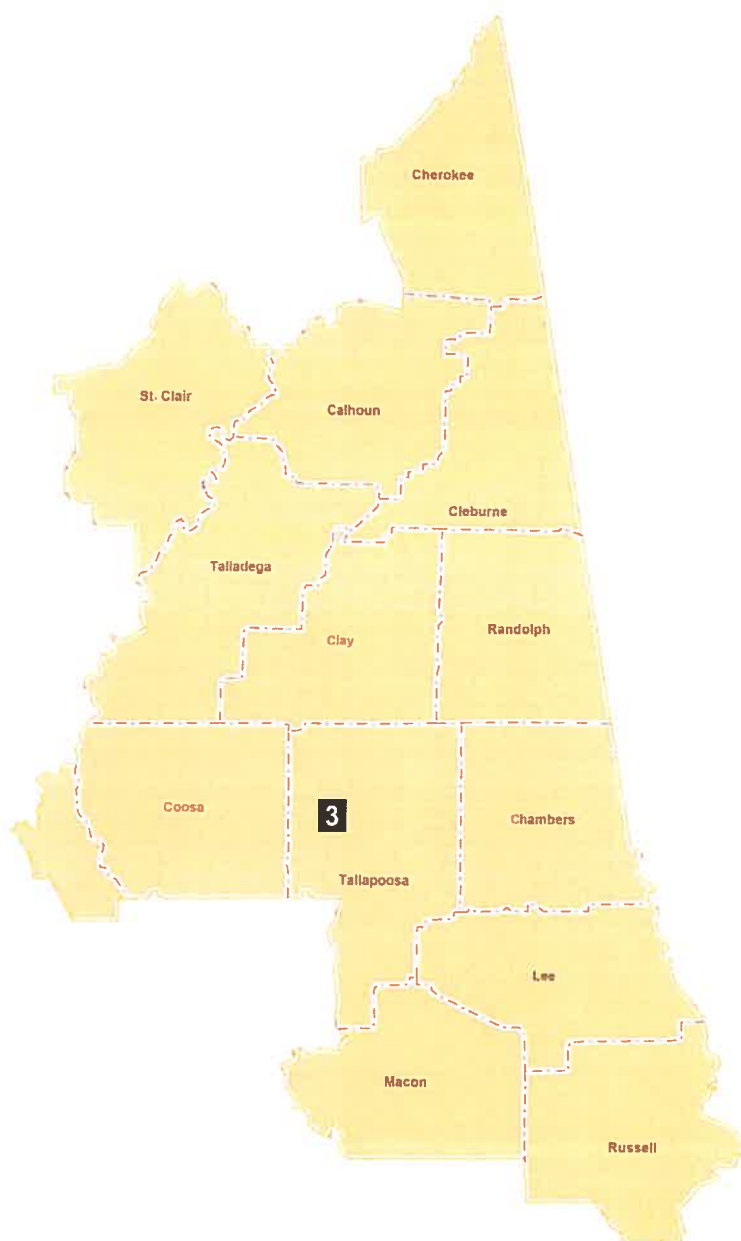
## District: 2



©2021 CALIPER

Field	Value
District	2
Population	717755
Deviation	1
% Deviation	0%
White	433244
% White	60.36%
Black	217392
% Black	30.29%
18+ Pop	557677
% 18+ Pop	77.7%
18+ Wht	350279
% 18+ Wht	62.81%
18+ Blk	162714
% 18+ Blk	29.18%
18+ Ind	2628
% 18+ Ind	0.47%
18+ Asn	10399
% 18+ Asn	1.86%
18+ Hwn	307
% 18+ Hwn	0.06%
18+ Oth	9802
% 18+ Oth	1.76%
AP_Wht	464682
% AP_Wht	64.74%
AP_Bl	228648
% AP_Bl	31.86%
18+ AP_Wht	369833
% 18+ AP_Wht	66.32%
18+ AP_Bl	167971
% 18+ AP_Bl	30.12%

RC 000557

**District: 3**

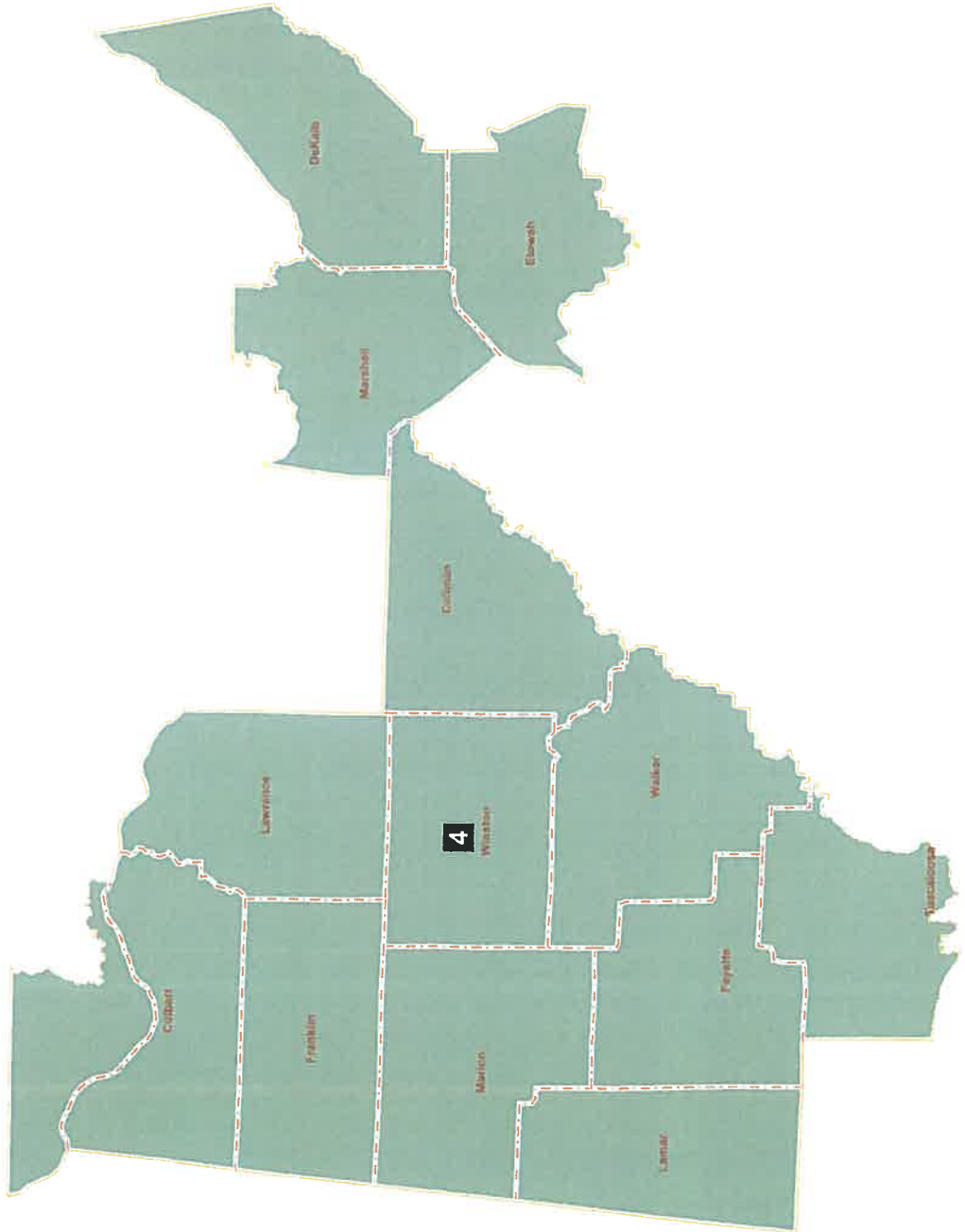
©2021 CALIPER

Field	Value
District	3
Population	717754
Deviation	0
% Deviation	0%
White	479432
% White	66.8%
Black	176953
% Black	24.65%
18+_Pop	564281
% 18+_Pop	78.62%
18+_Wht	386048
% 18+_Wht	68.41%
18+_Blk	136382
% 18+_Blk	24.17%
18+_Ind	2048
% 18+_Ind	0.36%
18+_Asn	9869
% 18+_Asn	1.75%
18+_Hwn	340
% 18+_Hwn	0.06%
18+_Oth	8505
% 18+_Oth	1.51%
AP_Wht	509986
% AP_Wht	71.05%
AP_Bl	187284
% AP_Bl	26.09%
18+_AP_Wht	405482
% 18+_AP_Wht	71.86%
18+_AP_Bl	141011
% 18+_AP_Bl	24.99%

RC 000558

## District: 4

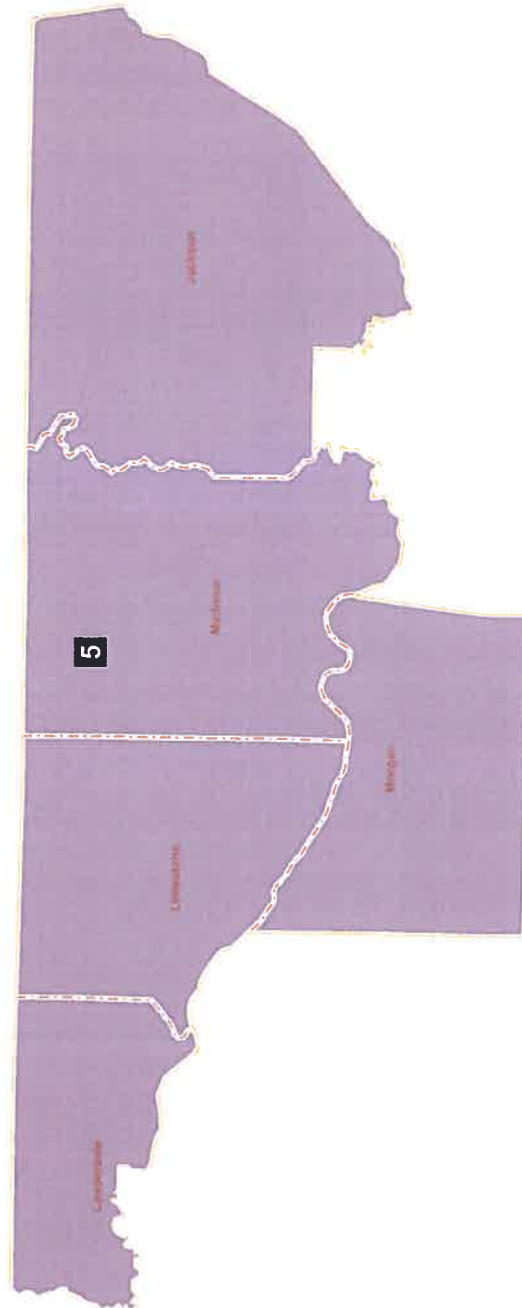
### 2021 Alabama Congressional Plan



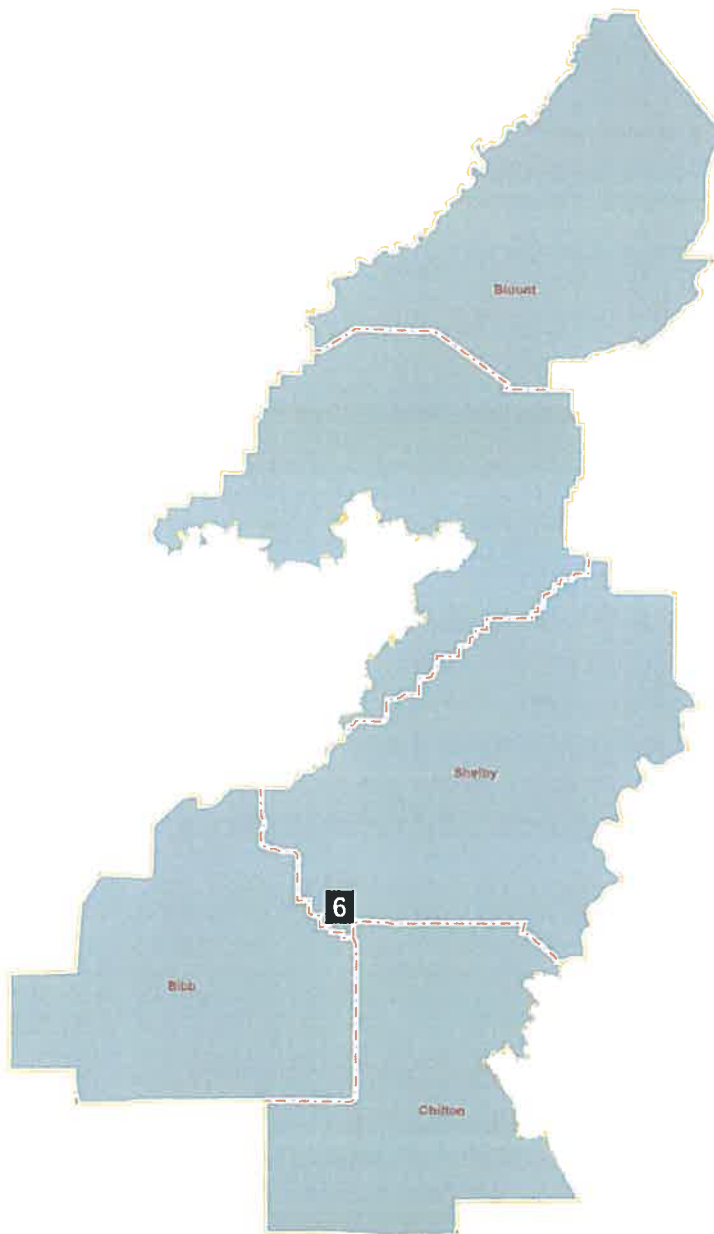
Field	Value
District	4
Population	717754
Deviation	0
% Deviation	0%
White	582698
% White	81.18%
Black	51929
% Black	7.23%
18+ Pop	556133
% 18+ Pop	77.48%
18+_Wht	463433
% 18+_Wht	83.33%
18+_Blk	39834
% 18+_Blk	7.16%
18+_Ind	5475
% 18+_Ind	0.98%
18+_Asn	3427
% 18+_Asn	0.62%
18+_Hwn	245
% 18+_Hwn	0.04%
18+_Oth	18651
% 18+_Oth	3.35%
AP_Wht	619856
% AP_Wht	86.36%
AP_Bl	59655
% AP_Bl	8.31%
18+_AP_Wht	487498
% 18+_AP_Wht	87.66%
18+_AP_Bl	42819
% 18+_AP_Bl	7.7%

## District: 5

**2021 Alabama Congressional Plan**



Field	Value
District	5
Population	717754
Deviation	0
% Deviation	0%
White	499707
% White	69.62%
Black	124642
% Black	17.37%
18+ Pop	561187
% 18+ Pop	78.19%
18+_Wht	403155
% 18+_Wht	71.84%
18+_Blk	95757
% 18+_Blk	17.06%
18+_Ind	4130
% 18+_Ind	0.74%
18+_Asn	10814
% 18+_Asn	1.93%
18+_Hwn	447
% 18+_Hwn	0.08%
18+_Oth	15080
% 18+_Oth	2.69%
AP_Wht	546329
% AP_Wht	76.12%
AP_Bl	136782
% AP_Bl	19.06%
18+_AP_Wht	432690
% 18+_AP_Wht	77.1%
18+_AP_Bl	101339
% 18+_AP_Bl	18.06%

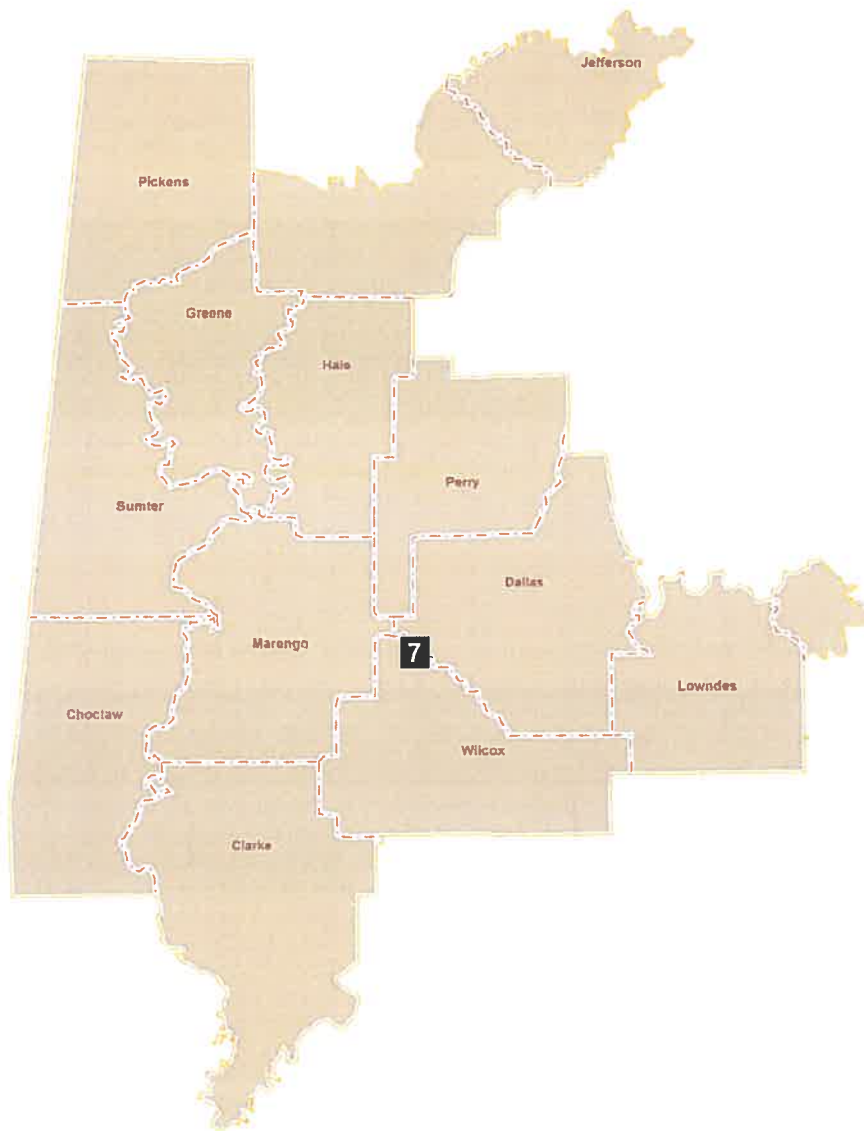
**District: 6**

©2021 CALIPER

Field	Value
District	6
Population	717754
Deviation	0
% Deviation	0%
White	498843
% White	69.5%
Black	138019
% Black	19.23%
18+_Pop	552286
% 18+_Pop	76.95%
18+_Wht	397498
% 18+_Wht	71.97%
18+_Blk	100878
% 18+_Blk	18.27%
18+_Ind	2183
% 18+_Ind	0.4%
18+_Asn	10568
% 18+_Asn	1.91%
18+_Hwn	254
% 18+_Hwn	0.05%
18+_Oth	16611
% 18+_Oth	3.01%
AP_Wht	534271
% AP_Wht	74.44%
AP_Blkl	145897
% AP_Blkl	20.33%
18+_AP_Wht	420311
% 18+_AP_Wht	76.1%
18+_AP_Blkl	104551
% 18+_AP_Blkl	18.93%

RC 000561



**District: 7**

Field	Value
District	7
Population	717754
Deviation	0
% Deviation	0%
White	265204
% White	36.95%
Black	400306
% Black	55.77%
18+_Pop	568067
% 18+_Pop	79.15%
18+_Wht	222731
% 18+_Wht	39.21%
18+_Blk	308030
% 18+_Blk	54.22%
18+_Ind	1707
% 18+_Ind	0.3%
18+_Asn	7036
% 18+_Asn	1.24%
18+_Hwn	232
% 18+_Hwn	0.04%
18+_Oth	10629
% 18+_Oth	1.87%
AP_Wht	287088
% AP_Wht	40%
AP_Bl	409643
% AP_Bl	57.07%
18+_AP_Wht	238100
% 18+_AP_Wht	41.91%
18+_AP_Bl	313904
% 18+_AP_Bl	55.26%

©2021 CALIPER

RC 000562

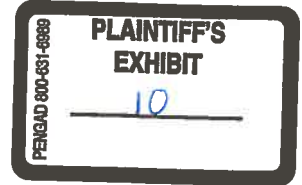
NAME OF PLAN	SPONSOR	BILL NUMBER	SUBSTITUTE	ALIS NUMBER	NOTES
PRINGLE CONGRESSIONAL PLAN 1	REP PRINGLE	HB1		215467-2	**PASSED THE LEGISLATURE AND RENAMED THE 2021 ALABAMA CONGRESSIONAL PLAN
COLEMAN CONGRESSIONAL PLAN 1	SEN COLEMAN		FLOOR	215457-1	**OFFERED TWICE **JOE REED PLAN
HOLMES CONGRESSIONAL PLAN 1	REP HOLMES		FLOOR	215458-2	**MOORE CONGRESSIONAL PLAN AND SAME AS BARFOOT CONGR PLAN 1
FAULKNER CONGRESSIONAL PLAN 2	REP FAULKNER		FLOOR	215500-1	
SINGLETON CONGRESSIONAL PLAN 1	SEN SMITHERMAN	SB10	FLOOR	215593-1	**LEAGUE OF WOMEN VOTER PLAN
SINGLETON CONGRESSIONAL PLAN 2	SEN SINGLETON		FLOOR	215488-1	**NARROW DEVIATION PLAN
SINGLETON CONGRESSIONAL PLAN 3	SEN SINGLETON		FLOOR	215489-1	**ZERO DEVIATION PLAN
HATCHER CONGRESSIONAL PLAN 1	SEN HATCHER		FLOOR	215601-1	
WAGGONER CONGRESSIONAL PLAN 3	SEN WAGGONER		FLOOR	215614-1	
BARFOOT CONGRESSIONAL PLAN 1	SEN BARFOOT		FLOOR	215598-1	**SAME AS MOORE AND HOLMES PLANS
WAGGONER CONGRESSIONAL PLAN 1	SEN WAGGONER		COMMITTEE	215560-1	**OFFERED IN F&T COMMITTEE NOV 2 same as Faulkner Plan

PENGAD 800-631-6989

PLAINTIFF'S  
EXHIBIT

9

RC 000007



**UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

2021 MAR 10 P 12:38  
THE STATE OF ALABAMA; ROBERT  
ADERHOLT, Representative for Alabama's  
4th Congressional District, in his official and  
individual capacities; WILLIAM GREEN;  
and CAMARAN WILLIAMS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
COMMERCE; GINA RAIMONDO, in her  
official capacity as Secretary of Commerce;  
UNITED STATES BUREAU OF THE  
CENSUS, an agency within the United States  
Department of Commerce; and RON  
JARMIN, in his official capacity as Acting  
Director of the U.S. Census Bureau,

Defendants.

CIVIL ACTION NO. 3:21-cv-211-RAH

COMPLAINT FOR DECLARATORY AND  
INJUNCTIVE RELIEF

**THREE-JUDGE COURT REQUESTED  
PURSUANT TO 28 U.S.C. § 2284**

**INTRODUCTION**

1. This suit challenges two unlawful actions by the U.S. Commerce Department and Census Bureau in relation to the 2020 decennial census—(1) Defendants' decision to produce manipulated redistricting data to the States, and (2) Defendants' refusal to produce redistricting data on time.

2. First, the skewed numbers. Congress has ordered the Secretary of Commerce to work with the States to learn what they need for redistricting and then report to each State accurate "[t]abulations of population" for subparts of each State for purposes of "legislative apportionment or districting of such State." 13 U.S.C. § 141(c). But the Secretary, through the Census Bureau, has announced that she will instead provide the States purposefully flawed population tabulations.

116. Even at the higher census geography of Alabama's Congressional districts, the November 2020 demonstration data indicated that the differential privacy algorithm skewed the data enough to create population deviation on a level that courts have found, in other contexts, to violate the Supreme Court's equal population jurisprudence.<sup>27</sup>

Congressional District	2010 Actual Population	2010 Actual Population Deviation	Differential Privacy Population (Demonstration Data)	Differential Privacy Deviation (Demonstration Data)
1	682820	+1	682747	-73
2	682820	+1	682791	-29
3	682819	-1	682844	+25
4	682819	-1	682820	+1
5	682819	-1	682820	+1
6	682819	-1	682688	-131
7	682820	+1	683026	+206

117. Notably, the only reason that these errors are knowable is because the Census Bureau provided both the differential privacy data and the actual Census data.

118. Because the Bureau will *not* provide the actual data for the 2020 census, if the application of differential privacy to the 2020 census data is not stopped, these differences from reality will never be discernable from the official federal government data.

119. Nor will the Bureau simply be able to provide the true numbers (with the 2010 disclosure avoidance methods in place) at a later time if turns out that the differential privacy numbers cannot be used. Doing so would throw a wrench in the redistricting process, forcing States

---

<sup>27</sup> See, e.g., *Vieth v. Pennsylvania*, 195 F. Supp. 2d 672 (M.D. Pa. 2002) (three-judge court).

Page 1



1 PERMANENT LEGISLATIVE COMMITTEE ON

2  
3 REAPPORTIONMENT PUBLIC HEARINGS

4  
5  
6  
7  
8  
9  
10  
11  
12 NORTHEAST ALABAMA COMMUNITY COLLEGE  
13 REDISTRICTING PUBLIC HEARING

14  
15 September 1, 2021

16  
17  
18  
19  
20  
21 REPORTED BY:

22 Jan A. Mann, CSR  
23 Veritext Legal Solutions  
24 260 North Joachim Street  
25 Mobile, Alabama 36603

Veritext Legal Solutions

877-373-3660

800.808.4958

1 MR. MCGRIFF: Hi. Good afternoon. My  
2 name is Toni McGriff and I live in Dutton which is  
3 Senate District 8 and House District 23 but my question  
4 is about the congressional District Number 4.

5 Most of Jackson County, practically all  
6 of Jackson County is in congressional District 5 but  
7 there is a tiny little sliver of southern Jackson County  
8 that's in 4. And I understand about trying to get  
9 everything equalized in terms of population but the very  
10 few people who live there very frequently think they're  
11 in District 5 and do not know who to vote for.

12 And I would ask that you consider that  
13 when you are redistricting so that you don't have that  
14 tiny little sliver out of the county. It's in a section  
15 called Macedonia. Senator Livingston would know where  
16 I'm talking about I'm sure.

17 HEARING OFFICER: Thank you. Thank you.  
18 That's very helpful. Anything else?

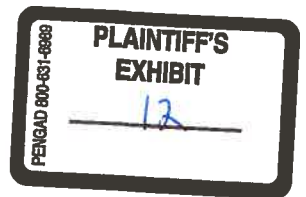
19 MS. MCGRIFF: I don't think so. Not at  
20 this time.

21 HEARING OFFICER: Thank you very much.  
22 Very helpful.

23 MS. MCGRIFF: Thank you.

24 HEARING OFFICER: Is there anyone else  
25 that would like to speak? Okay. Senator Livingston has





Whole County Plan Figure 9



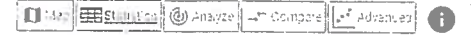


## 2. Mapbox 2 OpenStreetMap improve this map



DRA2020

Act 2021-555 plan Tuscaloosa and Montgomery whole



ID	Population		Shapes		Partisan Lean			Demographics (VAP)							DOWNLOAD
	Total	+/-			Dem	Rep	Oth	Total	White	Minority	Hispanic	Black	Asian	Native	Pacific
Un	0				0.00%	0.00%	0.00%	0	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
1	717,754	0.00%			38.53%	60.22%	1.25%	557,535	66.00%	34.00%	3.23%	25.61%	1.85%	3.11%	0.12%
2	717,342	-0.06%			42.11%	56.80%	1.09%	558,875	56.97%	43.03%	3.59%	35.45%	2.21%	1.98%	0.14%
3	718,225	0.07%			35.06%	63.83%	1.10%	564,742	67.86%	32.14%	3.03%	24.89%	2.09%	2.12%	0.13%
4	718,107	0.05%			21.52%	77.22%	1.25%	556,904	72.42%	17.58%	6.01%	7.34%	0.74%	3.57%	0.09%
5	717,754	0.00%			37.76%	60.35%	1.88%	561,187	70.89%	29.11%	5.28%	18.06%	2.53%	3.27%	0.18%
6	717,854	0.01%			36.70%	61.60%	1.70%	551,695	70.68%	29.32%	5.01%	19.72%	2.40%	2.11%	0.11%
7	717,243	-0.07%			62.77%	36.25%	0.98%	566,228	43.84%	56.16%	3.68%	49.79%	1.58%	1.40%	0.10%
	717,754	0.14%			39.47%	59.20%	1.33%	559,595	65.47%	34.53%	4.26%	25.90%	1.91%	2.50%	0.12%

## Notes

- The 0.14% population deviation is within the 0.75% threshold tolerated by the courts.
- Six districts lean Republican, one leans Democratic, and none fall in the 45-55% competitive range.
- There is one majority-minority district.

**In The Matter Of:**

**Evan Milligan,et al v. John H.Merrill, et al.**

---

Chris Pringle

*December 17, 2021*

---

US Legal

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

1 UNITED STATES DISTRICT COURT	1 A P P E A R A N C E S
2 FOR THE NORTHERN DISTRICT OF ALABAMA	2
3	3 FOR THE MILLIGAN PLAINTIFFS:
4	4 MICHAEL L. TURRILL
5	5 Attorney at Law
6 EVAN MILLIGAN, et al., )	6 Hogan Lovells US LLP
7 ) CIVIL CASE NO.	7 1999 Avenue of the Stars, Ste. 1400
8 Plaintiffs, ) 2:2021-CV-01530-AMM	8 Los Angeles, California 90067
9 VS. ) VIDEO DEPOSITION OF:	9 michael.turrill@hoganlovells.com
10 JOHN MERRILL, et al., ) CHRIS PRINGLE	10
11 )	11 KATHRYN SADASIVAN
12 Defendants. )	12 Attorney at Law
13	13 NAACP Legal Defense & Educational Fund
14	14 40 Rector Street, FL 5
15	15 New York, New York 10006
16 S T I P U L A T I O N S	16 ksadasivan@naacpldf.org
17 IT IS STIPULATED AND AGREED, by and between	17
18 the parties through their respective counsel, that	18 DEUEL ROSS (Via Zoom)
19 the deposition of:	19 Attorney at Law
20 CHRIS PRINGLE,	20 NAACP Legal Defense & Educational Fund
21 may be taken before LeAnn Maroney, Notary Public,	21 700 14th Street N.W., Ste. 600
22 State at Large, at the law offices of Balch &	22 Washington, DC 20005
23 Bingham, 105 Tallapoosa Street, Montgomery, Alabama,	23 dross@naacpldf.org
24 36104, on December 17, 2021, commencing at 9:14 a.m.	24
25	25
Page 1	Page 3
1 IT IS FURTHER STIPULATED AND AGREED that the	1 JULIE A. EBENSTEIN
2 signature to and reading of the deposition by the	2 DAVIN M. ROSBOROUGH
3 witness is waived, the deposition to have the same	3 Attorneys at Law
4 force and effect as if full compliance had been had	4 American Civil Liberties Union Foundation
5 with all laws and rules of Court relating to the	5 125 Broad Street
6 taking of depositions.	6 New York, New York 10004
7	7 drosborough@aclu.org
8 IT IS FURTHER STIPULATED AND AGREED that it	8
9 shall not be necessary for any objections to be made	9 KAITLIN WELBORN
10 by counsel to any questions, except as to form or	10 LATISHA GOTELL FAULKS
11 leading questions, and that counsel for the parties	11 Attorneys at Law
12 may make objections and assign grounds at the time	12 American Civil Liberties Union of Alabama
13 of the trial, or at the time said deposition is	13 P.O. Box 6179
14 offered in evidence, or prior thereto.	14 Montgomery, Alabama 36106
15	15 kwelborn@aclualabama.org
16	16
17 ***	17 FOR THE SINGLETON PLAINTIFFS: (Via Zoom)
18	18 JAMES URIAH BLACKSHER
19	19 Attorney at Law
20	20 825 Linwood Road
21	21 Birmingham, Alabama 35222
22	22 jublacksher@gmail.com
23	23
24	24
25	25
Page 2	Page 4

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

1 FOR THE CASTER PLAINTIFFS: (Via Zoom)	1 I, LeAnn Maroney, a Court Reporter of
2 DAN OSHER	2 Birmingham, Alabama, and a Notary Public for the
3 Attorney at Law	3 State of Alabama at Large, acting as commissioner,
4 Elias Law Group	4 certify that on this date, pursuant to the Federal
5 10 G Street NE, Ste. 600	5 Rules of Civil Procedure and the foregoing
6 Washington, DC 20002	6 stipulation of counsel, there came before me on
7 dosher@elias.law	7 December 17, 2021, CHRIS PRINGLE, witness in the
8	8 above cause, for oral examination, whereupon the
9 FOR DEFENDANT JOHN H. MERRILL:	9 following proceedings were had:
10 JIM DAVIS	10 * * * * *
11 Assistant Attorney General	11 THE VIDEOGRAPHER: This marks the
12 Office of the Attorney General	12 beginning of the deposition of Chris Pringle in the
13 501 Washington Avenue	13 matter of Evan Milligan, et al., versus John H.
14 Montgomery, Alabama 36130	14 Merrill, et al., Civil Case Number 2:21-CV-01530-AMM
15 jim.davis@alabamaag.gov	15 filed in the United States District Court for the
16	16 Northern District of Alabama. The date is December
17 FOR THE DEFENDANTS JIM McCLENDON & CHRIS PRINGLE:	17 17, 2021. The time is 9:14 a.m.
18 DORMAN WALKER	18 All attorneys present, will you please
19 Attorney at Law	19 state your names and whom you represent.
20 Balch & Bingham	20 MS. WELBORN: Kaitlin Welborn from the
21 105 Tallapoosa Street, Ste. 200	21 ACLU of Alabama representing the plaintiffs.
22 Montgomery, Alabama 36104	22 MS. FAULKS: LaTisha Gotell Faulks, ACLU
23 dwalker@balch.com	23 of Alabama, representing the plaintiffs.
24	24 MR. WALKER: Dorman Walker, Balch &
25	25 Bingham, representing the intervenor defendants,
Page 5	Page 7
1 ALSO PRESENT:	1 Senator Jim McClendon and Representative Chris
2 Paige Ali, Videographer	2 Pringle.
3 Elizabeth Baggett	3 MR. DAVIS: Jim Davis, Alabama Attorney
4	4 General's office, representing Secretary of State
5	5 John Merrill.
6 I N D E X	6 THE VIDEOGRAPHER: All attorneys on
7 MS. WELBORN: 9-120	7 Zoom.
8 MR. OSHER: 120-125	8 MS. SADASIVAN: This is Kathryn
9 MR. BLACKSHER: 125-140	9 Sadasivan from LDF for the Milligan plaintiffs.
10 MR. DAVIS: 140-141	10 MR. ROSS: Deuel Ross for the Milligan
11	11 plaintiffs.
12 E X H I B I T L I S T	12 MR. TURRILL: Michael Turrill for the
13	13 Milligan plaintiffs.
14 Plaintiff's Exhibit 1 - 12	14 MR. OSHER: Hi. This is Dan Osher from
15 (Depo notice)	15 Elias Law Group representing the Caster plaintiffs.
16 Plaintiff's Exhibit 2 - 52	16 Good to see you all.
17 (Reapportionment Guidelines)	17 MR. WALKER: Good to see you, Dan.
18 Plaintiff's Exhibit 3 - 55	18 MR. ROSBOROUGH: Good morning. I'm
19 (Proposed guidelines handout)	19 Davin Rosborough for the Milligan plaintiffs.
20 Plaintiff's Exhibit 4 - 104	20 MS. EBENSTEIN: Julie Ebenstein for the
21 (Transcript of 10-26-21)	21 Milligan plaintiffs.
22 Plaintiff's Exhibit 5 - 116	22 MR. BLACKSHER: Jim Blacksher for the
23 (Transcript of 11-1-21)	23 Singleton plaintiffs.
24 Plaintiff's Exhibit 6 - 119	24 MS. BAGGETT: Elizabeth Baggett. I'm a
25 (2021 Congressional map)	25 law clerk with the ACLU, not an attorney, for the
Page 6	Page 8

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Milligan plaintiffs.</p> <p>2 THE VIDEOGRAPHER: Court reporter, will</p> <p>3 you please swear in the witness.</p> <p>4 CHRIS PRINGLE,</p> <p>5 having been duly sworn, was examined and testified</p> <p>6 as follows:</p> <p>7 THE REPORTER: Usual stipulations?</p> <p>8 MS. WELBORN: Yes.</p> <p>9 MR. WALKER: Yeah. Kaitlin, that means</p> <p>10 -- okay.</p> <p>11 MS. WELBORN: Yes, I understand.</p> <p>12 EXAMINATION BY MS. WELBORN:</p> <p>13 Q. Representative Pringle, my name is</p> <p>14 Kaitlin Welborn from the ACLU of Alabama. I</p> <p>15 represent the Milligan plaintiffs.</p> <p>16 Could you please state your full name</p> <p>17 for the record?</p> <p>18 A. Christopher Paul Pringle.</p> <p>19 Q. And do you understand that you're</p> <p>20 testifying under oath right now?</p> <p>21 A. I do.</p> <p>22 Q. Is there anything that might prevent you</p> <p>23 from understanding my questions or answering</p> <p>24 truthfully today?</p> <p>25 A. No.</p> <p style="text-align: right;">Page 9</p>	<p>1 A. 2003.</p> <p>2 Q. And what was the case?</p> <p>3 A. Mr. Blacksher, redistricting.</p> <p>4 Q. Okay. And what was it -- it was about</p> <p>5 redistricting. Do you know what the result of that</p> <p>6 case was?</p> <p>7 A. No.</p> <p>8 Q. So I'll just go over some key rules of</p> <p>9 the road as a refresher. I'll ask the questions.</p> <p>10 And if you don't understand a question, let me know,</p> <p>11 just like you did just now. And if you answer a</p> <p>12 question, I will assume that you understood that</p> <p>13 question. Is that fair?</p> <p>14 A. Yes.</p> <p>15 Q. The court reporter is here, and she's</p> <p>16 typing everything you and I say and everybody else</p> <p>17 says. And she'll type everything said by anyone in</p> <p>18 the room or on Zoom.</p> <p>19 It's really important that only one</p> <p>20 person speaks at a time. So if you could just allow</p> <p>21 me to finish my questions and sentences, and I'll do</p> <p>22 my best to allow you to finish your answers before</p> <p>23 jumping on to the next question. Okay?</p> <p>24 I'd like to introduce my first exhibit,</p> <p>25 which is the deposition notice.</p> <p style="text-align: right;">Page 11</p>
<p>1 Q. Are you represented by a lawyer today?</p> <p>2 A. Yes.</p> <p>3 Q. And who is that lawyer?</p> <p>4 A. Dorman Walker.</p> <p>5 Q. And is he the same lawyer who represents</p> <p>6 plaintiffs -- or defendants in this lawsuit?</p> <p>7 A. Yes.</p> <p>8 Q. And --</p> <p>9 MR. WALKER: I'm not sure what the</p> <p>10 question is.</p> <p>11 A. The defendants are --</p> <p>12 MS. WELBORN: That's okay.</p> <p>13 Q. The intervenors. He represents the</p> <p>14 intervenors --</p> <p>15 A. Yes.</p> <p>16 Q. -- is that correct? Okay.</p> <p>17 And are you paying Mr. Walker to be your</p> <p>18 lawyer today?</p> <p>19 A. No.</p> <p>20 Q. And do you assume that the State of</p> <p>21 Alabama is paying Mr. Walker to be your lawyer?</p> <p>22 A. Yes.</p> <p>23 Q. Have you ever been deposed before?</p> <p>24 A. One time.</p> <p>25 Q. And when was that?</p> <p style="text-align: right;">Page 10</p>	<p>1 MR. WALKER: Are you -- are you</p> <p>2 numbering these sequentially from the last --</p> <p>3 MS. WELBORN: We'll start over. So this</p> <p>4 will be Plaintiff's Exhibit Number 1.</p> <p>5</p> <p>6 (Plaintiff's Exhibit 1 was</p> <p>7 marked for identification.)</p> <p>8</p> <p>9 Q. So have you seen this document before?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. And without disclosing the content of</p> <p>12 any discussions with your attorney, what did you do</p> <p>13 to prepare for your deposition today?</p> <p>14 A. We met yesterday to discuss the</p> <p>15 deposition.</p> <p>16 Q. With Mr. Walker?</p> <p>17 A. Yes.</p> <p>18 Q. With anybody else?</p> <p>19 A. Mr. Davis and Senator McClendon.</p> <p>20 Q. Okay. And for how long did you meet?</p> <p>21 A. An hour an 45 minutes, two hours maybe.</p> <p>22 It wasn't long.</p> <p>23 Q. Okay. And other than Senator McClendon,</p> <p>24 did you meet with anyone who's not an attorney?</p> <p>25 A. No.</p> <p style="text-align: right;">Page 12</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 MS. WELBORN: I'm sorry. I don't know</p> <p>2 if you're an attorney or not.</p> <p>3 MR. McCLENDON: No.</p> <p>4 MS. WELBORN: I'm from DC. I just</p> <p>5 assume everybody is an attorney.</p> <p>6 MR. WALKER: He's an eye doctor, if you</p> <p>7 have any issues there. But he's not an attorney.</p> <p>8 MS. WELBORN: Well, clearly, I do.</p> <p>9 Q. Okay. And did you review any documents</p> <p>10 for today?</p> <p>11 A. No.</p> <p>12 Q. Okay. You didn't review the complaint</p> <p>13 for this case?</p> <p>14 A. No.</p> <p>15 Q. And have you discussed this case with</p> <p>16 anyone other than your attorney, Mr. Davis, and</p> <p>17 Senator McClendon?</p> <p>18 A. No.</p> <p>19 Q. And have you discussed your deposition</p> <p>20 with anyone?</p> <p>21 A. I told people I was being deposed. But</p> <p>22 that was the extent of it.</p> <p>23 Q. Okay. And who first told you that this</p> <p>24 lawsuit had been filed?</p> <p>25 A. Was this the one that was filed before</p> <p style="text-align: right;">Page 13</p>	<p>1 government, I couldn't even tell you.</p> <p>2 Q. And that's your legislative --</p> <p>3 A. Yes.</p> <p>4 Q. -- email address?</p> <p>5 Do you have any other email accounts?</p> <p>6 A. No.</p> <p>7 Q. Do you have an email account for any</p> <p>8 PAC, for example?</p> <p>9 A. No.</p> <p>10 Q. So everything goes to either your</p> <p>11 legislative account or your personal account?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Do you have any personal social</p> <p>14 media accounts?</p> <p>15 A. I have a Facebook page.</p> <p>16 Q. So Twitter, anything like that, for</p> <p>17 personal use?</p> <p>18 A. Not for me, no.</p> <p>19 Q. Okay.</p> <p>20 A. I mean, there -- there are Twitter</p> <p>21 accounts for me, but I didn't use them. I didn't --</p> <p>22 they had my name on them, but I never used them.</p> <p>23 Q. Okay. And on your personal Facebook</p> <p>24 account, it's just your name on the account; is that</p> <p>25 correct?</p> <p style="text-align: right;">Page 15</p>
<p>1 we even introduced a bill?</p> <p>2 Q. No.</p> <p>3 A. Okay. So I have no recollection.</p> <p>4 Q. And who first told you that your</p> <p>5 deposition had been requested?</p> <p>6 A. My attorney.</p> <p>7 Q. And when was that? Do you remember?</p> <p>8 A. Shortly after y'all noticed it.</p> <p>9 Q. Okay. Which was --</p> <p>10 A. Just a couple of days ago.</p> <p>11 Q. Just a few days ago.</p> <p>12 Are you being compensated by anyone to</p> <p>13 be here today?</p> <p>14 A. I'm getting my usual legislative per</p> <p>15 diem for travel, which all state employees are</p> <p>16 entitled to.</p> <p>17 Q. Right. And do you expect to be</p> <p>18 compensated in any way if you testify at trial?</p> <p>19 A. I will receive the same compensation for</p> <p>20 travel that all state employees are entitled to.</p> <p>21 Q. Okay. Do you have an email account?</p> <p>22 A. Yes.</p> <p>23 Q. And what is that email account?</p> <p>24 A. My private personal is</p> <p>25 chrispringle@southerntimberlands.com. My state</p> <p style="text-align: right;">Page 14</p>	<p>1 A. Yes.</p> <p>2 Q. Okay. And have you been involved in any</p> <p>3 lawsuits other than the redistricting one with</p> <p>4 Mr. Blacksher?</p> <p>5 A. No.</p> <p>6 Q. Okay. What's the highest level of</p> <p>7 education that you've completed?</p> <p>8 A. A graduate of the University of Alabama.</p> <p>9 Q. And when was that?</p> <p>10 A. August 11th 1984.</p> <p>11 Q. And what degree did you obtain?</p> <p>12 A. I got a degree in communications with a</p> <p>13 minor in political science.</p> <p>14 Q. Okay. Do you have any certificates or</p> <p>15 any specialties, any certifications in anything?</p> <p>16 A. I'm a licensed realtor. I'm a licensed</p> <p>17 homebuilder. I'm a licensed general contractor.</p> <p>18 And until I let it expire, I was a certified control</p> <p>19 burn specialist.</p> <p>20 THE REPORTER: Control what?</p> <p>21 A. Control burn. You know when you see the</p> <p>22 woods on fire? Guys like me are burning it on</p> <p>23 purpose.</p> <p>24 Q. Okay. Well, if I need to fix anything</p> <p>25 in my apartment, it sounds like you're the person to</p> <p style="text-align: right;">Page 16</p>



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 come to.</p> <p>2 <b>A. I don't fight fires.</b></p> <p>3 Q. Well, no fires. I hope there's not a</p> <p>4 fire in my apartment.</p> <p>5 So what do you do for a living other</p> <p>6 than burn things?</p> <p>7 <b>A. I actually quit doing that. I am a real</b></p> <p>8 <b>estate agent with Southern Timberlands. We</b></p> <p>9 <b>specialize in timberland sales and acquisitions.</b></p> <p>10 <b>And I am a licensed homebuilder and a licensed</b></p> <p>11 <b>general contractor. I build houses, hunting camps,</b></p> <p>12 <b>and I do commercial remodeling work.</b></p> <p>13 Q. Who so is your employer? I'm sorry.</p> <p>14 <b>A. Southern Timberlands.</b></p> <p>15 Q. Okay. And so all of those, the realtor</p> <p>16 and being a contractor, et cetera, that's all for</p> <p>17 that company, correct?</p> <p>18 <b>A. No.</b></p> <p>19 Q. No?</p> <p>20 <b>A. My real estate license is held at</b></p> <p>21 <b>Southern Timberlands, a division of Cooper &amp;</b></p> <p>22 <b>Company, Incorporated.</b></p> <p>23 Q. Okay.</p> <p>24 <b>A. My contracting license are held under</b></p> <p>25 <b>Chris Pringle, Incorporated.</b></p> <p style="text-align: right;">Page 17</p>	<p>1 <b>So seven years now. I mean seven years my second</b></p> <p>2 <b>term.</b></p> <p>3 Q. Okay.</p> <p>4 <b>A. So about 15 years.</b></p> <p>5 Q. And currently are you on any committees?</p> <p>6 <b>A. Yes.</b></p> <p>7 Q. Which ones?</p> <p>8 <b>A. I chair the committee on state</b></p> <p>9 <b>government. I am cochairman of the house --</b></p> <p>10 <b>cochairman of the reapportionment committee. I</b></p> <p>11 <b>serve on constitution, campaigns, and elections;</b></p> <p>12 <b>internal affairs; the oversight committee of public</b></p> <p>13 <b>examiners; contract review. I believe that's all.</b></p> <p>14 Q. Okay. And during your first stint in</p> <p>15 the legislature -- so that's your first two terms.</p> <p>16 I'll just refer to it as your first stint. Is that</p> <p>17 okay?</p> <p>18 <b>A. That's fine.</b></p> <p>19 Q. Or is there a different term that you --</p> <p>20 <b>A. That works.</b></p> <p>21 Q. -- prefer?</p> <p>22 Okay. And what district did you</p> <p>23 represent at that time?</p> <p>24 <b>A. 101.</b></p> <p>25 Q. Okay. So the same district?</p> <p style="text-align: right;">Page 19</p>
<p>1 Q. Okay. Any other employers?</p> <p>2 <b>A. Alabama House of Representatives.</b></p> <p>3 Q. Right. And at Southern Timberlands,</p> <p>4 what's your title?</p> <p>5 <b>A. Realtor, agent.</b></p> <p>6 Q. Right. Okay. And how long have you</p> <p>7 worked there?</p> <p>8 <b>A. 27 plus years.</b></p> <p>9 Q. Okay. And how long have you been a</p> <p>10 contractor?</p> <p>11 <b>A. Since about 2007.</b></p> <p>12 Q. And what's your current role in the</p> <p>13 legislature?</p> <p>14 <b>A. I'm a state representative from House</b></p> <p>15 <b>District 101 in Mobile.</b></p> <p>16 Q. I'm sorry. Could you repeat that?</p> <p>17 <b>A. State representative from House District</b></p> <p>18 <b>101.</b></p> <p>19 Q. Okay. And what portion of the state is</p> <p>20 that?</p> <p>21 <b>A. Mobile.</b></p> <p>22 Q. Okay. And how long have you been in</p> <p>23 office?</p> <p>24 <b>A. I was elected in 1994. I served two</b></p> <p>25 <b>terms. I left in 2002. I was re-elected in '14.</b></p> <p style="text-align: right;">Page 18</p>	<p>1 <b>A. Yes.</b></p> <p>2 Q. And were you on any committees then?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Do you remember which ones?</p> <p>5 <b>A. I know I served on reapportionment. I</b></p> <p>6 <b>served on boards and commissions, I served on</b></p> <p>7 <b>health, I served on constitution, campaigns, and</b></p> <p>8 <b>elections, I served on contract review. And that's</b></p> <p>9 <b>all I can remember right now.</b></p> <p>10 Q. Okay. Did you chair any of those</p> <p>11 committees?</p> <p>12 <b>A. No.</b></p> <p>13 Q. Okay. I'm sorry.</p> <p>14 <b>A. We were in the superminority at that</b></p> <p>15 <b>time.</b></p> <p>16 Q. Right. Well, were you the ranking</p> <p>17 member in any of the committees?</p> <p>18 <b>A. No.</b></p> <p>19 Q. And why did you leave office?</p> <p>20 <b>A. I decided not to run and sought higher</b></p> <p>21 <b>office and was defeated.</b></p> <p>22 Q. And other than serving in the house of</p> <p>23 representatives, have you served in any other public</p> <p>24 office?</p> <p>25 <b>A. No.</b></p> <p style="text-align: right;">Page 20</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Q. Okay. And you mentioned that you were</p> <p>2 on the reapportionment committee during your</p> <p>3 first --</p> <p>4 A. Yes.</p> <p>5 Q. -- stint in the legislature. So you</p> <p>6 were involved in the redistricting process, correct?</p> <p>7 A. Yes.</p> <p>8 Q. And what role did you have in the</p> <p>9 redistricting process?</p> <p>10 A. I was the ranking minority party member</p> <p>11 in the house, not the senate.</p> <p>12 Q. Okay. For the republicans, the minority</p> <p>13 party, correct?</p> <p>14 A. Yes.</p> <p>15 Q. And why did you become involved in</p> <p>16 redistricting?</p> <p>17 A. Congressman Sonny Callahan, who I had</p> <p>18 previously worked for in Washington, wanted me to</p> <p>19 serve on the committee because they were trying to</p> <p>20 draw him out of his district. He believed they were</p> <p>21 trying to draw him out of his district. Let me --</p> <p>22 Q. I see. Any other reason?</p> <p>23 A. No, ma'am. I like serving.</p> <p>24 Q. And so that redistricting process ended</p> <p>25 in 2001; is that correct?</p> <p style="text-align: right;">Page 21</p>	<p>1 A. No.</p> <p>2 Q. So the 2002 congressional map, can you</p> <p>3 be a little more specific about what your</p> <p>4 involvement was in helping to draw that map?</p> <p>5 A. Virtually none.</p> <p>6 Q. Okay.</p> <p>7 A. Those maps were drawn off -- what we</p> <p>8 call off campus. They were not drawn in the state</p> <p>9 house.</p> <p>10 Q. Can you explain more about what that</p> <p>11 means?</p> <p>12 A. They were drawn by somebody off -- they</p> <p>13 were not drawn in the reapportionment office in the</p> <p>14 state house.</p> <p>15 Q. Okay. So they were drawn by somebody</p> <p>16 other than someone in the legislature?</p> <p>17 A. Yes.</p> <p>18 Q. Do you know who that was?</p> <p>19 A. No.</p> <p>20 Q. Did you work with anyone to change the</p> <p>21 map at all?</p> <p>22 A. Yes.</p> <p>23 Q. Who was that?</p> <p>24 A. Randy Hinaman.</p> <p>25 Q. Okay. And what did you do with him?</p> <p style="text-align: right;">Page 23</p>
<p>1 A. January of 2002.</p> <p>2 Q. Of 2002. Okay.</p> <p>3 A. In the special session.</p> <p>4 Q. Okay. So the special session was in</p> <p>5 January of 2002?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. Okay. And what was the result of that</p> <p>8 redistricting?</p> <p>9 A. The democratic leadership drew the plans</p> <p>10 and passed them.</p> <p>11 Q. And how did you become a cochair -- I'm</p> <p>12 sorry. What is your role in the 2021 redistricting</p> <p>13 process?</p> <p>14 A. I'm the house cochairman.</p> <p>15 Q. Okay. And is that a nonpartisan role?</p> <p>16 A. I was elected by the members of the --</p> <p>17 the house members of the committee.</p> <p>18 Q. Okay. And why did you decide to seek</p> <p>19 that role?</p> <p>20 A. The house member that chaired it prior</p> <p>21 to me was leaving, and we needed somebody with</p> <p>22 experience to step up and be the house chairman.</p> <p>23 Q. And other than currently and the 2002</p> <p>24 redistricting cycle, have you been involved in any</p> <p>25 other redistricting process?</p> <p style="text-align: right;">Page 22</p>	<p>1 A. We were in contact with Congressman</p> <p>2 Callahan. And he was in contact with the other</p> <p>3 members of the congressional delegation who had</p> <p>4 actually -- this is my memory, now.</p> <p>5 Q. Sure.</p> <p>6 A. The members of congress hired</p> <p>7 Mr. Hinaman to represent them on drawing --</p> <p>8 redrawing the congressional maps in 2002.</p> <p>9 Q. And so ultimately do you know who drew</p> <p>10 the 2002 map?</p> <p>11 A. I do not know who the democrats</p> <p>12 retained, no, ma'am.</p> <p>13 Q. Okay. But it was the democratic party</p> <p>14 of Alabama?</p> <p>15 A. They had somebody, yes. I don't know</p> <p>16 who.</p> <p>17 Q. Do you know the general method that was</p> <p>18 used to draw the map?</p> <p>19 A. I would -- I'm assuming that the</p> <p>20 guidelines we adopted in 2002 were used by them to</p> <p>21 draw the 2002 plan.</p> <p>22 Q. Do you know the software that was used</p> <p>23 to draw the maps?</p> <p>24 A. No, ma'am.</p> <p>25 Q. Do you know the data that was used to</p> <p style="text-align: right;">Page 24</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 draw the maps?</p> <p>2 A. No, ma'am.</p> <p>3 Q. So the 1992 congressional map created</p> <p>4 the first majority black congressional district in</p> <p>5 Alabama history. That's District 7. Do you know if</p> <p>6 that map served as the starting point for the 2002</p> <p>7 congressional map?</p> <p>8 A. You are -- that is the Reed Buskey plan,</p> <p>9 correct?</p> <p>10 Q. To be honest, I don't know. I don't</p> <p>11 know the answer to that question.</p> <p>12 A. I'm pretty sure that's what we refer to</p> <p>13 as the Reed Buskey plan.</p> <p>14 Q. Okay.</p> <p>15 A. That was -- that was the first time that</p> <p>16 a map was drawn where a majority minority</p> <p>17 congressional district was created.</p> <p>18 Q. And so --</p> <p>19 A. And I know that the guidelines in 2002</p> <p>20 said we shall use the core of existing districts and</p> <p>21 not -- use the core of existing districts.</p> <p>22 Q. Okay. So is it fair to say that Reed --</p> <p>23 well, who drew the 1992 map? You don't know?</p> <p>24 A. I just know it's referred as the Reed</p> <p>25 Buskey plan because Representative Buskey and I</p> <p style="text-align: right;">Page 25</p>	<p>1 A. Now, we're talking just the</p> <p>2 congressional plan, correct?</p> <p>3 Q. Yes. That's right. And that's</p> <p>4 throughout this -- throughout the deposition we're</p> <p>5 referring to the congressional plans. If we refer</p> <p>6 to any other plans, I'll make sure to be more</p> <p>7 specific.</p> <p>8 MR. OSHER: I'm sorry to interrupt.</p> <p>9 Would it be possible to move the microphone a little</p> <p>10 closer to the witness?</p> <p>11 (Discussion held off the record.)</p> <p>12 Q. Okay. So for the 2001 congressional</p> <p>13 map, do you know the -- did you know the racial</p> <p>14 makeup of districts other than District 7?</p> <p>15 A. No.</p> <p>16 Q. Did you know the racial makeup of</p> <p>17 District 7?</p> <p>18 A. No. I mean, after the maps were passed,</p> <p>19 yes, we knew it.</p> <p>20 Q. Okay.</p> <p>21 A. But going into it --</p> <p>22 Q. Do you recall what they were?</p> <p>23 A. No.</p> <p>24 Q. And do you know if the legislature</p> <p>25 considered race in drawing any districts other than</p> <p style="text-align: right;">Page 27</p>
<p>1 served together, and he's a personal friend of mine.</p> <p>2 Q. Okay. So you said that it was in the</p> <p>3 legislative guidelines to maintain the cores of</p> <p>4 prior districts?</p> <p>5 A. If I remember the 2002 guidelines</p> <p>6 correctly, that's been a longstanding tradition of</p> <p>7 the Alabama legislature.</p> <p>8 Q. Okay. Do you know if it was -- and</p> <p>9 we're talking still about the 2002 redistricting</p> <p>10 process -- if it was a primary goal of the</p> <p>11 legislature to keep the racial demographics of each</p> <p>12 district the same?</p> <p>13 A. I couldn't answer that. I don't know.</p> <p>14 Q. Okay. So you wouldn't know if it was a</p> <p>15 primary goal to keep about a 60 percent black</p> <p>16 population in District 7?</p> <p>17 A. I don't remember. I have no -- no</p> <p>18 recollection of that.</p> <p>19 Q. Do you know if the legislature took into</p> <p>20 account any other characteristics other than keeping</p> <p>21 the core of each district the same?</p> <p>22 A. In 2002?</p> <p>23 Q. Yes.</p> <p>24 A. No, ma'am.</p> <p>25 Q. Okay.</p> <p style="text-align: right;">Page 26</p>	<p>1 District 7?</p> <p>2 A. In 2001?</p> <p>3 Q. That's right.</p> <p>4 A. Those maps were drawn off campus.</p> <p>5 That's the reason that ten-day rule comes into --</p> <p>6 into play. If you draw a map outside of the</p> <p>7 legislature reapportionment office, you have to</p> <p>8 submit it ten days before it can be introduced into</p> <p>9 the legislature so it can be put into the computer</p> <p>10 and analyzed.</p> <p>11 And those maps were drawn exactly ten</p> <p>12 days out at the last minute before the special</p> <p>13 session in 2020 -- in 2002.</p> <p>14 Q. And when did that rule come into play?</p> <p>15 A. It was there in 2002. Now, when it came</p> <p>16 into the guidelines, I don't know.</p> <p>17 Q. Okay. Do you know if in -- during the</p> <p>18 2001-2002 process if any legislators advocated for</p> <p>19 two majority black districts?</p> <p>20 A. Not to my recollection.</p> <p>21 Q. And if the 2000 -- well, did you vote</p> <p>22 for the 2002 congressional map? Did you vote to</p> <p>23 approve it?</p> <p>24 A. Yes.</p> <p>25 Q. And if --</p> <p style="text-align: right;">Page 28</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 A. To the best of my recollection, I did.</p> <p>2 It protected Congressman Sonny Callahan and his</p> <p>3 district, so I'm assuming I voted for it.</p> <p>4 Q. Okay. And all of this is to the best of</p> <p>5 your --</p> <p>6 A. Yes.</p> <p>7 Q. -- recollection.</p> <p>8 A. Yes.</p> <p>9 Q. If the 2002 map had contained two</p> <p>10 majority black districts, would you have voted for</p> <p>11 it?</p> <p>12 A. I can't answer that.</p> <p>13 Q. Why not?</p> <p>14 A. Because I didn't look at how they would</p> <p>15 have drawn it.</p> <p>16 Q. Okay.</p> <p>17 A. It was never presented to me. So I</p> <p>18 can't tell you how I would vote on something I've</p> <p>19 never seen.</p> <p>20 Q. Do you think that the legislature as a</p> <p>21 whole would have approved a congressional map like</p> <p>22 that?</p> <p>23 A. I'm not going to speak to that.</p> <p>24 Q. Did you play a role in the 2011</p> <p>25 congressional redistricting process?</p> <p style="text-align: right;">Page 29</p>	<p>1 A. We adopted the guidelines. If you read</p> <p>2 the guidelines, they lay out what we expect the</p> <p>3 committee and the plans to look like, to respect</p> <p>4 communities of interest, not to pit incumbents</p> <p>5 against each other. There's a whole list of things</p> <p>6 that we put into the guidelines that we wanted to</p> <p>7 see in our plans.</p> <p>8 And Mr. Hinaman was given those</p> <p>9 guidelines and instructed to draw those plans in a</p> <p>10 race-neutral manner following the guidelines and</p> <p>11 work with members of congress in how they wanted</p> <p>12 their districts drawn.</p> <p>13 Q. And as a member of the reapportionment</p> <p>14 committee, do you have any input on how the</p> <p>15 congressional maps are drawn?</p> <p>16 A. We voted on the guidelines.</p> <p>17 Q. Okay. You voted on --</p> <p>18 A. We gave -- we gave Mr. Hinaman the</p> <p>19 guidelines and told him to follow those guidelines</p> <p>20 and to draw those -- those maps in a race-neutral</p> <p>21 manner.</p> <p>22 Q. Okay. Any other way that the members of</p> <p>23 the reapportionment committee are involved in</p> <p>24 drawing the congressional map?</p> <p>25 A. Once they were finished, we looked at</p> <p style="text-align: right;">Page 31</p>
<p>1 A. No.</p> <p>2 Q. Okay. And do you happen to know, even</p> <p>3 though you weren't there, if the 2001 congressional</p> <p>4 map or 2002 congressional map was considered as the</p> <p>5 starting point for the 2011 congressional map?</p> <p>6 A. No.</p> <p>7 Q. So you are the cochair of the</p> <p>8 reapportionment committee for this year's</p> <p>9 congressional redistricting process. What does it</p> <p>10 mean to be the cochair of the reapportionment</p> <p>11 committee?</p> <p>12 A. I work with members of the Alabama house</p> <p>13 on drawing their districts, their legislative</p> <p>14 districts.</p> <p>15 Q. And for congress, as well?</p> <p>16 A. No.</p> <p>17 Q. So who works on the congressional map?</p> <p>18 A. Mr. Hinaman worked with members of</p> <p>19 congress to help -- for them to draw the maps.</p> <p>20 Q. Okay.</p> <p>21 A. To have input from the members of</p> <p>22 congress on their districts, what they wanted.</p> <p>23 Q. So what is the role of the</p> <p>24 reapportionment committee with respect to</p> <p>25 congressional maps or the congressional map?</p> <p style="text-align: right;">Page 30</p>	<p>1 them in committee.</p> <p>2 Q. Okay. And anything else?</p> <p>3 A. Not that I can remember right now.</p> <p>4 Q. Okay. And what are your</p> <p>5 responsibilities as the cochair of the</p> <p>6 reapportionment committee?</p> <p>7 A. We -- we set -- we oversaw the public</p> <p>8 hearings, the 28 public hearings we had dealing with</p> <p>9 congressional, state board of education, state</p> <p>10 senate, and state house maps and districts.</p> <p>11 And I worked with members of the Alabama</p> <p>12 house to work on their districts and what they</p> <p>13 wanted and how we could address communities of</p> <p>14 interest.</p> <p>15 But on congressional, I allowed</p> <p>16 Mr. Hinaman to meet with members of congress and</p> <p>17 take the information we gathered in the public</p> <p>18 hearings that was available to him and the</p> <p>19 guidelines.</p> <p>20 Q. Any other responsibilities?</p> <p>21 A. Not that I can think of right now.</p> <p>22 Q. And so what was the starting point for</p> <p>23 drawing the 2021 congressional map?</p> <p>24 A. I would say the guidelines. And part of</p> <p>25 our guidelines are preserve the core of the existing</p> <p style="text-align: right;">Page 32</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 districts and not pit incumbents against each other.</p> <p>2 Q. And so is it fair to say that the 2011</p> <p>3 congressional map served as the starting point for</p> <p>4 the 2021 congressional map?</p> <p>5 A. I would assume it would. But I wasn't</p> <p>6 there when Mr. Hinaman started drawing them.</p> <p>7 Q. Did you instruct him to use the 2011 map</p> <p>8 as a starting point?</p> <p>9 A. I mean, the guidelines say preserve the</p> <p>10 core of the existing districts. So I would assume</p> <p>11 that if the committee told him to start with the</p> <p>12 core of the existing districts, he would start with</p> <p>13 the core of the existing districts.</p> <p>14 Q. Which is the 2011 congressional map,</p> <p>15 correct?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. And just really quickly going back to</p> <p>18 the 2001, 2002 redistricting process. You mentioned</p> <p>19 that it was a priority to protect Senator Callahan's</p> <p>20 district, correct?</p> <p>21 A. For Sonny Callahan, yes, and me.</p> <p>22 Q. And for you?</p> <p>23 A. Yes.</p> <p>24 Q. Right. Did you have any other</p> <p>25 priorities for the 2002 congressional map?</p> <p style="text-align: right;">Page 33</p>	<p>1 A. Probably 2019. You know, we were</p> <p>2 working on trying to come up with some type of</p> <p>3 schedule. But with the census being delayed and</p> <p>4 getting the numbers so late, we were working on a</p> <p>5 schedule of public hearings and working on the</p> <p>6 guidelines.</p> <p>7 Q. Do you remember when in 2019 you</p> <p>8 started?</p> <p>9 A. No, ma'am.</p> <p>10 Q. So what was your first step?</p> <p>11 A. We had a -- the first step was actually</p> <p>12 getting me reelected house chairman after the 2018</p> <p>13 election. Because I was -- I assumed -- I came on</p> <p>14 the committee in 2000 and, I want to tell you, 17</p> <p>15 when Mr. Davis stepped down. And then after the</p> <p>16 election, I had to be reelected by my colleagues to</p> <p>17 serve as the house -- the house cochairman.</p> <p>18 Then we began the process of updating</p> <p>19 the guidelines to conform with what we considered to</p> <p>20 be the law dealing with reapportionment and</p> <p>21 redistricting to make sure our guidelines complied</p> <p>22 with the law.</p> <p>23 Then we had extensive conversations,</p> <p>24 Mr. Davis and Mr. Dorman and Senator McClendon and</p> <p>25 I, in the reapportionment office about public</p> <p style="text-align: right;">Page 35</p>
<p>1 A. No. Just protect the congressman --</p> <p>2 Q. Okay.</p> <p>3 A. -- who I worked for at one time.</p> <p>4 Q. Right. So you were -- you worked for</p> <p>5 him before you were in the --</p> <p>6 A. Yes.</p> <p>7 Q. -- Alabama legislature. So when you</p> <p>8 were in the Alabama legislature, you wanted to</p> <p>9 protect his seat, correct?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. So that was really your</p> <p>12 motivation?</p> <p>13 A. Yes.</p> <p>14 Q. Anything else?</p> <p>15 A. I was trying to see if we could draw</p> <p>16 legislative districts. But that's not the point</p> <p>17 today.</p> <p>18 Q. I'm sorry?</p> <p>19 A. State legislative districts, also.</p> <p>20 Q. Right.</p> <p>21 A. But that was a different story.</p> <p>22 Q. Okay. Thank you.</p> <p>23 So now back to today's redistricting</p> <p>24 process. When did you first start planning for the</p> <p>25 2021 redistricting process?</p> <p style="text-align: right;">Page 34</p>	<p>1 hearings and how we were going to address public</p> <p>2 hearings, which all changed because of COVID-19.</p> <p>3 We began the process of laying out</p> <p>4 those -- talking about those meetings and where we</p> <p>5 were going to have them and how we were going to</p> <p>6 publicize them and conduct them.</p> <p>7 Q. Okay. So do you recall when you first</p> <p>8 started thinking about updating the reapportionment</p> <p>9 guidelines?</p> <p>10 A. 2019, 2000. I can't remember the exact</p> <p>11 date. But that was one of the first things we</p> <p>12 addressed, making sure our guidelines were updated</p> <p>13 based on the current reapportionment law and court</p> <p>14 cases.</p> <p>15 Q. Is it required to update the guidelines</p> <p>16 every redistricting cycle?</p> <p>17 A. Well, the law changes. So yes, you have</p> <p>18 to update your guidelines. I mean, the courts are</p> <p>19 constantly telling us -- handing down their rulings.</p> <p>20 And we have to update based on those rulings.</p> <p>21 Q. But it's not required by Alabama law or</p> <p>22 by any legislative rule to update the guidelines</p> <p>23 every -- you know, every cycle?</p> <p>24 A. I can't imagine not updating the</p> <p>25 guidelines going into this process if you know the</p> <p style="text-align: right;">Page 36</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 law has changed. You have to.</p> <p>2 Q. If you could just give a broad overview</p> <p>3 or a timeline of the 2021 redistricting process for</p> <p>4 me.</p> <p>5 A. We were supposed to receive our initial</p> <p>6 numbers at the end of January. Then they -- then we</p> <p>7 were going to get our finals in April.</p> <p>8 Q. I'm sorry?</p> <p>9 A. We were supposed to get our initial --</p> <p>10 if I remember this correctly, we were supposed to</p> <p>11 get our initial census numbers in, I think, January.</p> <p>12 Yeah, January. And then we would get our final</p> <p>13 numbers in April.</p> <p>14 That all got bumped to -- we didn't get</p> <p>15 any numbers until the middle of the August. And we</p> <p>16 were trying to work out a schedule of public</p> <p>17 hearings from the spring and the summer. But we</p> <p>18 couldn't -- we couldn't engage in those public</p> <p>19 hearings because we had no numbers.</p> <p>20 And when we finally got our numbers in</p> <p>21 the middle of August, we immediately -- we laid out</p> <p>22 a series of public hearings, sent a notice to all</p> <p>23 the members of the committee. I think it was 22</p> <p>24 public hearings we had -- we proposed.</p> <p>25 Representative Hall sent us a letter</p> <p style="text-align: right;">Page 37</p>	<p>1 Q. And then what happened after that point?</p> <p>2 A. We worked right up to the last possible</p> <p>3 minute drawing those -- meeting with members, trying</p> <p>4 to adjust the districts to make sure the members</p> <p>5 were happy with them.</p> <p>6 But I'm talking about the state</p> <p>7 legislature.</p> <p>8 Q. Right. Right.</p> <p>9 A. The congressional, Mr. Hinaman met with</p> <p>10 the members of congress, and he worked on that. He</p> <p>11 -- I didn't. I was busy working on the state house.</p> <p>12 Q. Okay. For the congressional districts,</p> <p>13 what happened for you in between the public hearings</p> <p>14 and the reapportionment committee meeting at the end</p> <p>15 of October?</p> <p>16 A. Mr. Hinaman met with the members of</p> <p>17 congress. I did not.</p> <p>18 Q. Did you do anything else during that</p> <p>19 time with respect to the congressional map?</p> <p>20 A. No, ma'am. The closest I came, I walked</p> <p>21 in the room and he was on a team call with a member</p> <p>22 of congress. I picked up my paper and walked out of</p> <p>23 the room. I wasn't there but just a minute.</p> <p>24 Q. Okay.</p> <p>25 A. I didn't participate in any of those</p> <p style="text-align: right;">Page 39</p>
<p>1 requesting six additional public hearings in various</p> <p>2 parts of the state. We accepted her request and</p> <p>3 added the six additional public hearings Ms. Hall</p> <p>4 asked for, then published a list to everybody in the</p> <p>5 media and advertised that those are the public</p> <p>6 hearings we would be holding all over the state. As</p> <p>7 soon as we could get it to, we got it to.</p> <p>8 And as soon as those meetings were over,</p> <p>9 we took that information and began drawing</p> <p>10 districts. Because the secretary of state had given</p> <p>11 us a deadline of the 1st of November to have our</p> <p>12 plans passed in order for all the work behind the</p> <p>13 scenes that has to be done to get ready for the next</p> <p>14 election to occur.</p> <p>15 Q. So you started drawing the maps after</p> <p>16 the public hearings; is that correct?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. Okay. And when you said "we," who do</p> <p>19 you mean?</p> <p>20 A. Well, Randy Hinaman. And we began</p> <p>21 meeting with the individual house members about</p> <p>22 their -- their individual districts.</p> <p>23 Q. Okay. But for the congressional map,</p> <p>24 you mean primarily Mr. Hinaman?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 38</p>	<p>1 meetings.</p> <p>2 Q. And what happened -- I'm just trying to</p> <p>3 get like a timeline of events rather than the</p> <p>4 specifics.</p> <p>5 So after the reapportionment committee</p> <p>6 met on, I think, October 26th of 2020, what happened</p> <p>7 after that point?</p> <p>8 A. We adopted the plans. And we were in</p> <p>9 special session dealing with the prisons. So we</p> <p>10 went -- we went straight into special session</p> <p>11 dealing with the prison system.</p> <p>12 I was not there that week. I was only</p> <p>13 there one day. I had a prior contractual obligation</p> <p>14 to finish a construction project that I had to stay</p> <p>15 on. So I came one day that week, and that was it.</p> <p>16 Q. Okay. And regarding redistricting, what</p> <p>17 was the first thing that happened for redistricting</p> <p>18 after the reapportionment committee on October 26th?</p> <p>19 A. I don't understand the question.</p> <p>20 Q. Well, what happened next? How --</p> <p>21 eventually the maps were passed and signed by the</p> <p>22 governor, including the congressional map. So they</p> <p>23 made it out of the reapportionment committee. Then</p> <p>24 what happened?</p> <p>25 A. They made it out of the committee. They</p> <p style="text-align: right;">Page 40</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 became public. And when we went into the special 2 session for redistricting, they were introduced in 3 bill form.</p> <p>4 Q. Okay. And can you explain in sort of a 5 Schoolhouse Rock way how that bill became a law?</p> <p>6 A. It was brought up -- it was introduced 7 into the house. It passed. It was assigned to the 8 state government committee where it passed. It was 9 given a second reading on the floor. It was put on 10 the calendar. It was brought up on the floor, and 11 it was passed by the members of the Alabama house of 12 representatives.</p> <p>13 Q. And then what happened?</p> <p>14 A. It was sent to the senate --</p> <p>15 Q. Okay.</p> <p>16 A. -- where it went to committee, went to 17 the floor, and passed, was signed by the governor.</p> <p>18 Q. So I just wanted to make sure that I had 19 the full -- the full process.</p> <p>20 A. All nine steps occurred.</p> <p>21 Q. Okay. Well, I'm glad that I paid 22 attention to Schoolhouse Rock, then.</p> <p>23 I'm sorry to keep jumping back and 24 forth, but I'm just going to go back to the 2001, 25 2002 process really quickly.</p> <p style="text-align: right;">Page 41</p>	<p>1 A. I can't answer that. That's 2 speculation. I don't know.</p> <p>3 Q. Okay. When you said that you were 4 protecting Representative Callahan's seat, what does 5 that mean?</p> <p>6 A. There was a plan produced that used the 7 Mobile ship channel to come up. They turned and 8 used the Dog River channel. And they hit 9 Congressman Callahan's property line, and they came 10 down his property line to the road and went up the 11 road to the other side and back down his property 12 line and back out into the Dog River ship channel 13 and back out into the Mobile ship channel. They 14 carved just his house into the 1st congressional 15 district and sent it all the way to Dothan.</p> <p>16 Q. So what was your -- what was your 17 response to that?</p> <p>18 A. It's quicker to drive to Huntsville, 19 Alabama, from Mobile than it is to drive to Dothan. 20 Think about that. It's quicker for us to get in a 21 car and drive to Huntsville, Alabama, than it is to 22 drive to Dothan or Henry County. The congressman 23 was adamant that we would not do that to him.</p> <p>24 Q. So what was the ideal outcome of the -- 25 of that situation?</p> <p style="text-align: right;">Page 43</p>
<p>1 Which district did Representative 2 Callahan represent?</p> <p>3 A. The 1st congressional district.</p> <p>4 Q. And what area of the state is that?</p> <p>5 A. At that time, it was Mobile, Washington, 6 Clarke, Monroe, Escambia, and Baldwin County.</p> <p>7 Q. Okay.</p> <p>8 A. I believe it lost Wilcox County in -- I 9 believe the Buskey Reed plan took Wilcox County out 10 of the 1st congressional district, I believe.</p> <p>11 Q. Okay. And do you remember the racial 12 makeup of Representative Callahan's district?</p> <p>13 A. No, ma'am.</p> <p>14 Q. Do you have any sense at all?</p> <p>15 A. No, ma'am.</p> <p>16 Q. 10 percent black, 90 percent black?</p> <p>17 A. No, ma'am.</p> <p>18 Q. None at all?</p> <p>19 A. No.</p> <p>20 Q. Let's say that Representative Callahan's 21 district had -- previously had 40 percent black 22 population. If, in the redistricting cycle, his 23 district had an increase of black voters in the 24 district to 50 percent, would that be something that 25 you would have supported?</p> <p style="text-align: right;">Page 42</p>	<p>1 A. We kept the core of the existing 1st 2 Congressional District intact. We kept Washington, 3 Clarke, Mobile, Monroe, Escambia, and Baldwin 4 County.</p> <p>5 Q. Okay. And what about Representative 6 Callahan's house?</p> <p>7 A. All of Mobile County was in the 8 district.</p> <p>9 Q. Okay.</p> <p>10 A. All of Mobile, all of Baldwin, all of 11 Washington, all of Monroe, all of Escambia. And I 12 believe that was the first time Clarke County was 13 split to achieve zero deviation.</p> <p>14 Q. So your aim was -- is it fair to say 15 that your aim was to keep Senator Callahan's 16 residence within his district?</p> <p>17 A. Yes, ma'am.</p> <p>18 Q. Okay. Is that what you mean by 19 protecting his district?</p> <p>20 A. Well, I mean, to draw just the lot his 21 house is on out of the district using a ship channel 22 or a boat channel, we didn't consider that to be 23 reasonable.</p> <p>24 Q. So what would be reasonable?</p> <p>25 A. Well, I mean, they didn't have the</p> <p style="text-align: right;">Page 44</p>



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Gingles test then. But we didn't consider that to</p> <p>2 be compact, concise, or a community of interest to</p> <p>3 send one lot in Mobile County and share it with</p> <p>4 Dothan in Houston and Henry County.</p> <p>5 Q. Do you mean -- were there any other ways</p> <p>6 that you wanted to protect Representative Callahan's</p> <p>7 seat?</p> <p>8 A. Well, of course. He was elected by the</p> <p>9 people in that district, and they -- he wanted to</p> <p>10 continue to represent those people. That's why he</p> <p>11 won reelection so overwhelmingly every time he ran.</p> <p>12 Q. Is it fair to say that you wanted to</p> <p>13 make sure that Representative Callahan remained in</p> <p>14 the 1st District so that he could win reelection?</p> <p>15 A. I wanted to make sure he continued to</p> <p>16 represent the people that had elected him, yes. And</p> <p>17 they continued to reelect him overwhelmingly for</p> <p>18 years.</p> <p>19 Q. So you mentioned that one of the first</p> <p>20 steps of the 2021 redistricting cycle were updating</p> <p>21 the reapportionment committee redistricting</p> <p>22 guidelines; is that correct?</p> <p>23 A. (Witness nods head).</p> <p>24 Q. When did that happen?</p> <p>25 A. I'm going to yield to the attorneys.</p> <p style="text-align: right;">Page 45</p>	<p>1 meeting?</p> <p>2 A. No, ma'am.</p> <p>3 Q. And was anybody in -- was anybody else</p> <p>4 in attendance other than Mr. Walker, Mr. Davis, and</p> <p>5 Senator McClendon?</p> <p>6 A. Not to my recollection, no.</p> <p>7 MS. SADASIVAN: The audio has stopped</p> <p>8 again.</p> <p>9 MS. WELBORN: Can you hear me, Kathryn?</p> <p>10 MS. SADASIVAN: I can hear you now. But</p> <p>11 the audio keeps coming in and out.</p> <p>12 Q. Did you -- was that your only meeting to</p> <p>13 talk about revising the reapportionment committee</p> <p>14 redistricting guidelines?</p> <p>15 A. No.</p> <p>16 Q. How many other meetings did you have, if</p> <p>17 you recall?</p> <p>18 A. I don't recall.</p> <p>19 Q. Do you have a sense of how many meetings</p> <p>20 you had?</p> <p>21 A. I would hate to put a number on it. But</p> <p>22 it was several.</p> <p>23 Q. Five, let's say?</p> <p>24 A. It was several meetings.</p> <p>25 Q. Okay. But less than ten?</p> <p style="text-align: right;">Page 47</p>
<p>1 But I remember sitting at a table with Mr. Davis,</p> <p>2 Representative McClendon, and Mr. Walker, and we</p> <p>3 began the process of working on those guidelines to</p> <p>4 update.</p> <p>5 MR. OSHER: We can't hear you.</p> <p>6 A. I remember sitting at a table in the</p> <p>7 reapportionment office with Mr. Davis, Senator</p> <p>8 McClendon, Mr. Walker, and myself, and we began</p> <p>9 reviewing the guidelines from the past</p> <p>10 redistricting. And the discussion to update them</p> <p>11 based on new -- the current law and court rulings.</p> <p>12 I think the Gingles test came into play</p> <p>13 first. Because I don't think Gingles was in effect</p> <p>14 in 2011. But I'm not an attorney.</p> <p>15 MR. WALKER: I'm going to instruct you,</p> <p>16 given that Mr. Davis and I were there, not to</p> <p>17 discuss what we discussed at that meeting because it</p> <p>18 was an attorney-client meeting.</p> <p>19 THE WITNESS: Okay.</p> <p>20 Q. When did that meeting occur?</p> <p>21 A. 2019 or '20.</p> <p>22 Q. Do you have any sense of what time of</p> <p>23 the year?</p> <p>24 A. No, ma'am, I don't remember.</p> <p>25 Q. And did you bring any materials to that</p> <p style="text-align: right;">Page 46</p>	<p>1 A. I would -- I would say that, yes.</p> <p>2 Q. Okay. And who was at those meetings?</p> <p>3 A. I remember Mr. Davis, Senator McClendon,</p> <p>4 Mr. Walker, and myself.</p> <p>5 Q. Anybody else?</p> <p>6 A. I'm going to say maybe a member of the</p> <p>7 reapportionment staff was there.</p> <p>8 Q. From the reapportionment office?</p> <p>9 A. Yes.</p> <p>10 Q. And do you know who that was?</p> <p>11 A. To err on the safe side, I would say</p> <p>12 Ms. Overton.</p> <p>13 Q. And what's her role?</p> <p>14 A. She is the director of the</p> <p>15 reapportionment staff.</p> <p>16 Q. And do you remember when that meeting</p> <p>17 occurred?</p> <p>18 A. No, ma'am.</p> <p>19 Q. And what was the goal of these meetings?</p> <p>20 A. To write committee guidelines that we</p> <p>21 thought would conform with the existing</p> <p>22 reapportionment law.</p> <p>23 Q. So on May 5th 2001 there was a meeting</p> <p>24 of the reapportionment committee; is that right?</p> <p>25 A. I believe you.</p> <p style="text-align: right;">Page 48</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Q. Okay. Well, when were there meetings of</p> <p>2 the reapportionment committee since 2019?</p> <p>3 A. I -- I couldn't answer that. I just</p> <p>4 don't remember.</p> <p>5 Q. Do you remember any --</p> <p>6 MR. ROSBOROUGH: I'm sorry. Everyone's</p> <p>7 audio has completely dropped out again.</p> <p>8 MS. FAULKS: We should take a break.</p> <p>9 MS. SADASIVAN: I think we should break</p> <p>10 possibly to resolve the audio issues quickly because</p> <p>11 we keep going in and out.</p> <p>12 THE VIDEOGRAPHER: We are off the</p> <p>13 record. The time is 10:03 a.m.</p> <p>14 (Recess was taken.)</p> <p>15 THE VIDEOGRAPHER: We are back on the</p> <p>16 record. The time is 10:22 a.m.</p> <p>17 THE WITNESS: Can they hear me now? Is</p> <p>18 this better?</p> <p>19 MS. SADASIVAN: Right. Thank you so</p> <p>20 much.</p> <p>21 Q. So before the break, we were talking</p> <p>22 about the reapportionment committee. How many times</p> <p>23 has the reapportionment committee met in 2021, if</p> <p>24 you can recall?</p> <p>25 A. I don't remember. 20 --</p> <p style="text-align: right;">Page 49</p>	<p>1 committee meetings in 2021 except for the May 5th</p> <p>2 and the October 26th meetings.</p> <p>3 MS. WELBORN: Okay. Thank you. I just</p> <p>4 wanted to double-check.</p> <p>5 Q. So for the May 5th meeting, do you --</p> <p>6 did you do anything to prepare for the meeting that</p> <p>7 you recall?</p> <p>8 A. Nothing out of the -- that's -- that's</p> <p>9 the day we voted on the guidelines.</p> <p>10 Q. That's correct.</p> <p>11 A. Yes. I mean, I read the proposed</p> <p>12 guidelines and went over them with the attorney.</p> <p>13 Q. Okay. Did you do anything else to</p> <p>14 prepare?</p> <p>15 A. No, ma'am.</p> <p>16 Q. And other than the meetings with the</p> <p>17 attorneys and Senator McClendon to talk about the</p> <p>18 revised guidelines, did you talk to anyone else</p> <p>19 about the May 5th meeting ahead of time?</p> <p>20 A. I may have talked to the committee</p> <p>21 members in the house, but I don't recall any</p> <p>22 specific conversations.</p> <p>23 Q. So at the May 5th meeting, what</p> <p>24 happened?</p> <p>25 A. The guidelines were sent to the members</p> <p style="text-align: right;">Page 51</p>
<p>1 Q. This year.</p> <p>2 A. I don't remember the exact number.</p> <p>3 Q. A handful?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Is there a regular schedule for</p> <p>6 the reapportionment committee to have meetings?</p> <p>7 A. No reapportionment committee I've ever</p> <p>8 served on had a regular schedule.</p> <p>9 Q. So how --</p> <p>10 A. I mean, like my state government</p> <p>11 committee meets every Wednesday at 3:00 o'clock.</p> <p>12 Q. Right.</p> <p>13 A. Reapportionment doesn't do that.</p> <p>14 Q. So how do you decide when you have to</p> <p>15 have a meeting?</p> <p>16 A. When we have something to discuss.</p> <p>17 Q. Okay.</p> <p>18 MS. WELBORN: So if there -- so we know</p> <p>19 that there was a reapportionment committee meeting</p> <p>20 on May 5th and one on October 26th. Mr. Walker, if</p> <p>21 there were any other committee meetings for the</p> <p>22 reapportionment committee, we would request any</p> <p>23 records or recordings of those.</p> <p>24 MR. WALKER: Let me represent to you</p> <p>25 that I'm not aware of any other reapportionment</p> <p style="text-align: right;">Page 50</p>	<p>1 prior to the meeting for their review and input.</p> <p>2 And at the meeting, we talked about the guidelines.</p> <p>3 And if I remember correctly, the attorney explained</p> <p>4 them to the members of the committee, and we passed</p> <p>5 them. We adopted them.</p> <p>6 Q. And do you remember when the proposed</p> <p>7 guidelines were sent to members of the committee?</p> <p>8 A. No, ma'am. I know it was prior to the</p> <p>9 meeting.</p> <p>10 Q. And did you take any notes at the</p> <p>11 meeting?</p> <p>12 A. No, ma'am.</p> <p>13</p> <p>14 (Plaintiff's Exhibit 2 was</p> <p>15 marked for identification.)</p> <p>16</p> <p>17 Q. So I would like to introduce as</p> <p>18 Plaintiff's Exhibit 2 the reapportionment committee</p> <p>19 redistricting guidelines from May 5th of 2021.</p> <p>20 There's a copy.</p> <p>21 And did you have any role in drafting</p> <p>22 this document?</p> <p>23 A. It was reviewed with me by Mr. Walker,</p> <p>24 and we discussed it.</p> <p>25 Q. Okay. Did you have any other role in</p> <p style="text-align: right;">Page 52</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 drafting the document?</p> <p>2 A. No, ma'am.</p> <p>3 Q. Who drafted the document?</p> <p>4 A. I would say Mr. Walker. Now, who he was</p> <p>5 in conjunction with, I do not know.</p> <p>6 Q. And is that normal to have an attorney</p> <p>7 draft the guidelines, would you say?</p> <p>8 A. Attorneys draft about everything we do.</p> <p>9 I'm not an attorney. I make no bones about it.</p> <p>10 Q. So the members of the reapportionment</p> <p>11 committee did not draft this document; is that</p> <p>12 correct?</p> <p>13 A. They were -- they reviewed it and the</p> <p>14 attorneys explained it to them.</p> <p>15 Q. Okay. Did anyone on the reapportionment</p> <p>16 committee make any changes to the document at that</p> <p>17 -- at the May 5th meeting?</p> <p>18 A. Not that I remember.</p> <p>19 Q. Do you know if they made any changes</p> <p>20 after the meeting? I guess they couldn't have if</p> <p>21 you voted on them.</p> <p>22 A. Right.</p> <p>23 Q. Sorry. I answered my own question for</p> <p>24 you.</p> <p>25 So what are these guidelines?</p> <p style="text-align: right;">Page 53</p>	<p>1 guidelines?</p> <p>2 A. I don't recall any specifics. But there</p> <p>3 were a -- there were a handful of changes to update.</p> <p>4 But I don't remember the exact specifics.</p> <p>5 Q. And who provided you with those</p> <p>6 specifics?</p> <p>7 A. Our attorney.</p> <p>8 Q. Mr. Walker?</p> <p>9 A. Yes.</p> <p>10 Q. And do you know -- do you know why those</p> <p>11 specifics were chosen?</p> <p>12 A. It was my understanding that the courts</p> <p>13 had handed down additional rulings since the last</p> <p>14 reapportionment guidelines were adopted. And we</p> <p>15 updated them to reflect those changes in the law.</p> <p>16 Q. And do you know how those specifics were</p> <p>17 chosen?</p> <p>18 A. Changes in the law in courtrooms.</p> <p>19</p> <p>20 (Plaintiff's Exhibit 3 was</p> <p>21 marked for identification.)</p> <p>22</p> <p>23 Q. Let me introduce Plaintiff's Exhibit 3.</p> <p>24 This is the proposed guidelines handout.</p> <p>25 Do you recognize this document?</p> <p style="text-align: right;">Page 55</p>
<p>1 A. That's the parameters that we used in</p> <p>2 order to draw districts we thought complied with the</p> <p>3 Voting Rights Act and the 14th amendment to the</p> <p>4 Constitution and the court rulings that the courts</p> <p>5 had handed down in redistricting.</p> <p>6 Q. And so what is your understanding --</p> <p>7 when you say "comply" with the Voting Rights Act or</p> <p>8 the constitution and court rulings, what do you mean</p> <p>9 by that?</p> <p>10 A. I mean, it deals with drawing districts</p> <p>11 on a race neutral -- race neutral. We didn't look</p> <p>12 at race while we were drawing the districts. And it</p> <p>13 complies with not putting incumbents together and</p> <p>14 respecting single-member districts and eliminating</p> <p>15 contests between incumbents. Everything is spelled</p> <p>16 out here. That was just a few of the highlights.</p> <p>17 Q. And other than compliance with federal</p> <p>18 laws, are there any other reasons why you have the</p> <p>19 guidelines?</p> <p>20 A. Just a road map for everybody to follow</p> <p>21 when we're drawing lines. It's agreed to by the</p> <p>22 committee and the members of the committee and what</p> <p>23 we prioritize as what we need to do.</p> <p>24 Q. And do you recall what updates there</p> <p>25 were to the law that needed to be put into the</p> <p style="text-align: right;">Page 54</p>	<p>1 A. It looks like the one I saw earlier,</p> <p>2 yes, ma'am, back in May.</p> <p>3 Q. And when you say you saw it earlier,</p> <p>4 could you explain?</p> <p>5 A. Back during the discussion of the</p> <p>6 guidelines.</p> <p>7 Q. And who provided this document to you?</p> <p>8 A. Mr. Walker.</p> <p>9 Q. And do you know when he provided it to</p> <p>10 you?</p> <p>11 A. Prior to -- I believe every member of</p> <p>12 the committee saw these -- the existing, the</p> <p>13 proposed changes, and the enrolled changes prior to</p> <p>14 the meeting for their review.</p> <p>15 Q. And did you see it before -- as a</p> <p>16 cochair, did you see it before any of the other</p> <p>17 members of the reapportionment committee?</p> <p>18 A. Yes, ma'am.</p> <p>19 Q. Did you have any role in drafting this</p> <p>20 document?</p> <p>21 A. No, ma'am, other than it was reviewed</p> <p>22 with me prior to that.</p> <p>23 Q. Okay. But you did discuss revisions to</p> <p>24 the guidelines prior to this document --</p> <p>25 A. Yes, ma'am.</p> <p style="text-align: right;">Page 56</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Q. -- being drafted?</p> <p>2 A. Yes, ma'am.</p> <p>3 Q. Do you know if any of your discussions</p> <p>4 went into the creation of this document?</p> <p>5 A. I couldn't answer that question.</p> <p>6 Q. Okay. Do you know if any of the updates</p> <p>7 that you wanted to make to the guidelines made it</p> <p>8 into this document?</p> <p>9 A. I know I was in favor of the 5 percent</p> <p>10 deviation.</p> <p>11 Q. And that's for the state --</p> <p>12 A. Yes.</p> <p>13 Q. -- legislative maps, correct?</p> <p>14 Anything else?</p> <p>15 A. Not that I recall.</p> <p>16 Q. Okay. Do you know what the process was</p> <p>17 for drafting this document?</p> <p>18 A. Our attorney met with us and we went</p> <p>19 over the old guidelines, some proposed changes, and</p> <p>20 what we thought we needed to update to comply with</p> <p>21 the law.</p> <p>22 Q. And did you suggest any changes?</p> <p>23 A. The 5 percent.</p> <p>24 Q. Anything else?</p> <p>25 A. Not that I recall.</p> <p style="text-align: right;">Page 57</p>	<p>1 Justice under Section 5.</p> <p>2 Q. Okay.</p> <p>3 A. And they were -- they were drawn fairly</p> <p>4 closely aligned with the committee guidelines at that</p> <p>5 time.</p> <p>6 Q. And so you believe that the 2010</p> <p>7 guidelines, then, were based on the 2002 guidelines</p> <p>8 for that reason?</p> <p>9 A. What I remember from 2002, when they</p> <p>10 brought the 2010, I saw similarities that I</p> <p>11 remembered from both of them to the -- to the 2020</p> <p>12 guidelines, yes.</p> <p>13 Q. Okay. So one of the reasons that the</p> <p>14 2021 guidelines are based on the 2010 guidelines is</p> <p>15 because you believe that they would be -- they would</p> <p>16 have complied with Section 5 of the Voting Rights</p> <p>17 Act had that -- if that were still in effect?</p> <p>18 A. They would comply with Section 1 of the</p> <p>19 Voting Rights Act. I mean Section 2. I'm sorry.</p> <p>20 Section 2 of the Voting Rights Act. But they were</p> <p>21 precleared under Section 5.</p> <p>22 Q. Right.</p> <p>23 A. And I also thought they would comply</p> <p>24 with the 14th Amendment, one man, one vote.</p> <p>25 Q. Okay. Is there any other reason why you</p> <p style="text-align: right;">Page 59</p>
<p>1 Q. And just to make sure, other than</p> <p>2 Mr. Walker, Mr. Davis, and Senator McClendon, and</p> <p>3 perhaps one member of the reapportionment committee,</p> <p>4 did you speak to anyone else about revising the</p> <p>5 guidelines prior to the May 5th meeting?</p> <p>6 A. I can't recall.</p> <p>7 Q. Were the -- so on this document there</p> <p>8 are the 2010 guidelines. Would you say that it's</p> <p>9 fair -- is it fair to say that those were the basis</p> <p>10 for the 2021 guidelines?</p> <p>11 A. I would say that, yes.</p> <p>12 Q. Why did you choose to rely on the 2010</p> <p>13 guidelines rather than starting from scratch?</p> <p>14 A. Because the 2010 were based off the 2002</p> <p>15 guidelines, I would assume. I wasn't there.</p> <p>16 Q. Right.</p> <p>17 A. But I would just assume that they used</p> <p>18 the 2002 as the basis for the 2010, and we used them</p> <p>19 for the 2020.</p> <p>20 Q. Is there a reason why you would want to</p> <p>21 rely on the past documents?</p> <p>22 A. Because we had passed plans that were</p> <p>23 approved by the justice department under Section 5.</p> <p>24 In 2002, remember our plan -- our congressional plan</p> <p>25 was precleared by the United States Department of</p> <p style="text-align: right;">Page 58</p>	<p>1 based the 2021 guidelines off of the 2010 guidelines</p> <p>2 other than that you think that it would -- that they</p> <p>3 would have complied with federal law?</p> <p>4 A. Well, when I read the 2010, they were</p> <p>5 very similar to what I remember the 2002 guidelines.</p> <p>6 I remember specifically the ten-day rule was there</p> <p>7 in 2002.</p> <p>8 Q. Is it a principle that the committee</p> <p>9 follows to generally use what has come before, use</p> <p>10 materials that have come before?</p> <p>11 A. Yes.</p> <p>12 Q. Out of ease of use or out of tradition</p> <p>13 or because the -- you know, because you believe that</p> <p>14 they comply with the law? What -- what is the</p> <p>15 reason for reusing?</p> <p>16 A. I would say all three of those.</p> <p>17 Q. Is anything more important, any of those</p> <p>18 more important than the other?</p> <p>19 A. Complying with the law.</p> <p>20 Q. That's pretty important, huh?</p> <p>21 A. Yeah.</p> <p>22 Q. I think we all can agree on that.</p> <p>23 And do you know how the 2010 guidelines</p> <p>24 were created --</p> <p>25 A. No.</p> <p style="text-align: right;">Page 60</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Q. -- other than being based off of the</p> <p>2 2002?</p> <p>3 A. No, ma'am.</p> <p>4 Q. Who would know how the 2010 guidelines</p> <p>5 were created?</p> <p>6 A. I would say Mr. Walker.</p> <p>7 Q. Okay. Anybody else?</p> <p>8 A. I wasn't there.</p> <p>9 Q. Okay.</p> <p>10 A. I take that back. I said Senator</p> <p>11 McClendon was there in 2010. I wasn't.</p> <p>12 Q. Let's see. If you could flip to Pages 7</p> <p>13 and 8. Let's start with 7. And as you'll see, that</p> <p>14 third box is entirely striked out in the middle with</p> <p>15 the proposed changes.</p> <p>16 A. Uh-huh.</p> <p>17 Q. That's the section on communities of</p> <p>18 interest. If you'd like to read through those boxes</p> <p>19 on Pages 7 and 8, it might be helpful.</p> <p>20 A. Okay.</p> <p>21 Q. So it looks to me like this subsection</p> <p>22 was entirely rewritten. Do you know why?</p> <p>23 A. I can't answer with certainty. But I</p> <p>24 believe it goes back -- and I'm just supposing -- to</p> <p>25 the Gingles test.</p> <p style="text-align: right;">Page 61</p>	<p>1 Q. Who would know why?</p> <p>2 A. I would suggest you talk to my attorney.</p> <p>3 Q. Okay.</p> <p>4 A. When you get into legal definitions --</p> <p>5 Q. I understand that lawyers are pretty</p> <p>6 fond of legal definitions.</p> <p>7 So in the May 5th meeting, you mentioned</p> <p>8 that Mr. Walker discussed these proposed changes.</p> <p>9 Do you know if there were any other changes made at</p> <p>10 that meeting other than the ones proposed by</p> <p>11 Mr. Walker?</p> <p>12 MR. WALKER: I think the way that</p> <p>13 question is asked, I need to assert the</p> <p>14 attorney-client privilege.</p> <p>15 Q. I guess what I'm saying is did any --</p> <p>16 are there any differences between these proposed</p> <p>17 changes that were presented in the meeting and the</p> <p>18 final version in Exhibit 2, the final guidelines?</p> <p>19 Did anybody suggest any other changes?</p> <p>20 A. Not that I recall.</p> <p>21 Q. So the version that is here of these</p> <p>22 proposed changes, they were accepted in whole and no</p> <p>23 other changes were made?</p> <p>24 A. No changes were made after the committee</p> <p>25 adopted them.</p> <p style="text-align: right;">Page 63</p>
<p>1 Q. And what's your understanding of the</p> <p>2 Gingles test?</p> <p>3 A. Compactness, contiguity, and communities</p> <p>4 of interest, I would assume. I don't know.</p> <p>5 Q. Can you think of any other reason why</p> <p>6 the section on communities of interest would be</p> <p>7 entirely rewritten?</p> <p>8 A. Other than a court ruling that gave a</p> <p>9 better definition, I don't know.</p> <p>10 Q. Did you have any role in this particular</p> <p>11 change?</p> <p>12 A. No, ma'am.</p> <p>13 Q. Do you know who made this particular</p> <p>14 change on the document?</p> <p>15 A. You would have to talk to the attorney.</p> <p>16 Q. Talk to Mr. Walker?</p> <p>17 A. Mr. Walker.</p> <p>18 Q. In this section, if you compare the 2010</p> <p>19 guidelines to the enrolled guidelines, the 2021</p> <p>20 guidelines eliminate partisan interest from the</p> <p>21 definition of communities of interest.</p> <p>22 So in 2010, partisan interests were part</p> <p>23 of the definition of community of interest. But in</p> <p>24 2021, they're not. Do you know why that is?</p> <p>25 A. No, ma'am.</p> <p style="text-align: right;">Page 62</p>	<p>1 Q. Well, I guess I'm talking about at the</p> <p>2 -- at the committee meeting.</p> <p>3 A. I don't -- I don't remember.</p> <p>4 Q. Okay. And did you talk to anyone about</p> <p>5 the May 5th meeting after it happened?</p> <p>6 A. I'm sure I did. But I don't recall.</p> <p>7 Q. Do you recall what you would have talked</p> <p>8 about?</p> <p>9 A. The general guidelines that we adopted,</p> <p>10 the guidelines that would control the committee's --</p> <p>11 the way we drew plans. But they were public record</p> <p>12 at that point.</p> <p>13 Q. So what happened next in the</p> <p>14 redistricting process?</p> <p>15 A. Then we began trying to work on public</p> <p>16 hearings and how we were going to handle public</p> <p>17 hearings with COVID-19.</p> <p>18 Q. Okay.</p> <p>19 A. So we had -- we had to come up with a</p> <p>20 way to handle the public hearings and where we were</p> <p>21 going to hold them and how we were going to hold</p> <p>22 them.</p> <p>23 Q. So why did you hold public meetings?</p> <p>24 A. It's part of the guidelines, and it's</p> <p>25 tradition. They've been held -- I've heard they did</p> <p style="text-align: right;">Page 64</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 them in 2010. I know we did them in 2002.</p> <p>2 Q. And what's the purpose of the public</p> <p>3 meetings?</p> <p>4 A. To take input from the community at</p> <p>5 large, the people that live in the communities and</p> <p>6 what they like or dislike about the existing plan</p> <p>7 and what they would like to see changed.</p> <p>8 Q. Was there a draft -- when you say</p> <p>9 "existing plan," what do you -- what do you mean by</p> <p>10 that?</p> <p>11 A. The plan that we were currently</p> <p>12 operating under.</p> <p>13 Q. So you mean the 2011 map?</p> <p>14 A. Yes.</p> <p>15 Q. So the purpose of the public meetings is</p> <p>16 for people to express what they like or do not like</p> <p>17 about the current setup?</p> <p>18 A. Yes.</p> <p>19 Q. Is there any other reason why public</p> <p>20 meetings are held?</p> <p>21 A. Well, we go to the public and show them</p> <p>22 the existing plans and where the population has</p> <p>23 shifted and how they would like to see the lines</p> <p>24 drawn.</p> <p>25 Q. So you mentioned that there were public</p> <p style="text-align: right;">Page 65</p>	<p>1 there were people that liked their members of</p> <p>2 congress and wanted the maps to stay the way they</p> <p>3 were.</p> <p>4 Q. Was there a draft of the congressional</p> <p>5 map prepared before the public meetings occurred?</p> <p>6 A. No, ma'am.</p> <p>7 Q. And when did the public meetings occur?</p> <p>8 Not every single one, but in general.</p> <p>9 A. As soon as we had numbers from the</p> <p>10 census bureau and we could tell the people whether</p> <p>11 their congressional district was overpopulated or</p> <p>12 underpopulated and how many people they had to gain</p> <p>13 or lose based on the new -- we didn't know what the</p> <p>14 number was going to be to get to zero deviation on</p> <p>15 the congressional map until we had the census</p> <p>16 numbers.</p> <p>17 So we couldn't go out and talk to people</p> <p>18 about how they wanted to see their congressional</p> <p>19 district change in order to comply with one man, one</p> <p>20 vote.</p> <p>21 Q. Why is it -- why was it necessary to</p> <p>22 have the census numbers if you don't have a map yet?</p> <p>23 I guess I'm curious why the -- why the census</p> <p>24 numbers are necessary to hold the public hearings.</p> <p>25 A. We had a map.</p> <p style="text-align: right;">Page 67</p>
<p>1 meetings that were also held in 2001 when you were</p> <p>2 part of that redistricting process. Do you think</p> <p>3 that people's -- do you recall if people's -- their</p> <p>4 concerns are different now than they were then?</p> <p>5 A. Explain what you mean by that question.</p> <p>6 Q. Well, I guess I'm not talking about the</p> <p>7 nitty-gritty little, you know, this block here, this</p> <p>8 block there, but general opinions about how maps</p> <p>9 should be drawn or what a community of interest is</p> <p>10 or anything like that.</p> <p>11 Do people -- do you think that people</p> <p>12 felt the same way at public meetings back in 2001 as</p> <p>13 they did in the meetings this year?</p> <p>14 A. I would say, generally speaking, they</p> <p>15 held the same views.</p> <p>16 Q. And what sorts of views are those?</p> <p>17 A. I mean, some communities wanted to --</p> <p>18 I'm having -- I would have to separate congressional</p> <p>19 from --</p> <p>20 Q. Right.</p> <p>21 A. -- legislative.</p> <p>22 Some people wanted to see maps drawn</p> <p>23 differently. There was numerous people there to</p> <p>24 present the map for the League of Women Voters and</p> <p>25 discuss it. They asked us to look at that map. And</p> <p style="text-align: right;">Page 66</p>	<p>1 Q. The 2010?</p> <p>2 A. The existing map.</p> <p>3 Q. Okay.</p> <p>4 A. And then after we got the numbers, we</p> <p>5 knew which congressional district was over and which</p> <p>6 congressional districts were underpopulated and the</p> <p>7 amount of people we needed in each congressional</p> <p>8 district in order to comply with one man, one vote.</p> <p>9 Q. Okay.</p> <p>10 A. The same thing we did in 2001. We</p> <p>11 presented the existing map to the people in all the</p> <p>12 public hearings. And after the public hearings,</p> <p>13 then and only then was a map produced. And we had a</p> <p>14 lot more time in '01.</p> <p>15 Q. Right.</p> <p>16 Did the public have access to the</p> <p>17 numbers of people that would need to move between</p> <p>18 districts, about the overpopulation and</p> <p>19 underpopulation numbers? Did they have access to</p> <p>20 that?</p> <p>21 A. That was gone over in every public</p> <p>22 hearing.</p> <p>23 Q. Okay. Why was it necessary to have</p> <p>24 those numbers before holding the public hearings?</p> <p>25 A. So we could -- we knew how many people</p> <p style="text-align: right;">Page 68</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 went into a district and how many people were in the 2 current district.</p> <p>3 Q. Well, I guess people have concerns about 4 -- well, did people have concerns about districts 5 other than, you know, the pure numbers? Did they 6 have opinions about how maps should be drawn period 7 regardless of the census numbers? Do you understand 8 what I'm saying?</p> <p>9 A. If you are referring to the League of 10 Women Voters who sent somebody to virtually every --</p> <p>11 Q. I'm talking in general.</p> <p>12 A. There were people there every -- every 13 meeting that had their talking points that basically 14 read them that all said the same thing. They wanted 15 to adopt another plan that created two majority 16 minority districts.</p> <p>17 Q. Well, I assume that there were people at 18 the meetings who didn't share that view.</p> <p>19 A. Yeah.</p> <p>20 Q. Do you think -- I guess wouldn't it be 21 possible to have that opinion before the census 22 numbers were even out?</p> <p>23 A. Well, they did have the opinion before 24 the numbers were out.</p> <p>25 Q. Okay. I guess I'm just not really</p> <p style="text-align: right;">Page 69</p>	<p>1 Q. Well, there are people -- so the map 2 changed between 2010 and today, right?</p> <p>3 A. Yes.</p> <p>4 Q. And there are members who have kept 5 their -- there are citizens who have kept their 6 representatives even though the lines of the 7 districts have changed, right?</p> <p>8 A. Correct.</p> <p>9 Q. So you could keep your representative 10 even though the line of the district changes, 11 correct?</p> <p>12 A. Correct.</p> <p>13 Q. So when people are saying "I'm happy 14 with my representative," are they just saying that 15 they don't want the district to change at all? Or 16 what -- what do you think that they're saying?</p> <p>17 A. I would hate to interpret what they 18 would mean by that. They said they were happy with 19 their representative.</p> <p>20 Q. Okay. And how many of the public 21 hearings did you participate in?</p> <p>22 A. All 28.</p> <p>23 Q. Did you go in person --</p> <p>24 A. Yes.</p> <p>25 Q. -- to all 28?</p> <p style="text-align: right;">Page 71</p>
<p>1 understanding why the -- why you had to wait to hold 2 the public hearings until the census numbers were 3 out.</p> <p>4 A. Accuracy.</p> <p>5 Q. Okay. So you had mentioned that at the 6 public meetings, public hearings, some people liked 7 their members of congress and wanted to keep them. 8 What did you mean by that?</p> <p>9 A. They were happy with the representation 10 they were receiving from their elected 11 representatives.</p> <p>12 Q. So what does that mean for those 13 representatives' districts? Would they want to keep 14 them the same or --</p> <p>15 A. Our guidelines say we try to protect the 16 core of the existing districts, yes.</p> <p>17 Q. Well, I guess if you're happy with your 18 representative, that doesn't mean that -- you could 19 still live in the district and have the rest of the 20 district change and still keep your representative 21 if like, you know, they're on the margins. The rest 22 of the district could change. If you live in the 23 center of the district, you're still going to keep 24 your representative, right?</p> <p>25 A. I couldn't answer that question.</p> <p style="text-align: right;">Page 70</p>	<p>1 A. Yes. I want to say I -- I don't 2 remember missing any of them, no.</p> <p>3 Q. Okay. And how were the public meetings 4 held?</p> <p>5 A. Virtually, just like this meeting. We 6 were -- we were in COVID and we had to get as many 7 locations as we could to get as much input as we 8 could in a very compressed time period. So we did 9 it remotely.</p> <p>10 Q. And in person?</p> <p>11 A. Yes. We had one in the state house.</p> <p>12 Q. But 27 out of 28 were only held 13 virtually; is that right?</p> <p>14 A. Just like this meeting, yes, ma'am.</p> <p>15 Q. Okay. And what was your role in the 16 public meetings?</p> <p>17 A. I was to go over the -- to listen to the 18 house, when they talked about the state house 19 districts. And I listened to all the house, 20 congressional, senate, state school board, yes.</p> <p>21 Q. And were you just there to listen? Or 22 did you do anything else?</p> <p>23 A. I listened.</p> <p>24 Q. And did you answer any questions from 25 the public?</p> <p style="text-align: right;">Page 72</p>



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 A. I believe I answered one.</p> <p>2 Q. And what was that question?</p> <p>3 A. I don't remember.</p> <p>4 Q. Was it about the congressional map?</p> <p>5 A. I don't remember.</p> <p>6 Q. And was Mr. Walker present at these</p> <p>7 public meetings?</p> <p>8 A. He was our moderator. Yes, ma'am.</p> <p>9 Q. Okay. And what does that mean?</p> <p>10 A. He conducted the meeting.</p> <p>11 Q. Okay. And is it fair to say that</p> <p>12 Mr. Walker primarily addressed or answered audience</p> <p>13 questions during the hearings?</p> <p>14 A. There was a time when people could</p> <p>15 either ask a question or submit a question</p> <p>16 electronically.</p> <p>17 Q. Okay.</p> <p>18 A. And he would address those questions.</p> <p>19 Q. And he addressed most of -- I'm sorry.</p> <p>20 Of the questions that were answered, Mr. Walker was</p> <p>21 the one who answered most of them?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. Okay. And did audience members ever</p> <p>24 direct questions to you specifically?</p> <p>25 A. I can't remember.</p> <p style="text-align: right;">Page 73</p>	<p>1 in order to get to zero deviation.</p> <p>2 Q. And who created that document?</p> <p>3 A. I'm not sure.</p> <p>4 Q. Do you know -- sorry.</p> <p>5 Did you take any notes during any of the</p> <p>6 public meetings?</p> <p>7 A. Any notes I took, I turned over in my</p> <p>8 evidence. They were handwritten on those -- those</p> <p>9 documents.</p> <p>10 Q. But you did take some --</p> <p>11 A. Very few.</p> <p>12 Q. -- notes? Okay.</p> <p>13 Did you take any notes after any of the</p> <p>14 public meetings?</p> <p>15 A. No, ma'am.</p> <p>16 Q. And did you talk to anyone about the --</p> <p>17 what happened in the public hearings?</p> <p>18 A. I'm sure I did. But I don't recall</p> <p>19 specifics.</p> <p>20 Q. Did you talk to Mr. Hinaman about what</p> <p>21 happened in the public meetings?</p> <p>22 A. Yes, ma'am.</p> <p>23 Q. And what did you tell him?</p> <p>24 A. Most of the conversations at the public</p> <p>25 hearings were dealing with state legislative races,</p> <p style="text-align: right;">Page 75</p>
<p>1 Q. And do you know if they directed</p> <p>2 questions to Senator McClendon specifically?</p> <p>3 A. I don't remember.</p> <p>4 Q. Did you prepare for any of the public</p> <p>5 meetings?</p> <p>6 A. We had the maps in front of us and the</p> <p>7 demographic shifts in front of us. And we would --</p> <p>8 I would read those as we went through the meetings.</p> <p>9 Q. And by "the maps," you mean the 2011 --</p> <p>10 A. Yes.</p> <p>11 Q. -- maps? Because you didn't have draft</p> <p>12 maps of the 2021 --</p> <p>13 A. No.</p> <p>14 Q. -- at that time. Okay.</p> <p>15 And what demographic figures are you</p> <p>16 talking about?</p> <p>17 A. The over and underpopulations, whether</p> <p>18 they had too many or too few people in them to stay</p> <p>19 within -- of course, I'm kind of talking legislative</p> <p>20 here and not congressional. Because congressional,</p> <p>21 we went to zero deviation. But we looked at the</p> <p>22 congressional districts to see which ones were</p> <p>23 overpopulated and which ones were underpopulated.</p> <p>24 Q. Okay.</p> <p>25 A. And how many people would have to change</p> <p style="text-align: right;">Page 74</p>	<p>1 if I remember correctly.</p> <p>2 Q. But occasionally people talked about</p> <p>3 congress, right?</p> <p>4 A. Yes. But we had not seen -- I had not</p> <p>5 seen the numbers on any plans until after they were</p> <p>6 submitted to reapportionment.</p> <p>7 So until I saw the -- you know, that</p> <p>8 ten-day rule kicked in and these plans that had been</p> <p>9 drawn off campus were submitted to the</p> <p>10 reapportionment office. Then and only then could we</p> <p>11 look at the demographics, the population changes,</p> <p>12 and the deviations in those districts.</p> <p>13 Q. Well, you had the demographic shift</p> <p>14 numbers to get to zero deviation during the public</p> <p>15 meetings, right?</p> <p>16 A. I had the number that we needed to get</p> <p>17 to, correct.</p> <p>18 Q. So you did talk to Mr. Hinaman about</p> <p>19 what was brought up at the public hearings about</p> <p>20 congress, correct?</p> <p>21 A. We talked -- I would assume we discussed</p> <p>22 it, yes.</p> <p>23 Q. And do you recall any specifics of what</p> <p>24 you talked about?</p> <p>25 A. Just the difference -- we were trying to</p> <p style="text-align: right;">Page 76</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 get to zero deviation.</p> <p>2 Q. Did you relay any specific concerns that</p> <p>3 someone had at a public meeting about the</p> <p>4 congressional map to Mr. Hinaman?</p> <p>5 A. I was concerned about the deviations in</p> <p>6 any other proposed plans.</p> <p>7 Q. Well, the public, though, I'm talking</p> <p>8 about, what they brought up at the public hearings.</p> <p>9 Did you relay any of those specifics to Mr. Hinaman?</p> <p>10 A. I don't remember.</p> <p>11 Q. Do you recall discussing any of those</p> <p>12 kinds of specifics that the public had about</p> <p>13 congress to anyone else?</p> <p>14 A. I'm sure we did. I mean, it was the</p> <p>15 same talking points at every public hearing on the</p> <p>16 congressional plan.</p> <p>17 Q. I mean, that suggests that there was</p> <p>18 really only one view about the congressional map</p> <p>19 coming up at the public hearings.</p> <p>20 A. Well, it was the plan produced by the</p> <p>21 League of Women Voters. Every -- if I remember</p> <p>22 correctly, almost every single public hearing we</p> <p>23 had, somebody stood up with their talking points and</p> <p>24 read them to us and entered them into the record.</p> <p>25 Q. But not everybody who attended the</p> <p style="text-align: right;">Page 77</p>	<p>1 doing other things that aren't work related during</p> <p>2 the work hours. Do you think that that would have</p> <p>3 had an impact at all on --</p> <p>4 A. Well, the schedule of the public</p> <p>5 hearings was public. It was released. The links</p> <p>6 were public. You might not have been able to make</p> <p>7 one specific meeting, but you could have logged into</p> <p>8 any of the other 28 at any given time on any given</p> <p>9 day that we held them and listened and interjected</p> <p>10 into the congressional plan.</p> <p>11 Q. Well --</p> <p>12 A. I mean, you had 28 opportunities to log</p> <p>13 on over a three-week period that you could have come</p> <p>14 in and watched. It's not like you had to drive to a</p> <p>15 location like in the old days when you had to drive</p> <p>16 somewhere during the daytime to come hear us. You</p> <p>17 were able to listen at any time.</p> <p>18 Q. But even so, if you work at McDonald's</p> <p>19 from 9:00 to 5:00 and you're at the cash register,</p> <p>20 how are you going to attend one of those meetings?</p> <p>21 A. There are 28 different meetings at all</p> <p>22 different times of the day.</p> <p>23 Q. Well, not -- they're all between 9:00</p> <p>24 and 5:00 except for one.</p> <p>25 A. Then you could have logged in that night</p> <p style="text-align: right;">Page 79</p>
<p>1 public hearings would have known about the League of</p> <p>2 Women Voters' map, right?</p> <p>3 A. Somebody was there at virtually every</p> <p>4 meeting that I remember to talk about it.</p> <p>5 Q. Did anyone discuss anything about the</p> <p>6 congressional map that wasn't related to the League</p> <p>7 of Women Voters' map that you recall?</p> <p>8 A. I don't recall.</p> <p>9 Q. Do you know how many of the 28 meetings</p> <p>10 were held on weekdays during working hours, 9:00 to</p> <p>11 5:00?</p> <p>12 A. Like this one here, all but one of them.</p> <p>13 Q. Okay. And most people are working on</p> <p>14 weekdays during working hours from 9:00 to 5:00,</p> <p>15 right?</p> <p>16 That's a yes?</p> <p>17 A. That's -- I know a lot of people that</p> <p>18 work different hours.</p> <p>19 Q. But most people work on weekdays from</p> <p>20 the hours of around 9:00 to 5:00, would you say?</p> <p>21 A. I would say it's very common, yes.</p> <p>22 Q. Okay. Do you think that that had an</p> <p>23 impact on who could attend the public meetings?</p> <p>24 A. I don't know.</p> <p>25 Q. I mean, if I'm at work, I tend to not be</p> <p style="text-align: right;">Page 78</p>	<p>1 and watched.</p> <p>2 Q. For that one meeting?</p> <p>3 A. Exactly. And you could have spoken your</p> <p>4 mind or emailed in your questions or your concerns</p> <p>5 at that time.</p> <p>6 Q. Okay. But you and others from the</p> <p>7 reapportionment committee set the times of those</p> <p>8 meetings, correct?</p> <p>9 A. Yes, ma'am.</p> <p>10 Q. Primarily you and Senator McClendon; is</p> <p>11 that right?</p> <p>12 A. In conjunction with the other members.</p> <p>13 Like I said, we produced a list of 22. And Ms. Hall</p> <p>14 asked us to add six meetings in communities she</p> <p>15 thought did not have enough representation or enough</p> <p>16 opportunities. So we added those additional six</p> <p>17 meetings and included them in our press releases so</p> <p>18 anybody could log in.</p> <p>19 Q. Did you consider holding more meetings</p> <p>20 in the evening other than just the one?</p> <p>21 A. I couldn't answer that question.</p> <p>22 Q. Before the public hearings happened,</p> <p>23 Senator McClendon told the press that the new maps</p> <p>24 wouldn't cause, quote, any surprises for the</p> <p>25 candidates or for the voters. I'll just represent</p> <p style="text-align: right;">Page 80</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 to you that that happened.</p> <p>2 Do you know what the basis was for that</p> <p>3 statement?</p> <p>4 A. You'll have to ask Senator McClendon.</p> <p>5 Q. Do you agree with that statement, that</p> <p>6 even before the public hearings would have happened,</p> <p>7 that there wouldn't be surprises for candidates or</p> <p>8 for the voters?</p> <p>9 A. I think every time you change the lines,</p> <p>10 you surprise people.</p> <p>11 Q. But on the whole, would you say that</p> <p>12 that statement was true?</p> <p>13 A. Well, when your guidelines are to keep</p> <p>14 the core of the existing districts intact as much as</p> <p>15 practicable, it shouldn't be too earth shattering,</p> <p>16 some of the changes around the edges.</p> <p>17 Q. And do you know if any work had been</p> <p>18 conducted on drafting the congressional map prior to</p> <p>19 the public hearings?</p> <p>20 A. No, ma'am.</p> <p>21 Q. Do you know if any decisions on the</p> <p>22 lines for the congressional maps had been made</p> <p>23 before holding the public hearings?</p> <p>24 A. No, ma'am.</p> <p>25 Q. Are you familiar with the black belt</p> <p style="text-align: right;">Page 81</p>	<p>1 Q. Would you agree that the black belt is a</p> <p>2 community of interest?</p> <p>3 A. It's a very broad area that stretches</p> <p>4 from one side of the state to the other. I believe</p> <p>5 it has some communities of interest in it, yes.</p> <p>6 Q. But as a whole, is the black belt a</p> <p>7 community of interest?</p> <p>8 A. I couldn't answer that.</p> <p>9 Q. Why not?</p> <p>10 A. Because while I work in Wilcox and</p> <p>11 Marengo and Perry, I don't go to Macon or the</p> <p>12 counties on the other side. So I don't really know</p> <p>13 much about them.</p> <p>14 Q. But that's true for other communities of</p> <p>15 interest in other parts of the state, right?</p> <p>16 A. Explain that one to me.</p> <p>17 Q. I guess if the legislature -- if the</p> <p>18 reapportionment committee is tasked with approving a</p> <p>19 congressional map that keeps, you know, communities</p> <p>20 of interest together, you don't personally know</p> <p>21 about every community of interest in the same way</p> <p>22 that you do know about those particular counties,</p> <p>23 right?</p> <p>24 A. I mean, you know, I'm from Mobile. And</p> <p>25 we run up and -- it's the river system. So many of</p> <p style="text-align: right;">Page 83</p>
<p>1 counties in Alabama, that term?</p> <p>2 A. I sell timberland. I work all through</p> <p>3 the black belt.</p> <p>4 Q. Okay.</p> <p>5 A. I've spent more time in the black belt</p> <p>6 than . . .</p> <p>7 Q. And what's your understanding of the</p> <p>8 black belt?</p> <p>9 A. It's a region in the middle of the state</p> <p>10 of Alabama that got its name because of the rich</p> <p>11 soils.</p> <p>12 Q. And what counties are in it?</p> <p>13 A. It's like 28 counties, I think,</p> <p>14 something like that. I spend most of my time in</p> <p>15 Wilcox, Marengo, Lowndes, Perry, Hale, those areas.</p> <p>16 Q. And if you could just describe what</p> <p>17 portion of the state are we talking about.</p> <p>18 A. Central Alabama.</p> <p>19 Q. Do you recall if anyone discussed the</p> <p>20 black belt at any of the public hearings?</p> <p>21 MR. WALKER: What was --</p> <p>22 MS. WELBORN: If anyone at the public</p> <p>23 meetings discussed the black belt.</p> <p>24 A. It's a term that's often used in</p> <p>25 Alabama. But I don't remember specifically.</p> <p style="text-align: right;">Page 82</p>	<p>1 the families in Mobile come from northern counties</p> <p>2 because of the way the river system is. We have</p> <p>3 very little to nothing in common with the people in</p> <p>4 the Wiregrass. It's not -- it's almost a totally</p> <p>5 different state over there.</p> <p>6 So I don't know -- if you're asking me</p> <p>7 do the people in Wilcox County have something in</p> <p>8 common with the people in Macon County, I can't</p> <p>9 answer that. But I know the people in Wilcox</p> <p>10 County. We go up and down the rivers.</p> <p>11 Q. Right. I guess what I'm saying is you</p> <p>12 still approve a map even though you don't have</p> <p>13 personal experience with every single community of</p> <p>14 interest, right?</p> <p>15 A. The state legislature approved the map,</p> <p>16 yes, ma'am.</p> <p>17 Q. Well, you voted for it, right?</p> <p>18 A. Yes.</p> <p>19 Q. So just going back to the black belt.</p> <p>20 Even though you don't necessarily have personal</p> <p>21 experience with every single county, can you still</p> <p>22 form an opinion about in general whether that is a</p> <p>23 community of interest?</p> <p>24 A. I know it's a very rural part of the</p> <p>25 state of Alabama.</p> <p style="text-align: right;">Page 84</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Q. Does that make it a community of 2 interest?</p> <p>3 A. I don't know what your definition of a 4 community of interest is.</p> <p>5 Q. Well, the reapportionment committee has 6 a definition of community of interest, right?</p> <p>7 A. Yes.</p> <p>8 Q. So looking at that definition, would you 9 consider the black belt to be a community of 10 interest?</p> <p>11 A. Our definition of community of interest 12 is in certain circumstances to include political 13 subdivisions such as counties, voting precincts, 14 municipalities, tribal lands, reservations, or 15 school districts. Those counties -- the counties 16 are a community of interest.</p> <p>17 Q. Well, it also includes ethnic, racial, 18 economic, tribal, social, geographic, and historical 19 identities.</p> <p>20 A. Yes.</p> <p>21 Q. Under any of those aspects, does the 22 black belt constitute a community of interest?</p> <p>23 A. I know it's -- it is predominantly 24 African American.</p> <p>25 Q. And the black belt is a historical term, Page 85</p>	<p>1 A. The general public -- I mean, every 2 committee meeting had somebody standing up and 3 reading the talking points on the League of Women 4 Voters' plan. So if you read the record, it's all 5 in there. They all talked about that specific plan 6 on their talking points.</p> <p>7 Q. But the --</p> <p>8 A. I don't remember the general public 9 being dissatisfied with the members of congress.</p> <p>10 Q. Meaning other people at the -- at the 11 public meetings --</p> <p>12 A. Yes.</p> <p>13 Q. -- were not --</p> <p>14 A. I don't remember them being 15 dissatisfied, no, ma'am.</p> <p>16 Q. Okay. So how -- but you still took away 17 the idea that the general public was happy with 18 their current representation?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. Okay. And what did you do with that 21 information?</p> <p>22 A. I mean, it's all part of the permanent 23 record. I remembered it because I listened to all 24 of it.</p> <p>25 Q. Right. Page 87</p>
<p>1 right?</p> <p>2 A. Based on the soil, yes, ma'am.</p> <p>3 Q. Okay. And that term goes back quite a 4 long time?</p> <p>5 A. It was developed because of the rich 6 soil in that area.</p> <p>7 Q. So yes or no, under these guidelines, 8 does the black belt constitute a community of 9 interest?</p> <p>10 A. I couldn't answer that question. I just 11 couldn't answer that.</p> <p>12 Q. I don't understand why not.</p> <p>13 A. Because I'm not sure they are 14 politically cohesive and compact and contiguous 15 enough to constitute one.</p> <p>16 Q. What, if anything, did you learn or take 17 away from the public hearings?</p> <p>18 A. What do you mean by that?</p> <p>19 Q. Well, did you learn anything from what 20 you heard at the public hearings?</p> <p>21 A. I walked away thinking most people in 22 the state of Alabama were happy with their 23 representation the way it was in congress.</p> <p>24 Q. And do you recall any specifics about -- 25 about that? Page 86</p>	<p>1 A. We put it in the record. It's all 2 there.</p> <p>3 Q. After -- after the meetings, what did 4 you do with that information?</p> <p>5 A. It was put into the official record of 6 the committee.</p> <p>7 Q. I guess I'm -- did any of what you 8 learned at the public hearings influence how the 9 congressional map was drawn?</p> <p>10 A. I can't answer that. I don't -- I 11 wasn't a member -- that map was drawn by Mr. Hinaman 12 and in conjunction with the members of congress.</p> <p>13 Q. But you did discuss what you learned 14 about the public meetings with Mr. Hinaman with 15 respect to the congressional meetings at some point?</p> <p>16 A. That somebody had come to every meeting 17 and read the League of Women Voters' talking points, 18 yes.</p> <p>19 Q. But did you express to Mr. Hinaman your 20 sentiment that the general public was happy with 21 their representation?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you remember telling him, about the 24 congressional map, anything other than about the -- 25 from the public hearings other than the League of Page 88</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Women Voters' talking points?</p> <p>2 <b>A. Not that I can recall.</b></p> <p>3 Q. And how much weight did you give to</p> <p>4 those -- the sentiment that the general public was</p> <p>5 happy with their representation in terms of its</p> <p>6 importance in drawing the map?</p> <p>7 <b>A. We listened to the people. I was</b></p> <p>8 <b>anxious to see what the League of Women Voters' map</b></p> <p>9 <b>turned out to be.</b></p> <p>10 Q. Did you -- did you consider it to be</p> <p>11 more important when the congressional map was being</p> <p>12 drawn that the general public was satisfied with</p> <p>13 their representation compared to what was said about</p> <p>14 the League of Women Voters' map?</p> <p>15 <b>A. You know, when every meeting somebody</b></p> <p>16 <b>stands up and reads the same talking points and you</b></p> <p>17 <b>could tell they've been prompted just to go say that</b></p> <p>18 <b>to get it into the record, I put more weight on the</b></p> <p>19 <b>people who came out of a true sense of wanting to</b></p> <p>20 <b>express their opinion, not the opinion that was</b></p> <p>21 <b>written down on a piece of paper form them by an</b></p> <p>22 <b>attorney. What I assume was an attorney. I'm</b></p> <p>23 <b>sorry.</b></p> <p>24 Q. So you gave less weight to those League</p> <p>25 of Women Voter talking points than you did the</p> <p style="text-align: right;">Page 89</p>	<p>1 or twice?</p> <p>2 <b>A. I don't remember the number of times.</b></p> <p>3 <b>But it came up a few.</b></p> <p>4 Q. A few. But not at every meeting?</p> <p>5 <b>A. I don't remember it coming up at every</b></p> <p>6 <b>meeting, no.</b></p> <p>7 Q. What was your response to the suggestion</p> <p>8 that there should be two majority black</p> <p>9 congressional districts?</p> <p>10 <b>A. If somebody could show me a plan that</b></p> <p>11 <b>met the guidelines, I would be interested in looking</b></p> <p>12 <b>at it.</b></p> <p>13 Q. And what do you mean by "interested in</p> <p>14 looking at it"?</p> <p>15 <b>A. I mean I would give it due consideration</b></p> <p>16 <b>if it met the guidelines.</b></p> <p>17 Q. If you have competing maps that all meet</p> <p>18 the guidelines, how do you choose one over the</p> <p>19 other?</p> <p>20 <b>A. I would go with the one that's most in</b></p> <p>21 <b>line with the guidelines.</b></p> <p>22 Q. How do you determine what is most in</p> <p>23 line with the guidelines?</p> <p>24 <b>A. The number of county splits, the</b></p> <p>25 <b>deviations.</b></p> <p style="text-align: right;">Page 91</p>
<p>1 people who were discussing on their own that they</p> <p>2 were happy with their representation?</p> <p>3 <b>A. Somebody that was put in the room to put</b></p> <p>4 <b>statements into the record is not, in my opinion,</b></p> <p>5 <b>the same as somebody who comes on their own free</b></p> <p>6 <b>will and their own fruition to express their</b></p> <p>7 <b>personal opinion about their representation.</b></p> <p>8 Q. So did you give any instructions to</p> <p>9 Mr. Hinaman to change anything about the</p> <p>10 congressional map because of the public hearings?</p> <p>11 <b>A. Not that I recall.</b></p> <p>12 Q. Did you give instructions to anyone else</p> <p>13 about changing the map because of the public</p> <p>14 hearings?</p> <p>15 <b>A. Not that I recall.</b></p> <p>16 Q. At the public hearings, do you recall</p> <p>17 anyone discussing the need to have two majority</p> <p>18 black districts for congress?</p> <p>19 <b>A. Two majority black congressional</b></p> <p>20 <b>districts, yes, ma'am.</b></p> <p>21 Q. Yes. Who mentioned that?</p> <p>22 <b>A. I don't recall specifically.</b></p> <p>23 Q. Was it mentioned often, would you say?</p> <p>24 <b>A. I don't remember.</b></p> <p>25 Q. Was it something that only came up once</p> <p style="text-align: right;">Page 90</p>	<p>1 Q. Okay. Is something -- is one of those</p> <p>2 factors more important than the other?</p> <p>3 <b>A. Deviations.</b></p> <p>4 Q. That's the most important factor, in</p> <p>5 your opinion?</p> <p>6 <b>A. Yes, ma'am.</b></p> <p>7 Q. And how important are the county splits?</p> <p>8 <b>A. Well, we tried to split as the few</b></p> <p>9 <b>counties as possible in order to achieve the zero</b></p> <p>10 <b>deviation.</b></p> <p>11 Q. Just quickly going back to talking about</p> <p>12 this sentiment that people were happy with their</p> <p>13 representation. How did you know or how did you</p> <p>14 determine who was there with their talking points</p> <p>15 and who was there, you know, coming of their own</p> <p>16 volition?</p> <p>17 <b>A. If they're reading a piece of paper and</b></p> <p>18 <b>it's the same talking points you've heard, I would</b></p> <p>19 <b>assume they were sent there to read it. If they're</b></p> <p>20 <b>talking extemporaneously and they don't line up with</b></p> <p>21 <b>the talking points you've heard before, I would</b></p> <p>22 <b>assume they were talking of their own fruition.</b></p> <p>23 Q. Did you ask anyone at any of the public</p> <p>24 meetings if they were part of a particular group?</p> <p>25 <b>A. They were instructed by Mr. Dorman to</b></p> <p style="text-align: right;">Page 92</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 state their name and who they represented.</p> <p>2 Q. And did you ask any of them if they were</p> <p>3 sent there by somebody else?</p> <p>4 A. No. They -- when they were called to</p> <p>5 speak, they were to state their name and who they</p> <p>6 represented.</p> <p>7 Q. Okay. And did you -- did you consider</p> <p>8 -- if someone came there, you know, with a prepared</p> <p>9 set of talking points, did you consider their</p> <p>10 opinion to be less -- less important to drawing the</p> <p>11 map than someone who came there to speak</p> <p>12 extemporaneously, like you said?</p> <p>13 A. I believe I answered that question</p> <p>14 already, didn't I?</p> <p>15 Q. Do you know if a map with two majority</p> <p>16 minority districts was proposed at any point?</p> <p>17 A. During the legislative process when we</p> <p>18 were in session, yes, ma'am.</p> <p>19 Q. Do you know if any were proposed before</p> <p>20 the special session?</p> <p>21 A. We have a rule that any plan drawn off</p> <p>22 campus, outside the reapportionment office, has to</p> <p>23 be turned over ten days before it can be introduced</p> <p>24 as a bill.</p> <p>25 So after they were turned over, at</p> <p style="text-align: right;">Page 93</p>	<p>1 Q. What --</p> <p>2 A. Until it -- until it reaches that bill</p> <p>3 form and we can analyze it based on the population</p> <p>4 and the deviations, I don't consider it a plan.</p> <p>5 Q. Okay. What all information could you</p> <p>6 look at from any plan at that point?</p> <p>7 A. At that point?</p> <p>8 Q. Uh-huh.</p> <p>9 A. After it's introduced from the outside</p> <p>10 source?</p> <p>11 Q. Yes.</p> <p>12 A. Then we look at the population, we look</p> <p>13 at the deviations, we look at the county splits, and</p> <p>14 we look at the BVAP, we look at the racial makeup of</p> <p>15 the district.</p> <p>16 Q. And when you say "BVAP," just for the</p> <p>17 record, what do you mean?</p> <p>18 A. Black voting age population.</p> <p>19 Q. And is that all black or any part black?</p> <p>20 Do you know?</p> <p>21 A. No, I couldn't answer that. I've seen</p> <p>22 both columns, but I don't know.</p> <p>23 Q. So just to clarify, you did not see a</p> <p>24 map for two majority minority or majority black</p> <p>25 congressional districts prior to the ten-day mark?</p> <p style="text-align: right;">Page 95</p>
<p>1 whatever point they were turned over and they were</p> <p>2 put through our computers and we could get the</p> <p>3 information on them, the deviations and the county</p> <p>4 splits, we looked at them then.</p> <p>5 Q. So if someone submitted an outside plan,</p> <p>6 let's say, 30 days before the special session, so</p> <p>7 more than ten days, when would you have had access</p> <p>8 to that plan?</p> <p>9 A. I don't remember seeing the demographics</p> <p>10 of any plan that was introduced earlier than that.</p> <p>11 Q. I'm sorry. Could you --</p> <p>12 A. I don't remember seeing a plan that was</p> <p>13 submitted before then.</p> <p>14 Q. Before the ten days?</p> <p>15 A. Ten days, yes, ma'am.</p> <p>16 Q. Okay. And once a plan is submitted by</p> <p>17 outside groups, what happens?</p> <p>18 A. It's put through the computer and turned</p> <p>19 into what we call bill form. And then you have to</p> <p>20 find a member of the legislature that's willing to</p> <p>21 introduce it.</p> <p>22 Q. Okay. But you mentioned deviation and</p> <p>23 demographic data. Does the computer program also</p> <p>24 give you that information?</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 94</p>	<p>1 A. I did not see a plan that had the</p> <p>2 deviations in the populations until then. There's a</p> <p>3 difference between just color coding a map and</p> <p>4 letting me see an actual plan.</p> <p>5 Q. Okay. What's the difference?</p> <p>6 A. Well, you can -- you can draw anything</p> <p>7 you want to on a map. But until you actually have</p> <p>8 the census numbers and the demographic numbers in</p> <p>9 it, I don't consider it a plan.</p> <p>10 Q. And why not?</p> <p>11 A. Because until I know the population in</p> <p>12 that district -- the whole basis of redistricting is</p> <p>13 the 14th Amendment to the Constitution, equal</p> <p>14 protection, that my vote for a member of congress</p> <p>15 counts the same as another person in the state of</p> <p>16 Alabama's vote. That's the reason why we go through</p> <p>17 this process. It's one man, one vote. And until I</p> <p>18 look at a plan and the numbers associated with that</p> <p>19 plan, I don't consider it a full plan.</p> <p>20 Q. So I just want to make sure that I'm</p> <p>21 getting this right. I'm not trying to ask you over</p> <p>22 and over and over again.</p> <p>23 Is it right that you did not look at</p> <p>24 what you considered to be a plan, so an analyzed,</p> <p>25 you know, map with all that demographic information</p> <p style="text-align: right;">Page 96</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 and deviation information, until after that ten-day 2 mark?</p> <p>3 A. Until after it was analyzed and I could 4 get the numbers, yes.</p> <p>5 Q. Okay.</p> <p>6 A. Then we looked at it to see what the 7 deviation was, the overall deviation of the plan, 8 and how many splits there were in counties and what 9 counties were split.</p> <p>10 Q. Okay. And at that point, were there any 11 maps that were -- had two majority black districts?</p> <p>12 A. I don't remember seeing two majority 13 black districts. I remember seeing one -- two of 14 what they call opportunity districts, what they were 15 calling -- the districts were not 50 percent 16 minority.</p> <p>17 Q. Could you define your understanding of 18 an opportunity district?</p> <p>19 A. That's what they were calling them. 20 They called them opportunity districts, and they 21 were both under 50 percent minority.</p> <p>22 THE REPORTER: Under 50 percent what?</p> <p>23 A. Minority population.</p> <p>24 Q. And who is "they"?</p> <p>25 A. The people who introduced them, the</p> <p style="text-align: right;">Page 97</p>	<p>1 A. I'm afraid we would run afoul of Section 2 2 of the Voting Rights Act.</p> <p>3 Q. Okay.</p> <p>4 MR. DAVIS: Can I ask how we're doing on 5 time? This was -- I know we had a break, a long 6 break, for audio. This was a two-hour deposition 7 that was noticed. We've got three PI motions we 8 need to get back to work on. This seems to be 9 really dragging.</p> <p>10 MS. WELBORN: Well, I mean, we have up 11 to 7 hours under the Rules of Federal Procedure.</p> <p>12 MR. DAVIS: You're going to take 14?</p> <p>13 MS. WELBORN: I would hope -- I would 14 really like to not do that. But it certainly is our 15 right to do that. I can't really tell you at this 16 point exactly how much longer. But I'm happy to 17 take a break right now to help confer --</p> <p>18 MR. DAVIS: I'm hearing a lot of 19 repetition and a lot of arguing with the witness. 20 If you're going to do this discovery before the 21 preliminary injunction hearing, it needs to get 22 pretty focused and be a little sensitive and 23 courteous towards everything that we've got to do on 24 the defense side to get ready to respond to your 25 motions.</p> <p style="text-align: right;">Page 99</p>
<p>1 League of Women Voters and -- I can't remember who 2 introduced the bill in the house.</p> <p>3 Q. Okay. And -- sorry. One second. 4 If a district has under a 50 percent 5 minority population, what is the importance of that 6 number, I guess? Why was that number important?</p> <p>7 A. Under Section 2 of the Voting Rights 8 Act, we can't do anything to diminish the ability or 9 protect a class of minority citizens from electing 10 or defeating a candidate of their choice.</p> <p>11 Q. So if a district has under 50 percent 12 voting age population -- sorry. Under 50 percent 13 minority population, does that automatically 14 diminish their ability to choose a candidate of 15 their choice under Section 2?</p> <p>16 A. You're asking an attorney question.</p> <p>17 Q. Well, I mean, ultimately it's your 18 responsibility to --</p> <p>19 A. It would -- it would -- I would give 20 great caution in order to draw a district that was 21 less than 50 percent, yes.</p> <p>22 Q. Under 50 percent minority population?</p> <p>23 A. Yes. I would be very cautious.</p> <p>24 Q. Okay. And by "very cautious," does that 25 mean you are -- what does that mean?</p> <p style="text-align: right;">Page 98</p>	<p>1 MS. WELBORN: I understand what you're 2 saying.</p> <p>3 MR. ROSBOROUGH: Counsel, I thought we 4 were going to refrain from speaking objections.</p> <p>5 MR. DAVIS: What did he say?</p> <p>6 THE REPORTER: Refrain from speaking 7 objections.</p> <p>8 MS. WELBORN: Let's take a break. Let's 9 go off the record. And we'll come back and talk 10 after that.</p> <p>11 THE VIDEOGRAPHER: We are off the 12 record. The time is 11:26 a.m.</p> <p>13 (Recess was taken.)</p> <p>14 THE VIDEOGRAPHER: We are back on the 15 record. The time is 12:06 p.m.</p> <p>16 Q. So I'd like to talk about the October 17 26th reapportionment committee meeting. Do you 18 remember if you did anything to prepare for that 19 meeting?</p> <p>20 A. Yes. We sent the proposed maps to all 21 the members for their review prior to the meeting.</p> <p>22 Q. And by "we," who do you mean?</p> <p>23 A. The staff at the reapportionment 24 committee.</p> <p>25 Q. Okay. And do you remember how far in</p> <p style="text-align: right;">Page 100</p>



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 advance you sent them out?</p> <p>2 <b>A. As fast as we could. Remember this</b></p> <p>3 <b>whole process was very condensed, very condensed.</b></p> <p>4 Q. I think it was the day before the</p> <p>5 meeting. Is that right?</p> <p>6 <b>A. Yes, ma'am, which is standard operating</b></p> <p>7 <b>procedure. We get bills usually about a day before.</b></p> <p>8 Q. Okay.</p> <p>9 <b>A. Usually. Not all the time.</b></p> <p>10 Q. And did you talk to anyone about this</p> <p>11 meeting beforehand?</p> <p>12 <b>A. I approached the members of my -- the</b></p> <p>13 <b>house members of the committee to make sure they</b></p> <p>14 <b>read their information and make sure they came to</b></p> <p>15 <b>the meeting.</b></p> <p>16 Q. And other than the maps themselves, did</p> <p>17 you provide any materials to the members of the</p> <p>18 committee?</p> <p>19 <b>A. Whatever the committee sent with the</b></p> <p>20 <b>notice.</b></p> <p>21 Q. With the -- I'm sorry. What do you mean</p> <p>22 by the notes?</p> <p>23 <b>A. They were sent an email notifying them</b></p> <p>24 <b>of the meeting. Whatever was contained in that</b></p> <p>25 <b>notification of the meeting.</b></p> <p style="text-align: right;">Page 101</p>	<p>1 Q. Who decides whether a racial</p> <p>2 polarization analysis should be done for a</p> <p>3 particular district?</p> <p>4 <b>A. Not me.</b></p> <p>5 Q. Do you know who does decide?</p> <p>6 <b>A. I would -- I would assume it would be</b></p> <p>7 <b>our attorney.</b></p> <p>8 Q. Why that assumption?</p> <p>9 <b>A. Because he's an attorney and he</b></p> <p>10 <b>understands Section 2.</b></p> <p>11 Q. But the actual analysis itself is math,</p> <p>12 right?</p> <p>13 <b>A. I would assume. But I've never -- never</b></p> <p>14 <b>done it.</b></p> <p>15 Q. Okay. Would anyone other than your</p> <p>16 attorneys make the decision to have a racial</p> <p>17 polarization analysis done for a particular</p> <p>18 district?</p> <p>19 <b>A. Not that I'm aware of. I'm sure if I</b></p> <p>20 <b>asked for one, I could get it.</b></p> <p>21 Q. Okay. Can anyone ask for it?</p> <p>22 <b>A. I don't know the answer to that</b></p> <p>23 <b>question.</b></p> <p>24 Q. Well, could a member of the</p> <p>25 reapportionment committee ask for it and have it be</p> <p style="text-align: right;">Page 103</p>
<p>1 Q. And do you know who sent that email?</p> <p>2 <b>A. Somebody on the reapportionment staff.</b></p> <p>3 Q. Okay. So a considerable portion of that</p> <p>4 meeting was about racial polarization analysis,</p> <p>5 which I'll also refer to as RPV. Does that --</p> <p>6 <b>A. RP what?</b></p> <p>7 Q. RPV. Have you heard that term before?</p> <p>8 <b>A. I've heard of racial population</b></p> <p>9 <b>analysis.</b></p> <p>10 Q. I'll try to refer to it as racial</p> <p>11 polarization analysis. But that's also a lot of</p> <p>12 words.</p> <p>13 <b>A. You can use the acronym.</b></p> <p>14 Q. So what's your understanding of racial</p> <p>15 polarization analysis?</p> <p>16 <b>A. My understanding is that is done</b></p> <p>17 <b>particularly for the courts to determine whether we</b></p> <p>18 <b>either on purpose -- intentionally or</b></p> <p>19 <b>unintentionally violated Section 2 of the Voting</b></p> <p>20 <b>Rights Act and denied a group of protected class of</b></p> <p>21 <b>minority citizens from electing or defeating a</b></p> <p>22 <b>candidate of their choice based on the analysis of</b></p> <p>23 <b>the historical vote.</b></p> <p>24 Q. And do you know how it's done?</p> <p>25 <b>A. No, ma'am.</b></p> <p style="text-align: right;">Page 102</p>	<p>1 performed?</p> <p>2 <b>A. I'm sure if a member of the</b></p> <p>3 <b>reapportionment committee wanted one, they could</b></p> <p>4 <b>approach the legal counsel of the committee and</b></p> <p>5 <b>request one.</b></p> <p>6 Q. How do you decide which district a</p> <p>7 racial polarization analysis should be done for?</p> <p>8 <b>A. I didn't make that decision.</b></p> <p>9 Q. So you don't play any role in deciding</p> <p>10 district X should have a racial polarization</p> <p>11 analysis done?</p> <p>12 <b>A. I did not, no.</b></p> <p>13 Q. Okay. Do you know if there are any</p> <p>14 written guidelines for how someone should decide</p> <p>15 whether a racial polarization analysis should be</p> <p>16 done?</p> <p>17 <b>A. I don't recall ever seeing any.</b></p> <p>18 Q. Do you know if there are any informal</p> <p>19 guidelines?</p> <p>20 <b>A. I don't recall ever seeing any.</b></p> <p>21 Q. Or hearing of any?</p> <p>22 <b>A. No.</b></p> <p>23</p> <p>24 (Plaintiff's Exhibit 4 was</p> <p>25 marked for identification.)</p> <p style="text-align: right;">Page 104</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1</p> <p>2 Q. I'd like to introduce Exhibit 4. This</p> <p>3 is a transcript of the reapportionment committee</p> <p>4 meeting from October 26th.</p> <p>5 MS. WELBORN: And we will provide</p> <p>6 electronic copies.</p> <p>7 MR. WALKER: I understand. My only</p> <p>8 caveat is while I don't have any reason to believe</p> <p>9 that these are inaccurate, we haven't had a chance</p> <p>10 to check it.</p> <p>11 MS. WELBORN: Of course.</p> <p>12 Q. I'll get to that in a second.</p> <p>13 But do you know when a racial</p> <p>14 polarization analysis is conducted? At what point</p> <p>15 in the process, I mean.</p> <p>16 A. I was under the assumption that after we</p> <p>17 passed the bills, that a racial polarization</p> <p>18 analysis would be done for the lawsuits.</p> <p>19 Q. Okay. So after they are already</p> <p>20 enacted, right?</p> <p>21 A. Well, given the timeline.</p> <p>22 Q. Okay.</p> <p>23 A. We didn't have time to.</p> <p>24 Q. If you could turn to Page 20. I'm</p> <p>25 sorry. It's Page 18. And at the very bottom,</p> <p style="text-align: right;">Page 105</p>	<p>1 racial issue, do you have an understanding of what</p> <p>2 that means?</p> <p>3 A. You would have to ask Mr. -- Senator</p> <p>4 McClendon.</p> <p>5 Q. Okay. Did you encounter any possible</p> <p>6 racial -- racial issues over the course of the</p> <p>7 redistricting process?</p> <p>8 MR. WALKER: Objection to form. I'm</p> <p>9 just not sure what you mean.</p> <p>10 Q. When did you take race into account in</p> <p>11 the redistricting process?</p> <p>12 A. Mr. Hinaman was directed by the</p> <p>13 committee to follow the guidelines and to draw those</p> <p>14 plans race neutral, without looking at race until</p> <p>15 after he had developed a plan. That's my</p> <p>16 understanding. The plan was developed, and race was</p> <p>17 not looked at until after it was drawn.</p> <p>18 Q. And then how was -- it was looked at</p> <p>19 after the plan was drawn?</p> <p>20 A. After the plan was drawn, yes, ma'am, in</p> <p>21 conjunction with the members of congress.</p> <p>22 Q. And do you know how it was looked at?</p> <p>23 A. No. He met with members of congress to</p> <p>24 go over it.</p> <p>25 Q. And do you know what data was looked at?</p> <p style="text-align: right;">Page 107</p>
<p>1 Senator McClendon says, "Can I ask something? The</p> <p>2 question you're asking, the answer is our attorney,</p> <p>3 mine and your attorney, set that data off for</p> <p>4 districts that it looked like there might possibly</p> <p>5 be a racial issue."</p> <p>6 And this is referring to a racial</p> <p>7 polarization analysis. That is, that racial</p> <p>8 polarization is done -- analysis is done for</p> <p>9 districts where it looked like there might possibly</p> <p>10 be a racial issue.</p> <p>11 Is that your understanding of when</p> <p>12 racial polarization -- that that is why a racial</p> <p>13 polarization analysis is done, is because there</p> <p>14 might possibly be a racial issue?</p> <p>15 A. I read that as our attorney was going to</p> <p>16 make that determination.</p> <p>17 Q. And is it your understanding that</p> <p>18 looking like there might possibly be a racial issue</p> <p>19 is the criteria for determining whether a racial</p> <p>20 polarization analysis should be conducted for a</p> <p>21 particular district?</p> <p>22 A. Again, I was leaving that to the</p> <p>23 attorney to determine, what we would have to prepare</p> <p>24 for court cases.</p> <p>25 Q. So talking about might possibly be a</p> <p style="text-align: right;">Page 106</p>	<p>1 A. No, ma'am.</p> <p>2 MR. WALKER: Did you say date?</p> <p>3 MS. WELBORN: Data.</p> <p>4 Q. And do you know anything that would have</p> <p>5 changed because race was taken into account in the</p> <p>6 congressional map?</p> <p>7 A. No, ma'am.</p> <p>8 Q. And when you said the committee gave</p> <p>9 instructions to Mr. Hinaman, who are you referring</p> <p>10 to specifically?</p> <p>11 A. I would say Chairman McClendon and I</p> <p>12 told Mr. Hinaman to follow the guidelines in drawing</p> <p>13 these maps.</p> <p>14 Q. And in doing so, that means taking a</p> <p>15 race-neutral approach to drawing the first map; is</p> <p>16 that right?</p> <p>17 A. Yes, ma'am. The congressional map, yes,</p> <p>18 ma'am.</p> <p>19 Q. Did you give any other instructions to</p> <p>20 Mr. Hinaman?</p> <p>21 A. Follow the guidelines.</p> <p>22 Q. But that's it?</p> <p>23 A. That's the reason why we adopted the</p> <p>24 guidelines.</p> <p>25 Q. And how did you communicate with</p> <p style="text-align: right;">Page 108</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 Mr. Hinaman?</p> <p>2 <b>A. I would see him in the reapportionment</b></p> <p>3 <b>office, and on the telephone.</b></p> <p>4 Q. Okay. Did you ever email with him?</p> <p>5 <b>A. No, ma'am. I'm not a big email person.</b></p> <p>6 Q. I suppose that means you didn't text him</p> <p>7 either.</p> <p>8 <b>A. Nothing of substance.</b></p> <p>9 Q. Okay.</p> <p>10 <b>A. And I'll be glad to show you the texts.</b></p> <p>11 Q. So are you aware of any racial</p> <p>12 polarization analysis that was done for any district</p> <p>13 in the 2001 -- or 2021 congressional map prior to</p> <p>14 this meeting on October 26th?</p> <p>15 <b>A. No, ma'am.</b></p> <p>16 Q. So not for District 7?</p> <p>17 <b>A. No, ma'am.</b></p> <p>18 Q. Had a racial polarization analysis been</p> <p>19 done for some state legislative districts?</p> <p>20 <b>A. No, ma'am.</b></p> <p>21 Q. Was any racial polarization analysis</p> <p>22 conducted for any of the maps at any point before</p> <p>23 October 26th?</p> <p>24 <b>A. No, ma'am.</b></p> <p>25 Q. So a racial polarization analysis</p> <p style="text-align: right;">Page 109</p>	<p>1 analysis was done because the maps had already</p> <p>2 passed, right?</p> <p>3 <b>A. Yes.</b></p> <p>4 Q. Sorry. I'm not trying to trick you.</p> <p>5 <b>A. No. I had to think about it. Yes,</b></p> <p>6 <b>we -- we passed the maps.</b></p> <p>7 Q. Okay. Did you ever suggest having a</p> <p>8 racial polarization analysis done before the maps</p> <p>9 were passed?</p> <p>10 <b>A. I didn't consider it an option. We were</b></p> <p>11 <b>under such a tight timeline. We knew we would have</b></p> <p>12 <b>to do it because of the lawsuit that had already</b></p> <p>13 <b>been filed before we ever filed a bill, and we knew</b></p> <p>14 <b>it would be done. We just didn't have time to . . .</b></p> <p>15 Q. To get it done?</p> <p>16 <b>A. To get it done.</b></p> <p>17 Q. Do you know how long it takes to perform</p> <p>18 a racial polarization analysis?</p> <p>19 <b>A. No, ma'am.</b></p> <p>20 Q. Do you know if anyone suggested doing a</p> <p>21 racial polarization analysis prior to the bill's</p> <p>22 passing?</p> <p>23 <b>A. It came up in the committee meeting.</b></p> <p>24 <b>And we assured them that we were going to perform</b></p> <p>25 <b>them, the ones that our attorneys deemed necessary,</b></p> <p style="text-align: right;">Page 111</p>
<p>1 couldn't be taken into account for drawing the</p> <p>2 initial map?</p> <p>3 <b>A. We drew them race blind.</b></p> <p>4 Q. Do you know when the first time a racial</p> <p>5 polarization analysis was conducted for any district</p> <p>6 for the congressional map?</p> <p>7 <b>A. My understanding, they were sent off</b></p> <p>8 <b>sometime after the bills at the end of the special</b></p> <p>9 <b>session.</b></p> <p>10 Q. Do you know who requested that?</p> <p>11 <b>A. I believe Mr. Walker.</b></p> <p>12 Q. And do you know why that request was</p> <p>13 made?</p> <p>14 <b>A. Because we already had a lawsuit filed.</b></p> <p>15 <b>We had a lawsuit filed against us before we ever</b></p> <p>16 <b>filed a bill.</b></p> <p>17 Q. Who -- do you know who did the racial</p> <p>18 polarization analysis?</p> <p>19 <b>A. No, ma'am.</b></p> <p>20 Q. Do you know if a consultant was hired to</p> <p>21 do it?</p> <p>22 <b>A. There was somebody hired. I do not know</b></p> <p>23 <b>who.</b></p> <p>24 Q. So just to be clear, nothing changed as</p> <p>25 a part of the maps after the racial polarization</p> <p style="text-align: right;">Page 110</p>	<p>1 <b>and we would get that to them when we had the</b></p> <p>2 <b>information.</b></p> <p>3 Q. Do you know if a racial polarization</p> <p>4 analysis had been done for congressional maps in</p> <p>5 previous redistricting cycles?</p> <p>6 <b>A. I have no knowledge.</b></p> <p>7 Q. You don't remember from the 2001, 2002</p> <p>8 cycle if that happened?</p> <p>9 <b>A. Remember we were under Section 5</b></p> <p>10 <b>preclearance at the time. And once they called and</b></p> <p>11 <b>said we had been precleared -- I had never heard the</b></p> <p>12 <b>term before that.</b></p> <p>13 Q. Okay. So do you know when the racial</p> <p>14 polarization analysis for the congressional map was</p> <p>15 finished?</p> <p>16 <b>A. I have not seen it.</b></p> <p>17 Q. You have not seen it?</p> <p>18 <b>A. I have not seen it.</b></p> <p>19 Q. Okay. Have you asked to look at it?</p> <p>20 <b>A. No, ma'am.</b></p> <p>21 Q. Have you talked to anyone about it?</p> <p>22 <b>A. You.</b></p> <p>23 Q. So why don't you do the racial</p> <p>24 polarization analysis for all districts just as a</p> <p>25 matter of course? And I'm not talking -- I</p> <p style="text-align: right;">Page 112</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 understand there's a time crunch here. But in 2 general, why isn't it done for all of the districts 3 just because?</p> <p>4 <b>A. I don't see a need for some of the</b> 5 <b>districts. They're not being challenged in court,</b> 6 <b>are they?</b></p> <p>7 Q. Well, Districts 1, 2, and 3 are also 8 being challenged.</p> <p>9 <b>A. Okay.</b></p> <p>10 Q. And when you say you don't see a need, 11 why is that?</p> <p>12 <b>A. If you're not challenging them in court,</b> 13 <b>I mean, I don't see the need to do an analysis on</b> 14 <b>them.</b></p> <p>15 Q. Okay. But four of seven districts are 16 being challenged in this lawsuit.</p> <p>17 <b>A. Okay.</b></p> <p>18 Q. If you turn to Page 19, Senator 19 McClendon and Representative England have a 20 back-and-forth here about a number, 54 percent of 21 black voting age population for District 7. So 54 22 percent BVAP.</p> <p>23 And Representative England is asking 24 that a racial polarization analysis be done. And 25 Senator McClendon says that he was told by</p> <p style="text-align: right;">Page 113</p>	<p>1 <b>A. No, ma'am, I have no opinion.</b></p> <p>2 Q. Do you know what the relationship is 3 between having a BVAP of 54 percent and the decision 4 to do a racial polarization analysis?</p> <p>5 <b>A. No, ma'am.</b></p> <p>6 Q. Do you know at what percent of BVAP a 7 district would have that you would need to do a 8 racial polarization analysis?</p> <p>9 <b>A. No, ma'am.</b></p> <p>10 Q. So would you agree with the statement 11 that if a black district has a BVAP of under 54 12 percent, that requires a racial polarization 13 analysis?</p> <p>14 <b>A. I can't agree or disagree with that</b> 15 <b>statement. I think it depends on the district. But</b> 16 <b>I don't know.</b></p> <p>17 Q. What would -- what do you mean by 18 "depends on the district"?</p> <p>19 <b>A. I've seen majority minority districts</b> 20 <b>elect nonminorities.</b></p> <p>21 Q. I would like to introduce another 22 exhibit. This is the transcript of the floor 23 debate, Plaintiff's Exhibit 5, on November 1st.</p> <p>24 <b>A. All right.</b></p> <p>25</p> <p style="text-align: right;">Page 115</p>
<p>1 Mr. Walker that a racial polarization analysis for 2 District 7 is unnecessary because District 7 has a 3 BVAP of around 54 percent.</p> <p>4 Why would it be unnecessary to conduct a 5 racial polarization analysis if a district has a 6 BVAP of around 54 percent?</p> <p>7 <b>A. I think you need to ask Senator</b> 8 <b>McClendon that. I didn't say that.</b></p> <p>9 Q. But do you have an opinion on that?</p> <p>10 <b>A. No, ma'am.</b></p> <p>11 Q. Do you think that having a BVAP of 12 around 54 percent for a particular district is 13 important?</p> <p>14 <b>A. I -- it's my understanding that's --</b> 15 <b>that's the plan that Congresswoman Sewell agreed to.</b></p> <p>16 Q. And what do you mean by that?</p> <p>17 <b>A. Mr. Hinaman worked with the members of</b> 18 <b>congress, and they signed off on the map that he had</b> 19 <b>drawn and said they agreed to it and would accept</b> 20 <b>it. I was not privy to that conversation, though.</b> 21 <b>That's secondhand. I was just told that.</b></p> <p>22 Q. Who told you that?</p> <p>23 <b>A. I don't remember.</b></p> <p>24 Q. So do you have any opinion on whether 25 District 7 should have a BVAP of around 54 percent?</p> <p style="text-align: right;">Page 114</p>	<p>1 (Plaintiff's Exhibit 5 was 2 marked for identification.)</p> <p>3</p> <p>4 Q. And if you'll flip to Page 20.</p> <p>5 MR. WALKER: And, Kaitlin, I'll just put 6 on the record that we also have not had a chance to 7 check this. I don't have any reason to believe it's 8 inaccurate. But I just note that for the record.</p> <p>9 MS. WELBORN: Yes. We will stipulate to 10 that for all of the transcripts.</p> <p>11 MR. WALKER: Okay.</p> <p>12 Q. So you're having a back-and-forth here 13 with Representative England who again is asking why 14 a racial polarization analysis was not done on 15 District 7.</p> <p>16 And at the very bottom of the page, you 17 said, "We thought it was necessary, but they cut it 18 off, I think, at 51 percent. Anything under 51 19 percent they did it on. Anyone over that, they 20 didn't do it."</p> <p>21 Do you know what you mean -- what you 22 meant by that statement?</p> <p>23 <b>A. I don't remember. I really -- I think</b> 24 <b>that what I was talking about at that point was</b> 25 <b>trying to get something done rapidly, as fast as</b></p> <p style="text-align: right;">Page 116</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 possible. And we didn't have time to do 140</p> <p>2 legislative districts, eight school board digits,</p> <p>3 and seven congressional districts given the time</p> <p>4 frame we had.</p> <p>5 Q. And the 51 percent is BVAP. I'll tell</p> <p>6 you that that.</p> <p>7 Okay. And when you said, "We thought it</p> <p>8 was necessary," do you know who you were referring</p> <p>9 to?</p> <p>10 A. I would assume it was Mr. Walker and</p> <p>11 Mr. Hinaman and myself.</p> <p>12 Q. Okay. And when you said they --</p> <p>13 A. Because on that floor -- at this time,</p> <p>14 I'm sure you have my talking points.</p> <p>15 Q. Yes.</p> <p>16 A. I was going -- I was using my talking</p> <p>17 points. And remember this was rapid fire, as fast</p> <p>18 as -- and I was -- this was late into the session.</p> <p>19 And Mr. England is a very skilled</p> <p>20 attorney and chairman of the democratic party. So</p> <p>21 he is quite, quite gifted in the way he can ask</p> <p>22 questions and get people that are not attorneys to</p> <p>23 answer them.</p> <p>24 Q. And so when you said that they cut it</p> <p>25 off at 51 percent, do you know who the "they" is?</p> <p style="text-align: right;">Page 117</p>	<p>1 A. That's a question I really can't -- I</p> <p>2 don't think there's a magic number that exists to</p> <p>3 guarantee the election or defeat of a minority</p> <p>4 candidate.</p> <p>5 Q. Is there some range?</p> <p>6 A. Again, I was told that Congresswoman</p> <p>7 Sewell was comfortable with the plan that had been</p> <p>8 presented and was in support of that plan. And the</p> <p>9 other members of congress were in support of it.</p> <p>10 Q. I would like to introduce Plaintiff's</p> <p>11 Exhibit 6, which is the final 2021 map for congress.</p> <p>12</p> <p>13 (Plaintiff's Exhibit 6 was</p> <p>14 marked for identification.)</p> <p>15</p> <p>16 Q. And District 7 is the one in brown.</p> <p>17 Would you agree that District 7 appears to be</p> <p>18 racially jerrymandered?</p> <p>19 A. I think just District 7 is in large part</p> <p>20 the same district that was drawn under the Reed</p> <p>21 Buskey, just adjusted for population increases.</p> <p>22 Q. And how would you describe the shape of</p> <p>23 District 7?</p> <p>24 A. Again, we try and maintain the core of</p> <p>25 existing districts. And this district was created</p> <p style="text-align: right;">Page 119</p>
<p>1 A. I would assume I was referring to</p> <p>2 Mr. Walker and Mr. Hinaman.</p> <p>3 Q. And how was that 51 percent number</p> <p>4 chosen?</p> <p>5 A. I'm sure I was just reading the talking</p> <p>6 point.</p> <p>7 Q. And who prepared those talking points?</p> <p>8 A. Mr. Walker and, I believe, Mr. Hinaman.</p> <p>9 Q. And did you discuss those talking points</p> <p>10 with either Mr. Walker or Mr. Hinaman?</p> <p>11 A. They were getting them to me as fast as</p> <p>12 they could. This was rapid fire.</p> <p>13 Q. What is your understanding of how you</p> <p>14 can tell whether minorities can elect their</p> <p>15 candidate of choice?</p> <p>16 A. In the congressional maps?</p> <p>17 Q. Yes.</p> <p>18 A. I don't really understand that question.</p> <p>19 Would you repeat it, please?</p> <p>20 Q. How can you tell whether minorities can</p> <p>21 elect their candidate of choice in a particular</p> <p>22 district?</p> <p>23 A. In a particular congressional district?</p> <p>24 Q. Well, any district. But in this case,</p> <p>25 yes, we're talking about a congressional district.</p> <p style="text-align: right;">Page 118</p>	<p>1 in 1992 by the Reed Buskey plan.</p> <p>2 MS. WELBORN: I would like to take just</p> <p>3 a short break. We might be finished. I just want</p> <p>4 to double-check.</p> <p>5 MR. WALKER: Would you like for us to</p> <p>6 leave the room?</p> <p>7 MS. WELBORN: Let's go off the record.</p> <p>8 THE VIDEOGRAPHER: We are off the</p> <p>9 record. The time is 12:33 p.m.</p> <p>10 (Recess was taken.)</p> <p>11 THE VIDEOGRAPHER: We are back on the</p> <p>12 record. The time is 12:40 p.m.</p> <p>13 MS. WELBORN: The Milligan plaintiffs</p> <p>14 are finished asking questions. I'm not sure if the</p> <p>15 Singleton or Caster plaintiffs have any questions</p> <p>16 for you. But after that, we can break for lunch and</p> <p>17 you'll be done.</p> <p>18 MR. WALKER: Yay.</p> <p>19 MS. WELBORN: Yay.</p> <p>20 MS. FAULKS: Do the Caster plaintiffs</p> <p>21 have any questions?</p> <p>22 MR. OSHER: Can you hear me?</p> <p>23 (Discussion held off the record.)</p> <p>24 EXAMINATION BY MR. OSHER:</p> <p>25 Q. I only have a few questions. So this</p> <p style="text-align: right;">Page 120</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 should be -- this should be very quick.</p> <p>2 Representative, thank you for your time. My name is</p> <p>3 Daniel Osher. I am an attorney for the plaintiffs</p> <p>4 in the Caster litigation.</p> <p>5 You might have said this before. And I</p> <p>6 apologize if you did, Representative. How long have</p> <p>7 you served in the Alabama legislature?</p> <p>8 <b>A. I was first elected in 1994. I served</b></p> <p>9 <b>two terms. I left in 2002. And I was reelected in</b></p> <p>10 <b>2014 and '18.</b></p> <p>11 Q. Okay. So that's roughly how many years?</p> <p>12 <b>A. 12. How many years total? I'll be 16</b></p> <p>13 <b>years in the legislature with a 12-year gap.</b></p> <p>14 Q. Great. Thank you.</p> <p>15 And have you been a member of the</p> <p>16 republican party that whole time?</p> <p>17 <b>A. I've been an elected republican</b></p> <p>18 <b>official. But I've never been an official member of</b></p> <p>19 <b>the Alabama Republican Party.</b></p> <p>20 Q. I understand. Have you always</p> <p>21 considered yourself a republican?</p> <p>22 <b>A. Yes, sir.</b></p> <p>23 Q. Based on your 16 years serving in the</p> <p>24 legislature, in your view, do the views of members</p> <p>25 of the democratic party in Alabama differ from the</p> <p style="text-align: right;">Page 121</p>	<p>1 <b>A. I'm assuming that I've had numerous</b></p> <p>2 <b>conversations with both republicans and democrats,</b></p> <p>3 <b>yes.</b></p> <p>4 Q. And do you have a general sense of how</p> <p>5 one party views a major issue in Alabama as opposed</p> <p>6 to another party?</p> <p>7 <b>A. I'm sure we differ on specific issues,</b></p> <p>8 <b>yes.</b></p> <p>9 Q. Okay. So based on your 16 years serving</p> <p>10 in the legislature, do the views of members of the</p> <p>11 democratic party in Alabama generally differ from</p> <p>12 the members of the republican party in Alabama</p> <p>13 generally when it comes to affirmative action?</p> <p>14 <b>A. Again, your definition of affirmative</b></p> <p>15 <b>action I don't know.</b></p> <p>16 Q. Policies implementing a preference for</p> <p>17 individuals while considering their race.</p> <p>18 <b>A. I think given my history of being in the</b></p> <p>19 <b>Alabama legislature when the democrats were in</b></p> <p>20 <b>supermajority, it's a pretty wide spectrum across</b></p> <p>21 <b>political lines.</b></p> <p>22 Q. So you're saying that the two major</p> <p>23 parties in Alabama do not have the -- have the same</p> <p>24 view when it comes to affirmative action?</p> <p>25 <b>A. I couldn't answer that. I've run across</b></p> <p style="text-align: right;">Page 123</p>
<p>1 members of the republican party in Alabama when it</p> <p>2 comes to removing confederate monuments from public</p> <p>3 spaces?</p> <p>4 <b>A. I mean, you're asking me to suppose what</b></p> <p>5 <b>other people are thinking. But I would say yes.</b></p> <p>6 Q. And based -- based on your 16 years in</p> <p>7 the legislature, do the views of members of the</p> <p>8 democratic party in Alabama differ from the members</p> <p>9 of the republican party in Alabama when it comes to</p> <p>10 affirmative action?</p> <p>11 MR. WALKER: Objection to form. Dan,</p> <p>12 I'm not sure that we have a clear understanding of</p> <p>13 what affirmative action is these days.</p> <p>14 MR. OSHER: I didn't catch that, Dorman.</p> <p>15 Can you say that again?</p> <p>16 MR. WALKER: Yeah. I'm not sure that I</p> <p>17 would have a clear understanding of what affirmative</p> <p>18 action is these days.</p> <p>19 MR. OSHER: Sure.</p> <p>20 Q. Representative, in your 16 years of</p> <p>21 service in the legislature, have you had an</p> <p>22 opportunity to view what the general views of each</p> <p>23 of the major parties in the state are?</p> <p>24 <b>A. On which issue?</b></p> <p>25 Q. On various issues.</p> <p style="text-align: right;">Page 122</p>	<p>1 <b>varying opinions in different members.</b></p> <p>2 Q. Okay. Based on your 16 years in the</p> <p>3 legislature, do the views of members of the</p> <p>4 democratic party in Alabama generally differ from</p> <p>5 members of the republican party in Alabama generally</p> <p>6 when it comes to criminal justice reform?</p> <p>7 <b>A. I think -- I think there's a divide,</b></p> <p>8 <b>yes. But I know some -- some conservatives that are</b></p> <p>9 <b>in favor of criminal justice reform themselves.</b></p> <p>10 Q. And just to clarify, you're saying that</p> <p>11 there is a difference between the general views of</p> <p>12 the democratic party -- members of the democratic</p> <p>13 party and members of the republican party when it</p> <p>14 comes to criminal justice reform?</p> <p>15 <b>A. There could be, yes.</b></p> <p>16 Q. Is it -- in your view, is there a divide</p> <p>17 between the members of the party or not?</p> <p>18 <b>A. I think some members hold different</b></p> <p>19 <b>opinions, yes.</b></p> <p>20 Q. And the same question. Based on your</p> <p>21 experience in serving in the legislature, do the</p> <p>22 views of the members of the democratic party</p> <p>23 generally in Alabama differ from the members of the</p> <p>24 republican party generally in Alabama when it comes</p> <p>25 to the view of whether there's a significant amount</p> <p style="text-align: right;">Page 124</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 of discrimination against black individuals in the 2 state?</p> <p>3 <b>A. Yes.</b></p> <p>4 MR. OSHER: Okay. That's all I have. 5 Thank you very much for your time, Representative. 6 MR. WALKER: Thank you. Thank you, 7 Daniel. 8 MS. FAULKS: Singleton plaintiffs, do 9 you have any questions? 10 MR. BLACKSHER: Did I get called? 11 MR. WALKER: You did. You did, Jim. 12 MR. BLACKSHER: Well, thank you. 13 EXAMINATION BY MR. BLACKSHER: 14 Q. Representative Pringle, I hope you make 15 it back to Mobile before the night is over. 16 <b>A. Thank you. So do I.</b> 17 Q. I wouldn't want to stay in Montgomery 18 overnight if I could get back to Mobile on a Friday 19 night. 20 <b>A. See, we have a lot in common,</b> 21 <b>Mr. Blacksher.</b> 22 Q. Yeah. 23 <b>A. I'm not --</b> 24 Q. I just have a -- 25 MR. WALKER: Go ahead.</p> <p style="text-align: right;">Page 125</p>	<p>1 <b>A. You were asking for a plan that had all</b> 2 <b>whole counties that created two opportunity</b> 3 <b>districts.</b> 4 Q. Did he tell you that the lawsuit 5 contended that the plan that was enacted in 2011 was 6 racially jerrymandered? 7 MR. WALKER: I'm going to -- I'm going 8 to assert privilege. You might be able to ask that 9 question a different way, Jim. But I think the way 10 you've asked it, it calls -- or could call for an 11 attorney-client communication. 12 Q. Okay. I lost you. All I see is a 13 telephone screen now. Oh, there you are up in the 14 corner. 15 Let me ask it this way, Representative 16 Pringle. Were you aware and are you aware now that 17 the Singleton complaint alleged, when it was filed 18 September 27th, that the plan enacted in 2011 was 19 unconstitutional because it was racially 20 jerrymandered? 21 <b>A. Not specifically.</b> 22 Q. Okay. Were you aware that the state 23 attorney general's office had said in a lawsuit in 24 Birmingham in 2019 that the 2011 plan was racially 25 jerrymandered?</p> <p style="text-align: right;">Page 127</p>
<p>1 Q. I just have -- I have very few 2 questions. 3 Representative Pringle, you said that -- 4 and I haven't been in on your whole discussion. I 5 confess I had to jump off on some other calls while 6 it was all going on. So I apologize if I go over 7 something that you've already spoken about. 8 But I did hear you say with a smile on 9 your face that there was a lawsuit filed even before 10 you passed a plan. And that would be referring to 11 the Singleton case, right? 12 <b>A. I refer to it as the League of Women</b> 13 <b>Voters. But yes, sir.</b> 14 Q. The League of Women Voters. It was the 15 lawsuit that was advocating the League of Women 16 Voters whole county plan? 17 <b>A. Yes, sir.</b> 18 Q. Okay. And who informed you that that 19 suit had been filed? It was Mr. Walker, wasn't it? 20 <b>A. Yes, sir.</b> 21 Q. And did you get a chance to read the 22 complaint? 23 <b>A. No, sir.</b> 24 Q. And did Mr. Walker tell you what the 25 lawsuit was about?</p> <p style="text-align: right;">Page 126</p>	<p>1 MR. DAVIS: Object to the form. 2 MR. WALKER: Jim, did you hear that 3 objection to form from Jim Davis? 4 MR. BLACKSHER: Yes. 5 MR. DAVIS: That's not what it said. 6 Q. Are you aware that that is what the 7 complaint that Singleton filed alleged, that the 8 state attorney general had conceded in federal court 9 in 2019 that the 2011 plan was racially 10 jerrymandered? Were you aware of that? 11 MR. DAVIS: Object to the form. 12 MR. WALKER: Object to form. 13 Q. You -- you can answer. 14 MR. WALKER: I'm sorry. You can answer, 15 if you can. 16 <b>A. No.</b> 17 Q. You weren't aware of that. 18 Were you aware -- did anyone tell you 19 that the lawsuit contended that when drawing a new 20 congressional plan with 2020 census data, that the 21 legislature had a constitutional obligation to 22 remedy a racial jerrymandering? 23 <b>A. No.</b> 24 Q. Okay. And as chair of the 25 reapportionment committee, you can testify that</p> <p style="text-align: right;">Page 128</p>



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 there was no effort made by the reapportionment 2 committee to remedy any racial jerryandering in the 3 2011 claim; isn't that correct?</p> <p>4 <b>A. I testified that Mr. Hinaman was 5 directed to draw those seven congressional districts 6 based on the guidelines of the committee.</b></p> <p>7 Q. Yeah. And no one informed you, and you 8 -- excuse me.</p> <p>9 The committee never attempted to remedy 10 a racial jerryandering; is that correct?</p> <p>11 <b>A. I did not know there was a --</b></p> <p>12 Q. Racial jerryandering?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Okay. Now, my understanding from your 15 testimony is that Mr. Walker advised you as chair of 16 the reapportionment committee that the congressional 17 redistricting plan had to have zero deviation; is 18 that correct?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. So did anyone else give you that advice, 21 zero deviation?</p> <p>22 <b>A. Mr. Hinaman.</b></p> <p>23 Q. So Mr. Hinaman advised you that the plan 24 had to be zero deviation?</p> <p>25 <b>A. Well, Mr. Blacksher, was not the 2011</b> Page 129</p>	<p>1 Q. Are you aware of any -- anyone -- did 2 Mr. Walker, by the way, advise you that he had 3 consulted other lawyers to reach this opinion?</p> <p>4 MR. WALKER: Jim, I'm going to object on 5 the grounds of privilege to that. You can ask it 6 some other way.</p> <p>7 Q. I'm just trying to get everything you 8 knew or did not know about the requirement of zero 9 deviation.</p> <p>10 And what I've heard you say, 11 Representative Pringle, is that you were aware, 12 since you've been involved in one way or the other 13 with redistricting, that it had been going on for 14 several decades, right?</p> <p>15 <b>A. Zero deviation in congressional races?</b></p> <p>16 Q. Yes.</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Okay. And when it came to drawing the 19 2020 plan, you were advised that that needed to 20 continue, zero deviation needed to continue. And 21 that advice came from Mr. Walker and Mr. Hinaman; is 22 that correct?</p> <p>23 MR. WALKER: Objection to form to the 24 extent it calls for an attorney-client 25 communication.</p> Page 131
<p>1 <b>and the 2002 plans all zero deviations, and the 1992 2 plan?</b></p> <p>3 Q. Well, what I asked -- the question was 4 did Mr. Hinaman advise you that it needed to be zero 5 deviation.</p> <p>6 <b>A. Again, Mr. Hinaman has been part of this 7 for years. And I think every plan has been drawn to 8 zero deviation.</b></p> <p>9 Q. Okay. Does that mean that he did advise 10 you to keep it at zero deviation?</p> <p>11 <b>A. Yes. Because all the other plans had 12 been drawn to zero deviation.</b></p> <p>13 Q. Okay. That's fine.</p> <p>14 And did anyone besides Mr. Walker and 15 Mr. Hinaman advise the committee that the plan had 16 to keep a zero deviation?</p> <p>17 <b>A. Not to my knowledge.</b></p> <p>18 Q. Did the -- did you as chair or did 19 anyone on the committee seek the advice of the 20 Alabama attorney general's office on whether it 21 needed to have zero deviation?</p> <p>22 <b>A. I did not.</b></p> <p>23 Q. Are you aware of anyone on the 24 committee who did?</p> <p>25 <b>A. No, sir.</b> Page 130</p>	<p>1 Q. But you can answer, I think.</p> <p>2 MR. BLACKSHER: Counsel, can he answer?</p> <p>3 Q. Okay. Let me ask another question.</p> <p>4 Did Mr. Walker also advise you that in 5 order to comply with the Voting Rights Act, the 6 congressional redistricting plan had to have a 7 majority black district? Is that correct?</p> <p>8 MR. WALKER: Objection, attorney-client 9 privilege.</p> <p>10 Q. Well, that's in the talking points, 11 isn't it? Isn't that -- isn't the requirement of a 12 majority black district one of the things that's in 13 the talking points that you've exchanged with us 14 that you -- that you read from on the floor of the 15 legislature?</p> <p>16 <b>A. I don't have any direct recollection of 17 that at this time.</b></p> <p>18 Q. So did anyone advise you, as chair of 19 the reapportionment committee, that in order to 20 comply with the Voting Rights Act, the plan had to 21 have one majority black district, at least one 22 majority black district?</p> <p>23 MR. WALKER: Object to the question to 24 the extent it calls for an attorney-client 25 communication. Otherwise, you can answer.</p> Page 132

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 A. We instructed Mr. Hinaman, quoting the</p> <p>2 guidelines, to protect the core of the existing</p> <p>3 districts to the extent possible and to draw it to</p> <p>4 zero deviation.</p> <p>5 Q. Okay. Representative Pringle, there's</p> <p>6 absolutely no mention of majority black in the</p> <p>7 guidelines.</p> <p>8 So the question is: In complying -- the</p> <p>9 guidelines say that you had to comply with the</p> <p>10 Voting Rights Act, right?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. But it doesn't say majority</p> <p>13 black, right?</p> <p>14 A. The guidelines, I don't recall them</p> <p>15 saying that.</p> <p>16 Q. Right. So the question is: Were you</p> <p>17 advised that to comply with the Voting Rights Act,</p> <p>18 there had to be a majority black district?</p> <p>19 MR. WALKER: Objection that I've made</p> <p>20 before to the extent it calls for attorney-client</p> <p>21 communication. Otherwise, he can answer.</p> <p>22 A. Again, those plans are drawn in a</p> <p>23 race-neutral manner based on the guidelines to</p> <p>24 preserve the core of the existing congressional</p> <p>25 districts.</p> <p style="text-align: right;">Page 133</p>	<p>1 understand that you needed to have a majority black</p> <p>2 district.</p> <p>3 A. I understood that we needed to draw</p> <p>4 districts to help protect the incumbent, yes.</p> <p>5 Q. And to you, that meant a majority black</p> <p>6 district, protecting the incumbent. Is that your</p> <p>7 answer?</p> <p>8 A. Well, I acquiesced to Mr. Hinaman who</p> <p>9 met with the members of the congress and talked to</p> <p>10 them about their districts and what they wanted and</p> <p>11 how they wanted them drawn. And he presented a plan</p> <p>12 to me that he said the members of congress agreed to</p> <p>13 that were seeking reelection, that they had agreed</p> <p>14 to.</p> <p>15 Q. Okay. Let's talk for just a second</p> <p>16 about the League of Women Voters' whole county plan.</p> <p>17 According to the talking points, you</p> <p>18 were advised that that plan would be</p> <p>19 unconstitutional because its deviation was too</p> <p>20 large; isn't that correct?</p> <p>21 A. That was in my -- the analysis I</p> <p>22 received, yes.</p> <p>23 Q. And that information came from whoever</p> <p>24 wrote the talking points?</p> <p>25 A. Yes. That would be Mr. Hinaman and</p> <p style="text-align: right;">Page 135</p>
<p>1 Q. Yes, sir. I've heard that testimony.</p> <p>2 My question, though, is were you advised</p> <p>3 that the Voting Rights Act required there to be a</p> <p>4 majority black district?</p> <p>5 MR. WALKER: Same objection.</p> <p>6 A. The Voting Rights Act requires that we</p> <p>7 in no way intentionally nor unintentionally diminish</p> <p>8 the ability of a protected class of minority</p> <p>9 citizens from electing or defeating a candidate of</p> <p>10 their choosing.</p> <p>11 Q. And did that mean a majority black</p> <p>12 district?</p> <p>13 A. It means we had -- we drew a district</p> <p>14 that would allow -- that maintained the core of an</p> <p>15 existing minority district. But we did it in a</p> <p>16 race-neutral way.</p> <p>17 Q. Your understanding of the requirement of</p> <p>18 maintaining the cores and drawing a race-neutral</p> <p>19 plan meant that you needed to end up with a majority</p> <p>20 black district. Am I hearing you correctly?</p> <p>21 A. We -- we made every opportunity to</p> <p>22 protect the incumbents who were seeking reelection.</p> <p>23 Q. That's not the question I asked you</p> <p>24 about the incumbent.</p> <p>25 I asked if you were advised and did you</p> <p style="text-align: right;">Page 134</p>	<p>1 Mr. Walker.</p> <p>2 Q. Okay. And the talking points also</p> <p>3 advised, didn't they, that the League of Women</p> <p>4 Voters' plan would violate the Voting Rights Act</p> <p>5 because it did not have a majority black district;</p> <p>6 isn't that correct?</p> <p>7 A. It could potentially violate Section 2</p> <p>8 by diminishing the ability of a protected class of</p> <p>9 citizens from electing or defeating a candidate of</p> <p>10 their choosing, yes.</p> <p>11 Q. I'm just asking if the talking points</p> <p>12 said -- you know, I don't have them in front of me.</p> <p>13 You've probably been looking at them all morning.</p> <p>14 A. Actually, I haven't.</p> <p>15 Q. The talking points actually said, didn't</p> <p>16 it -- the talking points actually said that the</p> <p>17 League of Women Voters' whole county plan would</p> <p>18 violate the Voting Rights Act because it did not</p> <p>19 have a majority black district.</p> <p>20 Now, did you -- did anyone else give you</p> <p>21 that advice other than what was in the talking</p> <p>22 points?</p> <p>23 MR. DAVIS: Object to the form.</p> <p>24 MR. WALKER: Object to the form.</p> <p>25 THE WITNESS: Can I answer?</p> <p style="text-align: right;">Page 136</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 MR. WALKER: You can answer to the</p> <p>2 extent that you do not discuss any communication you</p> <p>3 may have received from an attorney, in particular</p> <p>4 one from the AG's office.</p> <p>5 A. I was reading the talking points that</p> <p>6 you have before you.</p> <p>7 Q. Actually, I don't have them before me.</p> <p>8 I'm sorry.</p> <p>9 But in any event, let me -- let me wrap</p> <p>10 this up this way. Was the -- was the committee ever</p> <p>11 presented in writing a statement that the League of</p> <p>12 Women Voters' whole county plan violated the Voting</p> <p>13 Rights Act?</p> <p>14 A. If my memory serves me correctly, we did</p> <p>15 not yet have the official League of Women Voters'</p> <p>16 plan in the computer at the time of the committee</p> <p>17 meeting. I think it was introduced later.</p> <p>18 Q. Okay. You're going to have to listen to</p> <p>19 the question again.</p> <p>20 MR. BLACKSHER: Could I ask the court</p> <p>21 reporter to read the question back, please?</p> <p>22 (Record read.)</p> <p>23 A. Was the committee ever presented --</p> <p>24 MR. WALKER: Was the committee ever</p> <p>25 presented in writing.</p> <p style="text-align: right;">Page 137</p>	<p>1 "minimal deviation," you interpreted that on your</p> <p>2 own as meaning zero deviation; is that correct?</p> <p>3 A. Based on my knowledge and history of</p> <p>4 reapportionment, congressional reapportionment, and</p> <p>5 the fact that we have drawn zero deviation</p> <p>6 districts, yes, sir.</p> <p>7 Q. Okay. So that would -- and you reached</p> <p>8 that conclusion independently of anybody's advice,</p> <p>9 right?</p> <p>10 A. Well, Mr. Walker and Mr. Hinaman and I</p> <p>11 all concurred that minimum deviation means zero.</p> <p>12 And based on my readings, I would concur with that,</p> <p>13 what I read.</p> <p>14 Q. Thank you, Representative Pringle.</p> <p>15 Those are the only questions that I have.</p> <p>16 A. Mr. Blacksher, it's always a pleasure.</p> <p>17 Q. I hope to see you again soon.</p> <p>18 A. I'm sure you will.</p> <p>19 MR. WALKER: I think that can be</p> <p>20 arranged.</p> <p>21 MS. FAULKS: Dorman, with that, I think</p> <p>22 that we are done. For lunch, how long do we want to</p> <p>23 break?</p> <p>24 MR. WALKER: Wait. Can we have 30</p> <p>25 seconds to confer?</p> <p style="text-align: right;">Page 139</p>
<p>1 A. I have no recollection of that.</p> <p>2 Q. Okay. Thank you.</p> <p>3 And was the committee ever presented in</p> <p>4 writing a statement that the League of Women Voters</p> <p>5 -- I'm sorry. Let me strike that. Let me start</p> <p>6 over.</p> <p>7 Was the committee ever presented in</p> <p>8 writing a statement that the congressional plan had</p> <p>9 to have zero deviation?</p> <p>10 A. I don't understand the question.</p> <p>11 Q. Did the committee have in writing a</p> <p>12 statement that the congressional plan had to have</p> <p>13 zero deviation?</p> <p>14 A. The guidelines called for it, which has</p> <p>15 been done for -- as you know, for years and years.</p> <p>16 For decades, we've always drawn down to zero</p> <p>17 deviation in congressional.</p> <p>18 Q. Okay. So the guidelines say that the</p> <p>19 congressional plan must have minimal deviation.</p> <p>20 A. Which we interpret to be -- which we</p> <p>21 interpret to be zero deviation just like it was, you</p> <p>22 know, in 2011, 2002, 1992.</p> <p>23 Q. Okay. That's good.</p> <p>24 So in other words, when you saw, as</p> <p>25 chair of the committee, that the guidelines said</p> <p style="text-align: right;">Page 138</p>	<p>1 THE VIDEOGRAPHER: We're off the record.</p> <p>2 The time is 1:05 p.m.</p> <p>3 (Recess was taken.)</p> <p>4 THE VIDEOGRAPHER: We're back on the</p> <p>5 record. The time is 1:08 p.m.</p> <p>6 EXAMINATION BY MR. DAVIS:</p> <p>7 Q. Representative Pringle, this is Jim</p> <p>8 Davis. I represent Secretary Merrill in this</p> <p>9 lawsuit. I have just a couple of follow-up</p> <p>10 questions.</p> <p>11 Did you instruct Mr. Hinaman to -- when</p> <p>12 he drew a congressional plan, that it had to include</p> <p>13 a majority black district?</p> <p>14 A. No.</p> <p>15 Q. Did you instruct him to include</p> <p>16 districts with any particular demographics?</p> <p>17 A. No.</p> <p>18 Q. Are you aware of any member on the</p> <p>19 reapportionment committee who gave him such</p> <p>20 instructions?</p> <p>21 A. No.</p> <p>22 Q. Did you decide in advance that there had</p> <p>23 to be a majority black district in Alabama's</p> <p>24 congressional plan?</p> <p>25 A. No.</p> <p style="text-align: right;">Page 140</p>

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>1 MR. DAVIS: Thank you. No other</p> <p>2 questions.</p> <p>3 THE VIDEOGRAPHER: This ends the</p> <p>4 deposition of Chris Pringle. The time is now</p> <p>5 1:09 p.m.</p> <p>6</p> <p>7 (DEPOSITION ENDED AT 1:09 P.M.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 141</p>	
<p>1 STATE OF ALABAMA )</p> <p>2 JEFFERSON COUNTY )</p> <p>3</p> <p>4 I hereby certify that the above</p> <p>5 proceedings were taken down by me and transcribed by</p> <p>6 me using computer-aided transcription and that the</p> <p>7 above is a true and correct transcript of said</p> <p>8 proceedings taken down by me and transcribed by me.</p> <p>9 I further certify that I am neither of</p> <p>10 kin nor of counsel to any of the parties nor in</p> <p>11 anywise financially interested in the result of this</p> <p>12 case.</p> <p>13 I further certify that I am duly</p> <p>14 licensed by the Alabama Board of Court Reporting as</p> <p>15 a Certified Court Reporter as evidenced by the ACCR</p> <p>16 number following my name found below.</p> <p>17 So certified on December 17, 2021.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 <u>LeAnn Maroney, Commissioner</u></p> <p>24 ACCR# 134, Expires 9/30/25</p> <p>25 505 North 20th Street, Suite 1250</p> <p>Birmingham, AL 35203</p> <p style="text-align: right;">Page 142</p>	

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<u>WORD INDEX</u>			
< 0 >	121:10	121:9 130:1	3 6:18 55:20,
01 68:14	19 113:18	138:22	23 113:7
< 1 >	1984 16:10	2003 11:1	3:00 50:11
1 6:14 12:4,	1992 25:3, 23	2007 18:11	30 94:6 139:24
6 59:18 113:7	120:1 130:1	2010 58:8, 12,	35203 142:24
1:05 140:2	138:22	14, 18 59:6, 10,	35222 4:21
1:08 140:5	1994 18:24	14 60:1, 4, 23	36104 1:24
1:09 141:5, 7	121:8	61:4, 11 62:18,	5:22
10 5:5 42:16	1999 3:7	22 65:1 68:1	36106 4:14
10:03 49:13	1st 38:11	71:2	36130 5:14
10:22 49:16	42:3, 10 43:14	2011 29:24	< 4 >
10004 4:6	44:1 45:14	30:5 33:2, 7,	4 6:20 104:24
10006 3:15	115:23	14 46:14	105:2
101 18:15, 18	< 2 >	65:13 74:9	40 3:14 42:21
19:24	2 6:16 52:14,	127:5, 18, 24	45 12:21
10-26-21 6:21	18 59:19, 20	128:9 129:3,	< 5 >
104 6:20	63:18 98:7, 15	25 138:22	5 3:14 6:22
105 1:23 5:21	99:2 102:19	2014 121:10	57:9, 23 58:23
11:26 100:12	103:10 113:7	2018 35:12	59:1, 16, 21
11-1-21 6:23	136:7	2019 35:1, 7	112:9 115:23
116 6:22	2:2021-CV-01530-	36:10 46:21	116:1
119 6:24	AMM 1:8	49:2 127:24	5:00 78:11, 14,
11th 16:10	2:21-CV-01530-AMM	128:9	20 79:19, 24
12 6:14 121:12	7:14	2020 28:13	50 42:24
12:06 100:15	20 46:21	40:6 58:19	97:15, 21, 22
12:33 120:9	49:25 105:24	59:11 128:20	98:4, 11, 12, 21,
12:40 120:12	116:4	131:19	22
120-125 6:8	200 5:21	2021 1:24	501 5:13
125 4:5	2000 28:21	6:25 7:7, 17	505 142:23
1250 142:23	35:14 36:10	22:12 32:23	51 116:18
125-140 6:9	20002 5:6	33:4 34:25	117:5, 25 118:3
12-year 121:13	20005 3:22	37:3 45:20	52 6:16
134 142:23	2001 21:25	49:23 51:1	54 113:20, 21
14 18:25 99:12	27:12 28:2	52:19 58:10	114:3, 6, 12, 25
140 117:1	30:3 33:18	59:14 60:1	115:3, 11
1400 3:7	41:24 48:23	62:19, 24	55 6:18
140-141 6:10	66:1, 12 68:10	74:12 109:13	5th 48:23
14th 3:21	109:13 112:7	119:11 142:17	50:20 51:1, 5,
54:3 59:24	2001-2002 28:18	20th 142:23	19, 23 52:19
96:13	2002 18:25	22 37:23 80:13	53:17 58:5
15 19:4	22:1, 2, 5, 23	26th 40:6, 18	63:7 64:5
16 121:12, 23	23:2 24:8, 10,	50:20 51:2	< 6 >
122:6, 20	20, 21 25:6, 19	100:17 105:4	6 6:24 119:11,
123:9 124:2	26:5, 9, 22	109:14, 23	13
17 1:24 7:7,	28:13, 15, 22	27 18:8 72:12	60 26:15
17 35:14	29:9 30:4	27th 127:18	600 3:21 5:5
142:17	33:18, 25	28 32:8 71:22,	6179 4:13
18 105:25	41:25 58:14,	25 72:12 78:9	< 7 >
	18, 24 59:7, 9	79:8, 12, 21	
	60:5, 7 61:2	82:13	
	65:1 112:7	< 3 >	

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

7 25:5 26:16 27:14, 17 28:1 61:12, 13, 19 99:11 109:16 113:21 114:2, 25 116:15 119:16, 17, 19, 23 700 3:21	<b>acquisitions</b> 17:9 <b>acronym</b> 102:13 <b>Act</b> 54:3, 7 59:17, 19, 20 98:8 99:2 102:20 132:5, 20 133:10, 17 134:3, 6 136:4, 18 137:13 <b>acting</b> 7:3 <b>action</b> 122:10, 13, 18 123:13, 15, 24 <b>actual</b> 96:4 103:11 <b>adamant</b> 43:23 <b>add</b> 80:14 <b>added</b> 38:3 80:16 <b>additional</b> 38:1, 3 55:13 80:16 <b>address</b> 15:4 32:13 36:1 73:18 <b>addressed</b> 36:12 73:12, 19 <b>adjust</b> 39:4 <b>adjusted</b> 119:21 <b>adopt</b> 69:15 <b>adopted</b> 24:20 31:1 40:8 52:5 55:14 63:25 64:9 108:23 <b>advance</b> 101:1 140:22 <b>advertised</b> 38:5 <b>advice</b> 129:20 130:19 131:21 136:21 139:8 <b>advise</b> 130:4, 9, 15 131:2 132:4, 18 <b>advised</b> 129:15, 23 131:19 133:17 134:2, 25 135:18 136:3 <b>advocated</b> 28:18 <b>advocating</b>	126:15 <b>affairs</b> 19:12 <b>affirmative</b> 122:10, 13, 17 123:13, 14, 24 <b>afoul</b> 99:1 <b>afraid</b> 99:1 <b>African</b> 85:24 <b>age</b> 95:18 98:12 113:21 <b>agent</b> 17:8 18:5 <b>ago</b> 14:10, 11 <b>agree</b> 60:22 81:5 83:1 115:10, 14 119:17 <b>AGREED</b> 1:17 2:1, 8 54:21 114:15, 19 135:12, 13 <b>AG's</b> 137:4 <b>ahead</b> 51:19 125:25 <b>aim</b> 44:14, 15 <b>al</b> 1:6, 10 7:13, 14 142:24 <b>ALABAMA</b> 1:2, 23 4:12, 14, 21 5:14, 22 7:2, 3, 16, 21, 23 8:3 9:14 10:21 16:8 18:2 24:14 25:5 26:7 30:12 32:11 34:7, 8 36:21 41:11 43:19, 21 82:1, 10, 18, 25 84:25 86:22 121:7, 19, 25 122:1, 8, 9 123:5, 11, 12, 19, 23 124:4, 5, 23, 24 130:20 142:1, 14 <b>Alabama's</b> 96:16 140:23 <b>Ali</b> 6:2 <b>alined</b> 59:4 <b>alleged</b> 127:17 128:7	<b>allow</b> 11:20, 22 134:14 <b>allowed</b> 32:15 <b>amendment</b> 54:3 59:24 96:13 <b>American</b> 4:4, 12 85:24 <b>amount</b> 68:7 124:25 <b>analysis</b> 102:4, 9, 11, 15, 22 103:2, 11, 17 104:7, 11, 15 105:14, 18 106:7, 8, 13, 20 109:12, 18, 21, 25 110:5, 18 111:1, 8, 18, 21 112:4, 14, 24 113:13, 24 114:1, 5 115:4, 8, 13 116:14 135:21 <b>analyze</b> 95:3 <b>analyzed</b> 28:10 96:24 97:3 <b>Angeles</b> 3:8 <b>answer</b> 11:11 25:11 26:13 29:12 43:1 49:3 57:5 61:23 70:25 72:24 80:21 83:8 84:9 86:10, 11 88:10 95:21 103:22 106:2 117:23 123:25 128:13, 14 132:1, 2, 25 133:21 135:7 136:25 137:1 <b>answered</b> 53:23 73:1, 12, 20, 21 93:13 <b>answering</b> 9:23 <b>answers</b> 11:22 <b>anxious</b> 89:8 <b>anybody</b> 12:18 47:3 48:5 61:7 63:19
--	--	---	--

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

80:18	assumption	131:1, 11	23 83:1, 6
anybody's 139:8	103:8 105:16	140:18	84:19 85:9, 22,
anywise 142:11	assured 111:24		25 86:8
apartment 16:25	attempted 129:9	< B >	best 11:22
17:4	attend 78:23	back 33:17	29:1, 4
apologize 121:6	79:20	34:23 41:23,	better 49:18
126:6	attendance 47:4	24 43:11, 12,	62:9
appears 119:17	attended 77:25	13 49:15 56:2,	big 109:5
approach 104:4	attention 41:22	5 61:10, 24	bill 14:1
108:15	Attorney 3:5,	66:12 84:19	41:3, 5 93:24
approached	12, 19 4:19	86:3 92:11	94:19 95:2
101:12	5:3, 11, 12, 19	99:8 100:9, 14	98:2 110:16
approve 28:23	8:3, 25 12:12,	120:11 125:15,	111:13
84:12	24 13:2, 5, 7,	18 137:21	bills 101:7
approved 29:21	16 14:6 46:14	140:4	105:17 110:8
58:23 84:15	51:12 52:3	back-and-forth	bill's 111:21
approving 83:18	53:6, 9 55:7	113:20 116:12	Bingham 1:23
April 37:7, 13	57:18 62:15	Baggett 6:3	5:20 7:25
area 42:4	63:2 89:22	8:24	Birmingham 4:21
83:3 86:6	98:16 103:7, 9	Balch 1:22	7:2 127:24
areas 82:15	106:2, 3, 15, 23	5:20 7:24	142:24
arguing 99:19	117:20 121:3	Baldwin 42:6	black 25:4
arranged 139:20	127:23 128:8	44:3, 10	26:15 28:19
asked 38:4	130:20 137:3	based 36:13, 20	29:10 42:16,
63:13 66:25	attorney-client	46:11 58:14	21, 23 81:25
80:14 103:20	46:18 63:14	59:7, 14 60:1	82:3, 5, 8, 20,
112:19 127:10	127:11 131:24	61:1 67:13	23 83:1, 6
130:3 134:23,	132:8, 24	86:2 95:3	84:19 85:9, 22,
25	133:20	102:22 121:23	25 86:8 90:18,
asking 84:6	Attorneys 4:3,	122:6 123:9	19 91:8 95:18,
98:16 106:2	11 7:18 8:6	124:2, 20	19, 24 97:11,
113:23 116:13	45:25 51:17	129:6 133:23	13 113:21
120:14 122:4	53:8, 14	139:3, 12	115:11 125:1
127:1 136:11	103:16 111:25	basically 69:13	132:7, 12, 21,
aspects 85:21	117:22	basis 58:9, 18	22 133:6, 13,
assert 63:13	audience 73:12,	81:2 96:12	18 134:4, 11,
127:8	23	began 35:18	20 135:1, 5
assign 2:12	audio 47:7, 11	36:3 38:9, 20	136:5, 19
assigned 41:7	49:7, 10 99:6	46:3, 8 64:15	140:13, 23
Assistant 5:11	August 16:10	beginning 7:12	BLACKSHER 4:18
associated 96:18	37:15, 21	believe 19:13	6:9 8:22
assume 10:20	automatically	42:8, 9, 10	11:3 16:4
11:12 13:5	98:13	44:12 48:25	125:10, 12, 13,
33:5, 10 58:15,	available 32:18	56:11 59:6, 15	21 128:4
17 62:4 69:17	Avenue 3:7	60:13 61:24	129:25 132:2
76:21 89:22	5:13	73:1 83:4	137:20 139:16
92:19, 22	aware 50:25	93:13 105:8	blind 110:3
103:6, 13	103:19 109:11	110:11 116:7	block 66:7, 8
117:10 118:1	127:16, 22	118:8	board 32:9
assumed 35:13	128:6, 10, 17,	believed 21:20	72:20 117:2
assuming 24:19	18 130:23	belt 81:25	142:14
29:3 123:1		82:3, 5, 8, 20,	



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>boards</b> 20:6	<b>calls</b> 126:5	<b>certify</b> 7:4	<b>CHRIS</b> 1:10, 20
<b>boat</b> 44:22	127:10 131:24	142:4, 9, 13	5:17 7:7, 12
<b>bones</b> 53:9	132:24 133:20	<b>cetera</b> 17:16	8:1 9:4
<b>bottom</b> 105:25	<b>campaigns</b> 19:11	<b>chair</b> 19:8	17:25 141:4
116:16	20:7	20:10 128:24	<b>chrispringle@south</b>
<b>Box</b> 4:13 61:14	<b>camp</b> 17:11	129:15 130:18	<b>erntimberlands.com</b>
<b>boxes</b> 61:18	<b>campus</b> 23:8	132:18 138:25	14:25
<b>break</b> 49:8, 9,	28:4 76:9	<b>chaired</b> 22:20	<b>Christopher</b> 9:18
21 99:5, 6, 17	93:22	<b>chairman</b> 22:22	<b>circumstances</b>
100:8 120:3,	<b>candidate</b> 98:10,	35:12 108:11	85:12
16 139:23	14 102:22	117:20	<b>citizens</b> 71:5
<b>bring</b> 46:25	118:15, 21	<b>challenged</b>	98:9 102:21
<b>Broad</b> 4:5	119:4 134:9	113:5, 8, 16	134:9 136:9
37:2 83:3	136:9	<b>challenging</b>	<b>CIVIL</b> 1:7 4:4,
<b>brought</b> 41:6,	<b>candidates</b>	113:12	12 7:5, 14
10 59:10	80:25 81:7	<b>chance</b> 105:9	<b>claim</b> 129:3
76:19 77:8	<b>car</b> 43:21	116:6 126:21	<b>clarify</b> 95:23
<b>brown</b> 119:16	<b>carved</b> 43:14	<b>change</b> 23:20	124:10
<b>build</b> 17:11	<b>CASE</b> 1:7 7:14	62:11, 14	<b>Clarke</b> 42:6
<b>bumped</b> 37:14	11:2, 6 13:13,	67:19 70:20,	44:3, 12
<b>bureau</b> 67:10	15 118:24	22 71:15	<b>class</b> 98:9
<b>burn</b> 16:19, 21	126:11 142:12	74:25 81:9	102:20 134:8
17:6	<b>cases</b> 36:14	90:9	136:8
<b>burning</b> 16:22	106:24	<b>changed</b> 36:2	<b>clear</b> 110:24
<b>Buskey</b> 25:8, 13,	<b>cash</b> 79:19	37:1 65:7	122:12, 17
25 42:9	<b>CASTER</b> 5:1	71:2, 7 108:5	<b>clearly</b> 13:8
119:21 120:1	8:15 120:15,	110:24	<b>clerk</b> 8:25
<b>busy</b> 39:11	20 121:4	<b>changes</b> 36:17	<b>closely</b> 59:4
<b>BVAP</b> 95:14, 16	<b>catch</b> 122:14	53:16, 19 55:3,	<b>closer</b> 27:10
113:22 114:3,	<b>cause</b> 7:8	15, 18 56:13	<b>closest</b> 39:20
6, 11, 25 115:3,	80:24	57:19, 22	<b>cochair</b> 22:11
6, 11 117:5	<b>caution</b> 98:20	61:15 63:8, 9,	30:7, 10 32:5
<b>&lt; C &gt;</b>	<b>cautious</b> 98:23,	17, 19, 22, 23,	56:16
<b>calendar</b> 41:10	24	24 71:10	<b>cochairman</b> 19:9,
<b>California</b> 3:8	<b>caveat</b> 105:8	76:11 81:16	10 22:14 35:17
<b>call</b> 23:8	<b>census</b> 35:3	<b>changing</b> 90:13	<b>coding</b> 96:3
39:21 94:19	37:11 67:10,	<b>channel</b> 43:7, 8,	<b>cohesive</b> 86:14
97:14 127:10	15, 22, 23 69:7,	12, 13 44:21, 22	<b>colleagues</b> 35:16
<b>Callahan</b> 21:17	21 70:2 96:8	<b>characteristics</b>	<b>color</b> 96:3
24:2 29:2	128:20	26:20	<b>columns</b> 95:22
33:21 42:2	<b>center</b> 70:23	<b>check</b> 105:10	<b>come</b> 17:1
45:13	<b>Central</b> 82:18	116:7	28:14 35:2
<b>Callahan's</b>	<b>certain</b> 85:12	<b>choice</b> 98:10,	43:7 60:9, 10
33:19 42:12,	<b>certainly</b> 99:14	15 102:22	64:19 79:13,
20 43:4, 9	<b>certainty</b> 61:23	118:15, 21	16 84:1 88:16
44:6, 15 45:6	<b>certificates</b>	<b>choose</b> 58:12	100:9
<b>called</b> 93:4	16:14	91:18 98:14	<b>comes</b> 28:5
97:20 112:10	<b>certifications</b>	<b>choosing</b> 134:10	90:5 122:2, 9
125:10 138:14	16:15	136:10	123:13, 24
<b>calling</b> 97:15,	<b>certified</b> 16:18	<b>chosen</b> 55:11,	124:6, 14, 24
19	142:15, 17	17 118:4	

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>comfortable</b>	132:25 133:21	<b>computer-aided</b>	67:4, 11, 15, 18
119:7	137:2	142:6	68:5, 6, 7
<b>coming</b> 47:11	<b>communications</b>	<b>computers</b> 94:2	72:20 73:4
77:19 91:5	16:12	<b>conceded</b> 128:8	74:20, 22 77:4,
92:15	<b>communities</b>	<b>concerned</b> 77:5	16, 18 78:6
<b>commencing</b> 1:24	31:4 32:13	<b>concerns</b> 66:4	79:10 81:18,
<b>commercial</b> 17:12	61:17 62:3, 6,	69:3, 4 77:2	22 83:19 88:9,
<b>commissioner</b>	21 65:5 66:17	80:4	15, 24 89:11
7:3 142:22	80:14 83:5, 14,	<b>concise</b> 45:2	90:10, 19 91:9
<b>commissions</b> 20:6	19	<b>conclusion</b> 139:8	95:25 108:6,
<b>committee</b> 19:8,	<b>community</b> 45:2	<b>concur</b> 139:12	17 109:13
10, 12 21:2, 19	62:23 65:4	<b>concluded</b> 139:11	110:6 112:4,
22:17 30:8, 11,	66:9 83:2, 7,	<b>condensed</b> 101:3	14 117:3
24 31:3, 14, 23	21 84:13, 23	<b>conduct</b> 36:6	118:16, 23, 25
32:1, 6 33:11	85:1, 4, 6, 9,	114:4	128:20 129:5,
35:14 37:23	11, 16, 22 86:8	<b>conducted</b> 73:10	16 131:15
39:14 40:5, 18,	<b>compact</b> 45:2	81:18 105:14	132:6 133:24
23, 25 41:8, 16	86:14	106:20 109:22	138:8, 12, 17,
45:21 47:13	<b>Compactness</b> 62:3	110:5	19 139:4
48:20, 24 49:2,	<b>company</b> 17:17,	<b>confederate</b>	140:12, 24
22, 23 50:6, 7,	22	122:2	<b>Congressman</b>
11, 19, 21, 22	<b>compare</b> 62:18	<b>confer</b> 99:17	21:17 24:1
51:1, 20 52:4,	<b>compared</b> 89:13	139:25	29:2 34:1
7, 18 53:11, 16	<b>compensated</b>	<b>confess</b> 126:5	43:9, 22
54:22 56:12,	14:12, 18	<b>conform</b> 35:19	<b>Congresswoman</b>
17 58:3 59:4	<b>compensation</b>	48:21	114:15 119:6
60:8 63:24	14:19	<b>congress</b> 24:6	<b>conjunction</b>
64:2 80:7	<b>competing</b> 91:17	30:15, 19, 22	53:5 80:12
83:18 85:5	<b>complaint</b> 13:12	31:11 32:16	88:12 107:21
87:2 88:6	126:22 127:17	39:10, 17, 22	<b>conservatives</b>
100:17, 24	128:7	67:2 70:7	124:8
101:13, 18, 19	<b>completed</b> 16:7	76:3, 20 77:13	<b>consider</b> 44:22
103:25 104:3,	<b>completely</b> 49:7	86:23 87:9	45:1 80:19
4 105:3	<b>compliance</b> 2:4	88:12 90:18	85:9 89:10
107:13 108:8	54:17	96:14 107:21,	93:7, 9 95:4
111:23 128:25	<b>complied</b> 35:21	23 114:18	96:9, 19 111:10
129:2, 6, 9, 16	54:2 59:16	119:9, 11	<b>considerable</b>
130:15, 19, 24	60:3	135:9, 12	102:3
132:19 137:10,	<b>complies</b> 54:13	<b>Congressional</b>	<b>consideration</b>
16, 23, 24	<b>comply</b> 54:7	6:25 23:2	91:15
138:3, 7, 11, 25	57:20 59:18,	24:3, 8 25:3,	<b>considered</b>
140:19	23 60:14	4, 7, 17 27:2,	27:25 30:4
<b>committees</b> 19:5	67:19 68:8	5, 12 28:22	35:19 96:24
20:2, 11, 17	132:5, 20	29:21, 25 30:3,	121:21
<b>committee's</b>	133:9, 17	4, 5, 9, 17, 25	<b>considering</b>
64:10	<b>Complying</b> 60:19	31:15, 24 32:9,	123:17
<b>common</b> 78:21	133:8	15, 23 33:3, 4,	<b>constantly</b> 36:19
84:3, 8 125:20	<b>compressed</b> 72:8	14, 25 38:23	<b>constitute</b>
<b>communicate</b>	<b>computer</b> 28:9	39:9, 12, 19	85:22 86:8, 15
108:25	94:18, 23	40:22 42:3, 10	<b>constitution</b>
<b>communication</b>	137:16	43:14 44:2	19:11 20:7
127:11 131:25		58:24 66:18	54:4, 8 96:13

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>constitutional</b>	25:9 27:2	102:17	<b>day</b> 40:13, 15
128:21	33:15, 20 34:9	<b>COVID</b> 72:6	51:9 79:9, 22
<b>construction</b>	38:16 45:22	<b>COVID-19</b> 36:2	101:4, 7
40:14	51:10 53:12	64:17	<b>days</b> 14:10, 11
<b>consultant</b>	57:13 71:8, 11,	<b>created</b> 25:3,	28:8, 12 79:15
110:20	12 76:17, 20	17 60:24 61:5	93:23 94:6, 7,
<b>consulted</b> 131:3	80:8 129:3, 10,	69:15 75:2	14, 15 122:13,
<b>contact</b> 24:1, 2	18 131:22	119:25 127:2	18
<b>contained</b> 29:9	132:7 135:20	<b>creation</b> 57:4	<b>daytime</b> 79:16
101:24	136:6 139:2	<b>criminal</b> 124:6,	<b>DC</b> 3:22 5:6
<b>contended</b> 127:5	142:7	9, 14	13:4
128:19	<b>correctly</b> 26:6	<b>criteria</b> 106:19	<b>deadline</b> 38:11
<b>content</b> 12:11	37:10 52:3	<b>crunch</b> 113:1	<b>dealing</b> 32:8
<b>contests</b> 54:15	76:1 77:22	<b>curious</b> 67:23	35:20 40:9, 11
<b>contiguity</b> 62:3	134:20 137:14	<b>current</b> 18:12	75:25
<b>contiguous</b> 86:14	<b>counsel</b> 1:18	36:13 46:11	<b>deals</b> 54:10
<b>continue</b> 45:10	2:10, 11 7:6	65:17 69:2	<b>debate</b> 115:23
131:20	100:3 104:4	87:18	<b>decades</b> 131:14
<b>continued</b> 45:15,	132:2 142:10	<b>currently</b> 19:5	138:16
17	<b>counties</b> 82:1,	22:23 65:11	<b>December</b> 1:24
<b>contract</b> 19:13	12, 13 83:12,	<b>cut</b> 116:17	7:7, 16 142:17
20:8	22 84:1 85:13,	117:24	<b>decide</b> 22:18
<b>contracting</b>	15 92:9 97:8,	<b>cycle</b> 22:24	50:14 103:5
17:24	9 127:2	36:16, 23	104:6, 14
<b>contractor</b>	<b>counts</b> 96:15	42:22 45:20	140:22
16:17 17:11,	<b>County</b> 42:6, 8,	112:8	<b>decided</b> 20:20
16 18:10	9 43:22 44:4,	<b>cycles</b> 112:5	<b>decides</b> 103:1
<b>contractual</b>	7, 12 45:3, 4	< D >	<b>deciding</b> 104:9
40:13	84:7, 8, 10, 21	<b>DAN</b> 5:2 8:14,	<b>decision</b> 103:16
<b>control</b> 16:18,	91:24 92:7	17 122:11	104:8 115:3
20, 21 64:10	94:3 95:13	<b>Daniel</b> 121:3	<b>decisions</b> 81:21
<b>conversation</b>	126:16 135:16	125:7	<b>deemed</b> 111:25
114:20	136:17 137:12	<b>data</b> 24:25	<b>defeat</b> 119:3
<b>conversations</b>	142:2	94:23 106:3	<b>defeated</b> 20:21
35:23 51:22	<b>couple</b> 14:10	107:25 108:3	<b>defeating</b> 98:10
75:24 123:2	140:9	128:20	102:21 134:9
<b>Cooper</b> 17:21	<b>course</b> 45:8	<b>date</b> 7:4, 16	136:9
<b>copies</b> 105:6	74:19 105:11	36:11 108:2	<b>DEFENDANT</b> 5:9
<b>copy</b> 52:20	107:6 112:25	<b>DAVIN</b> 4:2 8:19	<b>Defendants</b> 1:12
<b>core</b> 25:20, 21	<b>COURT</b> 1:1 2:5	<b>DAVIS</b> 5:10	5:17 7:25
26:21 32:25	7:1, 15 9:2	6:10 8:3	10:6, 11
33:10, 12, 13	11:15 36:13	12:19 13:16	<b>Defense</b> 3:13,
44:1 70:16	46:11 54:4, 8	35:15, 24 46:1,	20 99:24
81:14 119:24	62:8 106:24	7, 16 47:4	<b>define</b> 97:17
133:2, 24	113:5, 12	48:3 58:2	<b>definition</b> 62:9,
134:14	128:8 137:20	99:4, 12, 18	21, 23 85:3, 6,
<b>cores</b> 26:3	142:14, 15	100:5 128:1, 3,	8, 11 123:14
134:18	<b>courteous</b> 99:23	5, 11 136:23	<b>definitions</b>
<b>corner</b> 127:14	<b>courtrooms</b> 55:18	140:6, 8 141:1	63:4, 6
<b>correct</b> 10:16	<b>courts</b> 36:18		<b>degree</b> 16:11, 12
15:25 17:17	54:4 55:12		<b>delayed</b> 35:3
21:6, 13, 25			<b>delegation</b> 24:3

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>democratic</b> 22:9	138:9, 13, 17,	56:5 120:23	14 68:6, 18
24:13 117:20	19, 21 139:1, 2,	126:4	69:4, 16 70:13,
121:25 122:8	5, 11	<b>discussions</b>	16 71:7 72:19
123:11 124:4,	<b>deviations</b>	12:12 57:3	74:22 76:12
12, 22	76:12 77:5	<b>dislike</b> 65:6	81:14 85:15
<b>democrats</b> 24:11	91:25 92:3	<b>dissatisfied</b>	90:18, 20 91:9
123:2, 19	94:3 95:4, 13	87:9, 15	93:16 95:25
<b>demographic</b>	96:2 130:1	<b>DISTRICT</b> 1:1, 2	97:11, 13, 14,
74:7, 15 76:13	<b>diem</b> 14:15	7:15, 16 18:15,	15, 20 106:4, 9
94:23 96:8, 25	<b>differ</b> 121:25	17 19:22, 25	109:19 112:24
<b>demographics</b>	122:8 123:7,	21:20, 21 25:4,	113:2, 5, 7, 15
26:11 76:11	11 124:4, 23	5, 17 26:12, 16,	115:19 117:2,
94:9 140:16	<b>difference</b>	21 27:14, 17	3 119:25
<b>denied</b> 102:20	76:25 96:3, 5	28:1 29:3	127:3 129:5
<b>department</b>	124:11	33:20 42:1, 3,	133:3, 25
58:23, 25	<b>differences</b>	10, 12, 21, 23,	135:4, 10
<b>depends</b> 115:15,	63:16	24 43:15 44:2,	139:6 140:16
18	<b>different</b> 19:19	8, 16, 19, 21	<b>divide</b> 124:7, 16
<b>Depo</b> 6:15	34:21 66:4	45:9, 14 67:11,	<b>division</b> 17:21
<b>deposed</b> 10:23	78:18 79:21,	19 68:5, 8	<b>doctor</b> 13:6
13:21	22 84:5 124:1,	69:1, 2 70:19,	<b>document</b> 12:9
<b>DEPOSITION</b> 1:9,	18 127:9	20, 22, 23	52:22 53:1, 3,
19 2:2, 3, 13	<b>differently</b>	71:10, 15	11, 16 55:25
7:12 11:25	66:23	95:15 96:12	56:7, 20, 24
12:13, 15	<b>digits</b> 117:2	97:18 98:4, 11,	57:4, 8, 17
13:19 14:5	<b>diminish</b> 98:8,	20 103:3, 18	58:7 62:14
27:4 99:6	14 134:7	104:6, 10	75:2
141:4, 7	<b>diminishing</b>	106:21 109:12,	<b>documents</b> 13:9
<b>depositions</b> 2:6	136:8	16 110:5	58:21 75:9
<b>describe</b> 82:16	<b>direct</b> 73:24	113:21 114:2,	<b>Dog</b> 43:8, 12
119:22	132:16	5, 12, 25 115:7,	<b>doing</b> 17:7
<b>determination</b>	<b>directed</b> 74:1	11, 15, 18	79:1 99:4
106:16	107:12 129:5	116:15 118:22,	108:14 111:20
<b>determine</b> 91:22	<b>director</b> 48:14	23, 24, 25	<b>DORMAN</b> 5:18
92:14 102:17	<b>disagree</b> 115:14	119:16, 17, 19,	7:24 10:4
106:23	<b>disclosing</b> 12:11	20, 23, 25	35:24 92:25
<b>determining</b>	<b>discovery</b> 99:20	132:7, 12, 21,	122:14 139:21
106:19	<b>discrimination</b>	22 133:18	<b>doshier@elias.law</b>
<b>DEUEL</b> 3:18	125:1	134:4, 12, 13,	5:7
8:10	<b>discuss</b> 12:14	15, 20 135:2, 6	<b>Dothan</b> 43:15,
<b>developed</b> 86:5	46:17 50:16	136:5, 19	19, 22 45:4
107:15, 16	56:23 66:25	140:13, 23	<b>double-check</b>
<b>deviation</b> 44:13	78:5 88:13	<b>districts</b> 25:20,	51:4 120:4
57:10 67:14	118:9 137:2	21 26:4 27:14,	<b>draft</b> 53:7, 8,
74:21 75:1	<b>discussed</b> 13:15,	25 28:19	11 65:8 67:4
76:14 77:1	19 46:17	29:10 30:13,	74:11
92:10 94:22	52:24 63:8	14, 22 31:12	<b>drafted</b> 53:3
97:1, 7 129:17,	76:21 82:19, 23	32:10, 12 33:1,	57:1
21, 24 130:5, 8,	<b>discussing</b>	10, 12, 13	<b>drafting</b> 52:21
10, 12, 16, 21	77:11 90:1, 17	34:16, 19	53:1 56:19
131:9, 15, 20	<b>Discussion</b>	38:10, 22 39:4,	57:17 81:18
133:4 135:19	27:11 46:10	12 54:2, 10, 12,	<b>dragging</b> 99:9

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>draw</b> 21:20, 21 23:4 24:18, 21, 23 25:1 28:6 30:19 31:9, 20 34:15 44:20 54:2 96:6 98:20 107:13 129:5 133:3 135:3	94:10 <b>earth</b> 81:15 <b>ease</b> 60:12 <b>EBENSTEIN</b> 4:1 8:20 <b>economic</b> 85:18 <b>edges</b> 81:16 <b>education</b> 16:7 32:9 <b>Educational</b> 3:13, 20 <b>effect</b> 2:4 46:13 59:17 <b>effort</b> 129:1 <b>eight</b> 117:2 <b>either</b> 15:10 73:15 102:18 109:7 118:10 <b>elect</b> 115:20 118:14, 21 <b>elected</b> 18:24 22:16 45:8, 16 70:10 121:8, 17 <b>electing</b> 98:9 102:21 134:9 136:9 <b>election</b> 35:13, 16 38:14 119:3 <b>elections</b> 19:11 20:8 <b>electronic</b> 105:6 <b>electronically</b> 73:16 <b>Elias</b> 5:4 8:15 <b>eliminate</b> 62:20 <b>eliminating</b> 54:14 <b>Elizabeth</b> 6:3 8:24 <b>email</b> 14:21, 23 15:4, 5, 7 101:23 102:1 109:4, 5 <b>emailed</b> 80:4 <b>employees</b> 14:15, 20 <b>employer</b> 17:13 <b>employers</b> 18:1 <b>enacted</b> 105:20 127:5, 18 <b>encounter</b> 107:5	<b>ended</b> 21:24 141:7 <b>ends</b> 141:3 <b>engage</b> 37:18 <b>England</b> 113:19, 23 116:13 117:19 <b>enrolled</b> 56:13 62:19 <b>entered</b> 77:24 <b>entirely</b> 61:14, 22 <b>entirety</b> 62:7 <b>entitled</b> 14:16, 20 <b>equal</b> 96:13 <b>err</b> 48:11 <b>Escambia</b> 42:6 44:3, 11 <b>estate</b> 17:8, 20 <b>et</b> 1:6, 10 7:13, 14 17:16 <b>ethnic</b> 85:17 <b>EVAN</b> 1:6 7:13 <b>evening</b> 80:20 <b>event</b> 137:9 <b>events</b> 40:3 <b>eventually</b> 40:21 <b>everybody</b> 11:16 13:5 38:4 54:20 77:25 <b>Everyone's</b> 49:6 <b>evidence</b> 2:14 75:8 <b>evidenced</b> 142:15 <b>exact</b> 36:10 50:2 55:4 <b>exactly</b> 28:11 80:3 99:16 <b>examination</b> 7:8 9:12 120:24 125:13 140:6 <b>examined</b> 9:5 <b>examiners</b> 19:13 <b>example</b> 15:8 <b>exchanged</b> 132:13 <b>excuse</b> 129:8 <b>Exhibit</b> 6:14, 16, 18, 20, 22, 24 11:24 12:4, 6 52:14, 18 55:20, 23	63:18 104:24 105:2 115:22, 23 116:1 119:11, 13 <b>existing</b> 25:20, 21 32:25 33:10, 12, 13 44:1 48:21 56:12 65:6, 9, 22 68:2, 11 70:16 81:14 119:25 133:2, 24 134:15 <b>exists</b> 119:2 <b>expect</b> 14:17 31:2 <b>experience</b> 22:22 84:13, 21 124:21 <b>expire</b> 16:18 <b>Expires</b> 142:23 <b>explain</b> 23:10 41:4 56:4 66:5 83:16 <b>explained</b> 52:3 53:14 <b>express</b> 65:16 88:19 89:20 90:6 <b>extemporaneously</b> 92:20 93:12 <b>extensive</b> 35:23 <b>extent</b> 13:22 131:24 132:24 133:3, 20 137:2 <b>eye</b> 13:6  < F > <b>face</b> 126:9 <b>Facebook</b> 15:15, 23 <b>fact</b> 139:5 <b>factor</b> 92:4 <b>factors</b> 92:2 <b>fair</b> 11:13 25:22 33:2 44:14 45:12 58:9 73:11 <b>fairly</b> 59:3 <b>familiar</b> 81:25 <b>families</b> 84:1 <b>far</b> 100:25
--	--	---	--

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>fast</b> 101:2	<b>flip</b> 61:12	84:22 87:1, 8,	92:11 99:12,
116:25 117:17	116:4	17 88:20 89:4,	20 100:4
118:11	<b>floor</b> 41:9, 10,	12 113:2	106:15 111:24
<b>FAULKES</b> 4:10	17 115:22	122:22 123:4	117:16 126:6
7:22 49:8	117:13 132:14	124:11 128:8	127:7 131:4,
120:20 125:8	<b>focused</b> 99:22	<b>generally</b> 60:9	13 137:18
139:21	<b>follow</b> 31:19	66:14 123:11,	<b>Good</b> 8:16, 17,
<b>favor</b> 57:9	54:20 107:13	13 124:4, 5, 23,	18 138:23
124:9	108:12, 21	24	<b>GOTELL</b> 4:10
<b>Federal</b> 7:4	<b>following</b> 7:9	<b>General's</b> 8:4	7:22
54:17 60:3	31:10 142:16	127:23 130:20	<b>government</b> 15:1
99:11 128:8	<b>follows</b> 9:6	<b>geographic</b> 85:18	19:9 41:8
<b>felt</b> 66:12	60:9	<b>getting</b> 14:14	50:10
<b>fight</b> 17:2	<b>follow-up</b> 140:9	35:4, 12 96:21	<b>governor</b> 40:22
<b>figures</b> 74:15	<b>fond</b> 63:6	118:11	41:17
<b>filed</b> 7:15	<b>force</b> 2:4	<b>gifted</b> 117:21	<b>graduate</b> 16:8
13:24, 25	<b>foregoing</b> 7:5	<b>Gingles</b> 45:1	<b>great</b> 98:20
110:14, 15, 16	<b>form</b> 2:10	46:12, 13	121:14
111:13 126:9,	41:3 84:22	61:25 62:2	<b>grounds</b> 2:12
19 127:17	89:21 94:19	<b>give</b> 37:2	131:5
128:7	95:3 107:8	89:3 90:8, 12	<b>Group</b> 5:4
<b>final</b> 37:12	122:11 128:1,	91:15 94:24	8:15 92:24
63:18 119:11	3, 11, 12	98:19 108:19	102:20
<b>finally</b> 37:20	131:23 136:23,	129:20 136:20	<b>groups</b> 94:17
<b>finals</b> 37:7	24	<b>given</b> 31:8	<b>guarantee</b> 119:3
<b>financially</b>	<b>forth</b> 41:24	38:10 41:9	<b>guess</b> 53:20
142:11	<b>found</b> 142:16	46:16 79:8	63:15 64:1
<b>find</b> 94:20	<b>Foundation</b> 4:4	105:21 117:3	66:6 67:23
<b>fine</b> 19:18	<b>four</b> 113:15	123:18	69:3, 20, 25
130:13	<b>frame</b> 117:4	<b>glad</b> 41:21	70:17 83:17
<b>finish</b> 11:21,	<b>free</b> 90:5	109:10	84:11 88:7
22 40:14	<b>Friday</b> 125:18	<b>go</b> 11:8 41:24	98:6
<b>finished</b> 31:25	<b>friend</b> 26:1	65:21 67:17	<b>Guidelines</b> 6:17,
112:15 120:3,	<b>front</b> 74:6, 7	71:23 72:17	19 24:20
14	136:12	83:11 84:10	25:19 26:3, 5
<b>fire</b> 16:22	<b>fruition</b> 90:6	89:17 91:20	28:16 31:1, 2,
17:4 117:17	92:22	96:16 100:9	6, 9, 10, 16, 19
118:12	<b>full</b> 2:4 9:16	107:24 120:7	32:19, 24, 25
<b>fires</b> 17:2, 3	41:19 96:19	125:25 126:6	33:9 35:6, 19,
<b>first</b> 11:24	<b>Fund</b> 3:13, 20	<b>goal</b> 26:10, 15	21 36:9, 12, 15,
13:23 14:4	<b>FURTHER</b> 2:1, 8	48:19	18, 22, 25
19:14, 15, 16	142:9, 13	<b>goes</b> 15:10	45:22 46:3, 9
21:3 25:4, 15		61:24 86:3	47:14 48:20
34:24 35:10,	< G >	<b>going</b> 27:21	51:9, 12, 18, 25
11 36:7, 11	<b>gain</b> 67:12	29:23 33:17	52:2, 7, 19
40:17 44:12	<b>gap</b> 121:13	36:1, 5, 25	53:7, 25 54:19
45:19 46:13	<b>gathered</b> 32:17	37:7 41:24	55:1, 14, 24
108:15 110:4	<b>General</b> 5:11,	45:25 46:15	56:6, 24 57:7,
121:8	12 16:17	48:6 49:11	19 58:5, 8, 10,
<b>Five</b> 47:23	17:11 24:17	64:16, 21	13, 15 59:4, 7,
<b>fix</b> 16:24	64:9 66:8	67:14 70:23	12, 14 60:1, 5,
<b>FL</b> 3:14	67:8 69:11	79:20 84:19	23 61:4 62:19,

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<p>20 63:18 64:9, 10, 24 70:15 81:13 86:7 91:11, 16, 18, 21, 23 104:14, 19 107:13 108:12, 21, 24 129:6 133:2, 7, 9, 14, 23 138:14, 18, 25 <b>Guys</b> 16:22</p> <p>&lt; H &gt;</p> <p><b>Hale</b> 82:15 <b>Hall</b> 37:25 38:3 80:13 <b>handed</b> 54:5 55:13 <b>handful</b> 50:3 55:3 <b>handing</b> 36:19 <b>handle</b> 64:16, 20 <b>handout</b> 6:19 55:24 <b>handwritten</b> 75:8 <b>happen</b> 30:2 45:24 <b>happened</b> 39:1, 13 40:2, 6, 17, 20, 24 41:13 51:24 64:5, 13 75:17, 21 80:22 81:1, 6 112:8 <b>happens</b> 94:17 <b>happy</b> 39:5 70:9, 17 71:13, 18 86:22 87:17 88:20 89:5 90:2 92:12 99:16 <b>hate</b> 47:21 71:17 <b>head</b> 45:23 <b>health</b> 20:7 <b>hear</b> 46:5 47:9, 10 49:17 79:16 120:22 126:8 128:2 <b>heard</b> 64:25 86:20 92:18, 21 102:7, 8</p>	<p>112:11 131:10 134:1 <b>hearing</b> 68:22 77:15, 22 99:18, 21 104:21 134:20 <b>hearings</b> 32:8, 18 35:5 36:1, 2 37:17, 19, 22, 24 38:1, 3, 6, 16 39:13 64:16, 17, 20 67:24 68:12, 24 70:2, 6 71:21 73:13 75:17, 25 76:19 77:8, 19 78:1 79:5 80:22 81:6, 19, 23 82:20 86:17, 20 88:8, 25 90:10, 14, 16 <b>held</b> 17:20, 24 27:11 64:25 65:20 66:1, 15 72:4, 12 78:10 79:9 120:23 <b>help</b> 30:19 99:17 135:4 <b>helpful</b> 61:19 <b>helping</b> 23:4 <b>Henry</b> 43:22 45:4 <b>Hi</b> 8:14 <b>higher</b> 20:20 <b>highest</b> 16:6 <b>highlights</b> 54:16 <b>Hinaman</b> 23:24 24:7 30:18 31:8, 18 32:16 33:6 38:20, 24 39:9, 16 75:20 76:18 77:4, 9 88:11, 14, 19 90:9 107:12 108:9, 12, 20 109:1 114:17 117:11 118:2, 8, 10 129:4, 22, 23 130:4, 6, 15 131:21 133:1</p>	<p>135:8, 25 139:10 140:11 <b>hired</b> 24:6 110:20, 22 <b>historical</b> 85:18, 25 102:23 <b>history</b> 25:5 123:18 139:3 <b>hit</b> 43:8 <b>Hogan</b> 3:6 <b>hold</b> 64:21, 23 67:24 70:1 124:18 <b>holding</b> 38:6 68:24 80:19 81:23 <b>homebuilder</b> 16:17 17:10 <b>honest</b> 25:10 <b>hope</b> 17:3 99:13 125:14 139:17 <b>hour</b> 12:21 <b>hours</b> 12:21 78:10, 14, 18, 20 79:2 99:11 <b>House</b> 18:2, 14, 17 19:9 20:22 21:11 22:14, 17, 20, 22 23:9, 14 30:12 32:10, 12 35:12, 17 38:21 39:11 41:7, 11 43:14 44:6, 21 51:21 72:11, 18, 19 98:2 101:13 <b>houses</b> 17:11 <b>Houston</b> 45:4 <b>huh</b> 60:20 <b>hunting</b> 17:11 <b>Huntsville</b> 43:18, 21</p> <p>&lt; I &gt;</p> <p><b>idea</b> 87:17 <b>ideal</b> 43:24 <b>identification</b> 12:7 52:15</p>	<p>55:21 104:25 116:2 119:14 <b>identities</b> 85:19 <b>imagine</b> 36:24 <b>immediately</b> 37:21 <b>impact</b> 78:23 79:3 <b>implementing</b> 123:16 <b>importance</b> 89:6 98:5 <b>important</b> 11:19 60:17, 18, 20 89:11 92:2, 4, 7 93:10 98:6 114:13 <b>inaccurate</b> 105:9 116:8 <b>include</b> 85:12 140:12, 15 <b>included</b> 80:17 <b>includes</b> 85:17 <b>including</b> 40:22 <b>Incorporated</b> 17:22, 25 <b>increase</b> 42:23 <b>increases</b> 119:21 <b>incumbent</b> 134:24 135:4, 6 <b>incumbents</b> 31:4 33:1 54:13, 15 134:22 <b>independently</b> 139:8 <b>individual</b> 38:21, 22 <b>individuals</b> 123:17 125:1 <b>influence</b> 88:8 <b>informal</b> 104:18 <b>information</b> 32:17 38:9 87:21 88:4 94:3, 24 95:5 96:25 97:1 101:14 112:2 135:23 <b>informed</b> 126:18 129:7 <b>initial</b> 37:5, 9,</p>
--	---	--	--



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

11 110:2	31:23 131:12	81:13 130:10,	17, 20, 22
<b>injunction</b> 99:21	<b>involvement</b> 23:4	16	111:17, 20
<b>input</b> 30:21	<b>issue</b> 106:5, 10,	<b>keeping</b> 26:20	112:3, 13
31:14 52:1	14, 18 107:1	<b>keeps</b> 47:11	115:2, 6, 16
65:4 72:7	122:24 123:5	83:19	116:21 117:8,
<b>instruct</b> 33:7	<b>issues</b> 13:7	<b>kept</b> 44:1, 2	25 123:15
46:15 140:11,	49:10 107:6	71:4, 5	124:8 129:11
15	122:25 123:7	<b>key</b> 11:8	131:8 136:12
<b>instructed</b> 31:9	<b>its</b> 82:10	<b>kicked</b> 76:8	138:15, 22
92:25 133:1	89:5 135:19	<b>kin</b> 142:10	<b>knowledge</b> 112:6
<b>instructions</b>		<b>kind</b> 74:19	130:17 139:3
90:8, 12 108:9,	< J >	<b>kinds</b> 77:12	<b>known</b> 78:1
19 140:20	<b>JAMES</b> 4:18	<b>knew</b> 27:19	<b>ksadasivan@naacpld</b>
<b>intact</b> 44:2	<b>January</b> 22:1, 5	68:5, 25	<b>f.org</b> 3:16
81:14	37:6, 11, 12	111:11, 13	<b>kwelborn@aclualaba</b>
<b>intentionally</b>	<b>JEFFERSON</b> 142:2	131:8	<b>ma.org</b> 4:15
102:18 134:7	<b>jerrymandered</b>	<b>know</b> 11:5, 10	
<b>interest</b> 31:4	119:18 127:6,	13:1 16:21	< L >
32:14 45:2	20, 25 128:10	20:5 23:18	<b>laid</b> 37:21
61:18 62:4, 6,	<b>jerrymandering</b>	24:9, 11, 15, 17,	<b>lands</b> 85:14
20, 21, 23 66:9	128:22 129:2,	22, 25 25:5, 10,	<b>Large</b> 1:22
83:2, 5, 7, 15,	10, 12	11, 19, 23, 24	7:3 65:5
20, 21 84:14,	<b>JIM</b> 5:10, 17	26:8, 13, 14, 19	119:19 135:20
23 85:2, 4, 6,	8:1, 3, 22	27:13, 16, 24	<b>late</b> 35:4
10, 11, 16, 22	125:11 127:9	28:16, 17 30:2	117:18
86:9	128:2, 3 131:4	35:1 36:23, 25	<b>LaTISHA</b> 4:10
<b>interested</b>	140:7	43:2 48:10	7:22
91:11, 13	<b>jim.davis@alabamaa</b>	50:18 52:8	<b>law</b> 1:22 3:5,
142:11	<b>g.gov</b> 5:15	53:5, 19 55:10,	12, 19 4:3, 11,
<b>interests</b> 62:22	<b>JOHN</b> 1:10 5:9	16 56:9 57:3,	19 5:3, 4, 19
<b>interjected</b> 79:9	7:13 8:5	6, 9, 16 60:13,	8:15, 25 35:20,
<b>internal</b> 19:12	<b>jublacksher@gmail.</b>	23 61:4, 22	22 36:13, 17,
<b>interpret</b> 71:17	<b>com</b> 4:22	62:4, 9, 13, 24	21 37:1 41:5
138:20, 21	<b>JULIE</b> 4:1 8:20	63:1, 9 65:1	46:11 48:22
<b>interpreted</b>	<b>jump</b> 126:5	66:7 67:13	54:25 55:15,
139:1	<b>jumping</b> 11:23	69:5 70:21	18 57:21 60:3,
<b>interrupt</b> 27:8	41:23	74:1 75:4	14, 19
<b>intervenor</b> 7:25	<b>justice</b> 58:23	76:7 78:9, 17,	<b>laws</b> 2:5 54:18
<b>intervenor</b>	59:1 124:6, 9,	24 81:2, 17, 21	<b>lawsuit</b> 10:6
<b>sors</b>	14	83:12, 19, 20,	13:24 110:14,
10:13, 14		22, 24 84:6, 9,	15 111:12
<b>introduce</b> 11:24	< K >	24 85:3, 23	113:16 126:9,
52:17 55:23	<b>KAITLIN</b> 4:9	89:15 92:13,	15, 25 127:4,
94:21 105:2	7:20 9:9, 14	15 93:8, 15, 19	23 128:19
115:21 119:10	116:5	95:20, 22	140:9
<b>introduced</b> 14:1	<b>KATHRYN</b> 3:11	96:11, 25 99:5	<b>lawsuits</b> 16:3
28:8 41:2, 6	8:8 47:9	102:1, 24	105:18
93:23 94:10	<b>keep</b> 26:11, 15	103:5, 22	<b>lawyer</b> 10:1, 3,
95:9 97:25	41:23 44:15	104:13, 18	5, 18, 21
98:2 137:17	49:11 70:7, 13,	105:13 107:22,	<b>lawyers</b> 63:5
<b>involved</b> 16:2	20, 23 71:9	25 108:4	131:3
21:6, 15 22:24		110:4, 10, 12,	

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>lay</b> 31:2	<b>Liberties</b> 4:4,	<b>looked</b> 31:25	112:20 114:10
<b>laying</b> 36:3	12	74:21 94:4	115:1, 5, 9
<b>LDF</b> 8:9	<b>license</b> 17:20,	97:6 106:4, 9	<b>Macon</b> 83:11
<b>leadership</b> 22:9	24	107:17, 18, 22,	84:8
<b>leading</b> 2:11	<b>licensed</b> 16:16,	25	<b>magic</b> 119:2
<b>League</b> 66:24	17 17:10	<b>looking</b> 85:8	<b>maintain</b> 26:3
69:9 77:21	142:14	91:11, 14	119:24
78:1, 6 87:3	<b>liked</b> 67:1	106:18 107:14	<b>maintained</b>
88:17, 25 89:8,	70:6	136:13	134:14
14, 24 98:1	<b>line</b> 43:9, 10,	<b>looks</b> 56:1	<b>maintaining</b>
126:12, 14, 15	12 71:10	61:21	134:18
135:16 136:3,	91:21, 23 92:20	<b>Los</b> 3:8	<b>major</b> 122:23
17 137:11, 15	<b>lines</b> 54:21	<b>lose</b> 67:13	123:5, 22
138:4	65:23 71:6	<b>lost</b> 42:8	<b>majority</b> 25:4,
<b>LeAnn</b> 1:21	81:9, 22 123:21	127:12	16 28:19
7:1 142:22	<b>links</b> 79:5	<b>lot</b> 44:20	29:10 69:15
<b>learn</b> 86:16, 19	<b>Linwood</b> 4:20	45:3 68:14	90:17, 19 91:8
<b>learned</b> 88:8, 13	<b>list</b> 31:5	78:17 99:18,	93:15 95:24
<b>leave</b> 20:19	38:4 80:13	19 102:11	97:11, 12
120:6	<b>listen</b> 72:17,	125:20	115:19 132:7,
<b>leaving</b> 22:21	21 79:17	<b>Lovells</b> 3:6	12, 21, 22
106:22	137:18	<b>Lowndes</b> 82:15	133:6, 12, 18
<b>left</b> 18:25	<b>listened</b> 72:19,	<b>lunch</b> 120:16	134:4, 11, 19
121:9	23 79:9 87:23	139:22	135:1, 5 136:5,
<b>Legal</b> 3:13, 20	89:7	< M >	19 140:13, 23
63:4, 6 104:4	<b>litigation</b> 121:4	<b>ma'am</b> 12:10	<b>makeup</b> 27:14,
<b>legislative</b>	<b>little</b> 23:3	21:23 22:6	16 42:12 95:14
14:14 15:2, 11	27:9 66:7	24:12, 24 25:2	<b>making</b> 36:12
26:3 30:13	84:3 99:22	26:24 33:16	<b>man</b> 59:24
34:16, 19	<b>live</b> 65:5	35:9 38:17	67:19 68:8
36:22 57:13	70:19, 22	39:20 42:13,	96:17
66:21 74:19	<b>living</b> 17:5	15, 17 44:17	<b>manner</b> 31:10,
75:25 93:17	<b>LLP</b> 3:6	46:24 47:2	21 133:23
109:19 117:2	<b>location</b> 79:15	48:18 51:15	<b>map</b> 6:25 23:2,
<b>legislators</b>	<b>locations</b> 72:7	52:8, 12 53:2	4, 21 24:10, 18
28:18	<b>log</b> 79:12	56:2, 18, 21, 25	25:3, 6, 7, 16,
<b>legislature</b>	80:18	57:2 61:3	23 27:13 28:6,
18:13 19:15	<b>logged</b> 79:7, 25	62:12, 25 67:6	22 29:9, 21
21:5 23:16	<b>long</b> 12:20, 22	72:14 73:8, 22	30:4, 5, 17, 25
26:7, 11, 19	18:6, 9, 22	75:15, 22 80:9	31:24 32:23
27:24 28:7, 9	86:4 99:5	81:20, 24	33:3, 4, 7, 14,
29:20 34:7, 8	111:17 121:6	84:16 86:2	25 38:23
39:7 83:17	139:22	87:15, 19	39:19 40:22
84:15 94:20	<b>longer</b> 99:16	90:20 92:6	54:20 65:13
121:7, 13, 24	<b>longstanding</b>	93:18 94:15	66:24, 25 67:5,
122:7, 21	26:6	101:6 102:25	15, 22, 25 68:2,
123:10, 19	<b>look</b> 29:14	107:20 108:1,	11, 13 71:1
124:3, 21	31:3 54:11	7, 17, 18 109:5,	73:4 77:4, 18
128:21 132:15	66:25 76:11	15, 17, 20, 24	78:2, 6, 7
<b>letter</b> 37:25	95:6, 12, 13, 14	110:19 111:19	81:18 83:19
<b>letting</b> 96:4	96:18, 23		84:12, 15 88:9,
<b>level</b> 16:6	112:19		11, 24 89:6, 8,

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

11, 14 90:10,	114:8	100:17, 19, 21	123:10, 12
13 93:11, 15	McDonald's 79:18	101:5, 11, 15,	124:1, 3, 5, 12,
95:24 96:3, 7,	mean 15:20	24, 25 102:4	13, 17, 18, 22,
25 108:6, 15,	19:1 27:18	105:4 109:14	23 135:9, 12
17 109:13	30:10 33:9	111:23 137:17	memory 24:4
110:2, 6	36:18 38:19,	meetings 36:4	137:14
112:14 114:18	24 43:5 44:18,	38:8 40:1	mention 133:6
119:11	20, 25 45:5	47:16, 19, 24	mentioned 21:1
maps 23:7	50:10 51:11	48:2, 19 49:1	33:18 45:19
24:8, 23 25:1	54:8, 10 59:19	50:6, 21 51:1,	63:7 65:25
27:18 28:4, 11	65:9, 13 66:5,	2, 16 64:23	70:5 90:21, 23
30:19, 25	17 70:8, 12, 18	65:3, 15, 20	94:22
31:15, 20	71:18 73:9	66:1, 12, 13	MERRILL 1:10
32:10 38:15	74:9 77:14, 17	67:5, 7 69:18	5:9 7:14 8:5
40:21 57:13	78:25 79:12	70:6 72:3, 16	140:8
66:8, 22 67:2	83:24 86:18	73:7 74:5, 8	met 12:14
69:6 74:6, 9,	87:1, 22 91:13,	75:6, 14, 21	39:9, 16 40:6
11, 12 80:23	15 95:17	76:15 78:9, 23	49:23 57:18
81:22 91:17	98:17, 25	79:20, 21 80:8,	91:11, 16
97:11 100:20	99:10 100:22	14, 17, 19	107:23 135:9
101:16 108:13	101:21 105:15	82:23 87:11	method 24:17
109:22 110:25	107:9 113:13	88:3, 14, 15	MICHAEL 3:4
111:1, 6, 8	114:16 115:17	92:24	8:12
112:4 118:16	116:21 122:4	meets 50:11	michael.turrill@ho
Marengo 82:15	130:9 134:11	member 20:17	ganlovells.com
83:11	Meaning 87:10	21:10 22:20	3:9
margins 70:21	139:2	31:13 39:21	microphone 27:9
mark 95:25	means 9:9	48:6 56:11	middle 37:15,
97:2	23:11 107:2	58:3 88:11	21 61:14 82:9
marked 12:7	108:14 109:6	94:20 96:14	MILLIGAN 1:6
52:15 55:21	134:13 139:11	103:24 104:2	3:3 7:13 8:9,
104:25 116:2	meant 116:22	121:15, 18	10, 13, 19, 21
119:14	134:19 135:5	140:18	9:1, 15 120:13
marks 7:11	media 15:14	members 22:16,	mind 80:4
Maroney 1:21	38:5	17 24:3, 6	mine 26:1
7:1 142:22	meet 12:20, 24	30:12, 18, 21	106:3
materials 46:25	32:16 91:17	31:11, 22	minimal 138:19
60:10 101:17	meeting 38:21	32:11, 16	139:1
math 103:11	39:3, 14 46:17,	37:23 38:21	minimum 139:11
matter 7:13	18, 20 47:1, 12	39:3, 4, 10, 16	minor 16:13
112:25	48:16, 23	41:11 51:21,	minorities
McCLENDON 5:17	50:15, 19 51:5,	25 52:4, 7	118:14, 20
8:1 12:19, 23	6, 19, 23 52:1,	53:10 54:22	minority 21:10,
13:3, 17 35:24	2, 9, 11 53:17,	56:17 67:1	12 25:16
46:2, 8 47:5	20 56:14 58:5	70:7 71:4	69:16 93:16
48:3 51:17	63:7, 10, 17	73:23 80:12	95:24 97:16,
58:2 61:11	64:2, 5 69:13	87:9 88:12	21, 23 98:5, 9,
74:2 80:10, 23	72:5, 14 73:10	100:21 101:12,	13, 22 102:21
81:4 106:1	77:3 78:4	13, 17 107:21,	115:19 119:3
107:4 108:11	79:7 80:2	23 114:17	134:8, 15
113:19, 25	87:2 88:16	119:9 121:24	minute 28:12
	89:15 91:4, 6	122:1, 7, 8	

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

39:3, 23	<b>neutral</b> 54:11	22, 24 70:2	15:13, 19, 23
<b>minutes</b> 12:21	107:14	76:5, 14 96:8,	16:2, 6, 14, 24
<b>missing</b> 72:2	<b>never</b> 15:22	18 97:4	17:15, 23 18:1,
<b>Mobile</b> 18:15,	29:17, 19	<b>numerous</b> 66:23	6, 9, 19, 22
21 42:5 43:7,	103:13 112:11	123:1	19:3, 14, 17, 22,
13, 19 44:3, 7,	121:18 129:9	< O >	25 20:10, 13
10 45:3 83:24	<b>New</b> 3:15 4:6	<b>oath</b> 9:20	21:1, 12 22:2,
84:1 125:15, 18	46:11 67:13	<b>Object</b> 128:1,	4, 7, 15, 18
<b>moderator</b> 73:8	80:23 128:19	11, 12 131:4	23:6, 15, 25
<b>Monroe</b> 42:6	<b>night</b> 79:25	132:23 136:23,	24:13 25:14,
44:3, 11	125:15, 19	24	22 26:2, 8, 14,
<b>Montgomery</b> 1:23	<b>nine</b> 41:20	<b>Objection</b> 107:8	25 27:12, 20
4:14 5:14, 22	<b>nitty-gritty</b>	122:11 128:3	28:17 29:4, 16
125:17	66:7	131:23 132:8	30:2, 20 31:17,
<b>monuments</b> 122:2	<b>nods</b> 45:23	133:19 134:5	22 32:2, 4
<b>morning</b> 8:18	<b>nonminorities</b>	<b>objections</b> 2:9,	34:2, 11, 22
136:13	115:20	12 100:4, 7	36:7 38:18, 23
<b>motions</b> 99:7, 25	<b>nonpartisan</b>	<b>obligation</b>	39:12, 24
<b>motivation</b> 34:12	22:15	40:13 128:21	40:16 41:4, 15,
<b>move</b> 27:9	<b>normal</b> 53:6	<b>obtain</b> 16:11	21 42:7, 11
68:17	<b>North</b> 142:23	<b>occasionally</b>	43:3 44:5, 9,
<b>municipalities</b>	<b>NORTHERN</b> 1:2	76:2	18 46:19
85:14	7:16 84:1	<b>occur</b> 38:14	47:25 48:2
< N >	<b>Notary</b> 1:21	46:20 67:7	49:1 50:5, 17
<b>N.W</b> 3:21	7:2	<b>occurred</b> 41:20	51:3, 13 52:25
<b>NAACP</b> 3:13, 20	<b>note</b> 116:8	48:17 67:5	53:15 56:23
<b>name</b> 9:13, 16	<b>notes</b> 52:10	<b>o'clock</b> 50:11	57:6, 16 59:2,
15:22, 24	75:5, 7, 12, 13	<b>October</b> 39:15	13, 25 61:7, 9,
82:10 93:1, 5	101:22	40:6, 18 50:20	20 63:3 64:4,
121:2 142:16	<b>notice</b> 6:15	51:2 100:16	18 68:3, 9, 23
<b>names</b> 7:19	11:25 37:22	105:4 109:14,	69:25 70:5
<b>NE</b> 5:5	101:20	23	71:20 72:3, 15
<b>necessarily</b>	<b>noticed</b> 14:8	<b>offered</b> 2:14	73:9, 11, 17, 23
84:20	99:7	<b>Office</b> 5:12	74:14, 24
<b>necessary</b> 2:9	<b>notification</b>	8:4 18:23	75:12 78:13,
67:21, 24	101:25	20:19, 21, 24	22 80:6 82:4
68:23 111:25	<b>notifying</b> 101:23	23:13 28:7	86:3 87:16, 20
116:17 117:8	<b>November</b> 38:11	35:25 46:7	92:1 93:7
<b>need</b> 16:24	115:23	48:8 76:10	94:16, 22 95:5
54:23 63:13	<b>Number</b> 7:14	93:22 109:3	96:5 97:5, 10
68:17 90:17	12:4 47:21	127:23 130:20	98:3, 24 99:3
99:8 113:4, 10,	50:2 67:14	137:4	100:25 101:8
13 114:7 115:7	76:16 91:2, 24	<b>offices</b> 1:22	102:3 103:15,
<b>needed</b> 22:21	98:6 113:20	<b>official</b> 88:5	21 104:13
54:25 57:20	118:3 119:2	121:18 137:15	105:19, 22
68:7 76:16	142:16	<b>Oh</b> 127:13	107:5 109:4, 9
130:4, 21	<b>numbering</b> 12:2	<b>okay</b> 9:10	111:7 112:13,
131:19, 20	<b>numbers</b> 35:4	10:12, 16 11:4,	19 113:9, 15,
134:19 135:1, 3	37:6, 11, 13, 15,	23 12:20, 23	17 116:11
<b>needs</b> 99:21	19, 20 67:9, 16,	13:9, 12, 23	117:7, 12
<b>neither</b> 142:9	22, 24 68:4, 17,	14:3, 9, 21	121:11 123:9
	19, 24 69:5, 7,		124:2 125:4

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

126:18 127:12, 22 128:24 129:14 130:9, 13 131:18 132:3 133:5, 12 135:15 136:2 137:18 138:2, 18, 23 139:7 old 57:19 79:15 Once 31:25 90:25 94:16 112:10 ones 19:7 20:4 63:10 74:22, 23 111:25 operating 65:12 101:6 opinion 69:21, 23 84:22 89:20 90:4, 7 92:5 93:10 114:9, 24 115:1 131:3 opinions 66:8 69:6 124:1, 19 opportunities 79:12 80:16 opportunity 97:14, 18, 20 122:22 127:2 134:21 opposed 123:5 option 111:10 oral 7:8 order 38:12 54:2 67:19 68:8 75:1 92:9 98:20 132:5, 19 OSHER 5:2 6:8 8:14 27:8 46:5 120:22, 24 121:3 122:14, 19 125:4 outcome 43:24 outside 28:6 93:22 94:5, 17	95:9 overall 97:7 overnight 125:18 overpopulated 67:11 74:23 overpopulation 68:18 oversaw 32:7 oversight 19:12 Overton 48:12 overview 37:2 overwhelmingly 45:11, 17 < P > p.m 100:15 120:9, 12 140:2, 5 141:5, 7 P.O 4:13 PAC 15:8 PAGE 6:13 15:15 105:24, 25 113:18 116:4, 16 Pages 61:12, 19 paid 41:21 Paige 6:2 paper 39:22 89:21 92:17 parameters 54:1 part 32:24 62:22 64:24 66:2 84:24 87:22 92:24 95:19 110:25 119:19 130:6 participate 39:25 71:21 particular 62:10, 13 83:22 92:24 103:3, 17 106:21 114:12 118:21, 23 137:3 140:16 particularly 102:17 parties 1:18 2:11 122:23 123:23 142:10	partisan 62:20, 22 parts 38:2 83:15 party 21:10, 13 24:13 117:20 121:16, 19, 25 122:1, 8, 9 123:5, 6, 11, 12 124:4, 5, 12, 13, 17, 22, 24 passed 22:10 27:18 38:12 40:21 41:7, 8, 11, 17 52:4 58:22 105:17 111:2, 6, 9 126:10 passing 111:22 Paul 9:18 paying 10:17, 21 people 13:21 45:9, 10, 16 65:5, 16 66:11, 22, 23 67:1, 10, 12, 17 68:7, 11, 17, 25 69:1, 3, 4, 12, 17 70:6 71:1, 13 73:14 74:18, 25 76:2 78:13, 17, 19 81:10 84:3, 7, 8, 9 86:21 87:10 89:7, 19 90:1 92:12 97:25 117:22 122:5 people's 66:3 percent 26:15 42:16, 21, 24 57:9, 23 97:15, 21, 22 98:4, 11, 12, 21, 22 113:20, 22 114:3, 6, 12, 25 115:3, 6, 12 116:18, 19 117:5, 25 118:3 perform 111:17, 24 performed 104:1	period 69:6 72:8 79:13 permanent 87:22 Perry 82:15 83:11 person 11:20 16:25 71:23 72:10 96:15 109:5 personal 14:24 15:11, 13, 17, 23 26:1 84:13, 20 90:7 personally 83:20 PI 99:7 picked 39:22 piece 89:21 92:17 pit 31:4 33:1 Plaintiffs 1:8 3:3 4:17 5:1 7:21, 23 8:9, 11, 13, 15, 19, 21, 23 9:1, 15 10:6 120:13, 15, 20 121:3 125:8 Plaintiff's 6:14, 16, 18, 20, 22, 24 12:4, 6 52:14, 18 55:20, 23 104:24 115:23 116:1 119:10, 13 plan 24:21 25:8, 13, 25 27:2 42:9 43:6 58:24 65:6, 9, 11 69:15 77:16, 20 79:10 87:4, 5 91:10 93:21 94:5, 8, 10, 12, 16 95:4, 6 96:1, 4, 9, 18, 19, 24 97:7 107:15, 16, 19, 20 114:15 119:7, 8 120:1 126:10, 16 127:1, 5, 18, 24
--	--	--	--

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

128:9, 20	105:14, 17	<b>prepared</b> 67:5	<b>Procedure</b> 7:5
129:17, 23	106:7, 8, 12, 13,	93:8 118:7	99:11 101:7
130:2, 7, 15	20 109:12, 18,	<b>PRESENT</b> 6:1	<b>proceedings</b> 7:9
131:19 132:6,	21, 25 110:5,	7:18 66:24	142:5, 8
20 134:19	18, 25 111:8,	73:6	<b>process</b> 21:6, 9,
135:11, 16, 18	18, 21 112:3,	<b>presented</b> 29:17	24 22:13, 25
136:4, 17	14, 24 113:24	63:17 68:11	26:10 28:18
137:12, 16	114:1, 5 115:4,	119:8 135:11	29:25 30:9
138:8, 12, 19	8, 12 116:14	137:11, 23, 25	33:18 34:24,
140:12, 24	<b>Policies</b> 123:16	138:3, 7	25 35:18 36:3,
<b>planning</b> 34:24	<b>political</b> 16:13	<b>preserve</b> 32:25	25 37:3 41:19,
<b>plans</b> 22:9	85:12 123:21	33:9 133:24	25 46:3 57:16
27:5, 6 31:3,	<b>politically</b>	<b>press</b> 80:17, 23	64:14 66:2
7, 9 38:12	86:14	<b>pretty</b> 25:12	93:17 96:17
40:8 58:22	<b>population</b>	60:20 63:5	101:3 105:15
64:11 65:22	26:16 42:22	99:22 123:20	107:7, 11
76:5, 8 77:6	65:22 76:11	<b>prevent</b> 9:22	<b>produced</b> 43:6
107:14 130:1,	95:3, 12, 18	<b>previous</b> 112:5	68:13 77:20
11 133:22	96:11 97:23	<b>previously</b>	80:13
<b>play</b> 28:6, 14	98:5, 12, 13, 22	21:18 42:21	<b>program</b> 94:23
29:24 46:12	102:8 113:21	<b>primarily</b> 38:24	<b>project</b> 40:14
104:9	119:21	73:12 80:10	<b>prompted</b> 89:17
<b>please</b> 7:18	<b>populations</b> 96:2	<b>primary</b> 26:10,	<b>property</b> 43:9,
9:3, 16 118:19	<b>portion</b> 18:19	15	10, 11
137:21	82:17 102:3	<b>principle</b> 60:8	<b>Proposed</b> 6:19
<b>pleasure</b> 139:16	<b>possible</b> 27:9	<b>PRINGLE</b> 1:10,	37:24 51:11
<b>plus</b> 18:8	39:2 69:21	20 5:17 7:7,	52:6 55:24
<b>point</b> 25:6	92:9 107:5	12 8:2 9:4,	56:13 57:19
30:5 32:22	117:1 133:3	13, 18 17:25	61:15 63:8, 10,
33:3, 8 34:16	<b>possibly</b> 49:10	125:14 126:3	16, 22 77:6
39:1 40:7	106:4, 9, 14, 18,	127:16 131:11	93:16, 19
64:12 88:15	25	133:5 139:14	100:20
93:16 94:1	<b>potentially</b>	140:7 141:4	<b>protect</b> 33:19
95:6, 7 97:10	136:7	<b>prior</b> 2:14	34:1, 9 45:6
99:16 105:14	<b>practicable</b>	22:20 26:4	70:15 98:9
109:22 116:24	81:15	40:13 52:1, 8	133:2 134:22
118:6	<b>precincts</b> 85:13	56:11, 13, 22,	135:4
<b>points</b> 69:13	<b>preclearance</b>	24 58:5 81:18	<b>protected</b> 29:2
77:15, 23 87:3,	112:10	95:25 100:21	102:20 134:8
6 88:17 89:1,	<b>precleared</b>	109:13 111:21	136:8
16, 25 92:14,	58:25 59:21	<b>priorities</b> 33:25	<b>protecting</b> 43:4
18, 21 93:9	112:11	<b>prioritize</b> 54:23	44:19 135:6
117:14, 17	<b>predominantly</b>	<b>priority</b> 33:19	<b>protection</b> 96:14
118:7, 9	85:23	<b>prison</b> 40:11	<b>provide</b> 101:17
132:10, 13	<b>prefer</b> 19:21	<b>prisons</b> 40:9	105:5
135:17, 24	<b>preference</b>	<b>private</b> 14:24	<b>provided</b> 55:5
136:2, 11, 15,	123:16	<b>privilege</b> 63:14	56:7, 9
16, 22 137:5	<b>preliminary</b>	127:8 131:5	<b>Public</b> 1:21
<b>polarization</b>	99:21	132:9	7:2 19:12
102:4, 11, 15	<b>prepare</b> 12:13	<b>privy</b> 114:20	20:23 32:7, 8,
103:2, 17	51:6, 14 74:4	<b>Probably</b> 35:1	17 35:5, 25
104:7, 10, 15	100:18 106:23	136:13	36:1 37:16, 18,

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

22, 24 38:1, 3, 5, 16 39:13 41:1 64:11, 15, 16, 20, 23 65:2, 15, 19, 21, 25 66:12 67:5, 7, 24 68:12, 16, 21, 24 70:2, 6 71:20 72:3, 16, 25 73:7 74:4 75:6, 14, 17, 21, 24 76:14, 19 77:3, 7, 8, 12, 15, 19, 22 78:1, 23 79:4, 5, 6 80:22 81:6, 19, 23 82:20, 22 86:17, 20 87:1, 8, 11, 17 88:8, 14, 20, 25 89:4, 12 90:10, 13, 16 92:23 122:2 <b>publicize</b> 36:6 <b>published</b> 38:4 <b>pure</b> 69:5 <b>purpose</b> 16:23 65:2, 15 102:18 <b>pursuant</b> 7:4 <b>put</b> 28:9 31:6 41:9 47:21 54:25 88:1, 5 89:18 90:3 94:2, 18 116:5 <b>putting</b> 54:13  < Q > <b>question</b> 10:10 11:10, 12, 13, 23 25:11 40:19 53:23 57:5 63:13 66:5 70:25 73:2, 15 80:21 86:10 93:13 98:16 103:23 106:2 118:18 119:1 124:20 127:9 130:3 132:3, 23 133:8, 16 134:2, 23	137:19, 21 138:10 <b>questions</b> 2:10, 11 9:23 11:9, 21 72:24 73:13, 18, 20, 24 74:2 80:4 117:22 120:14, 15, 21, 25 125:9 126:2 139:15 140:10 141:2 <b>quick</b> 121:1 <b>quicker</b> 43:18, 20 <b>quickly</b> 33:17 41:25 49:10 92:11 <b>quit</b> 17:7 <b>quite</b> 86:3 117:21 <b>quote</b> 80:24 <b>quoting</b> 133:1  < R > <b>race</b> 27:25 54:11, 12 107:10, 14, 16 108:5 110:3 123:17 <b>race-neutral</b> 31:10, 20 108:15 133:23 134:16, 18 <b>races</b> 75:25 131:15 <b>racial</b> 26:11 27:13, 16 42:11 85:17 95:14 102:4, 8, 10, 14 103:1, 16 104:7, 10, 15 105:13, 17 106:5, 6, 7, 10, 12, 14, 18, 19 107:1, 6 109:11, 18, 21, 25 110:4, 17, 25 111:8, 18, 21 112:3, 13, 23 113:24 114:1, 5 115:4,	8, 12 116:14 128:22 129:2, 10, 12 <b>racially</b> 119:18 127:6, 19, 24 128:9 <b>ran</b> 45:11 <b>Randy</b> 23:24 38:20 <b>range</b> 119:5 <b>ranking</b> 20:16 21:10 <b>rapid</b> 117:17 118:12 <b>rapidly</b> 116:25 <b>reach</b> 131:3 <b>reached</b> 139:7 <b>reaches</b> 95:2 <b>read</b> 31:1 51:11 60:4 61:18 69:14 74:8 77:24 87:4 88:17 92:19 101:14 106:15 126:21 132:14 137:21, 22 139:13 <b>reading</b> 2:2 41:9 87:3 92:17 118:5 137:5 <b>readings</b> 139:12 <b>reads</b> 89:16 <b>ready</b> 38:13 99:24 <b>real</b> 17:7, 20 <b>really</b> 11:19 33:17 34:11 41:25 69:25 77:18 83:12 99:9, 14, 15 116:23 118:18 119:1 <b>realtor</b> 16:16 17:15 18:5 <b>Reapportionment</b> 6:17 19:10 20:5 21:2 23:13 28:7 30:8, 10, 24 31:13, 23 32:6 35:20, 25 36:8,	13 39:14 40:5, 18, 23 45:21 46:7 47:13 48:7, 8, 15, 22, 24 49:2, 22, 23 50:6, 7, 13, 19, 22, 25 52:18 53:10, 15 55:14 56:17 58:3 76:6, 10 80:7 83:18 85:5 93:22 100:17, 23 102:2 103:25 104:3 105:3 109:2 128:25 129:1, 16 132:19 139:4 140:19 <b>reason</b> 21:22 28:5 58:20 59:8, 25 60:15 62:5 65:19 96:16 105:8 108:23 116:7 <b>reasonable</b> 44:23, 24 <b>reasons</b> 54:18 59:13 <b>recall</b> 27:22 36:7 47:17, 18 49:24 51:7, 21 54:24 55:2 57:15, 25 58:6 63:20 64:6, 7 66:3 75:18 76:23 77:11 78:7, 8 82:19 86:24 89:2 90:11, 15, 16, 22 104:17, 20 133:14 <b>receive</b> 14:19 37:5 <b>received</b> 135:22 137:3 <b>receiving</b> 70:10 <b>Recess</b> 49:14 100:13 120:10 140:3 <b>recognize</b> 55:25
---	--	---	--



Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>recollection</b>	<b>referring</b> 27:5	<b>remodeling</b> 17:12	21 122:1, 9
14:3 26:18	69:9 106:6	<b>remotely</b> 72:9	123:12 124:5,
28:20 29:1, 7	108:9 117:8	<b>removing</b> 122:2	13, 24
47:6 132:16	118:1 126:10	<b>repeat</b> 18:16	<b>republicans</b>
138:1	<b>reflect</b> 55:15	118:19	21:12 123:2
<b>record</b> 9:17	<b>reform</b> 124:6, 9, 14	<b>repetition</b> 99:19	<b>request</b> 38:2
27:11 49:13,	<b>refrain</b> 100:4, 6	<b>Reporter</b> 7:1	50:22 104:5
16 64:11	<b>refresher</b> 11:9	9:2, 7 11:15	110:12
77:24 87:4, 23	<b>regarding</b> 40:16	16:20 97:22	<b>requested</b> 14:5
88:1, 5 89:18	<b>regardless</b> 69:7	100:6 137:21	110:10
90:4 95:17	<b>region</b> 82:9	142:15	<b>requesting</b> 38:1
100:9, 12, 15	<b>register</b> 79:19	<b>Reporting</b> 142:14	<b>required</b> 36:15,
116:6, 8 120:7,	<b>regular</b> 50:5, 8	<b>represent</b> 7:19	21 134:3
9, 12, 23	<b>related</b> 78:6	9:15 19:23	<b>requirement</b>
137:22 140:1, 5	79:1	24:7 42:2	131:8 132:11
<b>recordings</b> 50:23	<b>relating</b> 2:5	45:10, 16	134:17
<b>records</b> 50:23	<b>relationship</b>	50:24 80:25	<b>requires</b> 115:12
<b>Rector</b> 3:14	115:2	140:8	134:6
<b>redistricting</b>	<b>relay</b> 77:2, 9	<b>representation</b>	<b>reservations</b>
11:3, 5 16:3	<b>released</b> 79:5	70:9 80:15	85:14
21:6, 9, 16, 24	<b>releases</b> 80:17	86:23 87:18	<b>residence</b> 44:16
22:8, 12, 24, 25	<b>rely</b> 58:12, 21	88:21 89:5, 13	<b>resolve</b> 49:10
26:9 29:25	<b>remained</b> 45:13	90:2, 7 92:13	<b>respect</b> 30:24
30:9 33:18	<b>remedy</b> 128:22	<b>Representative</b>	31:3 39:19
34:23, 25	129:2, 9	8:1 9:13	88:15
35:21 36:16	<b>remember</b> 14:7	18:14, 17	<b>respecting</b> 54:14
37:3 40:16, 17	20:4, 9 26:5,	25:25 37:25	<b>respective</b> 1:18
41:2 42:22	17 32:3 35:7	42:1, 12, 20	<b>respond</b> 99:24
45:20, 21	36:10 37:10	43:4 44:5	<b>response</b> 43:17
46:10 47:14	42:11 46:1, 6,	45:6, 13 46:2	91:7
52:19 54:5	24 48:3, 16	70:18, 20, 24	<b>responsibilities</b>
64:14 66:2	49:4, 5, 25	71:9, 14, 19	32:5, 20
96:12 107:7,	50:2 52:3, 6	113:19, 23	<b>responsibility</b>
11 112:5	53:18 55:4	116:13 121:2,	98:18
129:17 131:13	58:24 59:9	6 122:20	<b>rest</b> 70:19, 21
132:6	60:5, 6 64:3	125:5, 14	<b>result</b> 11:5
<b>redrawing</b> 24:8	72:2 73:3, 5,	126:3 127:15	22:7 142:11
<b>Reed</b> 25:8, 13,	25 74:3 76:1	131:11 133:5	<b>retained</b> 24:12
22, 24 42:9	77:10, 21 78:4	139:14 140:7	<b>reusing</b> 60:15
119:20 120:1	82:25 87:8, 14	<b>Representatives</b>	<b>review</b> 13:9, 12
<b>reelect</b> 45:17	88:22, 23	18:2 20:23	19:13 20:8
<b>reelected</b> 35:12,	90:24 91:2, 5	41:12 70:11,	52:1 56:14
16 121:9	94:9, 12 97:12,	13 71:6	100:21
<b>re-elected</b> 18:25	13 98:1	<b>represented</b>	<b>reviewed</b> 52:23
<b>reelection</b>	100:18, 25	10:1 93:1, 6	53:13 56:21
45:11, 14	101:2 112:7, 9	<b>representing</b>	<b>reviewing</b> 46:9
134:22 135:13	114:23 116:23	7:21, 23, 25	<b>revised</b> 51:18
<b>refer</b> 19:16	117:17	8:4, 15	<b>revising</b> 47:13
25:12 27:5	<b>remembered</b>	<b>represents</b> 10:5,	58:4
102:5, 10	59:11 87:23	13	<b>revisions</b> 56:23
126:12		<b>republican</b>	<b>rewritten</b> 61:22
<b>referred</b> 25:24		121:16, 17, 19,	62:7

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>rich</b> 82:10	<b>ROSBOROUGH</b> 4:2	<b>second</b> 19:1	107:3 113:18,
86:5	8:18, 19 49:6	41:9 98:3	25 114:7
<b>right</b> 9:20	100:3	105:12 135:15	<b>send</b> 45:3
14:17 18:3, 6	<b>ROSS</b> 3:18 8:10	<b>secondhand</b>	<b>sense</b> 42:14
20:9, 16 27:3	<b>roughly</b> 121:11	114:21	46:22 47:19
28:3 32:3, 21	<b>RP</b> 102:6	<b>seconds</b> 139:25	89:19 123:4
33:24 34:4, 20	<b>RPV</b> 102:5, 7	<b>Secretary</b> 8:4	<b>sensitive</b> 99:22
39:2, 8 48:24	<b>rule</b> 28:5, 14	38:10 140:8	<b>sent</b> 37:22, 25
49:19 50:12	36:22 60:6	<b>Section</b> 58:23	41:14 43:15
53:22 58:16	76:8 93:21	59:1, 16, 18, 19,	51:25 52:7
59:22 66:20	<b>rules</b> 2:5 7:5	20, 21 61:17	69:10 92:19
68:15 70:24	11:8 99:11	62:6, 18 98:7,	93:3 100:20
71:2, 7 72:13	<b>ruling</b> 62:8	15 99:1	101:1, 19, 23
76:3, 15 78:2,	<b>rulings</b> 36:19,	102:19 103:10	102:1 110:7
15 80:11	20 46:11 54:4,	112:9 136:7	<b>sentences</b> 11:21
83:15, 23	8 55:13	<b>see</b> 8:16, 17	<b>sentiment</b> 88:20
84:11, 14, 17	<b>run</b> 20:20	16:21 21:22	89:4 92:12
85:6 86:1	83:25 99:1	31:7 34:15	<b>separate</b> 66:18
87:25 96:21,	123:25	56:15, 16	<b>September</b> 127:18
23 99:15, 17	<b>rural</b> 84:24	61:12, 13 65:7,	<b>sequentially</b>
101:5 103:12		23 66:22	12:2
105:20 108:16	< S >	67:18 74:22	<b>series</b> 37:22
111:2 115:24	<b>SADASIVAN</b> 3:11	89:8 95:23	<b>serve</b> 19:11
126:11 131:14	8:8, 9 47:7,	96:1, 4 97:6	21:19 35:17
133:10, 13, 16	10 49:9, 19	109:2 113:4,	<b>served</b> 18:24
139:9	<b>safe</b> 48:11	10, 13 125:20	20:5, 6, 7, 8,
<b>Rights</b> 54:3, 7	<b>sales</b> 17:9	127:12 139:17	23 25:6 26:1
59:16, 19, 20	<b>satisfied</b> 89:12	<b>seeing</b> 94:9, 12	33:3 50:8
98:7 99:2	<b>saw</b> 56:1, 3, 12	97:12, 13	121:7, 8
102:20 132:5,	59:10 76:7	104:17, 20	<b>serves</b> 137:14
20 133:10, 17	138:24	<b>seek</b> 22:18	<b>service</b> 122:21
134:3, 6 136:4,	<b>saying</b> 63:15	130:19	<b>serving</b> 20:22
18 137:13	69:8 71:13, 14,	<b>seeking</b> 134:22	21:23 121:23
<b>River</b> 43:8, 12	16 84:11	135:13	123:9 124:21
83:25 84:2	100:2 123:22	<b>seen</b> 12:9	<b>session</b> 22:3, 4
<b>rivers</b> 84:10	124:10 133:15	29:19 76:4, 5	28:13 40:9, 10
<b>Road</b> 4:20	<b>says</b> 11:17	95:21 112:16,	41:2 93:18, 20
11:9 43:10, 11	106:1 113:25	17, 18 115:19	94:6 110:9
54:20	<b>scenes</b> 38:13	<b>sell</b> 82:2	117:18
<b>Rock</b> 41:5, 22	<b>schedule</b> 35:3,	<b>senate</b> 21:11	<b>set</b> 32:7 80:7
<b>role</b> 18:12	5 37:16 50:5,	32:10 41:14	93:9 106:3
21:8 22:12, 15,	8 79:4	72:20	<b>setup</b> 65:17
19 29:24	<b>school</b> 72:20	<b>Senator</b> 8:1	<b>seven</b> 19:1
30:23 48:13	85:15 117:2	12:19, 23	113:15 117:3
52:21, 25	<b>Schoolhouse</b>	13:17 33:19	129:5
56:19 62:10	41:5, 22	35:24 44:15	<b>Sewell</b> 114:15
72:15 104:9	<b>science</b> 16:13	46:7 47:5	119:7
<b>room</b> 11:18	<b>scratch</b> 58:13	48:3 51:17	<b>shape</b> 119:22
39:21, 23 90:3	<b>screen</b> 127:13	58:2 61:10	<b>share</b> 45:3
120:6	<b>seat</b> 34:9	74:2 80:10, 23	69:18
	43:4 45:7	81:4 106:1	<b>shattering</b> 81:15

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

she'll 11:17	91:10 93:3	76:23 77:9, 12	15 116:22
shift 76:13	102:2 110:22	86:24	137:11 138:4,
shifted 65:23	Sonny 21:17	spectrum 123:20	8, 12
shifts 74:7	29:2 33:21	speculation 43:2	statements 90:4
ship 43:7, 12,	soon 38:7, 8	spelled 54:15	STATES 1:1
13 44:21	67:9 139:17	spend 82:14	7:15 58:25
short 120:3	sorry 13:1	spent 82:5	stay 40:14
Shortly 14:8	17:13 18:16	split 44:13	67:2 74:18
show 65:21	20:13 22:12	92:8 97:9	125:17
91:10 109:10	27:8 34:18	splits 91:24	Ste 3:7, 21
side 43:11	37:8 41:23	92:7 94:4	5:5, 21
48:11 83:4, 12	49:6 53:23	95:13 97:8	step 22:22
99:24	59:19 73:19	spoken 80:3	35:10, 11
signature 2:2	75:4 89:23	126:7	stepped 35:15
signed 40:21	94:11 98:3, 12	spring 37:17	steps 41:20
41:17 114:18	101:21 105:25	staff 48:7, 15	45:20
significant	111:4 128:14	100:23 102:2	stint 19:14, 16
124:25	137:8 138:5	standard 101:6	21:5
similar 60:5	sort 41:4	standing 87:2	stipulate 116:9
similarities	sorts 66:16	stands 89:16	STIPULATED 1:17
59:10	sought 20:20	Stars 3:7	2:1, 8
single 67:8	sounds 16:25	start 12:3	stipulation 7:6
77:22 84:13, 21	source 95:10	33:11, 12	stipulations 9:7
single-member	Southern 17:8,	34:24 61:13	stood 77:23
54:14	14, 21 18:3	138:5	stopped 47:7
SINGLETON 4:17	spaces 122:3	started 33:6	story 34:21
8:23 120:15	speak 29:23	35:8 36:8	straight 40:10
125:8 126:11	58:4 93:5, 11	38:15	Street 1:23
127:17 128:7	speaking 66:14	starting 25:6	3:14, 21 4:5
sir 121:22	100:4, 6	30:5 32:22	5:5, 21 142:23
126:13, 17, 20,	speaks 11:20	33:3, 8 58:13	stretches 83:3
23 130:25	special 22:3, 4	State 1:22	strike 138:5
133:11 134:1	28:12 40:9, 10	7:3, 19 8:4	strided 61:14
139:6	41:1 93:20	9:16 10:20	subdivisions
sitting 46:1, 6	94:6 110:8	14:15, 20, 25	85:13
situation 43:25	specialist 16:19	18:14, 17, 19	submit 28:8
six 38:1, 3	specialize 17:9	19:8 23:8, 14	73:15
80:14, 16	specialties	32:9, 10 34:19	submitted 76:6,
skilled 117:19	16:15	38:2, 6, 10	9 94:5, 13, 16
smile 126:8	specific 23:3	39:6, 11 41:8	subsection 61:21
social 15:13	27:7 51:22	42:4 50:10	substance 109:8
85:18	77:2 79:7	57:11 72:11,	suggest 57:22
software 24:22	87:5 123:7	18, 20 75:25	63:2, 19 111:7
soil 86:2, 6	specifically	82:9, 17 83:4,	suggested 111:20
soils 82:11	60:6 73:24	15 84:5, 15, 25	suggestion 91:7
somebody 22:21	74:2 82:25	86:22 93:1, 5	suggests 77:17
23:12, 15	90:22 108:10	96:15 109:19	suit 126:19
24:15 69:10	127:21	122:23 125:2	Suite 142:23
77:23 78:3	specifics 40:4	127:22 128:8	summer 37:17
87:2 88:16	55:2, 4, 6, 11,	142:1	supermajority
89:15 90:3, 5	16 75:19	statement 81:3,	123:20
		5, 12 115:10,	

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

<b>superminority</b>	100:9, 16	<b>terms</b>	18:25	100:3 116:17
20:14	101:10 135:15	19:15 89:5	121:9	117:7
<b>support</b> 119:8, 9	<b>talked</b> 51:20	<b>test</b> 45:1	<b>three</b> 60:16	99:7
<b>supported</b> 42:25	52:2 64:7	46:12 61:25	<b>three-week</b> 79:13	<b>tight</b> 111:11
<b>suppose</b> 109:6	72:18 76:2, 21, 24 87:5	62:2	<b>timberland</b> 17:9	82:2
<b>supposed</b> 37:5, 9, 10	112:21 135:9	<b>testified</b> 9:5	<b>Timberlands</b>	17:8, 14, 21
<b>supposing</b> 61:24	<b>talking</b> 26:9	129:4	18:3	<b>time</b> 2:12, 13
<b>sure</b> 10:9	27:1 36:4	<b>testify</b> 14:18	7:17 10:24	11:20 19:23
24:5 25:12	39:6 49:21	128:25	20:15 25:15	34:3 39:19
27:6 35:21	64:1 66:6	<b>testifying</b> 9:20	42:5 44:12	45:11 46:22
36:12 39:4	69:11, 13	<b>testimony</b>	49:13, 16	51:19 59:5
41:18 45:13, 15 58:1 64:6	74:16, 19 77:7, 15, 23 82:17	129:15 134:1	68:14 72:8	73:14 74:14
75:3, 18 77:14	87:3, 6 88:17	<b>text</b> 109:6	79:8, 17 80:5	81:9 82:5, 14
86:13 96:20	89:1, 16, 25	<b>texts</b> 109:10	86:4 99:5	100:12, 15
101:13, 14	92:11, 14, 18, 20, 21, 22 93:9	<b>Thank</b> 34:22	101:9 105:23	110:4 111:14
103:19 104:2	106:25 112:25	49:19 51:3	112:10 113:1	117:1, 3, 13
107:9 117:14	116:24 117:14, 16 118:5, 7, 9, 25 132:10, 13	121:2, 14	120:9, 12	121:2, 16
118:5 120:14	135:17, 24	125:5, 6, 12, 16	125:5 132:17	137:16 140:2, 5 141:4
122:12, 16, 19	136:2, 11, 15, 16, 21 137:5	138:2 139:14	<b>timeline</b> 37:3	40:3 105:21
123:7 139:18	<b>Tallapoosa</b> 1:23	141:1	111:11	<b>times</b> 49:22
<b>surprise</b> 81:10	5:21	<b>thereto</b> 2:14	79:22 80:7	91:2
<b>surprises</b> 80:24	<b>tasked</b> 83:18	<b>thing</b> 40:17	<b>title</b> 18:4	<b>today</b> 9:24
81:7	<b>team</b> 39:21	68:10 69:14	10:1, 18 12:13	13:10 14:13
<b>swear</b> 9:3	<b>telephone</b> 109:3	<b>things</b> 17:6	34:17 71:2	<b>today's</b> 34:23
<b>sworn</b> 9:5	127:13	31:5 36:11	<b>told</b> 13:21, 23	14:4 31:19
<b>system</b> 40:11	<b>tell</b> 15:1	79:1 132:12	33:11 80:23	108:12 113:25
83:25 84:2	29:18 35:14	<b>think</b> 29:20		
<b>&lt; T &gt;</b>	67:10 75:23	32:21 37:11, 23 40:6 43:20		
<b>table</b> 46:1, 6	89:17 99:15	46:12, 13 49:9		
<b>take</b> 32:17	117:5 118:14, 20 126:24	60:2, 22 62:5		
49:8 52:10	127:4 128:18	63:12 66:2, 11		
61:10 65:4	<b>telling</b> 36:19	69:20 71:16		
75:5, 10, 13	88:23	78:22 79:2		
86:16 99:12, 17 100:8	<b>ten</b> 28:8, 11	81:9 82:13		
107:10 120:2	47:25 93:23	101:4 111:5		
<b>taken</b> 1:21	94:7, 14, 15	114:7, 11		
49:14 100:13	<b>tend</b> 78:25	115:15 116:18, 23 119:2, 19		
108:5 110:1	<b>ten-day</b> 28:5	123:18 124:7, 18 127:9		
120:10 140:3	60:6 76:8	130:7 132:1		
142:5, 8	95:25 97:1	137:17 139:19, 21		
<b>takes</b> 111:17	<b>term</b> 19:2, 19	<b>thinking</b> 36:8		
<b>talk</b> 47:13	82:1, 24 85:25	86:21 122:5		
51:17, 18	86:3 102:7	<b>third</b> 61:14		
62:15, 16 63:2	112:12	<b>thought</b> 48:21		
64:4 67:17		54:2 57:20		
75:16, 20		59:23 80:15		
76:18 78:4				

Evan Milligan, et al v. John H. Merrill, et al.

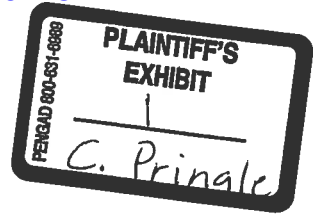
Chris Pringle  
12/17/2021

114:21, 22	12, 13 121:9	update 36:15,	voted 29:3, 10
119:6	123:22 127:2	18, 20, 22 46:4,	31:16, 17 51:9
total 121:12	two-hour 99:6	10 55:3 57:20	53:21 84:17
totally 84:4	type 11:17	updated 36:12	Voter 89:25
tradition 26:6	35:2	55:15	voters 42:23
60:12 64:25	typing 11:16	updates 54:24	66:24 69:10
transcribed		57:6	77:21 78:2, 7
142:5, 8	< U >	updating 35:18	80:25 81:8
Transcript 6:21,	Uh-huh 61:16	36:8, 24 45:20	87:4 88:17
23 105:3	95:8	URIAH 4:18	89:1, 8, 14
115:22 142:7	ultimately 24:9	use 15:17, 21	98:1 126:13,
transcription	98:17	25:20, 21 33:7	14, 16 135:16
142:6	unconstitutional	60:9, 12 102:13	136:4, 17
transcripts	127:19 135:19	Usual 9:7	137:12, 15
116:10	underpopulated	14:14	138:4
travel 14:15, 20	67:12 68:6	usually 101:7, 9	Voting 54:3, 7
trial 2:13	74:23		59:16, 19, 20
14:18	underpopulation	< V >	85:13 95:18
tribal 85:14, 18	68:19	various 38:1	98:7, 12 99:2
trick 111:4	underpopulations	122:25	102:19 113:21
tried 92:8	74:17	varying 124:1	132:5, 20
true 81:12	understand 9:11,	version 63:18,	133:10, 17
83:14 89:19	19 11:10	21	134:3, 6 136:4,
142:7	40:19 63:5	versus 7:13	18 137:12
truthfully 9:24	69:7 86:12	VIDEO 1:9	VS 1:9
try 70:15	100:1 105:7	Videographer	
102:10 119:24	113:1 118:18	6:2 7:11 8:6	< W >
trying 21:19,	121:20 135:1	9:2 49:12, 15	wait 70:1
21 34:15 35:2	138:10	100:11, 14	139:24
37:16 39:3	understanding	120:8, 11	waived 2:3
40:2 64:15	9:23 54:6	140:1, 4 141:3	walked 39:20,
76:25 96:21	55:12 62:1	view 69:18	22 86:21
111:4 116:25	70:1 82:7	77:18 121:24	WALKER 5:18
131:7	97:17 102:14,	122:22 123:24	7:24 8:17
turn 105:24	16 106:11, 17	124:16, 25	9:9 10:4, 9,
113:18	107:1, 16	views 66:15, 16	17, 21 12:1, 16
turned 43:7	110:7 114:14	121:24 122:7,	13:6 46:2, 8,
75:7 89:9	118:13 122:12,	22 123:5, 10	15 47:4 48:4
93:23, 25 94:1,	17 129:14	124:3, 11, 22	50:20, 24
18	134:17	violate 136:4,	52:23 53:4
TURRILL 3:4	understands	7, 18	55:8 56:8
8:12	103:10	violated 102:19	58:2 61:6
twice 91:1	understood	137:12	62:16, 17 63:8,
Twitter 15:16,	11:12 135:3	Virtually 23:5	11, 12 73:6, 12,
20	unintentionally	69:10 72:5, 13	20 82:21
two 12:21	102:19 134:7	78:3	105:7 107:8
18:24 19:15	Union 4:4, 12	volition 92:16	108:2 110:11
28:19 29:9	UNITED 1:1	vote 28:21, 22	114:1 116:5,
69:15 90:17,	7:15 58:25	29:18 59:24	11 117:10
19 91:8 93:15	University 16:8	67:20 68:8	118:2, 8, 10
95:24 97:11,	unnecessary	96:14, 16, 17	120:5, 18
	114:2, 4	102:23	122:11, 16

Evan Milligan, et al v. John H. Merrill, et al.

Chris Pringle  
12/17/2021

125:6, 11, 25	13:1, 4, 8	46:19 49:17	23 122:6, 20
126:19, 24	47:9 50:18	99:19 136:25	123:9 124:2
127:7 128:2,	51:3 82:22	<b>Women</b> 66:24	130:7 138:15
12, 14 129:15	99:10, 13	69:10 77:21	<b>year's</b> 30:8
130:14 131:2,	100:1, 8 105:5,	78:2, 7 87:3	<b>yesterday</b> 12:14
4, 21, 23 132:4,	11 108:3	88:17 89:1, 8,	<b>yield</b> 45:25
8, 23 133:19	116:9 120:2, 7,	14, 25 98:1	<b>York</b> 3:15 4:6
134:5 136:1,	13, 19	126:12, 14, 15	
24 137:1, 24	<b>Well</b> 13:8	135:16 136:3,	<b>&lt; Z &gt;</b>
139:10, 19, 24	16:24 17:3	17 137:12, 15	<b>zero</b> 44:13
<b>want</b> 35:14	20:16 25:23	138:4	67:14 74:21
58:20 70:13	28:21 30:15	<b>won</b> 45:11	75:1 76:14
71:15 72:1	36:17 38:20	<b>woods</b> 16:22	77:1 92:9
96:7, 20 120:3	40:20 41:21	<b>words</b> 102:12	129:17, 21, 24
125:17 139:22	44:20, 25 45:8	138:24	130:1, 4, 8, 10,
<b>wanted</b> 21:18	49:1 60:4	<b>work</b> 17:12	12, 16, 21
30:22 31:6, 11	64:1 65:21	23:20 30:12	131:8, 15, 20
32:13 34:8	66:6 69:3, 4,	31:11 32:12	133:4 138:9,
41:18 45:6, 9,	17, 23 70:17	37:16 38:12	13, 16, 21
12, 15 51:4	71:1 76:13	64:15 78:18,	139:2, 5, 11
57:7 66:17, 22	77:7, 20 79:4,	19, 25 79:1, 2,	<b>Zoom</b> 3:18
67:2, 18 69:14	11, 23 81:13	18 81:17 82:2	4:17 5:1 8:7
70:7 104:3	84:17 85:5, 17	83:10 99:8	11:18
135:10, 11	86:19 92:8	<b>worked</b> 18:7	
<b>wanting</b> 89:19	96:6 98:17	21:18 30:18	
<b>Washington</b> 3:22	99:10 103:24	32:11 34:3, 4	
5:6, 13 21:18	105:21 113:7	39:2, 10 114:17	
42:5 44:2, 11	118:24 125:12	<b>working</b> 35:2, 4,	
<b>watched</b> 79:14	129:25 130:3	5 39:11 46:3	
80:1	132:10 135:8	78:10, 13, 14	
<b>way</b> 14:18	139:10	<b>works</b> 19:20	
31:22 41:5	<b>went</b> 40:10	30:17	
43:15 63:12	41:1, 16 43:10	<b>wrap</b> 137:9	
64:11, 20	51:12 57:4, 18	<b>write</b> 48:20	
66:12 67:2	69:1 74:8, 21	<b>writing</b> 137:11,	
83:21 84:2	<b>we're</b> 26:9	25 138:4, 8, 11	
86:23 117:21	27:1, 4 54:21	<b>written</b> 89:21	
127:9, 15	99:4 118:25	104:14	
131:2, 6, 12	140:1, 4	<b>wrote</b> 135:24	
134:7, 16	<b>We've</b> 99:7, 23		
137:10	138:16	<b>&lt; Y &gt;</b>	
<b>ways</b> 45:5	<b>wide</b> 123:20	<b>y'all</b> 14:8	
<b>Wednesday</b> 50:11	<b>Wilcox</b> 42:8, 9	<b>Yay</b> 120:18, 19	
<b>week</b> 40:12, 15	82:15 83:10	<b>Yeah</b> 9:9	
<b>weekdays</b> 78:10,	84:7, 9	37:12 60:21	
14, 19	<b>willing</b> 94:20	69:19 122:16	
<b>weight</b> 89:3, 18,	<b>win</b> 45:14	125:22 129:7	
24	<b>Wiregrass</b> 84:4	<b>year</b> 46:23	
<b>WELBORN</b> 4:9	<b>witness</b> 2:3	50:1 66:13	
6:7 7:20 9:8,	7:7 9:3	<b>years</b> 18:8	
11, 12, 14	27:10 45:23	19:1, 4 45:18	
10:12 12:3		121:11, 12, 13,	



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

EVAN MILLIGAN, et al.,

*Plaintiffs,*

v.

JOHN H. MERRILL, et al.,

*Defendants.*

Civil Case No. 2:21-CV-01530-AMM

**PLAINTIFFS' NOTICE OF DEPOSITION  
FOR DEFENDANT CHRIS PRINGLE**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(1) of the Federal Rules of Civil Procedure, Counsel for Plaintiffs Evan Milligan, Khadidah Stone, Letetia Jackson, Shalela Dowdy, Greater Birmingham Ministries, and the Alabama State Conference of the NAACP, (collectively, "Plaintiffs") will take the deposition of Defendant Chris Pringle, in his official capacity as the Co-Chair of the Alabama Permanent Legislative Committee on Reapportionment. The deposition will commence on December 17, 2021, at 9:00 am CDT, at the law offices of Balch & Bingham, 105 Tallapoosa Street, Montgomery, AL 36104 (or at such other time and place as the parties may mutually agree upon), pursuant to the Court's December 14, 2021, Order on Motion for Protective Order (ECF No. 59) and Order on Discovery Disputes (ECF No. 64). The deposition will be recorded stenographically by a certified court reporter and by video by a certified videographer. The deposition will take place in-person and by videoconference, or according to a schedule mutually agreed upon by the parties, until completed.



DATED this 14th day of December  
2021.

/s/ Sidney Jackson

Sidney Jackson (ASB-1462-K40W)  
Nicki Lawsen  
WIGGINS, CHILDS, PANTAZIS, FISHER  
& GOLDFARB  
301 19th Street North  
Birmingham, AL 35203  
(205) 549-4565  
sjackson@wigginschilds.com  
nlawsen@wigginschilds.com

Leah Aden\*  
Stuart Naifeh\*  
Kathryn Sadasivan (ASB-5178-E48T)  
Brittany Carter\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
40 Rector Street, 5th Floor  
New York, NY 10006  
(212) 965-2200  
laden@naacpldf.org  
snaifeh@naacpldf.org  
ksadasivan@naacpldf.org

Jessica L. Ellsworth\*  
Shelita M. Stewart\*  
HOGAN LOVELLS US LLP  
555 Thirteenth Street, NW  
Washington, DC 20004  
(202) 637-5600  
jessica.ellsworth@hoganlovells.com  
shelita.stewart@hoganlovells.com

David Dunn\*  
HOGAN LOVELLS US LLP  
390 Madison Avenue

Respectfully submitted,

/s/ Deuel Ross

Deuel Ross\*  
NAACP LEGAL DEFENSE & EDUCATIONAL  
FUND, INC.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005  
(202) 682-1300  
dross@naacpldf.org

Davin M. Rosborough\*  
Julie A. Ebenstein\*  
AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION  
125 Broad St.  
New York, NY 10004  
(212) 549-2500  
drosborough@aclu.org  
jebenstein@aclu.org

LaTisha Gotell Faulks (ASB-1279-I63J)  
Kaitlin Welborn\*  
AMERICAN CIVIL LIBERTIES UNION OF ALABAMA  
P.O. Box 6179  
Montgomery, AL 36106-0179  
(334) 265-2754  
tgfaulks@aclualabama.org  
kwelborn@aclualabama.org

Michael Turrill\*  
Harmony A. Gbe\*  
HOGAN LOVELLS US LLP  
1999 Avenue of the Stars  
Suite 1400  
Los Angeles, CA 90067  
(310) 785-4600  
michael.turrill@hoganlovells.com

New York, NY 10017  
(212) 918-3000  
david.dunn@hoganlovells.com

harmony.gbe@hoganlovells.com

Blayne R. Thompson\*  
HOGAN LOVELLS US LLP  
609 Main St., Suite 4200  
Houston, TX 77002  
(713) 632-1400  
blayne.thompson@hoganlovells.com

\*Admitted *pro hac vice*

***Attorneys for Plaintiffs***

Anthony Ashton\*  
Anna-Kathryn Barnes\*  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
(NAACP)  
4805 Mount Hope Drive  
Baltimore, MD 21215  
(410) 580-5777  
aashton@naacpnet.org  
abarnes@naacpnet.org  
***Attorneys for Plaintiff Alabama  
State Conference of the NAACP***

**CERTIFICATE OF SERVICE**

I hereby certify that on December 14, 2021, a true and correct copy of the foregoing was served on all counsel of record by electronic mail.

/s/ Kathryn Sadasivan

Kathryn Sadasivan  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
40 Rector Street, FL 5  
New York, NY 10006  
(332) 600-9546  
ksadasivan@naacpldf.org



# **REAPPORTIONMENT COMMITTEE REDISTRICTING GUIDELINES**

May 5, 2021

## **I. POPULATION**

The total Alabama state population, and the population of defined subunits thereof, as reported by the 2020 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.

## **II. CRITERIA FOR REDISTRICTING**

a. Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

b. Congressional districts shall have minimal population deviation.

c. Legislative and state board of education districts shall be drawn to achieve substantial equality of population among the districts and shall not exceed an overall population deviation range of  $\pm 5\%$ .

d. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.

e. The Reapportionment Committee shall not approve a redistricting plan that does not comply with these population requirements.

f. Districts shall be drawn in compliance with the Voting Rights Act of 1965, as amended. A redistricting plan shall have neither the purpose nor the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.

g. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations of race, color, or membership in a language-minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.

1 h. Districts will be composed of contiguous and reasonably compact  
2 geography.

3 i. The following requirements of the Alabama Constitution shall be complied  
4 with:

5 (i) Sovereignty resides in the people of Alabama, and all districts should be  
6 drawn to reflect the democratic will of all the people concerning how their  
7 governments should be restructured.

8 (ii) Districts shall be drawn on the basis of total population, except that voting  
9 age population may be considered, as necessary to comply with Section 2 of the  
10 Voting Rights Act or other federal or state law.

11 (iii) The number of Alabama Senate districts is set by statute at 35 and, under  
12 the Alabama Constitution, may not exceed 35.

13 (iv) The number of Alabama Senate districts shall be not less than one-fourth or  
14 more than one-third of the number of House districts.

15 (v) The number of Alabama House districts is set by statute at 105 and, under  
16 the Alabama Constitution, may not exceed 106.

17 (vi) The number of Alabama House districts shall not be less than 67.

18 (vii) All districts will be single-member districts.

19 (viii) Every part of every district shall be contiguous with every other part of the  
20 district.

21 j. The following redistricting policies are embedded in the political values,  
22 traditions, customs, and usages of the State of Alabama and shall be observed to  
23 the extent that they do not violate or subordinate the foregoing policies prescribed  
24 by the Constitution and laws of the United States and of the State of Alabama:

25 (i) Contests between incumbents will be avoided whenever possible.

26 (ii) Contiguity by water is allowed, but point-to-point contiguity and long-lasso  
27 contiguity is not.

28 (iii) Districts shall respect communities of interest, neighborhoods, and political  
29 subdivisions to the extent practicable and in compliance with paragraphs a  
30 through i. A community of interest is defined as an area with recognized  
31 similarities of interests, including but not limited to ethnic, racial, economic, tribal,  
32 social, geographic, or historical identities. The term communities of interest may,  
33 in certain circumstances, include political subdivisions such as counties, voting

precincts, municipalities, tribal lands and reservations, or school districts. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.

(iv) The Legislature shall try to minimize the number of counties in each district.

(v) The Legislature shall try to preserve the cores of existing districts.

(vi) In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.

g. The criteria identified in paragraphs j(i)-(vi) are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.

### **III. PLANS PRODUCED BY LEGISLATORS**

1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.

2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.

3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.

4. In accordance with Rule 23 of the Joint Rules of the Alabama Legislature "[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office." Amendments or revisions must be part of a whole plan. Partial plans are not allowed.

5. In accordance with Rule 24 of the Joint Rules of the Alabama Legislature, "[d]rafts of all redistricting plans which are for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."

**IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS**

1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.

2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.

3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.

4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.

5. Notice of all Reapportionment Committee meetings will be posted on monitors throughout the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.

**V. PUBLIC ACCESS**

1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.

2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.



1 3. Any proposed redistricting plan drafted into legislation must be offered by a  
2 member of the Legislature for introduction into the legislative process.

3 4. A redistricting plan developed outside the Legislature or a redistricting plan  
4 developed without Reapportionment Office assistance which is to be presented for  
5 consideration by the Reapportionment Committee must:

6 a. Be clearly depicted on maps which follow 2020 Census geographic  
7 boundaries;

8 b. Be accompanied by a statistical sheet listing total population for each district  
9 and listing the census geography making up each proposed district;

10 c. Stand as a complete statewide plan for redistricting.

11 d. Comply with the guidelines adopted by the Reapportionment Committee.

12 5. Electronic Submissions

13 a. Electronic submissions of redistricting plans will be accepted by the  
14 Reapportionment Committee.

15 b. Plans submitted electronically must also be accompanied by the paper  
16 materials referenced in this section.

17 c. See the Appendix for the technical documentation for the electronic  
18 submission of redistricting plans.

19 6. Census Data and Redistricting Materials

20 a. Census population data and census maps will be made available through the  
21 Reapportionment Office at a cost determined by the Permanent Legislative  
22 Committee on Reapportionment.

23 b. Summary population data at the precinct level and a statewide work maps  
24 will be made available to the public through the Reapportionment Office at a cost  
25 determined by the Permanent Legislative Committee on Reapportionment.

26 c. All such fees shall be deposited in the state treasury to the credit of the  
27 general fund and shall be used to cover the expenses of the Legislature.

28 **Appendix.**

29 **ELECTRONIC SUBMISSION OF REDISTRICTING PLANS**

30 **REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA**

1

2 The Legislative Reapportionment Computer System supports the electronic  
3 submission of redistricting plans. The electronic submission of these plans must  
4 be via email or a flash drive. The software used by the Reapportionment Office is  
5 Maptitude.

6 The electronic file should be in DOJ format (Block, district # or district #,  
7 Block). This should be a two column, comma delimited file containing the FIPS  
8 code for each block, and the district number. Maptitude has an automated plan  
9 import that creates a new plan from the block/district assignment list.

10 Web services that can be accessed directly with a URL and ArcView  
11 Shapefiles can be viewed as overlays. A new plan would have to be built using this  
12 overlay as a guide to assign units into a blank Maptitude plan. In order to analyze  
13 the plans with our attribute data, edit, and report on, a new plan will have to be  
14 built in Maptitude.

15 In order for plans to be analyzed with our attribute data, to be able to edit,  
16 report on, and produce maps in the most efficient, accurate and time saving  
17 procedure, electronic submissions are REQUIRED to be in DOJ format.

18 Example: (DOJ FORMAT BLOCK, DISTRICT #)

19 SSCCCTTTTTTBBBBDDDD

20 SS is the 2 digit state FIPS code

21 CCC is the 3 digit county FIPS code

22 TTTTTT is the 6 digit census tract code

23 BBBB is the 4 digit census block code

24 DDDD is the district number, right adjusted

25 **Contact Information:**

26 Legislative Reapportionment Office

27 Room 317, State House

28 11 South Union Street

29 Montgomery, Alabama 36130

30 (334) 261-0706

1 For questions relating to reapportionment and redistricting, please contact:

2 Donna Overton Loftin, Supervisor

3 Legislative Reapportionment Office

4 donna.overton@alsenate.gov

5 Please Note: The above e-mail address is to be used only for the purposes of  
6 obtaining information regarding redistricting. Political messages, including those  
7 relative to specific legislation or other political matters, cannot be answered or  
8 disseminated via this email to members of the Legislature. Members of the  
9 Permanent Legislative Committee on Reapportionment may be contacted through  
10 information contained on their Member pages of the Official Website of the  
11 Alabama Legislature, [legislature.state.al.us/aliswww/default.aspx](http://legislature.state.al.us/aliswww/default.aspx).

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p><b>I. POPULATION</b></p> <p>The total Alabama resident state population of 4,779,736 persons, and the population of defined subunits thereof, as reported by the 2010 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.</p>	<p><b>I. POPULATION</b></p> <p>The total Alabama resident state population <del>of 4,779,736 persons</del>, and the population of defined subunits thereof, as reported by the <del>2010</del> <u>2020</u> Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.</p>	<p><b>I. POPULATION</b></p> <p>The total Alabama state population, and the population of defined subunits thereof, as reported by the 2020 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.</p>
<p><b>II. EQUAL POPULATION REQUIREMENT: ONE PERSON, ONE VOTE</b></p>	<p><b>II. CRITERIA FOR REDISTRICTING</b></p> <p><del>II. EQUAL POPULATION REQUIREMENT: ONE PERSON, ONE VOTE</del></p>	<p><b>II. CRITERIA FOR REDISTRICTING</b></p>
	<p>a. <del>The populations of congressional districts shall be as equal as is practicable. Districts shall comply with the United States</del></p>	<p>a. Districts shall comply with the United States Constitution, including the requirement that they equalize total population.</p>

9077489.6

RC 044468

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
	Constitution, <u>including the</u> <u>requirement that they equalize</u> <u>total population.</u>	
In accordance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, legislative districts will be drawn to achieve "substantial equality of population among the various districts."	<del>b. In accordance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, legislative and state board of education districts will</del> <u>be drawn to achieve "substantial equality of population among the various districts;" and shall not exceed an overall population deviation range of 5%.</u>	b. Legislative and state board of education districts shall be drawn to achieve substantial equality of population among the districts and shall not exceed an overall population deviation range of 5%.
a. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.	<del>a. c.</del> A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.	c. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.
b. In every redistricting plan submitted to the Reapportionment Committee, individual district	<del>b. In every redistricting plan submitted to the Reapportionment Committee,</del>	<del>de.</del> The Reapportionment Committee shall not approve a redistricting plan that does not



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>populations should not exceed a 2% overall range of population deviation. The Reapportionment Committee will not approve a redistricting plan that does not comply with this requirement.</p>	<p><del>individual district populations should not exceed a 2% overall range of population deviation. d.</del> The Reapportionment Committee <del>will</del> <u>shall</u> not approve a redistricting plan that does not comply with <del>this requirement. these population requirements.</del></p>	<p>comply with these population requirements.</p>
<p><b><u>III. VOTING RIGHTS ACT</u></b></p> <p>Districts shall be drawn in in compliance with the Voting Rights Act of 1965. A redistricting plan will not have either the purpose or the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.</p>	<p><b><u>III. VOTING RIGHTS ACT</u></b></p> <p><del>in</del> Districts shall be drawn in <u>e.</u> compliance with the Voting Rights Act of 1965, <u>as amended</u>. A redistricting plan <del>will not have</del> <u>either shall have</u> neither the purpose <del>or</del> <u>nor</u> the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.</p>	<p>e. Districts shall be drawn in compliance with the Voting Rights Act of 1965, as amended. A redistricting plan shall have neither the purpose nor the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.</p>
<p><b><u>IV. CRITERIA FOR LEGISLATIVE DISTRICTS</u></b></p> <p>1. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations that stereotype</p>	<p><b><u>IV. CRITERIA FOR LEGISLATIVE DISTRICTS</u></b></p> <p><del>1. f.</del> No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations <del>that stereotype</del></p>	<p>f. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations of race, color, or</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>voters on the basis of race, color, or membership in a language-minority group, except that race may predominate over other districting criteria, if necessary, to comply with Section 2 of the Voting Rights Act.</p>	<p><del>voters on the basis of</del> race, color, or membership in a language-minority group, except that race, <u>color, or membership in a language-minority group</u> may predominate over <del>other</del> <u>race-neutral</u> districting criteria, <del>if necessary,</del> to comply with Section 2 of the Voting Rights Act; <u>provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.</u></p>	<p>membership in a language-minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.</p>
<p>2. Legislative districts will be composed of contiguous and reasonably compact geography.</p>	<p><del>2. g. Legislative districts</del> Districts will be composed of contiguous and reasonably compact geography.</p>	<p>g. Districts will be composed of contiguous and reasonably compact geography.</p>
<p>3. The following requirements of the Alabama Constitution shall be complied with:</p>	<p><del>3.h.</del> The following requirements of the Alabama Constitution shall be complied with:</p>	<p>h. The following requirements of the Alabama Constitution shall be complied with:</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>a. Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.</p>	<p><del>a.</del> <u>(i)</u> Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.</p>	<p>(i) Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.</p>
<p>b. House and Senate districts shall be drawn on the basis of total population, except that voting age population may be considered, if necessary, to comply with Section 2 of the Voting Rights Act.</p>	<p><del>b.</del> <u>(ii)</u> <del>House and Senate districts</del> Districts shall be drawn on the basis of total population, except that voting age population may be considered, <u>if as necessary,</u> to comply with Section 2 of the Voting Rights Act <u>or other federal or state law.</u></p>	<p>(ii) Districts shall be drawn on the basis of total population, except that voting age population may be considered, as necessary to comply with Section 2 of the Voting Rights Act or other federal or state law.</p>
<p>c. The number of Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.</p>	<p><del>c.</del> <u>(iii)</u> The number of <u>Alabama</u> Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.</p>	<p>(iii) The number of Alabama Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.</p>
<p>d. The number of Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.</p>	<p><del>d.</del> <u>(iv)</u> The number of <u>Alabama</u> Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.</p>	<p>(iv) The number of Alabama Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
e. The number of House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.	<del>e.</del> <u>(v)</u> The number of <u>Alabama</u> House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.	(v) The number of Alabama House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.
f. The number of House districts shall not be less than 67.	<del>f.</del> <u>(vi)</u> The number of <u>Alabama</u> House districts shall not be less than 67.	(vi) The number of Alabama House districts shall not be less than 67.
g. All legislative districts will be single-member districts.	<del>g.</del> <u>(vii)</u> All <del>legislative</del> -districts will be single-member districts.	(vii) All districts will be single-member districts.
h. Every part of every district shall be contiguous with every other part of the district.	<del>h.</del> <u>(viii)</u> Every part of every district shall be contiguous with every other part of the district.	(viii) Every part of every district shall be contiguous with every other part of the district.
4. The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:	<del>4.</del> <u>i.</u> The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:	i. The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
a. Contests between incumbent members of the Legislature will be avoided whenever possible.	<del>a. (i)</del> Contests between incumbents <del>members of the Legislature</del> will be avoided whenever possible.	(i) Contests between incumbents will be avoided whenever possible.
b. Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.	<del>b. (ii)</del> Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.	(ii) Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.
c. The integrity of communities of interest shall be respected. For purposes of these Guidelines, a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic interests; county, municipal, or voting precinct boundaries; and commonality of communications. The Reapportionment Committee will attempt to accommodate communities of interest identified by people in a specific location. It is inevitable, however, that some	<del>c. (iii) The integrity of communities of interest shall be respected. For purposes of these Guidelines, a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic interests; county, municipal, or voting precinct boundaries; and commonality of communications. The Reapportionment Committee will attempt to accommodate communities of interest identified by people in a specific location. It is inevitable, however, that some</del>	(iii) Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with paragraphs g through i. A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, voting precincts, municipalities, tribal lands and

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.</p>	<p><del>interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people. Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with paragraphs g through i. A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, voting precincts, municipalities, tribal lands and reservations, or school districts.</del></p>	<p>reservations, or school districts. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
	The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people	
d. The Legislature shall try to minimize the number of counties in each district.	<p><del>d. (iv)</del> The Legislature shall try to minimize the number of counties in each district.</p> <p><del>e. (v)</del> The Legislature shall try to preserve the cores of existing districts.</p>	<p>(iv) The Legislature shall try to minimize the number of counties in each district.</p> <p>(v) The Legislature shall try to preserve the cores of existing districts.</p>
e. In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling state interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.	<p><del>e. (vi)</del> In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling <del>state</del> <u>State</u> interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.</p>	<p>(vi) In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>f. The criteria identified in subsections (a)-(d) of this paragraph are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.</p> <p><b>V. PLANS PRODUCED BY LEGISLATORS</b></p> <p>1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.</p> <p>2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.</p>	<p><del>§</del> <u>g.</u> The criteria identified in <del>subsections</del> <u>paragraphs (a)-(d)</u> <del>i(i)-(vi)</del> <u>of this paragraph</u> are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.</p> <p><del>V.</del> <u>III.</u> <b>PLANS PRODUCED BY LEGISLATORS</b></p> <p>1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.</p> <p>2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.</p>	<p>g. The criteria identified in paragraphs i(i)-(vi) are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.</p> <p><b>III. PLANS PRODUCED BY LEGISLATORS</b></p> <p>1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.</p> <p>2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.</p>	<p>3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.</p>	<p>3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.</p>
<p>4. In accordance with Rule 23 of the <i>Joint Rules of the Alabama Legislature</i> (2015) all amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office.</p>	<p>4. In accordance with Rule 23 of the <i>Joint Rules of the Alabama Legislature</i> (2015) "[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office." <u>Amendments or revisions must be part of a whole plan. Partial plans are not allowed.</u></p>	<p>4. In accordance with Rule 23 of the <i>Joint Rules of the Alabama Legislature</i> "[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office." Amendments or revisions must be part of a whole plan. Partial plans are not allowed.</p>
<p>5. Drafts of all redistricting plans which are presented for introduction at any session of the Legislature, and which are not prepared by the Reapportionment</p>	<p>5. <del>Drafts of all redistricting plans which are presented for introduction at any session of the Legislature, and which are not prepared by the Reapportionment</del></p>	<p>5. In accordance with Rule 24 of the <i>Joint Rules of the Alabama Legislature</i>, "[d]rafts of all redistricting plans which are for introduction at any session of the</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>Office, must be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data Bank.</p>	<p><del>Office, must be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data Bank. In accordance with Rule 24 of the Joint Rules of the Alabama Legislature, "[d]rafts of all redistricting plans which are for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."</del></p>	<p>Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."</p>
<p><b>VI. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS</b></p> <p>1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.</p>	<p><del>VI. IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS</del></p> <p>1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.</p>	<p><b>IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS</b></p> <p>1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.</p> <p>3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.</p> <p>4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p>	<p>2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.</p> <p>3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.</p> <p>4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p>	<p>2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.</p> <p>3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.</p> <p>4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p> <p>6. Notices of all Reapportionment Committee meetings will be posted on the fifth, sixth, seventh, and eighth floors of the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of</p>	<p>5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p> <p>6. Notices of all Reapportionment Committee meetings will be posted on <del>the fifth, sixth, seventh, and eighth floors of</del> <u>monitors throughout</u> the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website.</p>	<p>minimal criteria herein established.</p> <p>5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p> <p>6. Notice of all Reapportionment Committee meetings will be posted on monitors throughout the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of Reapportionment Committee</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.</p>	<p>Individual notice of Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.</p>	<p>meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.</p>
<p><b>VII. PUBLIC ACCESS</b></p> <p>1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.</p>	<p><del>VII</del> <b>V. PUBLIC ACCESS</b></p> <p>1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.</p>	<p><b>V. PUBLIC ACCESS</b></p> <p>1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.</p> <p>3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.</p> <p>4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented</p>	<p>2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.</p> <p>3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.</p> <p>4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented</p>	<p>2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.</p> <p>3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.</p> <p>4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented for consideration by</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
for consideration by the Reapportionment Committee must:	for consideration by the Reapportionment Committee must:	the Reapportionment Committee must:
a. Be clearly depicted on maps which follow 2010 Census geographic boundaries;	a. Be clearly depicted on maps which follow <del>2010</del> <u>2020</u> Census geographic boundaries;	a. Be clearly depicted on maps which follow 2020 Census geographic boundaries;
b. Be accompanied by a statistical sheet listing total population for each district and listing the census geography making up each proposed district;	b. Be accompanied by a statistical sheet listing total population for each district and listing the census geography making up each proposed district;	b. Be accompanied by a statistical sheet listing total population for each district and listing the census geography making up each proposed district;
c. Stand as a complete statewide plan for redistricting, or, if presenting a partial plan, fit back into the plan which is being modified, so that the proposal can be evaluated in the context of a statewide plan ( <i>i.e.</i> , all places of geography must be accounted for in some district);	c. Stand as a complete statewide plan for redistricting, <del>or, if presenting a partial plan, fit back into the plan which is being modified, so that the proposal can be evaluated in the context of a statewide plan (<i>i.e.</i>, all places of geography must be accounted for in some district);</del>	c. Stand as a complete statewide plan for redistricting.
d. Comply with the guidelines adopted by the Reapportionment Committee.	d. Comply with the guidelines adopted by the Reapportionment Committee.	d. Comply with the guidelines adopted by the Reapportionment Committee.
5. Electronic Submissions	5. Electronic Submissions	5. Electronic Submissions
a. Electronic submissions of redistricting plans will be accepted	a. Electronic submissions of redistricting plans will be accepted	a. Electronic submissions of redistricting plans will be



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
by the Reapportionment Committee.	by the Reapportionment Committee.	accepted by the Reapportionment Committee.
b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.	b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.	b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.
c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.	c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.	c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.
6. Census Data And Redistricting Materials	6. Census Data And Redistricting Materials	6. Census Data And Redistricting Materials
a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.	a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.	a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.
b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment Office at a cost	b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment Office at a cost	b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>determined by the Permanent Legislative Committee on Reapportionment.</p> <p>c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the legislature.</p>	<p>determined by the Permanent Legislative Committee on Reapportionment.</p> <p>c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the <del>legislature</del> <u>Legislature</u>.</p>	<p>Office at a cost determined by the Permanent Legislative Committee on Reapportionment.</p> <p>c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the Legislature.</p>
<p><b>Appendix.</b></p> <p><b>ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA</b></p> <p>The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be on either a flash drive or CD ROM. The software used by the Reapportionment Office is the Esri Redistricting Online (RO) Solution.</p>	<p><b>Appendix.</b></p> <p><b>ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA</b></p> <p>The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be <del>on either via email or a flash drive, or CD ROM.</del> The software used by the Reapportionment Office is <del>the Esri Redistricting Online (RO) Solution.</del> <u>Mapitude.</u></p>	<p><b>Appendix.</b></p> <p><b>ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA</b></p> <p>The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be via email or a flash drive. The software used by the Reapportionment Office is Mapitude.</p>

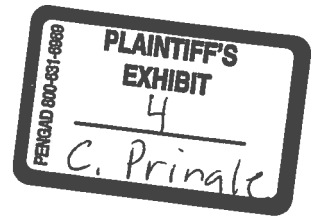
2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>The electronic file should be in DOJ format (Block, district # <u>or</u> district#, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. The Esri RO Solution has an automated plan import that creates a new plan from the block/district assignment list.</p>	<p>The electronic file should be in DOJ format (Block, district # <u>or</u> district#, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. <del>The</del> <u>Esri RO Solution Maptitude</u> has an automated plan import that creates a new plan from the block/district assignment list.</p>	<p>The electronic file should be in DOJ format (Block, district # <u>or</u> district#, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. Maptitude has an automated plan import that creates a new plan from the block/district assignment list.</p>
<p>Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank RO Solution plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in the RO Solution.</p>	<p>Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank <del>RO</del> <u>Solution plan. Maptitude plan.</u> In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in <del>the</del> <u>RO Solution. Maptitude.</u></p>	<p>Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank Maptitude plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in Maptitude.</p>
<p>In order for plans to be analyzed with our attribute data, to be able to edit, report on, and</p>	<p>In order for plans to be analyzed with our attribute data, to</p>	<p>In order for plans to be analyzed with our attribute data,</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.</p> <p><u>Example (DOJ FORMAT BLOCK, DISTRICT #)</u></p> <p>SSCCCTTTTTBBBBDDDD</p> <p>SS is the 2 digit state FIPS code</p> <p>CCC is the 3 digit county FIPS code</p> <p>TTTTTT is the 6 digit census tract code</p> <p>BBBB is the 4 digit census block code</p> <p>DDDD is the district number, right adjusted</p> <p>Contact Information: Legislative Reapportionment Office Room 303, State House 11 South Union Street</p>	<p>be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.</p> <p><u>Example (DOJ FORMAT BLOCK, DISTRICT #)</u></p> <p>SSCCCTTTTTBBBBDDDD</p> <p>SS is the 2 digit state FIPS code</p> <p>CCC is the 3 digit county FIPS code</p> <p>TTTTTT is the 6 digit census tract code</p> <p>BBBB is the 4 digit census block code</p> <p>DDDD is the district number, right adjusted</p> <p>Contact Information: Legislative Reapportionment Office Room 303, State House 11 South Union Street</p>	<p>to be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.</p> <p><u>Example (DOJ FORMAT BLOCK, DISTRICT #)</u></p> <p>SSCCCTTTTTBBBBDDDD</p> <p>SS is the 2 digit state FIPS code</p> <p>CCC is the 3 digit county FIPS code</p> <p>TTTTTT is the 6 digit census tract code</p> <p>BBBB is the 4 digit census block code</p> <p>DDDD is the district number, right adjusted</p> <p>Contact Information: Legislative Reapportionment Office Room 303, State House 11 South Union Street</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>Montgomery, Alabama 36130 (334) 242-7941</p> <p>For questions relating to reapportionment and redistricting, please contact:</p> <p>Donna Shanholtzer Supervisor Legislative Reapportionment Office</p> <p>donna@al-legislature.gov</p> <p>Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated to members of the Legislature. Members of the Permanent Legislative Committee may be contacted through information contained on their Member pages of the Official Website of the Alabama Legislature.</p>	<p>Montgomery, Alabama 36130 (334) <del>242-7941</del> <u>269-0706</u></p> <p>For questions relating to reapportionment and redistricting, please contact:</p> <p>Donna Overton Loftin Supervisor Legislative Reapportionment Office</p> <p>donna.overton@alsenate.gov</p> <p>Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated <u>via this email</u> to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information contained on their Member pages of the Official Website of the Alabama Legislature.<sup>2</sup></p>	<p>Montgomery, Alabama 36130</p> <p>(334) 269-0706</p> <p>For questions relating to reapportionment and redistricting, please contact:</p> <p>Donna Overton Loftin Supervisor Legislative Reapportionment Office</p> <p>donna.overton@alsenate.gov</p> <p>Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated via this email to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
	<a href="http://legislature.state.al.us/aliswww/default.aspx">legislature.state.al.us/aliswww/default.aspx</a> .	contained on their Member pages of the Official Website of the Alabama Legislature, legislature.state.al.us/aliswww/default.aspx.



**TRANSCRIPT OF  
REAPPORTIONMENT COMMITTEE  
MEETING  
OCTOBER 26, 2021**

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

**FEMALE 1:** Senator Allen? Senator Holley?

**SENATOR HOLLEY:** Yes

**FEMALE 1:** Senator Livingston?

**SENATOR LIVINGSTON:** Here.

**FEMALE 1:** Senator McClendon?

**SENATOR MCCLENDON:** Here.

**FEMALE 1:** Senator Melson?

**SENATOR MELSON:** Here.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Here.

**FEMALE 1:** Senator Roberts?

**SENATOR ROBERTS:** Here.

**FEMALE 1:** Senator Scofield?

**SENATOR SCOFIELD:** Here.

**FEMALE 1:** Senator Singleton?

**SENATOR SINGLETON:** Here.

**FEMALE 1:** Ms. Smitherman? Senator Williams?

**SENATOR WILLIAMS:** Here.

**FEMALE 1:** Representative Boyd?

**REPRESENTATIVE BOYD:** Here.

**FEMALE 1:** Representative Clouse? Representative Ellis?

**REPRESENTATIVE ELLIS:** Here.

**FEMALE 1:** Representative England?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** Here.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Here.

**FEMALE 1:** Representative Hall?

**REPRESENTATIVE HALL:** Here.

**FEMALE 1:** Representative Jones?

**REPRESENTATIVE JONES:** Here.

**FEMALE 1:** Representative Lovvorn?

**MALE 1:** He's on his way. He's in traffic.

**FEMALE 1:** Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Here.

**FEMALE 1:** Representative South? Representative Wood?

**REPRESENTATIVE WOOD:** Here.

**FEMALE 1:** We have 19 present. We have a quorum.

**MALE 2:** Thank you, members, if you would, please, you will see a copy of the Minutes from the last meeting, May 5th of this year. I would ask you to quickly look over those. We have a motion to approve and let's have a roll call on that please.

**FEMALE 1:** Senator Allen? Senator Holley?

**SENATOR HOLLEY:** Aye.

**FEMALE 1:** Senator Livingston?

**SENATOR LIVINGSTON:** Aye.

**FEMALE 1:** Senator McClendon?

**SENATOR MCCLENDON:** Aye.

**FEMALE 1:** Senator Melson?

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator Roberts?

**SENATOR ROBERTS:** Aye.

**FEMALE 1:** Senator Scofield?

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator Singleton?

**SENATOR SINGLETON:** Aye.

**FEMALE 1:** Senator Smitherman? Senator Williams?

**SENATOR WILLIAMS:** Aye.

**FEMALE 1:** Representative Boyd?

**REPRESENTATIVE BOYD:** Aye.

**FEMALE 1:** Representative Clouse? Representative Ellis?

**REPRESENTATIVE ELLIS:** Aye.

**FEMALE 1:** Representative England?

**REPRESENTATIVE ENGLAND:** Aye.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall? Representative Jones?

**REPRESENTATIVE JONES:** Aye.

**FEMALE 1:** Representative Lovvorn? Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

**FEMALE 1:** Representative South? Representative Wood?

**REPRESENTATIVE WOOD:** Aye.

**FEMALE 1:** We have 17 yes. The motion passed.

**MR. CHAIRMAN:** Thank you. I'd like to make just a preliminary statement about the workings of this committee. This time around has been rather unique because of the compactness of the time. Federal Law requires Census Bureau to provide the states with the data no later than March and the year after Census is conducted. In 2011, we received it in mid-February, about six weeks before their deadline. This time, the Census Bureau seriously lied. Instead of getting the data in February or March, we did not receive the data until August 12, actually became usable to us closer to the 17th or 18th of August. It took some amount of time to convert that data to match up our software. August 17 was the first time this committee and our staff, who I'm forever grateful for, for all their hard work was the first time that we actually hadn't data that we could work with and dealing with the Congressional plan, State Board plan, the Senate plan and the House plan.

[00:05:06]

Since that time, since August 17, we have met with seven Congressional Representatives, our staff, eight Board of Education members and all the members of the Senate and the House that are running for reelection. In most cases, there was not just one meeting with any particular office holder. There were repeated meetings with individual officeholders and often with groups of officeholders, these meetings continued right up to the close of business last Friday. It took an enormous effort to prepare these plans in the short amount of time available. And unlike after the 2010 census, when we were able to split the redistricting over a two-year period, we did Congressional and State Board in 2011, and then we did the two legislative plans in 2012. This time, not only did we get the data late, but we had to prepare all four plans at the same time. And I will -- you those of us who worked in this room in this office have seen the dedication of our redistricting staff, of our attorney advising us, of our demographer drawing the maps, they have literally worked day and night and over the weekends in order to reach this point. And I think you'll soon see that they have done a heroic job. I am very grateful to their dedication. At this point, we are going to now go into consideration of these four maps I mentioned. We'll do them in this order for committee members. You'll see, you have an agenda in front of you that shows the order. We'll do this and we're going to start off with congressional districts. Representative Pringle will handle that in the House. Then we'll go to State Board districts. I'll handle that for introduction into the Senate. Then we'll go to the state Senate districts that will first be introduced into the Senate. And once it comes out of this committee, and finally, we'll do the committee plan for the State House, which Representative Pringle, of course, will handle and will introduce on Thursday into the House of Representatives. Let me recognize the House Chair for Redistricting Representative Chris Pringle turn your mic go.

**REPRESENTATIVE CHRIS PRINGLE:** Thank you, Senator. Again, I am Chris Pringle, State Representative from House District 1 of Automobile. The members of the committee

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

would go to the congressional plan and open your folder. You'll see the proposed map that we're going to discuss here from this committee. You'll have it. If you'll note, this is a zero-deviation plan with a minimum number of split counties. There's a one-person difference between all seven districts. Some the deviations on this plan are zero. In developing this plan, all Congressional Representatives were met with in person and then subsequently over the phone our Microsoft teams until their concerns have been addressed. An exception in the Representative Mo Brooks was running for another office. He did not want to meet in person instead of staff member instead. All representatives have had input into this plan. This plan meets the Committee guidelines. It complies a Section 2 the Voting Rights Act and Equal Protection Clause. There's a minimal population deviation between the District 6.

**[00:09:59]**

Between the District 6 are districts who had ideal population of 717,754 and the second district is one person over. In respects to counties that extend possibly given the requirement for equal population. I'll repeat, it respects counties to the extent possible given the requirements for equal population. It does not require any incumbents to run against each other. All districts are contiguous and reasonably compact. It respects communities of interests. It preserves the cores of existing districts. It splits a minimum number of counties and precincts. Six counties are split and seven are split to get to zero deviation an improvement over the current law which splits seven counties. Splits are, Lauderdale County is split between District 4 and 5. Tuscaloosa County is split between Districts 4 and 7. Jefferson County, between Districts 6 and 7. Chilton County between Districts 3 and 6. Montgomery County between Districts 2 and 7. Escambia County between Districts 1 and 2. This plan contains one majority black district with a black voting age population of 54.22%, thank you.

**MALE 2:** Motion to adopt.

**MALE 3:** Mr. Chairman, I'd like to speak to the motion.

**REPRESENTATIVE ENGLAND:** I would too.

**MR. CHAIRMAN:** Mr. England.

**REPRESENTATIVE ENGLAND:** First of, thank you for recognition. I'm pretty sure Ms. Overton probably would doesn't like me very much right now because I harassed her for days on end. Because as a member of this committee, I did not see these maps until yesterday. I think we're undertaking a pretty massive task to be told to come in here with the amount of information presented to us to come here and say, "I need you to vote today." Personally, I may be just speaking for myself, but I think this is doing a disservice to the process and also to the people that we represent because they haven't seen this map either, unless you were following me on Twitter. So, I think it needs to be said that this process itself, there's got to be a better way to do this. I think it's flawed and I don't really think this is the best way for us to walk into this process without any information and to come in here today look at it and say, "I want you to approve it." With that being said, I'm not diminishing the fact this was probably a very difficult task. It's a lot of information to process, but I think it probably would have been better for all of

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

us have we all seen the whole entire map and not be drawn into short meetings individually where we can only see our district? For me, that's how the process worked. I was only told I could see the district. My district gave me immediate area around my district, and I think it would have been better for the public and all of us to digest the information in front of us by just seeing the whole map so we could see how our district worked relative to the districts around us. And with that being said in your initial statement, you mentioned that this map complies with the Voting Rights Act. Several questions that I have about that. First, I'd like to know who drew the map. Was it drawn in-house or did somebody else draw it? Also, I'd like to know how it complies with the Voting Rights Act. Was there a racial polarization study done to figure out exactly how we comply with the Voting Rights Act? And I'd also like to know since I wasn't afforded an opportunity to see the entire map, I would like to know if anybody else was, whether it be staff, whether it be other members, or whether it be someone hired as a consultant to take a look at these maps. Those are my three initial questions. One, who drew it? Two, can you explain to all of us how it satisfies the Voting Rights Act and how this map was drawn? So, I just like to start there, thank you.

**MR. CHAIRMAN:** Senator Singleton?

**SENATOR SINGLETON:** You're not going to answer those question?

**MR. CHAIRMAN:** I've done listened to it, and we're going to get back with him, okay.

**FEMALE 1:** Oh Jesus.

[00:14:59]

**REPRESENTATIVE ENGLAND:** Point of order, so we're not answering questions today?

**MR. CHAIRMAN:** I'm going to answer your questions. We're just trying to get all the questions asked.

**MALE 4:** Ms. Chairman, point of order. The point is that I think that we opened ourselves up for confusion of responses and questions and confusions of focusing in on the specific points. So, we're going to take all these varying questions. And then after we take all the various questions, I think that the questions' point of order are to be in relationship to the questions. The answer should be in relationship to the questions as answered and they should be addressed. Questions that [INDISCERNIBLE 00:15:45] may have over there, I saw his hand, and I have is may be totally relevant, but maybe totally different at the same time in parts. So, I think in order to understand that -- and I'm going to make a special request that we put these maps on the board. We have a big old board up there, put the whole maps. Each one of these things we talk, it relates to a map. It needs to be sitting up there in large, of the map.

[OVERLAY]

**FEMALE 2:** --so we can it.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MALE 4:** Yeah, we can see it. Not the small one where we don't know what it's touching and what it's doing, but actually a large one that deals which shows the precincts.

**MR. CHAIRMAN:** The map is on the board, ladies and gentlemen, I'm hoping the people online can see it. Can they see the map online?

**MALE 5:** Yes.

**MR. CHAIRMAN:** These maps are drawn in this room using the staff here and our lawyer that we've hired has done redistricting for 25 years, has worked with us and told us that he thinks these maps comply with section to the Voting Rights Act and the Fourteenth Amendment to the Constitution.

**REPRESENTATIVE ENGLAND:** Can you explain it now?

**MR. CHAIRMAN:** I'm not the attorney, but Dorman Walker sat here and went through every one of this our attorney. You know Dorman, he's done this for 25 years.

[OVERLAY]

**REPRESENTATIVE ENGLAND:** Again, can I say that I was appointed to this committee.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** You stated that it complies with the Voting Rights Act. You also stated that it complies with the Fourteenth Amendment Equal Protection, so I'm asking you how. I just want to make this -- that's obviously --

[OVERLAY]

**MR. CHAIRMAN:** Okay, representative. That's fine, let's do this.

**REPRESENTATIVE ENGLAND:** That's a very component of this.

**MR. CHAIRMAN:** I understand that and I see where you're going and let's do this. You tell me where it doesn't, how's that?

**REPRESENTATIVE ENGLAND:** First and foremost, if we didn't do a racial polarization study you don't know how it applies. I'll ask you this question, you and the attorney that you consulted, have you all done a racial polarization study?

**MR. CHAIRMAN:** Yeah, the guy in Georgia did one. It was sent to him Friday and he came back.

**REPRESENTATIVE ENGLAND:** So, who's the guy in Georgia? Can we see the results of that study?



**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

**MR. CHAIRMAN:** The attorney has hired a consultant out of Georgia and he's looked at it.

**REPRESENTATIVE ENGLAND:** Can we—

**MR. CHAIRMAN:** There's nothing that's going to be hidden. We're getting it to you as fast as we have it of course.

**REPRESENTATIVE ENGLAND:** Okay.

**MR. CHAIRMAN:** We don't have it. You understand, I had to do 28 public hearings. I had to meet with 105 house members, 35 senators, seven members of congress and eight members of the schoolboard and many of these people we met with multiple, multiple times to try and work this out, all in a very short period of time. We didn't have the luxury they had a couple of years ago, having two years to do this. We had about three months.

**REPRESENTATIVE ENGLAND:** I could understand your frustration, but as the Chair, you're in charge with the responsibility of answering these questions.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** So, I sympathize with the smaller shortened timeframe, but I do still get as a response -- as part of my responsibility as being a member of this committee is to ask these questions and to get answers because I'm not just asking for me. Because remember, the entire State of Alabama, the first time they lay my eyes on this map was yesterday. I think it's pretty legitimate for us to have these questions since we could not get access to this information before. One of the ways --

**[OVERLAY]**

**MR. CHAIRMAN:** The first time I saw it was yesterday too.

**REPRESENTATIVE ENGLAND:** That makes me feel worse, but to be quite honest with you. So, you ask me, I'll point out just that one thing. I need you to help me understand if a racial polarization study was done. I need to know who did it. I need to know what the results are, so I can tell you if I believe that one that matches up with the standards that have been set by federal courts in the Supreme Court, because very recently we had issues with the Supreme Court. We just lost the lawsuit behind some of this stuff, so I need to have something so I can draw some comparative analysis between the two. So, on record, you're telling me that a racial polarization study has been done?

**MR. CHAIRMAN:** Our attorney looked at it and assured us that we are in compliance with Section 2 of the Voting Rights Act.

**REPRESENTATIVE ENGLAND:** The question I asked you, you're assuring me right now that a racial polarization study has been done?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** According to my attorney, yes.

**REPRESENTATIVE ENGLAND:** Okay.

**MR. CHAIRMAN:** According to the committee's attorney.

[00:20:00]

It's the attorney that's done reapportionment for 25 years.

**REPRESENTATIVE ENGLAND:** Okay. And you can provide that information to us so we can draw an analysis between the maps, the numbers and the study?

**MR. CHAIRMAN:** I have no problem when you look at all of our reports.

**REPRESENTATIVE ENGLAND:** All right. You said also that this map was prepared here in-house?

**MR. CHAIRMAN:** Yeah, it was drawn right here in this room.

**REPRESENTATIVE ENGLAND:** All right.

**MR. CHAIRMAN:** I mean, you sat here with us, and I know several times why we drew these maps.

**REPRESENTATIVE ENGLAND:** No. Actually, I've only seen my district up until yesterday when I got the maps.

**MR. CHAIRMAN:** No. I sat here when you're on a call.

**REPRESENTATIVE ENGLAND:** No. On that call, we looked at my district.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** Period. I haven't seen a map. This is the first time I've actually seen a physical copy of the map since yesterday. Now, that I've answered your question, can you answer mine? What other ways does this map --

**MR. CHAIRMAN:** Let me report. On district seven, there was not a functional analysis done on it simply because it was drawn blind, the race was turned off on the drawing, and after the district was drawn and we looked at the black voting age population, it was determined there was no reason to do an analysis on it.

**REPRESENTATIVE ENGLAND:** So, you have not done analysis on that?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** I just found out seven because of the BVAP, no analysis was deemed necessary.

**REPRESENTATIVE ENGLAND:** So, we don't know if it complies with the Voting Rights Act just based on an attorney's opinion?

**MR. CHAIRMAN:** Yeah. I mean, it complies.

**REPRESENTATIVE ENGLAND:** We don't know that.

**MR. CHAIRMAN:** Well, the attorney that his committee hired says it does.

**REPRESENTATIVE ENGLAND:** But he also didn't do what's necessary to figure that out. Interestingly enough, the only district –

**MR. CHAIRMAN:** The BVAP of that district is 54.2%.

**REPRESENTATIVE ENGLAND:** But again, the study demonstrates how much of that actual percentage is a voting percentage. So, there's a difference between just throwing out a percentage and actually knowing if that's functional or not. And also, interestingly enough, the Seventh Congressional District is the only district that splits counties. Is there a particular reason for that?

**MR. CHAIRMAN:** That's not true. I just told you, I just run off of the county to split.

**REPRESENTATIVE ENGLAND:** There's one in District One, you have one in the Escambia County?

**MR. CHAIRMAN:** No. Lauderdale is split between four and five, Tuscaloosa is split between four and seven, Jefferson is split between six and seven, Chilton is split between three and six, Montgomery is split between two and seven, Escambia is split between one and two.

**REPRESENTATIVE ENGLAND:** I'm sorry.

**MR. CHAIRMAN:** Every district has at least one split.

**REPRESENTATIVE ENGLAND:** I'll rephrase. Seven has the most splits. That correct?

**MR. CHAIRMAN:** One, two, three. Yes, sir.

**REPRESENTATIVE ENGLAND:** All right. Is there any particular reason why seven has the most splits?

**MR. CHAIRMAN:** No. Because four has got two, two has two, three has one, and one has one.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** Is there any particular reason why seven has the most split districts? Including in Jefferson --

**MR. CHAIRMAN:** Trying to get the zero deviation, I'm assuming. We tried to respect -- we had to get to zero deviation.

**REPRESENTATIVE ENGLAND:** Do you think it has anything to do with making sure that each split holds a particular percentage of African-Americans into it?

**MR. CHAIRMAN:** I have no knowledge of that now.

**REPRESENTATIVE ENGLAND:** Okay.

**MALE 3:** Senator, I was hoping that we wouldn't be so contentious in here today, and I think I've been here with you gentlemen over the period of time trying to ask that we can get to this point. We sit around this table and I know that this is probably one of the most contentious sessions that we can have because everybody's for themselves. Everybody's looking out for what they got and it's all about territory. But I just wanted to ask a question about the map, and I guess go down the same line that Chris was representing England in terms of District Seven. In the last redistributing, we saw and heard from the United States Supreme Court that basically said that District Seven was the most gerrymandered district in the State of Alabama, and when you look at that, it almost looks like a salamander and the way it shaped, I see where you tried to come into your county boundaries to do that this time. But however, the Supreme Court has basically already ruled that, and so I just want this body to know that I will be introducing another map because when you look at the State School Board, it is representative of 26% of the African-American community giving it two districts. The house and the Senate also. The congressional district is the only district, the only map that we would draw as a body that does not represent the 26% of African-Americans. It only represents 13% of those African-American population. We believe that based on whole county, and what you can draw based on zero percentage, we can get two majority districts out of this, and I think that this body or the chairman has not tried to do that, just stay with what they were used to doing, and it's like we just drew over the same lines and didn't even try to come up with anything else different.

[00:25:08]

And that's what you get when you don't get input from everybody else, and when everything is kind of hidden and indoor. And so, with that, I know this is not the proper time to introduce the map, but I would do it officially when we have the next meeting, I will introduce a map even if it gets voted down and we will introduce them again on the floor. It will be on the map to concept, and I just want to let you know that I think that we can get two districts out of here that will show favorably for African-Americans across the state outside of just gerrymandering in this district with the unnecessary splits that we've gotten. Thank you very much.

**MR. CHAIRMAN:** Thank you, Senator. Did you say you have a map that has two majority black districts in it?

**MALE 3:** Yes.

Reapportionment Committee Meeting  
 October 26, 2021  
 Transcript by TransPerfect

**MR. CHAIRMAN:** Okay. All right. Senator Smithman.

**SENATOR SMITHMAN:** Thank you very much Mr. Chairman. Chairman's, let me say this first, I noticed the Senator mentioned a level of frustration, a level of uncomfortableness or whatever words you want to use is coming from our leader. Let me say this, that's what you get paid the big bucks for. You asked to be chairman, you asked. Now, you accepted it. So, get all that comes with it, so, relax and take a deep breath because it's coming. Questions coming, they're coming, they're coming. So, just relax and I understand, but you're the leader, so, that what comes with the territory. Let me piggyback first on starting with this map. In whether or not, -- let me just say this; I asked for a map that shows the precincts, I know we got them. And the reason I'm saying that to everybody in here to do that, yes. It's going to take more time. It's going to be detailed, because you're asking questions about this or that. But as a committee, and thank you for putting me on the committee. Whoever appointed me, I know who did; so thank you. But as a committee, we have to go through this mundane process if members have the question. We are in a committee meeting now; and in here, any of those questions that we have. the means of being able to provide, we have a right to get that information. Let's not vote it all up and down by memos, each member has that right to get that particular information. So, with that in mind, that's the first thing because I like to see what Senator was saying about the drawing to see what it brings in and what it doesn't. I can't tell a lick about Jefferson County, where the line cut off from this map. I don't know if it cut off on south side, if it cut off on far apart. I don't know if it cut off above Fire Park above Center Point. I don't know where it cuts off by looking at this, and along with being here, I'm a citizen in that particular district as well. So, I would like to see that number one. Number two, I think if that information is available that the representative requested, I think that it should be provided immediately if we operated off of it and didn't have the actual information here, then I think that needs to be known. But I think that any information in this meeting not a week later, not two days, not a month later, but should be provided in here. If it's on a computer, push a button, push print, print it out, and then give it to whoever else have requested it. So, I said that to say that it may not happen, but to count all these things right here, you might want to pipe in dinner[PH 00:29:00] because we need to go through these and to ask questions, is going to seem whatever you want to call it, but that's why I say get the frustration down because we have questions, I have questions, and I like to get answers as a committee member. Nobody else may not be concerned about these things, and I understand. But if one member is, we need to address that. The other thing I want to say is this is that there's two other things, and I'll move near the mic. Number one is that the Senator mentioned correctly about the 26% African-Americans. But we we're actually talking about 30 something percent of minorities. One third of them as it relates to minority population itself should be represented. We're talking about that it should be two as it relates to African-American population as a minority because it's a super population of minorities.

[00:30:00]

But there are other minorities, Asians, there are Latinos, there are all these people in this State and men of my registered voters that make that percentage goes up to 30 something percent. The third thing is that I've had opportunities to see the map that Senator Singleton is talking about, and that map does not split one count, one county, the congressional map that he's talking about.

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

It keeps every county whole for all the congressional districts that exist on that map. So, I would think that as a committee, whether the committee ultimately votes it up that as he said, I think that as a committee, that we should consider any of those plans in this meeting if it made those 10 days, I think the requirement that you made that that would be submitted. If they were submitted there in the committee, should take those up -- that was committee rules, that's committee adopted and last, but not least, I'll say this is that I think that the process itself has not addressed the area of compromise, and I'm not talking about somebody's individual districts. I'm talking about the issues that's before you it relates to minorities. I know nobody sat down and talked about the concerns that I split and when we get to that area in the [INDISCERNIBLE 00:31:28] plans, I expressed that I had a concern about that area and no other conversation has been had about it. So, that kind of disappoints me because it's kind of saying that "I don't give a heck what you think or say. So, take me to court." That's what it says to me. I don't give a rip what you think, I don't want to talk to you. I don't want to compromise; this is what I'm going to do. So, take me, so I hope that isn't what it's saying, because I'm not saying anything but anything. I think past involvement says that that has happened. So, I would hope if we are trying to get around and work together in this situation, that we'll find some way to compromise with both sides. I know you've been working hard on your side because I've talked to some of my colleagues and I know some of those concerns, but I'm talking about all of us as a whole. Thank you very much.

**CHAIRMAN:** Thank you, Senator. Ms. Hall?

**REPRESENTATIVE HALL:** Thank you, Mr. Chairman and Chairman. I want to reiterate the comment that was made earlier in terms of the response when questions are raised. That we are all in here because we want to do what is right. So, I would hope that we would be considerate of that in light of the fact of the response that I've heard with the comments that have been made up to this point, I'd like to make a motion. I am going to make a motion. My motion is that we postpone the votes on these proposed maps until members of this committee and the public has had adequate time to review and consider the details as well as provide the ratio polarization data study that you said was done.

**FEMALE 2:** Mr. Chairman, I second the motion.

**MALE 2:** Mr. Chairman, I think that motion is inappropriate. We have business to tend to at this meeting. Everyone knows it and if it would be --

[OVERLAY]

**MALE 2:** Would you mind if I get to my comment, please without interrupting? I have not interrupted you and I don't want to be interrupted.

**FEMALE 2:** I appreciate that, but when you make a comment like that, I'm sorry. I should have held my --

**MR. CHAIRMAN:** Move to table. We have a motion to table. All in favor. Say, aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MALE 2:** Aye.

**FEMALE 2:** I oppose.

[OVERLAY]

**FEMALE 2:** Roll call. I will ask that each vote just as you did on the minutes that you would have the roll call vote on each action, thank you. And I would ask that you reconsider at this time.

**MR. CHAIRMAN:** So, you have a motion to reconsider?

**FEMALE 2:** Yes, sir.

**MALE 3:** Second.

**MALE 2:** I second it.

**MR. CHAIRMAN:** All in favor, say, aye.

[OVERLAY]

**MR. CHAIRMAN:** Nay?

[OVERLAY]

**FEMALE 2:** I did request a roll call on each motion hereon and that you didn't.

[OVERLAY]

**FEMALE 2:** No, you didn't, because you'd reconsider.

**MR. CHAIRMAN:** Oh, now we have a motion to give this plan a favorable report in a second.

**MALE 4:** Mr. Chairman.

**MR. CHAIRMAN:** Roll call, please.

**MALE 4:** Mr. Chairman?

**CHAIRMAN:** Yes, sir?

**MALE 4:** I'm ready. I'd like to be recognized.

**CHAIRMAN:** Okay, sure.

**MALE 4:** So, are we saying that, it doesn't matter what we think at all?



**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

**[00:35:00]**

We just come in here to go through the functions. We're not going to consider anything whatsoever that if we have a concern or anything, you're saying it don't matter that we're in here because that's what we're saying. I didn't say what the final vote after we go through the process of consideration. But we're not going to consider anything that we got to say?

**MR. CHAIRMAN:** No.

**MALE 4:** I mean, is this a segregated movement or something? Because you haven't considered nothing we're saying over here. So, I'm just asking you as a chairman, is that where we're going with this?

**MR. CHAIRMAN:** And I'm allowing each of you to speak. Ms. Boyd.

**REPRESENTATIVE BOYD:** Thank you so much, Mr. Chairman. We've sat around this table many times. It's disgusting when you walk into a room for me and somebody approach me. "May I help you?" That was the first thing; but being as old as I am, and I haven't taught school 45 years and 6 months I've been here, I've learned a lot. At our very first meeting, I asked, "Is this one going to be better than any of those in the past that we do it fairly and collectively?" We know the process, we know who has the vote, all we want, Mr. Chairmans, is the opportunity to be heard fairly and from the way we are starting off here, it doesn't seem that way. Only God Almighty can change hearts. We can sit here forever and look at each other and do what we're told to do when it comes to voting. I would hope not. But we're speaking, I have people at home who are very much concerned about the senatorial. What is shown and as it relates to congressional seats. If that shoe was on the other foot, that's all I'm going to ask you to do when I close. Just think about if the shoe was on the other foot and you were sitting in my seat and my place, oh, our places here, would you act in the same manner? Thank you so much for the opportunity.

**MALE 2:** Roll call?

**MR. CHAIRMAN:** Another roll call vote on approving the congressional plan. Mr. Jones,  
[INDISCERNIBLE 00:38:05]

**REPRESENTATIVE JONES:** Thank you for the recognition, Mr. Chairman. I think on my visit here last week, I mentioned that this would be the way this process would turn out. It is not logical to think that we can digest the data that's here in the period of time that we received it. Nor is it logical to think that we would vote on something that we actually have no knowledge about and can't even talk to anyone in our district about because we don't know. How do you vote and then go back home and explain when someone asks, "Well, why did you vote for this?" and start asking the questions that's being asked here? What do we do with that? I understand the time. I understand how hard people have worked. I've been up here a couple of times, and I've seen the work that's taking place up here, and that's admirable. I've seen a lot of people working hard. The bottom line, though, we cannot disregard transparency based on urgency, especially in



**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

this process. I know that there are some time periods we have to meet. To me, the questions that's been asked are logical questions. If someone is really interested in what they're doing and the people they represent, they are logical questions. Now maybe because this is my first time in this process, someone told, I think the attorney mentioned to me, "Well, they've been doing it like this a long time" and let me respond to what I told him. "That does not mean that that's right or fair regardless of whether Democrats did it or Republicans did it, the right way is the right way regardless to who's doing it."

[00:40:00]

And I just think that we ought to give some concern for some of the questions that's being asked here, because those same questions are going to be asked to me as soon as I get back to mobile account and I have no answers. You give me a lot of data here, but it probably takes me a few days to read through it, but it's over then. I've already voted. So that's really my statement and I just want you to consider some of those things as I go forward.

**SENATOR MCCLENDON:** Ladies and gentlemen, let me point out. What we have before today is simply a recommendation. It will be put in Bill Form. It will be introduced into both chambers of the house. It will be assigned to committee in both chambers, and then it will be debated fully on the floor of both chambers. We're just trying to get to the point where we've been called into extraordinary session. That deadline is set. We have to have something to put into a bill by 04:00 Thursday afternoon, and we need to get something out of here so LSA can put it into Bill Form so we can give it to everybody because it's not in Bill Form until it comes out of here. You will have the time in both the House Standing Committee and the Senate Standing Committee and the floor of the house and the floor of the senate to fully vet and look at these bills. But there's not a bill yet. I don't have a bill because I can't say anything to LSA until I get something from this committee. This is simply a recommendation to send to LSA for us to begin the full-scale debate on the floor. Senator Smitherman.

**SENATOR SMITHERMAN:** Are you saying, I said you go to the chairman and you're speaking. Are you saying that we can't vet it here wherein the committee itself that we denied the opportunity to vet it? I'm just asking a question. I didn't say you said it or not. You answer, we answer that. Are you telling me that what you just see, all that's going to happen out there -- are you saying that we -- but however, in this committee, we are denied that opportunity to do the same thing in our committee work on reapportionment?

**SENATOR MCCLENDON:** No.

**SENATOR SMITHERMAN:** Well, if we did that like for it to be done. That's all I'm at right now. I like this [INDISCERNIBLE 00:42:09].

**SENATOR MCCLENDON:** You got the populations, the deviations of black age voting population in every different. You have all the information that I have.

**SENATOR SMITHERMAN:** And I like to vet it in here. Me vet in at, we leave out here means nothing because the vote is going to be taken.

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

**SENATOR MCCLENDON:** I don't have a bill before you because I can't get a bill draft until after it comes out to LSA, and I can't see anything to LSA until it comes out of here.

**SENATOR SMITHERMAN:** Unless I'm going to be on what -- we vote now. Whether we vote now today. I would like for it to be vetted the same way that you said that it could be vetted in those committees. Why? One of the main reasons we are supposed to have the experts in here. Our reapportionment director will not be on the floor. If it's not a public hearing, she cannot come on the senate floor. This lawyer cannot come on the senate floor itself. This is where the work has to be done to answer those questions in this committee. Not out there. You all know the rules. I don't have to even speak them. The people can't come out there. They are going to be out there. It's going to be somebody at the mic going to be saying the same thing. Well, they did it. And the answer is goes they did it. I would like to know how you came about it. Whatever the process to get to what you said that they say, "Okay to." And this is the place that it should be done right in here, and that's all that I'm asking. The exposure of the process and information be brought out in here so questions and follow up questions can be addressed to that information.

**SENATOR MCCLENDON:** Yes, Ms. Hall.

**REPRESENTATIVE HALL:** I needed to go back to make sure I have the correct information as relates to what you said about the racially polarized voting study that was done. Did you say it was done?

**SENATOR MCCLENDON:** Because of the black age voting population in Congressional District 7, there was not one needed because it was over 54% black voting age population.

**REPRESENTATIVE HALL:** So you're saying that we don't have a black, we don't have a polarization, racially polarization study?

**SENATOR MCCLENDON:** None. Because the voting age is 54. What is it? I got it right here.

**REPRESENTATIVE HALL:** And you use District 7 as the basis for not having such a study done?

**SENATOR MCCLENDON:** The black voting age population of the district is sufficient enough to where you don't need a study done on it.

**REPRESENTATIVE HALL:** Are you saying that would not be a part or should not have been a part of this process?

**SENATOR MCCLENDON:** Once we drew the process, once we drew the plan with no race on the computer --

[00:45:00]

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

-- then after the plan was drawn, we turned on the race and we looked at District 7 and saw that it had a black voting age population that was sufficient enough to not require an analysis. And we put any more African-Americans on the race. We're afraid we'd be sued for packing.

**REPRESENTATIVE HALL:** So that was just District 7. What about the other districts? If we did those on these, I really would like -- I was trying to get that information. I'd like to have that information. I'm requesting that information.

**SENATOR MCCLENDON:** The demographics of the district. Yeah. It's right here, it's in your folder.

**REPRESENTATIVE HALL:** So you're saying the data that we have makes of the --?

**SENATOR MCCLENDON:** Yeah. Here's the data right here. It's in your folder. It shows you the percentage of African-Americans of whites, the 18 plus populations, everything. It tells you to give you all that information.

**REPRESENTATIVE HALL:** I just want to make sure what you're saying that the data that we're receiving here today on each one of the districts provides us the data that we would have received or that would be received as a part of a racial polarization voting study.

**SENATOR MCCLENDON:** I'm being told that at 54 plus percent of the African-American vote, it was high enough not to warrant a polarization study. It was a majority-minority district.

**REPRESENTATIVE HALL:** And that came from our attorney or the committee's attorney?

**SENATOR MCCLENDON:** Yes. That came from the committee's attorney. Yes, ma'am.

**REPRESENTATIVE HALL:** And so, at this point, we do not have that.

**SENATOR MCCLENDON:** Not on District 7. No, ma'am. Yes. Chris. The representative of England, I'm sorry.

**REPRESENTATIVE ENGLAND:** All right. You're referring to that -- as if the District 7 was the only district that you did not do that on. So did you do that on other districts?

**SENATOR MCCLENDON:** We have the breakdown of black and white population.

**REPRESENTATIVE ENGLAND:** No, not that. I'm talking about you mentioning that racial - that you didn't do the study on seven. Did you do it on any other district?

**SENATOR MCCLENDON:** Can I ask something? The question you're asking, the answer is our attorney, mine and your attorney set that data off for districts that it looked like there might possibly be a racial issue. And we did that on all of these maps that we've done today. So he received the information on those districts where it looked like it could possibly be questionable, and wherever it was questionable, if necessary, we made adjustments. So the answer to your

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

question would be a general statement that in any districts where it looked like it possibly was an issue, we had those districts analyzed. And if necessary to make changes in those districts to try to stay in compliance with the Voting Rights Act, then we made those moves. So you can ask that question about any one district and I will answer that by saying any district that looked like it needed to be done, we did it.

**REPRESENTATIVE ENGLAND:** It would appear that District 7 would look like that would need to be done if the methodology that you said you used was, we didn't think about race and then we drew the map, and then we said, "Okay, well, this is a result." So it appears to me that if we're doing this in the logical way, that District 7 just -- as it appears on a map, would produce a certain percentage. Now, according to what you've been telling me, that the percentage is not the decision that you made looking at it on the paper and saying that 54% is enough, you actually consulted with an attorney to make sure. So it would appear to me that if you're applying the logic that you just gave me that if we just looked at the district to see if it was in compliance, we would actually do District 7 before we did the others. So I would like to request that study be done on District 7. And what is the relationship between the 54% that you're citing and the actual results or potential results of a racial polarization study? What is the relationship between those two?

[00:50:00]

**SENATOR MCCLENDON:** I got no clue.

**REPRESENTATIVE ENGLAND:** And that's the point.

**SENATOR MCCLENDON:** That's, that's the reason why we have the expert.

**REPRESENTATIVE ENGLAND:** Again, but hold on. That's point. If you can't explain to me why the 54% that you're telling us satisfies the threshold that you have not created or satisfied yet, that would probably make it necessary for you to conduct a study to see if that 54% actually represent, which represents what you think it does. So for -- I would like to request as a member of the committee that that study be done on the Congressional District 7. I would also like to request because the way you keep describing the map itself, is that Districts 1 through 6 may have caused the question or may not have caused to question so there is a situation where that same study may have been done on the other districts. I would also like to see that information as well. Can I get that? First, can I get the study done on Congressional District 7 to make sure that the 54% represents what you think you're saying? And then also, can I get this, the results of the studies that they've been done on other district? Because Senator McClendon, you represented that they had been. So I would like to see that data as well. Is that possible?

**SENATOR MCCLENDON:** Is there a particular percentage you'd be interested in seeing in District 7?

**REPRESENTATIVE ENGLAND:** That's the whole point. I want the study done so I'll know. I'm not going to -- I can't just blindly tell you what are percentage I would need in an area to make sure that it complies with the Voting Rights Act, one, but two, it is a -- I guess what you

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

would consider a safe majority-minority district. That's the whole point of the study. So I would like the study to be done on Congressional District 7 and I would also like for you to give me the results of the other studies on the other districts that you mentioned may or may not have caused to you some consternation.

**SENATOR MCCLENDON:** Okay, Mr. England, here's what I'll do. I'll request a study on District 7 for you, and I'll request the study be done on Senator Singleton's bill that he introduced also. How's that?

**REPRESENTATIVE ENGLAND:** Yes.

**SENATOR MCCLENDON:** It's possible to do it. I mean, we're going to talk about it. Okay. I'll do on both of them.

**REPRESENTATIVE ENGLAND:** To also kind of take a step back, this process isn't result-oriented. Meaning, that we're not collected here to go over the data and the maps just to meet the deadline. We are actually supposed to do some qualitative work on the information that you provided us so we don't send maps or information to LRS to be drawn up into something that can't pass. I mean, and I get it. I mean, we work with deadlines all the time, but this committee structure was set up especially for this component because it's actually a joint committee for the house and the senate that goes over all four maps. So we can actually take a deep dive in that information, in the data and actually produce a map that actually satisfies all the things that you've been mentioning since the very beginning about keeping counties whole, about not splitting precincts, about making sure that equal protection is valid and making sure that the Voting Right Act is complied with. That's what this process is for, is to vet the information that we're getting. Because we may go through this process and discover that some of the is corrupted and it's not reliable or, we may actually if we had done a racial polarization study, we may actually find out that that 54% that you're talking about doesn't actually represent the information that you're giving us, and that you have made an assumption that could jeopardize an entire map. So again, not trying to diminish the effort, the herculean effort that you had to undertake to get us to this point, the point here isn't just to get it done so we can get a bill prepared. The point here is to actually vet the information so we know what we're actually doing in this process.

**SENATOR MCCLENDON:** I understand, and I tell you we're going to spend a lot of time on this differential privacy, and that's going to come up sooner or later. Senator Smitherman?

**SENATOR SMITHERMAN:** I would just -- if you all, I would like to know first on any of the congressional districts, did you all receive a written report regarding the study that he is requesting on 7? We say it that on some of them, it was done. All right. So whatever ones that were done, do we have a written report from that attorney, from whoever it is that we had to do it. We are saying that it was done on A B, C, or D. Do we have anything in writing that was sent to this committee to you all or sent to the community itself that would suggest that that is actually a fact? That's the first question. Do we have anything?

[00:55:13]



**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

**SENATOR MCCLENDON:** When we saw that 54% plus in the Seventh District majority-minority, we didn't think it needed a racial polarization analysis and a lot to be analyzed and we didn't request racial voting polarization study on the majority of white districts.

**SENATOR SMITHERMAN:** Okay. So we don't have that, that's the correct answer. We don't have anything in writing that's been sent to you all regarding that you should --

**SENATOR MCCLENDON:** I have not seen anything.

**SENATOR SMITHERMAN:** Okay. All right. So we can't hold out then that that has been done. Okay. So that's the first thing. The second thing is this. We have an attorney that as you say very capable of being able to do what's necessary. I cannot understand the most important, the most important and really the only opportunity we as a committee member while we are going through these maps. I cannot understand for the love of life why he is not even sitting over there or he is not on Zoom. That doesn't make any sense. We are asking questions and we can't, you all cannot give the detail. I didn't say it to generalization, but you cannot give the detailed answer -- we keep telling them whether attorney need, an attorney and that's fine. Because if that's the answer. But then, that attorney need to be over there to answer what you just said that he did. I mean, that's an attorney for the committee and that is the most important meeting that he could ever be at being able to get him on there to give those responses as to the things that you all don't have first of all, documentation and secondly, that he in fact was the person who created, who suggested it and it was adopted to present to us by you all. So I'm asking to get him on here. I don't care if the phone.

**SENATOR MCCLENDON:** [INDISCERNIBLE 00:57:18]

**SENATOR SMITHERMAN:** Yeah. I don't care if you get the phone or we can't Zoom, we deserve to have those people in here where we can ask those questions to get answers. Thank you.

**SENATOR MCCLENDON:** Yes, Ms. Hall?

**REPRESENTATIVE HALL:** Thank you. You indicated in your report about meeting with all of the members of congress, except for one. Are you able to tell me that once the maps were drawn, did they have an opportunity to view this map? And, what was their impression?

**SENATOR MCCLENDON:** They all saw. The one that we didn't meet was Mo Brooks because he's no longer running. But they've all had the opportunity to look at them and make suggestions, make requests in what they would like to see in their district, yes.

**REPRESENTATIVE HALL:** And did they indicate that they felt that what you've presented is fair and --?

**SENATOR MCCLENDON:** To the best of my knowledge, yes. I was not in the meetings.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE HALL:** Thank you.

**MALE 1:** Mr. Chairman, our renewed motion for roll call vote.

**M SENATOR MCCLENDON:** We have a motion before us to adopt the congressional plan. Clerk, recall the roll.

**CLERK:** Senator Holley?

**SENATOR HOLLEY:** Aye.

**CLERK:** Senator Allen?

**SENATOR ALLEN:** Aye.

**CLERK:** Senator Levison?

**SENATOR LEVISON:** Aye.

**CLERK:** Senator McClendon?

**SENATOR MCCLENDON:** Aye.

**CLERK:** Senator Melson?

**SENATOR MELSON:** Aye.

**CLERK:** Senator Orr?

**SENATOR ORR:** Aye.

**CLERK:** Senator Roberts?

**SENATOR ROBERTS:** Aye.

**CLERK:** Senator Scofield?

**SENATOR SCOFIELD:** Aye.

**CLERK:** Senator Singleton?

**SENATOR SINGLETON:** No.

**CLERK:** Senator Smitherman?

**SENATOR SMITHERMAN:** No.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**CLERK:** Senator Williams?

**SENATOR SMITHERMAN:** Yeah.

**CLERK:** Representative Boyd?

**REPRESENTATIVE BOYD:** No.

**CLERK:** Representative Clouse?

**REPRESENTATIVE CLOUSE:** Aye.

**CLERK:** Representative Ellis?

**REPRESENTATIVE ELLIS:** Aye.

**CLERK:** Representative England?

**REPRESENTATIVE ENGLAND:** No.

**CLERK:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**CLERK:** Representative Hall?

**REPRESENTATIVE HALL:** No.

**CLERK:** Representative Jones?

**REPRESENTATIVE JONES:** No.

**CLERK:** Representative Lovvorn?

**REPRESENTATIVE LOVVORN:** Aye.

**CLERK:** Representative Pringle?

**REPRESENTATIVE PRINGLE:** Aye.

**CLERK:** Representative South?

**REPRESENTATIVE SOUTH:** Aye.

**CLERK:** Representative Wood?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE WOOD:** Aye.

**CLERK:** Fifteen yeses, six nos. The motion passed.

**SENATOR MCCLENDON:** Thank you committee members. Coming forth now is the State Board of Education in development of this plan. All state board members were met with in person or by phone, follow up meetings were held, sometimes by phone, some on Microsoft Team until all of their concerns were addressed. All board members had inputs. This plan meets our committee guidelines, complies with Section 2 of the Voting Rights Act and Equal Protection clause. There is a minimum population deviation between the districts, all population state board is 628,035 plus or minus five.

[01:00:10]

Respects counties to the extent possible of taking into consideration requirements for equal population does not require incumbents to run against each other. District continuous and reasonably compact, respects communities of interest, preserves the course of existing districts, the precinct splits, five counties are splits, five counties with zero splits. It's an improvement over the current law with 12 versus 5 splits. Tuscaloosa County, Jefferson, Talladega, Montgomery and Mobile each have our split. Contains two majority-black, Districts 4 and 5. The BVAP for 4 is 51.2 1%. BVAP for 5 is 51.2 7% and the functionality studies that we've talked about indicate that Section 2 requires no further adjustment to these BVAPs in order to fulfill our obligation under the Voting Rights Act. With that introduction, I move adoption of the plan as you have received. I have a second on that, a motion and adoption and I recognize my good friend Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you Senator. I can't speak for anybody that's in here, but I have no knowledge of which changes had to be made in here. Is that I would like to go through the changes in each district adjustments. What is the adjustment that you had to make in drawing some out? We can start with warning going all the way to the last one there.

**SENATOR MCCLENDON:** The changes are detailed. You've got a folder Senator.

**SENATOR SMITHERMAN:** I would have to read.

**SENATOR MCCLENDON:** That's the changes in it and from -- let me tell you this.

**SENATOR SMITHERMAN:** Mr. Chairman, do you want me to -- if you recognize me, I'll take this folder and then read them out. But tell me, I got, so Smitherman is that last vote. I don't like them. I am not even seen none of these until I just walked in at one o'clock. So I don't understand. But I'm requesting either that we go over or I'm requesting the opportunity to -- if I got to read it, let me read it out loud and everybody sit here and we read and then we have discussions about it. I don't mind doing whatever you tell me to do. But I do want to go over these. I mean just to ram them down my throat, that is not right. If I can't go over them, then you're ramming it down my throat because I just got this. I mean, I came down here and you

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

meet you and nobody said nothing about change, anything, it was about this. Nobody gave me anything. I am not saying nothing until I got this right now. So I'm asking, please tell me whether we change in one? What we change in two, that's reasonable.

**SENATOR MCCLENDON:** Would you like a little five-minute break to read over that thing Senator?

**SENATOR SMITHERMAN:** It'd take more than five minutes to read because I still got questions. Reading don't eliminate the questions because I need a big old map up there. I need a map, I need the overlay. Since you all know what I need, I will need to overlay and then I could see where that is and I could say, "Well, what area is that and then what's the result of that? What impact did it have on initial?" So that I've been asking for the maps and I know that they have it because I saw overlay when I came in here. So I know we have the capability and that's all I'm asking.

**SENATOR MCCLENDON:** I wish you'd let us know ahead of time. Well Senator, if you want to talk about this, this is your opportunity to go ahead and do that. Now, I will tell you as far as asking me a lot of details on the BOA map, I was not involved and I was involved peripherally but not in detail. So if there's things you would like to discuss and ask and talk about on this thing that you have the floor and you're just welcome to do so.

**SENATOR SMITHERMAN:** I could do a decent job of that if I got the map up there, well I can ask. That doesn't tell me anything. I'm looking at the one, it didn't tell me anything. It just tell me that these are the new lines. They didn't tell me what's the overlay, what we're taking out, what we had to add in anything like that in terms of the precincts.

[01:05:05]

**SENATOR MCCLENDON:** So do you have specific questions about parts of the map and I'll see what I can find out.

**SENATOR SMITHERMAN:** Yes sir.

**SENATOR MCCLENDON:** I narrow it down and help me out here and I'll see what I can do.

**SENATOR SMITHERMAN:** The basic question I like to overlay, like to see the comparison and contrast, either way that it's set up that you got to set up in the machine -- presently and what changes this.

**SENATOR MCCLENDON:** Okay I'll see what you want. I don't know if we're capable of doing that but why don't you talk about any parts of this that catches your attention and I'll check and see what our IT folks can do as far as complying with your request. We might be able to put them side-by-side with the new one. We might be able to do that. I don't know, but I'll be glad to check on that and see what we can do.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Well specific questions, I can't give them to you because I don't know the overlay. That's why I got to have it. I mean, this is the finished product and I'm asking about the contrast between old product and the finished and I don't even have that before me in this where I can do that sitting in, you can think of anything. I don't have it. That's why I'm asking for it and I know we got it because like I said, I was here and I saw that we have overlaying capabilities.

**SENATOR MCCLENDON:** We did have, and I think we put online. I'm not sure, but I think we put online today old map, new map. We'll see.

**SENATOR SMITHERMAN:** I did the first time, I've seen this.

**SENATOR MCCLENDON:** While he makes that request, is anybody else. We'll get back to you Senator.

**REPRESENTATIVE ENGLAND:** I have questions.

**SENATOR MCCLENDON:** Under the current map that we're looking at now, was this drawn based on the 5% deviation plus-minus?

**REPRESENTATIVE ENGLAND:** Yes, sir.

**SENATOR MCCLENDON:** Could you tell me in District 4 and District 5 what was the population gain or population loss for you to be able to -- because in order for you to do the 5% deviation, you had to look at the gain or loss in that. So therefore, you had to move around in precincts.

**REPRESENTATIVE ENGLAND:** I don't have a -- it's 27,686 people under that deal. It's 228,659 whites, 319,828 blacks.

**SENATOR MCCLENDON:** So there's about 27,000 population loss in that district?

**REPRESENTATIVE ENGLAND:** It's under population idea by 27, has a deviation of minus 4.61%. It's 38.9% white, 53.27% black.

**SENATOR MCCLENDON:** Where would you have made that part pull more citizens black there in Jefferson County to make up that deviation?

**REPRESENTATIVE ENGLAND:** I'm not sure where it came from Senator. I'm sorry.

**SENATOR MCCLENDON:** See, that's the kind of stuff we would need to know in order to be able to approve maps when you start making these kinds of adjustments. I definitely would like to know that because it's not detailed on these maps where your adjustments came in terms of making adjustment to make up that. If you look at the next one and which covers most of the black built, I'm certainly there was some loss there.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** District 5?

**SENATOR MCCLENDON:** Yes.

**REPRESENTATIVE ENGLAND:** Which is 621,817 people which is a 6,218.

**SENATOR MCCLENDON:** How many?

**REPRESENTATIVE ENGLAND:** 6,218.

**SENATOR MCCLENDON:** Okay.

**REPRESENTATIVE ENGLAND:** 252,012 whites, 326,931 blacks. That's 40.53% white, 52.58 blacks. In fact, voting age population is 51.27%.

**SENATOR MCCLENDON:** Okay. And again, you can't tell me where the makeup of that population, which direction you went to get the makeup in that population in your precincts?

**REPRESENTATIVE ENGLAND:** I can't tell you right off the top of my head, no sir.

[01:10:00]

**SENATOR MCCLENDON:** Thank you.

**MR. CHAIRMAN:** Senator Smitherman rest assured. We're over here chasing some electrons around trying to.

**SENATOR SMITHERMAN:** Thank you Mr. Chairman.

**MR. CHAIRMAN:** Representative Hall, did you have something to say in the event?

**REPRESENTATIVE HALL:** I do. I'd like to ask a question that I asked earlier as it relates to the school board plan. Did we do the ratio polarization polarized voting study on these districts?

**MR. CHAIRMAN:** Okay. My answer would be the same as it was before. Any time there was any suspicion that there might be a racial issue, we did submit these to a political scientist to give us an analysis.

**MALE 1:** Mr. Chairman.

**MR. CHAIRMAN:** Just a minute.

**MALE 1:** Okay.

**MR. CHAIRMAN:** You're still up.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE HALL:** Okay. Yeah. So you're saying that when you felt that was not a given, that was not part of the process of drawing the maps. So I'm going to get the same response on each one of the --

**MR. CHAIRMAN:** Yes, ma'am we didn't. I'm sorry, I didn't mean to interrupt you, Ms. Hall. We didn't automatically do every district on every map. We only sent the district's offer analysis where it looked like there might be an issue. If there's any suspicion of an issue, we had them analyzed, and then using that data, we tried to make them -- that wouldn't be an issue where we comply with the voting rights there. Does that answer your question?

**REPRESENTATIVE HALL:** Yeah. I'm just trying to make sure I was understanding correctly. So, we didn't do that for congressional and we didn't do it for school boards. I've done it for any of the others.

**MR. CHAIRMAN:** All right. I'm going back if you'll hang on just a minute. Senator Smitherman, have we got the map up done? Okay. There you go.

**SENATOR SMITHERMAN:** Now, what's the overlay? I'm okay side by side or whatever you want to call it.

**MR. CHAIRMAN:** According to my expert, the blue lines are the old and the colors are the new.

**SENATOR SMITHERMAN:** Okay.

**MR. CHAIRMAN:** So he said there's been a good bit of rearranging. But there always is when you have the population changes like we've had in Alabama this past decade.

**SENATOR SMITHERMAN:** My first question would be, why is Jefferson County split three different ways? I mean, we just split Chow for every one of these maps we got. Why come into our county and split it three different ways?

**MR. CHAIRMAN:** You know, these maps were created pretty much in the same style that the senate maps which you participated in and house maps, and that we worked with each of the existing board members, and so many times these changes were made in consultation with the existing board members. Just like you had input into your senate map, they had input into this map.

**SENATOR SMITHERMAN:** I appreciate you giving them input but I will say this, after the input and everything is done. They don't vote for this. We do.

**MR. CHAIRMAN:** Right.

**SENATOR SMITHERMAN:** So, the input all right, but the input are not like ours, because we don't want going to vote. And so that's why it's important for us to understand. They may like something. I got constituents that don't like it. I got a lot of them that don't like the fact that we



**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

split up three ways in here. I'm talking about seriously. They don't want to be split up like that. That's why I said what I said in that regard. What about the other ones? What was the rationalization for the other changes that exist in the other ones? And this one, too. What was the rationalization? Why was it split three ways?

**MR. CHAIRMAN:** That was probably the biggest part of it is dealing with the existing members. That's where the most input came from.

**SENATOR SMITHERMAN:** Okay. So, we took in consideration what individual people won't, and I'm not saying you didn't take it at all but it seems to me that, and you correct me if it's not right. I don't mind being corrected. Well, we seem that we were focusing more on what they wanted than what the citizens wanted or what the better way to draw that map without splitting those counties.

**[01:15:02]**

Because I'm telling you what citizens are concerned about, they telling you what individual they want and don't want and that takes us out of the game, because we're represent those same citizens and we vote. So I would ask that you all go back and look at where you don't have to split Jefferson County like that, and then provide a map that does not do that. But now what's the other deviations and the changes? In the other deviations, what did you all have to pick up and what did you lose?

**MR. CHAIRMAN:** Well, the deviations of course are in compliance with the guidelines that this committee adopted and every district within plus or minus 5% of the target. So we've stayed -- this map is inside the deviations that we established really is our own guidelines to how to do this and how to do it in a sense of fairness.

**SENATOR SMITHERMAN:** Okay. In regards to follow up on Senator Sings question, I know he mentioned something about one of those districts. It was 26% population. Can you tell us what population each one of those? On each one of them.

**MR. CHAIRMAN:** I think you've got that data.

**SENATOR SMITHERMAN:** I don't have it all in one though. I got what you say it is in the new district.

**MR. CHAIRMAN:** Well, because we know what the target. So we got that in this folder? Okay. It's in the back of your folder. You got it in writing.

**SENATOR SMITHERMAN:** The old and under?

**MR. CHAIRMAN:** Well, you may have to add or subtract from the target to see what the difference is.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Well in that case, I move a 30 minutes recess. I got to do some math. [INDISCERNIBLE 1:17:03] some math. Give me time to do. The figure is all over that low. I mean, I know they are. You all could tell me about my own district. You know about every district in every plan it is.

**MR. CHAIRMAN:** All right. I'm looking at the data that you've got in your folder, and I'm looking at district five. It gives the ideal population, gives the actual population then it gives the deviation. So, you've got all of that information in writing in your folder?

**SENATOR SMITHERMAN:** What's the ideal population? The actual population?

**MR. CHAIRMAN:** It's at the very back of your

**SENATOR SMITHERMAN:** I see that part what you're saying right. I see it. Now, the other question there, where did we make of those numbers from? What precincts?

**MR. CHAIRMAN:** I was moved around to create the district.

**SENATOR SMITHERMAN:** Yeah.

**MR. CHAIRMAN:** I don't know the answer to that. Oh, no.

**SENATOR SMITHERMAN:** Do we have the answer in this room?

**MR. CHAIRMAN:** A lot of precincts. Well, it doesn't matter. What you know is what the old district is and now, before you, you have what the new district is. So now where some people came from, that is the overlay.

**SENATOR SMITHERMAN:** You said it don't matter, it does to me. I just wanted to say that it may not to nobody else, but it does. That's why I'm asking the question. I wouldn't ask the question being dealing --

**MR. CHAIRMAN:** Are you asking me and listen Senator Smitherman, I'm trying to get what you want here, but you want to know where people came from or where they went. That's what your overlay map shows us, where the changes were made, which precincts were in a district before and which ones are in our district now. Does that answer your question?

**SENATOR SMITHERMAN:** It answers 50%.

**MR. CHAIRMAN:** Okay.

**SENATOR SMITHERMAN:** But the other part is that it does not talk about what area. [INDISCERNIBLE 1:18:56] and put it over here. That's what I'm saying. We don't have any writing up there. I wouldn't have to ask, and we do have maps that is that detail. You all know that. I know you do, because you all the chairman's. You know we do, and that's what I was asking. I mean, do we have capabilities of doing that? Yes. And that's all I'm asking. In every

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

one of these things, we're going to do -- I would like to see that. So that at the, we can make a better understanding of what we vote on and taking places from people, because people ask us especially up in mayor. They don't want to be over here. They want the county to be whole. And so when you make the moves, and that tells me what people will move and what people will left and that has a basis too of the way I feel about this plan because all of us, we are here to represent the people in our district, and these are concerns of people in the district. Is there any way to know that?

**[01:20:02]**

**MALE 1:** No, sir.

**SENATOR SMITHERMAN:** It's not? You sure now? I mean, I was here when we did it, when we provided it.

**MALE 1:** Well, it could be that.

**SENATOR SMITHERMAN:** So even in man, I saw precincts. You remember you were in here when I came. I saw precincts. So I'm not making up some, you was in there with me when we saw those precincts.

**SENATOR MCCLENDON:** Now we can bring that down and we can get that to you but as far as it's coming before this committee, what we have presented and this is what we've got before us today.

**SENATOR SMITHERMAN:** And I have no problem with you presented and that's what before us. I just want some answers of what's before us. That's all I'm asking.

**MALE 1:** All right, sir.

**SENATOR SMITHERMAN:** So, can we get that information? Can we break it down? Let me just say this, I understand that we can, all we have to do, even out there is take number one and then put the details in and put it across there. That's all we got to do and then we'll see where it comes from. We should put that old, that blue line or whatever that line over there and that's like it is right there. The old and new and put the detail in there and it's over there in that computer right there. That's all we got to do. It's right there. I ain't asking for the man who ain't that available lawyer we got. I'm asking him about that computer right there.

**SENATOR MCCLENDON:** Okay, where we're examining on the capability of this system that we have now to the extent that we can.

**SENATOR SMITHERMAN:** Okay. There we go. That's what I'm talking about. That's I'm saying pop up there.

**SENATOR MCCLENDON:** Is there any particular area that you would like to look at?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** I like to --

**SENATOR MCCLENDON:** Do you want to look at your area and --

**SENATOR SMITHERMAN:** First all [INDISCERNIBLE 01:22:03], I like to look at the one above and I think that's six or whatever that is above that, every part, me particularly every one of those districts that Jefferson County, I like to see that part, that district that touches. It's three of them and I like to be told what I'm looking at, so I'll be sure of what I see. Yeah, you getting it. I was looking over that Tarrant and I'm looking at Inglenook, Brownsville. I'm looking at those.

**SENATOR MCCLENDON:** Senator Smitherman.

**SENATOR SMITHERMAN:** Yes, sir.

**SENATOR MCCLENDON:** We're going to spend, if you want to spend, we're going to spend about 10 minutes with you.

**SENATOR SMITHERMAN:** That's fine, I'll take it here.

**SENATOR MCCLENDON:** [INDISCERNIBLE 01:23:10] on this and then we're going to get you back on business.

**SENATOR SMITHERMAN:** 10 is better than zero. Take the 10.

**SENATOR MCCLENDON:** You're always a 10 Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you, Senator. Sun Valley, so that the blue is the new, right?

**MALE 1:** That's right.

**SENATOR SMITHERMAN:** The blue is old. Blue is old and the colors are new. Okay. What district is that green? What number district? Four? It's number four? Blue, that y'all call it blue. Okay. All right. So, it's the color is a change? Let me see. And it's four, four is the C5 and what six is the majority of the districts, five and; no, five and what? What number Mr. Chairman? I was just trying to speed up the process. Which one is five and what's the other one you say is a majority? African-American district, [INDISCERNIBLE 01:24:42] voting population? It's five and it's four and five?

**MALE 2:** Five, four is 51.2. Five is 51. [INDISCERNIBLE 01:24:57].

[01:25:00]

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** How can we tighten it up that you don't have already splits in that county? Did y'all look at that? Did you play with the map and look at it and see what it looked like?

**SENATOR MCCLENDON:** We played with a map and you certainly will have an opportunity if you've got a better plan for us. You'll have an opportunity to like that proposal to the legislator when we meet.

**SENATOR SMITHERMAN:** So, that's four, that all the four right there? I see some more at the bottom, is that part of four? And above four is what, seven? That's at the top of Jefferson County?

**MALE 2:** Yes, sir.

**SENATOR SMITHERMAN:** What percentage of seven is in Jefferson County? Anybody can tell me that? So we got three in Jefferson County and we got four and we got seven. Now, those are three at [INDISCERNIBLE 01:26:13] Jefferson County?

**MALE 2:** Yes.

**SENATOR SMITHERMAN:** Three, four and seven. It's seven, four and three. So in four, we went straight up. We did like the old seven in congressional. We went straight up in the Jefferson County to pull those people out, is that correct? Why we could not make Jefferson County whole or Tuscaloosa whole and keep those whole and satisfy that population? Did y'all try to do that? And if you did - -

**SENATOR MCCLENDON:** I'm sure that was looked at and considered.

**SENATOR SMITHERMAN:** But you're not sure though. Okay, I was going to ask why. I'm not going to put you on the spot if you don't know, you know. Okay. All right, Mr. Chair, I see what's been done and I know what the people want. Thank you very much on that.

**SENATOR MCCLENDON:** Senator Smitherman, thank you for your participation and your comments. As always, a pleasure. Call a question. Roll call vote. There's no more discussion and let me see, Senator Singleton, do you have a question before we call roll? Call roll, please.

**FEMALE 1:** Senator Allen?

**SENATOR ALLEN:** Aye.

**FEMALE 1:** Senator Holly?

**SENATOR HOLLY:** [INDISCERNIBLE 01:27:59].

**FEMALE 1:** Senator Livingston?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR LIVINGSTON:** Aye.

**FEMALE 1:** Senator McCLENDON?

**SENATOR MCLENDON:** Aye.

**FEMALE 1:** Senator MELSON?

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator ORR?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator ROBERTS?

**SENATOR ROBERTS:** Aye.

**FEMALE 1:** Senator SCOFIELD?

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator SINGLETON?

**SENATOR SINGLETON:** No.

**FEMALE 1:** Senator SMITHERMAN?

**SENATOR SMITHERMAN:** No.

**FEMALE 1:** Senator WILLIAMS?

**SENATOR WILLIAMS:** [INDISCERNIBLE 01:28:20].

**FEMALE 1:** Representative BOYTE?

**REPRESENTATIVE BOYTE:** No.

**FEMALE 1:** Representative CLOUSE?

**REPRESENTATIVE CLOUSE:** Aye.

**FEMALE 1:** Representative ELLIS?

**REPRESENTATIVE ELLIS:** Aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Representative England?

**REPRESENTATIVE ENGLAND:** No.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall?

**REPRESENTATIVE HALL:** No.

**FEMALE 1:** Representative Jones?

**REPRESENTATIVE JONES:** No.

**FEMALE 1:** Representative Lovvorn?

**REPRESENTATIVE I:** Aye.

**FEMALE 1:** Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**FEMALE 1:** Representative South?

**REPRESENTATIVE SOUTH:** Aye.

**FEMALE 1:** Representative Woolett?

**REPRESENTATIVE WOOLETT:** Aye.

**FEMALE 1:** 16 yes, 6 no. It's passed.

**SENATOR MCCLENDON:** BOE, bill to favorable report by this committee. We are now moving into the Senate bill. I'm going to take that bill. All senators were met with multiple times. Most of them wanted to. Sometimes we met on the phone, sometimes in person, sometime over Microsoft Team when there was a group. Senator Don, who is not running for re-election. We met with her representative speaking on her behalf. All senators had input into the plan. This plan follows our guidelines, compliance with Section 2. Minimal population deviation. Ideal pop is 143,551. All of the districts that are on this map that you have in your folder and which will get displayed are within plus or minus 5%.

[01:30:00]

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

We respect County Lowndes to the extent possible, given the requirement of equal population. We are not requiring any incumbents to run against each other; districts are continuous and they're not reasonably compact. We try to respect calamities of interest and we preserve the cores of the existing district. The existing plan, the one we're under right now splits 26 counties under the plan that is being proposed that you have on the Board now. We are split 19 counties. This plan contains eight majority black districts. These districts fulfill the state's obligation under the Voting Rights Act. I have a Motion for a favorable report and a second Senator Melson, are there any -- Senator Smitherman, it's about time you chimed in. Got involved in this.

**SENATOR SMITHERMAN:** This is one that goes even deeper than that what I've been talking about. I got serious concerns about the fact -- let me say this first.

**MR. CHAIRMAN:** Yes sir.

**SENATOR SMITHERMAN:** I'm going to make a personal comment; and then I'm going to get into this. I enjoy very much working with my delegation, let me make sure you understand that. We've done a lot of good things together; so by no means that I have any problem with any individual in my district, I mean, in my delegation. But let me say this to you, there's no reason under the earth why Jefferson County is split among seven senators. We have a population of 670,000 people. When you do the math, just divide it into that, that's 4.7 senators. That's what we should have in terms of our county. Whole county, keeping the county whole. Number one, let me say this; and I think -- that's why I wish the lawyer was here because he wouldn't have a choice but to say you were right. The Constitution in Section 199 and Section 200 states and I state that the counties are to be maintained to be kept whole in terms of drawing these districts. The only deviation that it talks about is simply this; is that where you have to provide a minority district; then you go outside of the counties to succeed to do that. In Jefferson County, that does not apply. All three minority districts are inside of the county. So, as a result of that, there is no reason that that county should have those splits, based on the constitution, not based on an opinion or how I feel. I've mentioned that when I was in here, I mentioned that my concern, when I was asked the question that you satisfied, not the word satisfied, but that's with the district, and my comment is that I was concerned about whole counties, and I say that even if the Supreme Court ruled that way that I had to have this district then I will live with it, that's what my comment so I don't want to be misconstrued or what I say it in there. I'm saying it officially here. But in terms of Jefferson County, there's no reason why we should be split seven ways and I mentioned that to it made that known, no effort was made to deal with that issue. No effort was made to deal with that issue based on the constitution. So, I want to make that known that I put it out there, nothing was done about it, so, that is my concern. If you remember, that last time that we went to the Supreme Court, they took up the house issue and they addressed it in the house and said that the house should be a certain way because of dealing with this issue. Now, we're looking at the senate district that the committee has made no changes whatsoever and as a result of that, as I said, we have seven senators who represent one county. So, I'm asking the committee to go back to address section 199 and section 200 of the constitution that talks about whole counties and has laid out the proper legal basis of why we should do that especially as it relates to Jefferson County where all three minority districts encompass inside of the county.

[01:35:00]



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Okay, anyone else? Seeing no other discussion, I call for the roll call vote. Representative England, I missed you over there, hold that roll call vote. Representative England, you are recognized sir.

**REPRESENTATIVE ENGLAND:** I'm just trying to figure out almost the same lines that Senator Smitherman identified that's Lucy County for whatever reason has three senators and it is carved up. It's going to be 200,000 people total and it has three senators that come from -- don't really represent the same sort of communities of interest and Senator Singleton is my friend. He is my senator, but his district goes from Tuscaloosa County all the way down to Choctaw. Senator Reed who is also a friend, his district goes from Tuscaloosa County all the way to the northern tip of Walker all the way to Lamar. These are not communities of interest. The City of Tuscaloosa proper only has average three-member senate delegation; only one of the senators live actually inside of Tuscaloosa County. So, the people in Tuscaloosa County, there are people who have more influence or just as much influence of his own city in county business that live outside the county as members that who do. Now, we're not talking about the house delegation yet, but the house delegation is worse. So, I am just as many other senators and representatives, where you have a major city, it is often sacrificed in order to make up population for other districts. As a result, it sacrifices the amount of representation that we have. So, I just want to go on record once again to state that Tuscaloosa County is possible to draw a map without splitting it into three different districts, thank you.

**MR. CHAIRMAN:** Thank you Representative England for your remarks. Senator Smitherman, back to you.

**SENATOR SMITHERMAN:** At the proper time, I have a substitute motion.

**MR. CHAIRMAN:** Let's see, anyone else have anything else to say? Yes, sir, Mr. [PH 01:37:24] Myer. Did you want to get in on this?

**MR. MYER:** I'm just concerned about, I guess the Senate District 33 is now in Baldwin County but it's traditionally all in Mobile County and then some of the Baldwin County senators are now in Mobile County; I didn't quite understand that. The Baldwin County is the largest grove county around the state. How did we get a senator from Baldwin County in Mobile and then the senators from Mobile in Baldwin? Who are they coming to cross path like that?

**MR. CHAIRMAN:** Is that a question?

**MR. MYER:** Yes, it is.

**MR. CHAIRMAN:** You know, the answer is pretty easy, isn't it? Just like in the house districts, we had to sit down and work with each of the incumbents to resolve their issues and that appears to be the resolution. Senator Smitherman, are you back?

**SENATOR SMITHERMAN:** Yes sir, I'm back.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yes sir, I recognize you. You're okay?

**MALE 1:** No, I'm not okay but -- Senator Smitherman.

**MR. CHAIRMAN:** Yes sir, Senator Smitherman, you're recognized.

**SENATOR SMITHERMAN:** Thank you, Mr. Chairman. I like to make a substitute motion that we carry over this plan and the motion ask the committee to go back and to look at making the basis for drawing this plan to perseveration of this provision of the constitution which is Section 199, 200 deals with whole counties and that in particular, the counties who have an excess amount of representation as it relates to the population in reference I'm talking to primarily Jefferson County, but all other counties that we would not go forward with this until that issue is addressed and corrected to reflect out of the 678 -- 70 something thousand people that the proper number of representation in the senate honoring whole counties would be five senators, 4.7 or 5 senators, thank you.

**MR. CHAIRMAN:** Thank you Senator Smitherman. Now, my commotion to table, I would ask that you all vote aye all in favor, say aye.

[01:40:00]

**SENATOR SMITHERMAN:** That's a rollcall, remember --

[OVERLAY]

**MR. CHAIRMAN:** Senator Smitherman, you're recognized.

**SENATOR SMITHERMAN:** A request was made for rollcall on all the votes from --

[OVERLAY]

**MR. CHAIRMAN:** Yes, sir, the chairman decided to make that a voice vote.

**SENATOR SMITHERMAN:** So you're not honoring her request for -- she made a formal request.

**MR. CHAIRMAN:** That's okay.

**SENATOR SMITHERMAN:** Okay, what's the rule does a committee regarding? I know on the floor what you had two or three hands up. Is there any rules that we can -- as a committee be recognize so that we can have a roll call vote?

**MR. CHAIRMAN:** That's a discretion of the chairman.

**SENATOR SMITHERMAN:** So they go back to what I say. Okay. All right, thank you.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Senator Singleton, did you decide you want to join in?

**SENATOR SINGLETON:** Obviously not now.

**SENATOR SMITHERMAN:** You have time later, don't worry, you have time later. You have some time.

**MR. CHAIRMAN:** Do you want the floor Senator Singleton?

**SENATOR SINGLETON:** No sir.

**MR. CHAIRMAN:** Okay. Thank you. Let's roll call vote. Please call the room.

**FEMALE 1:** [PH 01:41:10] Barry Allen.

**MALE 1:** Let's make it a voice vote.

**[BACKGROUND CONVERSATION]**

**FEMALE 1:** Senator Allen.

**SENATOR ALLEN:** Aye.

**FEMALE 1:** Senator Holley.

**SENATOR HOLLEY:** Aye.

**FEMALE 1:** Senator Livingston.

**SENATOR LIVINGSTON:** Aye.

**FEMALE:** Senator McClendon.

**SENATOR MCCLENDON:** Aye.

**FEMALE 1:** Senator Melson.

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator Roberts?

**SENATOR MELSON:** Aye.

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

**FEMALE 1:** Senator Scofield.

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator Singleton.

**SENATOR SINGLETON:** No.

**FEMALE 1:** Senator Smitherman

**SENATOR SMITHERMAN:** No.

**FEMALE 1:** Senator Williams.

**SENATOR WILLIAMS:** Aye.

**FEMALE 1:** Representative Boyte.

**REPRESENTATIVE BOYTE:** No.

**FEMALE 1:** Representative [PH 01:41:45] Clouse.

**REPRESENTATIVE CLOUSE:** Aye

**FEMALE 1:** Representative Ellis.

**REPRESENTATIVE ELLIS:** Aye

**FEMALE 1:** Representative England.

**REPRESENTATIVE ENGLAND:** No.

**FEMALE 1:** Representative Greer.

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall.

**REPRESENTATIVE HALL:** No.

**FEMALE 1:** Representative Jones.

**REPRESENTATIVE JONES:** No.

**FEMALE 1:** Representative Lovvorn.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE LOVVORN:** Aye.

**FEMALE 1:** Representative Pringle.

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**FEMALE 1:** Representative South

**REPRESENTATIVE SOUTH:** Aye.

**FEMALE 1:** Representative Wood.

**REPRESENTATIVE WOOD:** Aye.

**FEMALE 1:** 16 yeses, 6 nos. It's passed.

**MALE 1:** Thank you, senator. Ladies and gentlemen, now we move to the House of Representatives plan. In developing this plan, house members were met with in person. And subsequently over the phone on Microsoft teams and told many of their concerns have been addressed. All representatives had input into this plan. The exceptions are a handful of members who are not running for re-election and who chose not to meet with us. This plan meets our committee guidelines. It complies of section two of the Voting Rights Act and the Equal Protection Clause for the Constitution. There is a minimal population deviation between the districts, ideal population for house district is 47,850. All districts are within plus or minus 5% of ideal population. It respects counties to the extent possible, given the requirements for population on the 14th Amendment of the Constitution. It is not required incumbents to run against each other however there are a few members who are not running who are in other districts. All districts are continuous and reasonably compact under the Gingles test. It respects communities of interest and preserves the course of existing districts. It splits a minimum number of counties in voting precincts, 39 counties for split and 57 voting precincts for split to get the deviation. This is improvement of the current law which split 46 counties. This plan contains 27 majority minority black districts including the creation of a new majority black district in Montgomery which is House District 74. In addition, House District 53 held by minority leader Daniels has a black voting population of 48.15% which he said he was comfortable having. Well that ladies and gentlemen, are there any questions?

**MALE 2:** Motion to adopt.

**REPRESENTATIVE ENGLAND:** I have a question.

**MR. CHAIRMAN:** Okay, Representative England.

**REPRESENTATIVE ENGLAND:** Its seems like the whole county constitutional requirement applies everywhere but Tuscaloosa County. Again, there are 200% people inside the Tuscaloosa County and as it stands, there are seven members in that delegation. Of the seven, only four live

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

within the county. You mentioned in your discussions, you said we try to keep communities of interest together, representative Ralph Howards, district now draws all the way into Tuscaloosa - not only Tuscaloosa County but in the city limits. He goes into the west side of Tuscaloosa which is majority minority.

[01:45:08]

**MR. CHAIRMAN:** And he is very happy with that by the way because he told me how excited he was.

**REPRESENTATIVE ENGLAND:** I appreciate you offering editorial for me. Secondly, District 71 goes into downtown or to the west side of Tuscaloosa. It also encompasses Pickens, Sumter and Marengo counties. It also goes into the west of Tuscaloosa and it captures the other half of the black population on the west side of Tuscaloosa. I don't think that's by accident. As it stands, the City of Tuscaloosa also now has a seven-member delegation of which three do not live anywhere near the county. The minority majority area of the city is represented by representatives that live an hour and hour and a half away. It is carved up in the City of Tuscaloosa to the point where it is very difficult to say for us to suggest that people that live in the county that the people that live outside the county don't have as much influence on what we do as the people who live inside of the county, especially the city limits. You also mentioned that it [PH 01:46:35] complies with the Voting Rights Act. I would also like to request the same information that I have requested all day long. I would like the same results from the same studies that we're conducting and that there has not been a study done on my District, District 70, 71, 72 or any district within the city of Tuscaloosa, I would like to have the results of those studies but not only that, I would like to also know who conducted the study and I would like to see the results. As far as across the state, I get the whole concept of try to keep counties whole and whatnot. But it does not appear that that was a guiding principle whenever you got to areas that where districts were minority. It seems like you dove into cities just to capture the black population and to pack them into districts to re-establish a population but to make sure that their influence does not spread outside to potentially impact an election in what would be a traditionally white or republican district specifically, in Tuscaloosa. So as I said, I would love to see -- I'm requesting the same information I have requested about the congressional districts and also, if there's any districts out where there are racial polarization studies were done, I would also like to see those as well.

**MR. CHAIRMAN:** Thank you and duly noted, we will get back to you. [PH 01:48:06] Senator Smitherman.

**SENATOR SMITHERMAN:** Two questions, one statement one question. I would request the same thing for all senator districts, okay. That study that they are trying to get, I would like for all senator districts. So I wanted to say that, I'm not saying you would but don't make a judgment [INDISCERNIBLE 01:48:28]. As a member, I am entitled to and I would ask for that. If we don't have it, spend the money and why we [PH 01:48:36] appropriate it. So any savings of money, either is about getting the necessary stuff that we need to get. The other question I would ask because I kind of heard you. Un your statement you said, you went on like you spoke to in your statement but I would like to know how many districts have been combined to where you

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

have now someone who is either waiting for a position that's open, that's obviously right now or who is -- or has been placed where two incumbents are now having to run against each other?

**MR. CHAIRMAN:** In the house plan, there is zero.

**SENATOR SMITHERMAN:** What about that [INDISCERNIBLE 01:49:20]?

**MR. CHAIRMAN:** No.

**SENATOR SMITHERMAN:** There is not?

**MR. CHAIRMAN:** No.

**SENATOR SMITHERMAN:** Okay. So he is not in the district with -- what's the other [PH 01:49:27] sister that's in Montgomery?

**MR. CHAIRMAN:** He passed away but the candidate -- there are no two candidates that I know off. I don't know if he is going to run but no.

**SENATOR SMITHERMAN:** Can she run? Ms. [PH 01:49:40] Morris and that's --

**MR. CHAIRMAN:** I don't know the name of anybody.

**SENATOR SMITHERMAN:** No, I was just saying Ms. Morris, that's [INDISCERNIBLE 01:49:49] putting Ms. Morris' district. Not understanding. Is that right? Am I wrong or right? Correct me if I'm wrong because I try to make statements that's right.

[01:50:00]

**MALE 2:** Yeah, couple of house district.

**SENATOR SMITHERMAN:** Right. So, you know, what are we going to do to correct that? And I'll stop when you said it, I want to make a comment. All I want to say is this and the records speak for itself and if Senator [INDISCERNIBLE 01:50:16] was in here, he would, I think vouch for that. We made sure that no districts when we were in the majority ever, to republicans or to democrats that they had to run against each other. That's traditionally what we've done in here. All the time that I've been had the blessings and opportunity to be on Reapportionment and that since 1994. So now why are we doing that? And why are we doing it in a minority district? I mean, we got 105 seats out there now, why are we picking these minority district? They have two of them run against each other.

**MR. CHAIRMAN:** Not that I'm aware of in Montgomery County. And I know when I ran in 94, I defeated -- two incumbents were put in the same district and I beat two of them. Not to get two incumbents.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** There was a 94 run. Remember I said I've been here since 1994, it hasn't happened. He will vouch how much I folded in my [INDISCERNIBLE 01:51:10] and make sure that wouldn't happen.

**MR. CHAIRMAN:** We did not place any incumbents together.

**MALE 2:** Mr. Chairman, why you may say you didn't have any incumbents together, but you did have a candidate that was out there running in 76. That are currently running in 76. You have candidates that are currently running and 76 who would now not be in 76 because if they wanted them, they would not represent 76.

**MR. CHAIRMAN:** I don't believe that's the best the case anymore.

**MALE 2:** That is the case.

**MR. CHAIRMAN:** I don't believe it is anymore.

**MALE 2:** Explain the new district 74 if Represented [INDISCERNIBLE 01:51:50] was living today.

**MR. CHAIRMAN:** He would be in another district but--

**MALE 2:** It will be in another district, so he wouldn't be in 76.

**MR. CHAIRMAN:** Yeah but the person running his district is in that district.

**MALE 2:** In what district in the new district?

**MR. CHAIRMAN:** [INDISCERNIBLE 01:52:01].

**[BACKGROUND CONVERSATION]**

**MALE 2:** No but now, they are tagged with another incumbent, who lives in that area now.

**MR. CHAIRMAN:** I'm aware of what you believe, but I promise you the plan has been changed.

**MALE 2:** The plan has been changed?

**MALE 1:** Can you show us a change?

**MALE 2:** Could you explain the changes?

**[OVERLAY]**

**MALE 1:** We can't see it. It doesn't clearly show here. Yeah, help me out with that.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**[BACKGROUND CONVERSATION]**

**MALE 1:** 76 is the new 74 that's been fixed.

**[BACKGROUND CONVERSATION]**

**MR. CHAIRMAN:** While we're doing that, Mr. Clouse is there anything you would like to say? We are going to pull that.

**MALE 2:** Yeah, well you can be seen.

**MR. CLOUSE:** I just want to make a clarification on my friend Senator Smitherman. It might have been after 2000 census when the democrats were in the majority there were no republicans put together in the Senate.

**SENATOR SMITHERMAN:** That's what I'm talking about.

**MR. CLOUSE:** Right. But in the house, there were two districts, where two republican incumbents were put together.

**SENATOR SMITHERMAN:** Yeah well let me come down and I'll [PH 01:53:45] refer it.

**MR. CLOUSE:** Yeah okay.

**SENATOR SMITHERMAN:** Republican Senate did that they won. See, we'll be fair about this thing. That's what I'm talking about. They'll tell you, I'll hide them for them. There isn't anybody allowing for them right now, but us.

**[BACKGROUND CONVERSATION]**

**SENATOR SMITHERMAN:** Is that a new district now?

**MR. CHAIRMAN:** That's a new district.

**SENATOR SMITHERMAN:** That district?

**MR. CHAIRMAN:** That is.

**SENATOR SMITHERMAN:** That has been in the county though but that is?

**MR. CHAIRMAN:** That is. That's whole precincts. So are there any more questions? Now we have a motion? Move to have a final approval to this.

**FEMALE 1:** Question.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yeah, I have done that once. Call roll.

**SENATOR SMITHERMAN:** She had a question.

**MR. CHAIRMAN:** All right, let Ms. Hall ask her question.

**REPRESENTATIVE HALL:** I was just trying to follow up with what you were saying in terms of the counties. Are we clear and what you're saying in reference to the county that Singleton and Smitherman mentioned as it relates to the candidates, whether the candidate is alive or not does that --

[01:55:00]

**MR. CHAIRMAN:** Where is perfectly thought.

**REPRESENTATIVE HALL:** All right, and so the -- this is the last activity that we are doing, right?

**MR. CHAIRMAN:** Yes, ma'am.

**REPRESENTATIVE HALL:** I would also like to request precincts for each one of these proposals that you provided today. I'd like to have that.

**MR. CHAIRMAN:** I will be more than happy to give you all breakdowns with all this stuff.

**REPRESENTATIVE HALL:** And then as we look at the rules, it says a legislator shall try to minimize the number of counties in each district. It seems like we're being a bit confused here with what we've heard today. We use the word "shall," it says that you must follow, trial indicates that you might not. And so, would you tell me based on what we have today and what instant would you not minimize the number of counties or the process that you've used here today?

**MR. CHAIRMAN:** Ma'am we did our very best to respect voting precincts and county lines and keep as many counties hold as possible but the overriding principle of reapportionment is one man one vote. When we went by whole counties in the State of Alabama -- in 1947 the United Supreme Court said the redistricting was a judicial ticket in which the court should not weighed and declared it non-despicable. Until the State of Alabama came and rentals [PH 01:56:37] via sims and our whole our whole county plan where they ruled that it was so egregious that denied people their constitutional right to fair representation. And that's the lawsuit just started all redistricting and the Fourteenth Amendment requires one man one vote and we respect county lines as much as we could but the overriding principle is to draw districts that each person in this room represents the [PH 01:56:59] apportionment the same number of people as every other person.

**REPRESENTATIVE HALL:** So it still appears that we've still dividing counties and it's just -  
- and so you're saying that process was necessary.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** We split counties and precincts solely for the purpose of population deviations.

**MALE 3:** Mr. Chairman?

**REPRESENTATIVE HALL:** But we did not do the population study on all of these counties?

**MR. CHAIRMAN:** No, well, we're going to do the voting studies on the ones we think are necessary, but you don't need a voting study on my district. It's just not needed.

**REPRESENTATIVE HALL:** But I'm saying if we're being fair, when you do a study, you study all you don't study what you think.

**MR. CHAIRMAN:** No reason.

**REPRESENTATIVE HALL:** So help me to understand what the standard is.

**MR. CHAIRMAN:** Why would you study racial polarized voting in my district?

**REPRESENTATIVE HALL:** I don't know.

**MR. CHAIRMAN:** I mean, you just --

**REPRESENTATIVE HALL:** Other than in fact you want a process --

[OVERLAY]

**MR. CHAIRMAN:** I mean the reason we do this to ensure we don't run up against a regression on law suit and violate section two of the Voting Rights Act.

**REPRESENTATIVE HALL:** I shouldn't have said I don't know. I would think you don't do it because you would --

**MR. CHAIRMAN:** We were doing everything we can to prevent a regression problem and violate section two of the Voting Rights Act. I mean we're trying to follow the law and we don't have a retrogression issue and violate section two.

**REPRESENTATIVE HALL:** So would you violate the law if you did all of this information --

[OVERLAY]

**MR. CHAIRMAN:** We asked for polarized voting analysis on districts that we were concerned about whether we whether intentionally or unintentionally diminish the ability of a protected class of minority citizens from electing or defeating the candidate of their choice. That's what

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

we're looking at. We are making sure a protected class minor and compact and cohesive but minority class is able to elect to defeat the candidates of their choosing.

**REPRESENTATIVE HALL:** And I want to make sure that the record is clear. I'm not asking you to violate the law but I would ask you to be consistent and fair and across the board in the process.

**MR. CHAIRMAN:** We have met with every member trying to make him happy. Yes, senator?

**SENATOR SMITHERMAN:** I would just add that you quoted [INDISCERNIBLE 01:59:12] but if you go further it addresses what I see it. You did say what you said but you see what I see it after they said all that bizarre stuff they said however, counties should be made whole where there's possibility except one of the criteria was when you were trying to create a minority district. Unless you're getting ready to give up four in Jefferson County instead of three then we got out inside the county and that does not apply.

**MR. CHAIRMAN:** I'm a humble contractor and you're a scholared attorney. Well, that we had a question before us, I believe we have a roll call vote, clerk call the roll.

**FEMALE 1:** Senator Allen

**SENATOR ALLEN:** Aye.

**FEMALE:** Senator Holley.

**SENATOR HOLLEY:** Aye.

**FEMALE:** Senator Livingston

**SENATOR LEVISTON:** Aye.

**[02:00:00]**



I, Anders Nelson, hereby certify that the document "Reapportionment committee 10.26.21" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

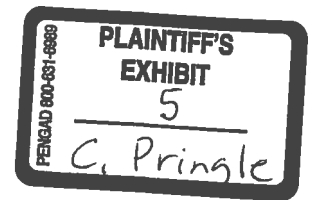
**Anders  
Nelson**

---

Anders Nelson  
Project Manager

Digitally signed by Anders  
Nelson  
Date: 2021.12.14 15:46:45  
-05'00'

December 14, 2021



**TRANSCRIPT OF  
HOUSE FLOOR DEBATE  
NOVEMBER 1, 2021**



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. BARBARA BOYD:** Right there, isn't that generally, the request that is made that on all district, a polarization study is done.

**REP. CHRIS PRINGLE:** Well, again, there are a lot of things I can do if I had time to do it, but in this horrifically compressed timeframe, if I look at a district that's 85% white, is it going to be racially polarized voting, that's going to show up in there.

**REP. BARBARA BOYD:** But that's your perception, that is not based on a study.

**REP. CHRIS PRINGLE:** I'm trying to get you the information you need on the districts that are in question as fast as I can possibly get to you. We can play this game, but you could do more, couldn't you? You can, you can always do more.

[OVERLAY]

There's always somebody to come down this well, and tell me, "I can do more to appease them" but there's only so much I can do in the amount of time I've been given.

**REP. BARBARA BOYD:** And you know what, you are so right.

**REP. CHRIS PRINGLE:** Yeah.

**REP. BARBARA BOYD:** But the other side of that, while we were talking about building prisons; to me, if I was doing this, this would have been the process that would have been in place. You would not have had that pressure, just think about that. If you're done, and we came into a special session dealing with building prisons, as opposed to dealing with -- and then you tell me about all of this pressure that you're under, because of such a slim timeline we have, you at least would have had an opportunity doing that, if that had been first, and then move to. You know, I said, "if you want my opinion." And I know that's not something that you would be asking for, but I thought I'd share it anyway. I mean, to me it's a self-inflicted crisis that we are in. We blame the Census Bureau. So, I plan the prison system in terms of [INDISCERNIBLE 00:02:06] And then you tell me, you're not going to do the polarization study, because you -- if a district based on your experience, and based on your information that is not necessary, because you are going to have a district that's 87% black, no white. Why would you do that?

**REP. CHRIS PRINGLE:** I really don't know what my percentage is. It's just some of them are very high, so.

**REP. BARBARA BOYD:** Some of your percentage is what?

**REP. CHRIS PRINGLE:** Some of the percentages are high. I don't even know what the percentages of my district.

**REP. BARBARA BOYD:** Yeah, and that's another question I have. How do you have such high percentages in a predominantly white district, and it's not stacked. But you do that, --  
[OVERLAY]

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. BARBARA BOYD:** --you look at some of the districts we have are the percentages are quite questionable. Good. I mean, that's my observation.

**REP. CHRIS PRINGLE:** We preserve the existing core of the districts to the extent possible, and I'm --

[OVERLAY]

**REP. BARBARA BOYD:** I am sorry; you do what?

**REP. CHRIS PRINGLE:** And I am not -- you know, the bit of that prison special session, you know what I was? It gave us the opportunity to begin meeting with every single member of this body, because they were here, that we meet with you in person, and go over your district with you in person.

**REP. BARBARA BOYD:** No.

**REP. CHRIS PRINGLE:** You didn't even also at all.

**REP. BARBARA BOYD:** Yes. I met. No, I didn't meet with neither one of the chairs. I met with a man called [PH 00:03:22] Hannaman.

**REP. CHRIS PRINGLE:** Yes. He was working for -- he was working for the committee.

**REP. BARBARA BOYD:** Well, I'm just saying.

[OVERLAY]

**REP. CHRIS PRINGLE:** And you met with him, and you went over your district, and he showed you what was in your district.

**REP. BARBARA BOYD:** He did.

**REP. CHRIS PRINGLE:** And he showed you the numbers, and he asked you if that was okay, --

[OVERLAY]

**REP. CHRIS PRINGLE:** -- and you agreed to it.

[OVERLAY]

**REP. BARBARA BOYD:** And you know what I said. No. You know what I said to him? I do not agree to anything until I get the following things: precinct centers in my districts, and I am able to sit, and look at the changes in the district, and how they are impacting what I had before.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

And what have been – no, you didn't get an okay from me. No, sir. You got -- what I just told you, and that's fine.

**REP. CHRIS PRINGLE:** Yeah.

**REP. BARBARA BOYD:** You know, as I look at this process and look at where we are, I did hear you say you were bringing, and admit a substitute?

**REP. CHRIS PRINGLE:** Yes.

**REP. BARBARA BOYD:** Did I hear that?

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. BARBARA BOYD:** All right. So obviously, some of the concerns that have been raised, those have gotten your attention since the committee met.

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. BARBARA BOYD:** I just want to know if that was the same opportunity that was provided for every other member?

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. BARBARA BOYD:** Every other member in here?

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. BARBARA BOYD:** 105 members had an opportunity.

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. BARBARA BOYD:** I didn't hear anything about that. When did you put that out?

**REP. CHRIS PRINGLE:** Ma'am, they will come to me, and we will meet with them.

**REP. BARBARA BOYD:** Oh, you had to come see you.

**REP. CHRIS PRINGLE:** Members that expressed concern with their districts were met with. And if you had a concern with your district, all you had to do is talk to me or anybody else in the reapportionment offers.

[OVERLAY]

**REP. BARBARA BOYD:** Really?

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. RUSSELL BEDSOLE:** Yeah.

[00:04:58]

**REP. BARBARA BOYD:** Everybody had that opportunity. My colleagues, how many of the colleagues, well anyway, I didn't hear anybody else saying they had that opportunity. Now, remember, I did not hear those members that are in the cognizant I'm in had that opportunity. I did not hear that. And I will, when I finish my few minutes, I will certainly check to see how many of them had problems, and they spoke, because I think that is so important. So, would you tell me about the report from the hearings that were held? I made a request also for a report, the report, information that was gathered during the hearings that went around the State. Where is that report?

**REP. CHRIS PRINGLE:** They are in the Reapportionment Office. The testimony was – in the 28 public hearings we got all this State.

**REP. BARBARA BOYD:** Right. And so, from that report, how much of that information, and what part of that information was used in the process of joining the district.

**REP. CHRIS PRINGLE:** In fact, I personally went back and re-read some of the testimony given, personally I did.

**REP. BARBARA BOYD:** How much of that information?

[OVERLAY]

**REP. CHRIS PRINGLE:** All of it. We took notes.

**REP. BARBARA BOYD:** How much of the information that was done during the hearing, presented during the hearing was used to –

[OVERLAY]

**REP. CHRIS PRINGLE:** We looked at all of it, and our attorney was there doing the whole thing, the whole process, and I went back and actually re-read some of the transcripts, yeah.

**REP. BARBARA BOYD:** But you didn't say that. In what part of that that you read? What I am asking for a specific, what specific part in the hearing was used during the join of the districts?

**REP. CHRIS PRINGLE:** Which part are you asking about?

**REP. BARBARA BOYD:** If we had here is all over the state, how many we did? 28, right?

**REP. CHRIS PRINGLE:** And I sat there, and the chairman sat there. The whole part, the whole thing.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. BARBARA BOYD:** And you went through all of it? My question is still –

[OVERLAY]

**REP. CHRIS PRINGLE:** I sat through all of the public hearings, yes ma'am.

**REP. BARBARA BOYD:** My question still is, what part of that hearing? It sounds like, things in that going quite right, because they are about to tell you something. That, at what part of the hearing was used in the process of drawing the districts?

**REP. CHRIS PRINGLE:** The whole process, the whole part.

**REP. BARBARA BOYD:** The report? So, are we able to have a copy of that report?

**REP. CHRIS PRINGLE:** Yes, ma'am. Yes, ma'am.

**REP. BARBARA BOYD:** Well, is that available now?

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. BARBARA BOYD:** So, may I? Make sure we request that, that I get a copy of that report.

**REP. CHRIS PRINGLE:** Well, it's not a report. It's the whole series of court reporters. I mean you are more welcome to go down, and read the transcript from all 28 hearings.

**REP. BARBARA BOYD:** It is my understanding generally. And let me say this, I'm talking about a process, and I'm talking about a process by, which there creates a certain level of comfort. It doesn't mean that you agree or disagree with it. One, we had 28 hearings. It seems to me that at some point during that hearing, we would have received a report from the hearings. That's one thing. That to me is significant. Two, the polarization study. According to the Voting Rights Act, that is a statement that should, and is requested that should occur. You indicated that that is not the case, only if you thought that might be necessary. But that is not what the process says it should be. That concerns me. When we are talking about doing things that is right in there. I don't have to agree with it. And it doesn't have to be in my favor. But at least, the process by which it was done should help me to feel like, "Okay, I didn't get what I wanted, I don't like it. But at least, they were fair, and they followed the rules." Thank you.

**REP. CHRIS PRINGLE:** Andy! And the Chair thanks the lady. The Chair now recognizes the gentleman from Elmore County, Representative Holmes.

**REP. MIKE HOLMES:** Thank you Mr. Speaker. I've been in this Body now, and working on the 8<sup>th</sup> year. And I want to say to everybody, and particularly the Chairman of this committee, and the Speaker, I have never seen this kind of confusion and frustration of anything we faced in the eight years I've been here. It's discouraging to me, because we're hurrying up every step, and

**House Floor Debate**  
**November 1, 2021**  
**Transcript by TransPerfect**

we really don't have adequate, accurate information to make the kind of the momentous decision that we are being asked to make.

**[00:10:03]**

I think we need to slow this process down, and let's get the answers that we need. And then, let's move on and make a deliberate informed decision on these very, very important questions. And I know Mr. Chairman that, this mostly caused by the census, and the tardiness of the census, I understand that. But we have now, we're in what? Third or fourth day in this special session. We still got nine days to go. We could take that time, and use it for education in discussions over some of these very important decisions. One of the ones I want to talk about now is the one we're on now, as congressional races. One of our former colleagues Congressman Barrymore in District 2 has made some requests that the committee has already been through it, and considered them. I think they agreed there pretty much neutral. So, I brought a substitute that I would like to offer.

**MR. SPEAKER:** All right. Proceed to the substitute.

**REP. MIKE HOLMES:** Substitute House Bill No. 1, by Representative Holmes.

**MR. SPEAKER:** And Representative Holmes.

**REP. MIKE HOLMES:** As I said, it impacts Congressional District 2. This substitute impacts Congressional District 2, and that will make it, that the changes that have been proposed would make it the largest landmass in the State for one congressional district. It's going to be about 1/4 of the State's going to be in Congressional District 2. And I understand that a lot of this is pure arithmetic Mr. Chairman. I understand that, when you push with numbers, like we've had, the growth we've had in Huntsville. But essentially, what to we've come up with actually pushes the numbers around to reduce the geography a little bit. And come up with the same balances, the same numbers; all those things, pretty much stay the same. So, with that, unless there are questions, I would like to move the passage of this substitute.

**MR. SPEAKER:** And Chairman Pring will comment.

**REP. CHRIS PRINGLE:** Ladies and gentlemen, this plan is identical to the plan that you see here with two changes. Now, let me go over them. The committee's plan more has a sliver of east Escambia County with a population of only 739 people. In Morris' plan that county split has moved to Monroe County where it gets through an additional 739 people. So, it's a person for person split. However, under Morris has two county splits, and Sewell has three currently. Under Morris plan, he has only one county split and Congresswoman Sewell now has four county splits. So, he's given one of his splits to her. That will make her have more county splits than any other member of congress in Alabama. The congressman's argument is that, he has 16 districts in this plan, and that's more districts than anybody else.

**REP. MIKE HOLMES:** 16 Districts?



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. CHRIS PRINGLE:** 16 counties, I'm sorry 16 counties. Ladies and gentlemen, Representative Terri Sewell is the only Democrat member of the United States Congress from the State of Alabama. That would give her more county splits than any other member of Congress. And it's going to be awfully hard to explain to a three-judge federal panel while we stuck the Democrat with all the splits, and not the Republicans. We have to be fair. We have to be equitable, and I think that's putting two new splits in her district. This 739 people that Congressman Moore would receive in this plan are very rural; there's no city, there's no elected officials. I mean, as far as a city councilor or mayor or anything. It's probably not more than 260 voters. Congressman Carl has no problem with this, and keeping it. And I think, it would give the Democrats a tremendous advantage, and argue in a racially-motivated plan that we adopt this plan over the committee plan. And I think, it's something that Democrats will have a strong argument against us, and against the plan we adopted. With that, Mr. Speaker, I move to table.

**MR. SPEAKER:** All right members, you've heard the motion before, there was a substitute offered on the floor by Representative Holmes and the sponsor of the bill Chairman Pringle has brought forth the tabling motion. If you are in favor of the tabling motion, your vote will be. "Aye", if you are opposed, your vote is "No".

[OVERLAY]

For the table motion your vote is "Aye", if you opposed your vote is "No."

**REP. CHRIS PRINGLE:** Please both Yes.

**MR. SPEAKER:** All right and the clerk will lock the machine, the members will vote.

[00:15:00]

[BACKGROUND CONVERSATION]

**MR. SPEAKER:** All the members are voting. -- All the member are voting. And the clerk will lock machine. Members are called to vote, and the tabling motion does prevail. And the Chair, thanks the gentleman. All right, let's move on who Chair recognizes the gentleman from Jefferson, Representative Faulkner.

[BACKGROUND CONVERSATION]

[OVERLAY]

**MR. SPEAKER:** Representative Faulkner, you are recognized.

[OVERLAY]

**REP. DAVID FAULKNER:** Representative Pringle.

**REP. CHRIS PRINGLE:** Yes Sir.



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. DAVID FAULKNER:** How are you?

**REP. CHRIS PRINGLE:** I'm wonderful my good friend, how are you?

**REP. DAVID FAULKNER:** I'm good. We had talked about this, and before I make these comments, I want to make sure I tell you I understand how much work, and how much time you had put in on this process, and that is not been missed by me or anybody, I don't think. And I also know that your considerations of this whole process are bigger than looking at anyone district or congressional district. So, what I am asking for is to allow the status quo, and you're aware of this to allow the status quo members to two of my voting precincts. In my district, that have always been represented by the 6th Congressional District in Gary Palmer's district, had been proposed under this plan to be moved into Terri Sewell's district. The counter to that is, is that some voting precincts in Center Point that had been in the 7th Congressional District had been moved into Gary Palmer's district. Rolanda Hollis represents those boxes in Center Point. Rolanda is on her way here, and I've spoken to her. I've also gotten word from the Center Point mayor, that they would like to remain in Terri Sewell's district. This is a 700 -- and may be Representative Pringle, you can tell me. This is the 7th District has about how many 750,000?

**REP. CHRIS PRINGLE:** They're all the same.

**REP. DAVID FAULKNER:** Somewhere in that. It's over 700,000 people, right?

**REP. CHRIS PRINGLE:** Yes.

**REP. DAVID FAULKNER:** Yeah. So, these congressional districts over 700,000 people. And all I'm wanting to do is keep two districts, two voting precincts in the 6th Congressional District, and keep four precincts that are in the 7th Congressional District, where they are? And the people that live in those districts, the ones that have reached out to me want to keep it that way. So, we're talking about keeping things for two minor voting districts in a congressional district that's over 700,000 people keeping them the way that they were, and just by the Justice Department approved, the last go around. There's no way those two small precincts can mess anything up for this entire congressional district. And so, I am asking for those two small voting precincts to be kept where they were and the foreign Center Point to be kept where they are, where the people that live there would like. And that includes the mayor of Center Point that represents those boxes, that are being proposed to be switched to the 6th Congressional District. So, in the total scheme of that of over 700,000 people, we're talking about an equal population deviation to keep those four boxes in Center Point in the 7th, and keep the two in Homewood in the 6th --

[00:20:13]

**REP. DAVID FAULKNER:** 00where they'd been, and in that huge congressional district, that cannot be messing up anything that would violate the law. And with that, Mr. Speaker, I have a substitute, because they don't let you do amendments. Members, you have to do a substitute.

**MR. SPEAKER:** All right, and --

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. DAVID FAULKNER:** That accomplishes moving -- keeping those two boxes.

**MR. SPEAKER:** All right, and the clerk receive the substitute.

**MR. CLERK:** Substitute to House Bill No. 1 by Representative Faulkner.

**MR. SPEAKER:** And Representative Faulkner, any other comments.

**REP. DAVID FAULKNER:** Well, members, I think that sums up what we're trying to do, keep two boxes where they are that are in my district. And I want you to know, I didn't see this before. I've never saw the congressional district map. I'd had no idea that these two voting precincts in my district were coming out. I'm not talking about my State house district now. I'm talking about the congressional district.

**MR. SPEAKER:** Okay, and Chairman Frank or Representative Daniels, you, you -- okay.

**REP. ANTHONY DANIELS:** Mr. Faulkner, I want to make certain that I heard you correctly. You're saying that the Mayor of Center Point, and some other member of politician is asking you to remove two precincts from congressional districts area?

**REP. DAVID FAULKNER:** No. No, no, no.

**REP. ANTHONY DANIELS:** So, --

**REP. DAVID FAULKNER:** Representative Daniels --

**REP. ANTHONY DANIELS:** You want to remove two precincts?

**REP. DAVID FAULKNER:** So, I am -- there are two precincts in my house district that are being proposed to be moved from the Sixth Congressional District to the Seventh.

**REP. ANTHONY DANIELS:** Yes --

[OVERLAY]

**REP. DAVID FAULKNER:** Those were in my --

**REP. ANTHONY DANIELS:** I'm sorry. They newly proposed lines, congressional lines, right?

**REP. DAVID FAULKNER:** Yes, the newly proposed lines would take two of my voting precincts in my house district, and move them from Congressional Six to Congressional Seven.

**REP. ANTHONY DANIELS:** So, what you're saying is --

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

[OVERLAY]

**REP. DAVID FAULKNER:** And then at the same time, it's moving some voting precincts that are in seven into six, and those are in Center Point. I don't represent Center Point. I'm representing Hollister.

**REP. ANTHONY DANIELS:** So, can you help me understand the reason that you are against moving those precincts, because they're in your districts, and what else?

**REP. DAVID FAULKNER:** Because the people in my district, they have been in the Sixth Congressional District, and they have reached out to me and they want to stay in the Sixth Congressional District. And the people who are in Center Point, this has come into me, I didn't speak with him directly, but I'm being told that the Mayor of Center Point would also like to stay in Terri Sewell's district. So --

[OVERLAY]

**REP. ANTHONY DANIELS:** So, are the people in the area saying they want this district, these lines to be moved or the politicians are saying that?

**REP. DAVID FAULKNER:** Now, the people are fine where they are. The people are fine staying where they are and what's been approved previously. The plan is to change that.

**REP. ANTHONY DANIELS:** But it appeared to me that, the politicians are the ones indicating that they want to move back to their original districts, proposed districts before the proposal.

**REP. DAVID FAULKNER:** No, the people.

**REP. ANTHONY DANIELS:** So, the people, I guess we hadn't heard from many people that have mentioned. I have not received an email as a member of this Body. I don't know that the Reapportionment Committee members have --

[OVERLAY]

**REP. DAVID FAULKNER:** I don't think anybody knows about this change largely but the people who have found out about the change have been saying, "Wait a minute. I don't want to move. Why can't we stay exactly where we are," and the same goes for and I will let her speak for her district.

**REP. ANTHONY DANIELS:** Have you have you explained to the people that, they're moving in a district where these members on the Appropriations Committee, which is the most powerful committee in Congress?

**REP. DAVID FAULKNER:** I did not tell them that.

**REP. ANTHONY DANIELS:** I think these are important points for these folks to understand when you're talking about moving on because of an individual or because of party label versus

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

being taking advantage of resources in moving that district. So, I'm just trying to -- I think for me, and you referenced a couple of politicians. I think for me; it's -- we should be beyond the point of where we are allowing politician to choose their constituents instead of the politicians.

[00:25:07]

**REP. DAVID FAULKNER:** Yeah, this is not politicians.

**REP. ANTHONY DANIELS:** Well, you mentioned you referenced some politicians --

[OVERLAY]

**REP. DAVID FAULKNER:** As far as the people who have reached out to me, the district I serve, all of those are people who have reached out to me and said, "I want to remain in the Sixth Congressional District."

**REP. ANTHONY DANIELS:** Well, they can remain in the Sixth Congressional District by finding some type of residency somewhere else in that district. So, tell them they have options to move, and they move in the district that they want to be in or try to work with the current, the proposed, the representative, their new representative, to figure out how they can maintain the same quality of life that they've been enjoying up until this point. So, I'm just trying to understand the reasoning for that. I don't want to make any assumptions, all right? But I have looked at some of the data on the precincts that you're referencing, and it lands to some interpretation that is obvious that, I don't want to make the assumption about, but I'm just really disturbed that as diverse as we're trying to be as a state, and as a country and as inclusive as we're trying to be, that individual would be paying this close attention to two precincts will be paying that much closer attention.

**REP. DAVID FAULKNER:** The people in those precincts do care. Yeah.

**REP. ANTHONY DANIELS:** Yes, the two precincts to say they want to move, but they don't know what reason.

**REP. DAVID FAULKNER:** No, they don't. One, they want to stay where they are, and the people in Center Point want to stay where they are.

**REP. ANTHONY DANIELS:** I understand that. So, the way the lines are drawn, I'd say that, I'm just trying to understand.

[OVERLAY]

**REP. DAVID FAULKNER:** Somebody, not the people, the people didn't draw these lines. Politicians drew the lines. The people are who are saying, "We didn't want to be moved."

**REP. ANTHONY DANIELS:** Demographer drew the line.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. DAVID FAULKNER:** Who?

**REP. ANTHONY DANIELS:** Demographer. Demographer -- they are the team drawing the lines based upon not wanting to go to court, right? So, they're reasonable for drawing the lines --

**REP. DAVID FAULKNER:** Yeah, but that's not the people.

**REP. ANTHONY DANIELS:** So, does these two precincts, are they contiguous to -- how close are they, these four precincts?

**REP. DAVID FAULKNER:** So, Representative Daniels, I have a district that's like you that represents 50,000 people. And two of my voting precincts in that district, all the district -- all the precincts in my house district are under the Sixth Congressional District. Right now, currently, this proposes to take two of those and move them out of the sixth.

[OVERLAY]

**REP. ANTHONY DANIELS:** So, let me ask you this question. Did any precincts move out of your district this time in your new map in the house? Did you pick up any additional precincts?

**REP. DAVID FAULKNER:** No, my district doesn't change, precinct wise.

[OVERLAY]

**REP. ANTHONY DANIELS:** Your district doesn't change at all?

**REP. DAVID FAULKNER:** Correct.

**REP. ANTHONY DANIELS:** So, all of the other members that have had different precincts in their respective districts or add precincts or whole precincts as opposed to strict split precincts, right? So --

**REP. DAVID FAULKNER:** No, they said, we were not going to avoid that.

**REP. ANTHONY DANIELS:** Yeah, well, my point is --

**REP. DAVID FAULKNER:** And it is --

**REP. ANTHONY DANIELS:** Well, my point is, have we -- do we know why these particular lines were drawn and the manner to change those four precincts out?

**REP. DAVID FAULKNER:** I'm not a member of the Reapportionment Committee. What I'm saying is --

[OVERLAY]

**REP. ANTHONY DANIELS:** But you've been involved process.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. DAVID FAULKNER:** This does not split precincts. This does not split a county. This is putting two precincts back in the sixth where they were, keeping them there, and keeping four in the seventh where they were.

**REP. ANTHONY DANIELS:** I understand what you're saying, but I'm saying, there has to be some reasoning for them to draw those two particular precincts out of all of precincts that we're dealing with.

**REP. DAVID FAULKNER:** Well, no, there are words that as you know, that congressional district changed more than that.

**REP. ANTHONY DANIELS:** The guidelines for congressional maps are of slightly different than State maps. Right?

**REP. DAVID FAULKNER:** And so, I didn't draw those —

[OVERLAY]

**REP. ANTHONY DANIELS:** Precincts in counties can be split in a congressional map. But it is very unlike -- they should not be as much as possible split in a house district, a State house district with State city district. But in congressional district there are guidelines that allow them, and they were to expand to that point.

**REP. DAVID FAULKNER:** There were more changes made to the congressional districts in this particular congressional district, I'm sure. But taking two precincts out of the sixth, and putting them in the seventh, and taking four precincts that were in the seventh, and putting them in the sixth is not going to violate the law, and I don't know why they made them, but the ones I'm interested in, all the other changes made, the only ones I'm interested in, are the ones that are in my house district where my constituents have called me.

**REP. ANTHONY DANIELS:** Well, I'm getting a call saying that, "If David Faulkner passes this, if this amendment passes, we're sure to go to court."

**REP. DAVID FAULKNER:** You're sure to go to court probably anyway because I understand lawsuits are already filed.

[00:30:03]

But I mean, I think we know that, but I can assure you it won't be over this little change.

**REP. ANTHONY DANIELS:** Are you willing to put the bill for the state going to court in these maps because of their change?



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. DAVID FAULKNER:** Let me tell you something, if I find out that putting -- keeping two districts that were already justice department approved back in the 6 and keeping 4 were at the 7 that that is the whole reason we go to court, then yes, I'd be happy to --

**REP. ANTHONY DANIELS:** You'll be happy to --

**REP. DAVID FAULKNER:** If that is the only reason we go to court, yes. Because this isn't going to make it go to court [INDISCERNIBLE 00:30:40]. That's what --

**REP. ANTHONY DANIELS:** Members, you heard him. David Faulkner is putting the bill for all lawsuits moving forward to the State of Alabama.

**REP. DAVID FAULKNER:** No. My good friend, no. I do hear these lawyers.

**REP. ANTHONY DANIELS:** But, David, I'll pray for you on that effort.

**REP. DAVID FAULKNER:** The lawyers that are involved in this probably didn't make a good hourly rate, Representative Daniels, and I would love to make that, but no. What I'm saying is this little minor change to keep the status quo for these few boxes --

**REP. ANTHONY DANIELS:** So ask this question. Is it an even swap in population?

**REP. DAVID FAULKNER:** Yes.

**REP. ANTHONY DANIELS:** Is it contiguous to --?

**REP. DAVID FAULKNER:** Yeah, it's keeping its just keeping two districts in the 6th congressional and it's keeping four in the 7th.

**REP. ANTHONY DANIELS:** And the two is the equal population of the four?

**REP. DAVID FAULKNER:** Right. The two for the four. It's an equal population so there's no deviation. It's all within Jefferson County. It's keeping them where they were, where they've been justice department approved before. It's not splitting a precinct and this is none of that.

**MR. SPEAKER:** End of gentleman's time.

**REP. DAVID FAULKNER:** Oh, thank you.

**MR. SPEAKER:** Alright, and now we're back on the motion and the substitute that's been introduced, Mr. Chairman.

**REP. CHRIS PRINGLE:** Ladies and gentlemen, this is a substitute bill -- let me -- it does do exactly what he says. But remember when I told you earlier, we drew this plan with no race up on the board. It was turned off. And what we were attempting to do is take that finger that sticks up into Jefferson County, and make it rounder, and take more Jefferson County and put it into



**House Floor Debate**  
**November 1, 2021**  
**Transcript by TransPerfect**

the 7th Congressional District. Under this plan right here, if we do it, the Congressional District 7, it changes the black voting-age population in Congressional District 7 from 54.22%, to 57.58% African-American. Ladies and gentlemen, that won't draw an allegation of vote packing African-Americans into a district. If it was a neutral move, it'd be one thing. But if you take and we pull two districts out and put two district in, they're going to hang a racial packing charge against us and it violates Section 2 of the Voting Rights Act. In my opinion, it is a clear violation. That's the reason why we didn't do it. And with that Mr. Speaker, I move to table the substitute of Mr. Faulkner.

**REP. DAVID FAULKNER:** Can I ask the Chairman a question?

**MR. SPEAKER:** Well, you've been talking for 20 minutes. You've had two times. I mean, really, we've had plenty of debate. I'll let you make one comment though.

**REP. DAVID FAULKNER:** I just wanted to ask a question on those figures that you said it would change that percentage, and it's a 730,000-member congressional district and there -- I don't see how there's any possible way switching these boxes to keep them where they were, could make a change in the racial makeup as you've described in the entire congressional district.

**REP. CHRIS PRINGLE:** Because you take two white precincts, move them out of the 7th, put them in the 6th and take two black precincts out of the 6th and put 7th. By the very nature of that action, you are packing more African-Americans into the 7th District.

**REP. DAVID FAULKNER:** What? No, it's 10,000 people and it's keeping them where they are. There's no way that could make that variation in percentage.

**REP. CHRIS PRINGLE:** Well, the computer which is much smarter than me kicks out that it goes from 54.22% to 57.58%. That, my friend, is packing.

**REP. DAVID FAULKNER:** I just don't think that those numbers are right, Mr. Chairman. With all due respect.

**REP. CHRIS PRINGLE:** The computer spits it out when we point-and-click, point-and-click, the computer kicks back and says, that's what it does to the district. And again, Mr. Speaker, I move my motion to table the substitute by Mr. Faulkner.

**MR. SPEAKER:** All right, members, the question before us now is going to be on a tabling motion to vote on the tabling motion for the substitute entered by Representative Faulkner. You've heard the explanation on both and we've had about a 20-minute -- more over 20-minute debate on it. So, at this point, we are ready to vote on the tabling motion.

**[00:35:00]**

If you're in favor of the tabling motion, your vote is aye. If you're opposed, your vote is no. Carefully unlock the machine, the members will vote.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

[BACKGROUND CONVERSATION]

**MR. SPEAKER:** All the members voted.

[BACKGROUND CONVERSATION]

**MR. SPEAKER:** All the members voted? Carefully unlock the machine recorded the vote. There are 51 yeas, 18 nays, 24 extensions and the tabling motion does prevail. All right, we're back now on the bill on the floor, and the chair recognizes the gentleman from Marengo County, Representative McCampbell.

[BACKGROUND CONVERSATION]

**REP. ARTIS MCCAMPBELL:** Thank you, Mr. Speaker, for the recognition. Will the gentleman yield? I know you got quite a few things going on.

**REP. CHRIS PRINGLE:** That's okay. For you, Sir, I will yield gladly.

**REP. ARTIS MCCAMPBELL:** Okay. I just have some general questions that I want to see if I can get answers to. The first one is --

**REP. CHRIS PRINGLE:** Thank you. I'm listening, I'm hanging.

**REP. ARTIS MCCAMPBELL:** Who actually drew the congressional maps? Who actually drew them?

**REP. CHRIS PRINGLE:** They were drawn in the office in the committee, the staff and a man named Mr. Randy Henneman.

**REP. ARTIS MCCAMPBELL:** Who was --

**REP. CHRIS PRINGLE:** Randy?

**REP. ARTIS MCCAMPBELL:** Randy Henneman. He was hired by the committee?

**REP. CHRIS PRINGLE:** I'm not sure if he was hired by them.

**REP. ARTIS MCCAMPBELL:** Okay. But -- all right.

**REP. CHRIS PRINGLE:** He's the one that's done it for several years.

**REP. ARTIS MCCAMPBELL:** He's drawn these maps for several years.

**REP. CHRIS PRINGLE:** He did it 2002 and he did it in '12 and now, yeah.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. ARTIS MCCAMPBELL:** Okay. Is he a state employee, do you know?

**REP. CHRIS PRINGLE:** Not to my knowledge, no.

**REP. ARTIS MCCAMPBELL:** He's not. So, can you find out then for me who actually hired him because that to me is important. As you're looking at drawing maps of this nature, I want to know what was his -- who instructed him because whoever is paying him, and I know he's not doing it out of the goodness of his heart. Do you think he is?

**REP. CHRIS PRINGLE:** I think he's a very nice gracious young man.

**REP. ARTIS MCCAMPBELL:** You think he is doing it out of the goodness of his heart.

**REP. CHRIS PRINGLE:** I would rather doubt that.

**REP. ARTIS MCCAMPBELL:** Okay. Well, if you will, I'd like to know, you know, who actually hired him to draw the maps.

**REP. CHRIS PRINGLE:** I'll tell you who instructed him, is he followed the committee guidelines that are adopted by the committee.

**REP. ARTIS MCCAMPBELL:** Okay, he followed the committee guidelines adopted by the committee. And what members of the committee, other than yourself, had contact with the monographer before he actually began drawing? What other members were involved in it, if there were any others other than yourself.

**REP. CHRIS PRINGLE:** I was not there for every meeting but he was available to meet with everybody and he met with every member of this room, every member of the Senate, every member of Congress and every member of the school board was asked to come in and meet with him and everybody had access to him and everybody had access to look at their districts. She was a man that was available to meet with everybody.

**REP. ARTIS MCCAMPBELL:** But I'm asking about your committee and in particular. What members of your committee, as you all were looking at the different drawing of the congressional maps, what members were involved of your Committee in looking with you and whatever Congressman had the maps themselves?

**REP. CHRIS PRINGLE:** Again, I was not available for every meeting, so I don't know who came in and met with them, but I'm assure you that anybody that wanted to could. But I wasn't there, so I can't -- I'm not going to answer that question. If any answer I give you, it would be second hand knowledge.

[00:40:11]

**REP. ARTIS MCCAMPBELL:** Okay. And what were the committee's instructions in terms of -- the specific instructions in terms of the drawing of the congressional maps?

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. CHRIS PRINGLE:** That we would maintain the core, the existing districts, we would reach zero deviation and comply with Section 2 of the Voting Rights Act, but in a nutshell I mean there's more to it than that but that's the main point you're after.

**REP. ARTIS MCCAMPBELL:** Okay, so and when I look at the makeup of the different districts, you have a copy of this.

**REP. CHRIS PRINGLE:** No, I do not. I'm frantically looking for it.

**REP. ARTIS MCCAMPBELL:** There's one right there.

[OVERLAY]

**REP. ARTIS MCCAMPBELL:** All right, let's go to page one of your -- let's see it there. When I look at it is each district has a population of 717,754 except for District 2, which means it has one additional voter am I -- or one additional person because this is not the voting population. This is merely the population in general.

**REP. CHRIS PRINGLE:** Yes, sir.

**REP. ARTIS MCCAMPBELL:** So when you divide it out into seven districts, that number seven 117,754 people is the number we are working with so we had to put that one extra person in some way and they just fell into House District. I mean Congressional District 2, am I correct?

**REP. CHRIS PRINGLE:** Yes, sir. There are 253,000 census blocks in the State of Alabama that all had to be assigned to a district and we cannot break a census block. Do you understand, a track and a block are different, you cannot break a census block.

**REP. ARTIS MCCAMPBELL:** Right.

**REP. CHRIS PRINGLE:** That block had one person in it or whatever.

**REP. ARTIS MCCAMPBELL:** And so my colleagues and I will all understand the congressional census blocks are different from the precincts that we normally are talking about when we talking about House and Senate Maps, am I correct?

**REP. CHRIS PRINGLE:** No, the blocks are the same. The precincts are the same.

**REP. ARTIS MCCAMPBELL:** The blocks are the same.

**REP. CHRIS PRINGLE:** The blocks and the precincts are exactly the same. House, Senate and Congress.

**REP. ARTIS MCCAMPBELL:** Blocks and precincts are exactly --

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

[OVERLAY]

**REP. ARTIS MCCAMPBELL:** Okay, and what I'm looking at is in District 1, we have a 64 to 26 break in terms of the population diversity. We have 6% to 4% white population. In District 2, we have a 60% white population. District 3, 6% to 6.8% white population. District 4, 81% white population. So, then I want you to look over on page -- look at the front page of the map. If you would look at the map, if you would look at District 4, it runs from one -- from our Westernmost Border, all the way through the state to our Easternmost Border, am I correct?

**REP. CHRIS PRINGLE:** Yes, sir.

**REP. ARTIS MCCAMPBELL:** And the little connecting part is between Coleman and Marshall, am I correct there?

**REP. CHRIS PRINGLE:** Yes, sir.

**REP. ARTIS MCCAMPBELL:** But we have a split up in Lauderdale, do we not?

**REP. CHRIS PRINGLE:** Yes sir.

**REP. ARTIS MCCAMPBELL:** And my question then, would it have been a more fair map I guess you could say, if either Lauderdale was a whole and either DeKalb or Marshall or Etowah or Jackson or any of those were combined in that manner making it a more condensed area because what I look at is when you are coming from the West all the way to the East.

[00:45:07]

Yeah, there may be similarities up there, but I'm thinking that's a long road to travel and you know, I just questioned why we would go and configure something of that nature. Can you -- and that's a district that has 81% white population if I'm not mistaken, am I correct?

**REP. CHRIS PRINGLE:** According to this yes sir. 81.18%.

**REP. ARTIS MCCAMPBELL:** And 7% black population, am I correct? But in order to achieve that, we have to go from all the way West to the all the way East and I think we could have changed that and it could have been a bit more condensed and it would then, you know, be a much better district. Thank you. Mr. Speaker.

**MR. SPEAKER:** And Chair, thank you gentlemen. All right, the Chair now recognizes the gentleman from Tuscaloosa Representative England.

[BACKGROUND CONVERSATION]

**REP. CHRIS ENGLAND:** Thank you for the recognition Gentleman [INDISCERNIBLE 00:47:14].

**MR. SPEAKER:** I sure do.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. CHRIS ENGLAND:** Okay, it's good to be here. For the second time -- for the third time this year, this is beginning to become a real bad habit. And, you know, I always wonder why they call these things special sessions because there ain't nothing special about them, you know. But anyway, I'm not going to be here long, I just want to follow up on some things that we talked about in committee, and I just wanted to reiterate that there was some requests for information concerning racially polarized voting studies that it was sort of alluded to in our committee meeting that they had been done on when I guess when it was deemed necessary to do them and then also deemed you know, if you reached a certain threshold you decided not to do it. So as far as that's concerned, I wanted to make sure this reiterate that I've you know, requested that and I'm still hopeful to get those before we adjourn or before we walk out of the building at some point this week. That's the first thing, and the second thing is, because you mentioned, I think you said the 7th Congressional District was 54%, is that right? As far as black voting-age population is concerned?

**REP. CHRIS PRINGLE:** The 7th or is now 55.77%, this is what the sheet is telling.

**REP. CHRIS ENGLAND:** Okay, you said 55.7%?

**REP. CHRIS PRINGLE:** Yeah.

**REP. CHRIS ENGLAND:** Okay. And you said on its phase, you felt like without any other further study or any other further information that you felt like that satisfied the Voting Rights Act.

**REP. CHRIS PRINGLE:** Under the 7th Congressional District?

**REP. CHRIS ENGLAND:** Yes.

**REP. CHRIS PRINGLE:** But I'm afraid is if we do it Mr. Faulkner we'll run a ground of a packing allegation.

**REP. CHRIS ENGLAND:** No, I'm asking you about you mentioned that you said before and we in the committee that the reason why you did not do a racial polarized voting study is because of the 55% and that was -- because there were that many I guess African-Americans in the district then you decided that whoever it was decided that that wasn't necessary, correct?

**REP. CHRIS PRINGLE:** Correct.

**REP. CHRIS ENGLAND:** All right, and at the time, you also mentioned that you would do it if we requested it?

**REP. CHRIS PRINGLE:** We thought it was necessary but they cut it off I think at 51%. Anything under 51%, they did it on, anyone over that, they didn't do it.

[00:50:04]



**House Floor Debate**  
**November 1, 2021**  
**Transcript by TransPerfect**

Not yet. I mean, we're just -- we're working on it. But I can assure you no one was coming that somebody is going to do a racial polarization analysis on that district.

**REP. CHRIS ENGLAND:** Yeah. That's what I'm hoping, that we get before we adjourn. And also, you mentioned something else that I did not know; you said that prior to the maps being created, that race wasn't taken into account at all, --

**REP. CHRIS PRINGLE:** We turned them on, drew maps, then turned on the race, yes, that's what I was told. That race was not on when the maps were originally drawn. The original brush through, yes.

**REP. CHRIS ENGLAND:** So, it's just by coincidence that seven congressional district ended up with a 55% black voting age population?

**REP. CHRIS PRINGLE:** Remember, we attempt to maintain the core of the existing districts. Seven congressional district was drawn how many years ago? 1990, 1992? It was drawn by-- yeah. I think Mr. Joe Reed played a large poll on the Alabama democratic conference and creating the seventh congressional district and we've maintained the core of that district ever since.

**REP. CHRIS ENGLAND:** Not necessarily. I mean because as we've gone over the last 20 or so years in the quest to make sure that there is a certain percentage of voters in the seventh congressional district and the fact that population is shifted, the demographics have changed, the seventh congressional district has actually worked its way down into Montgomery County where it did not use -- I mean, it's actually taking in more and more the City of Montgomery. I mean, it has grown significantly in the quest to continue to put as many African-American voters as you can find into the seventh congressional district.

**REP. CHRIS PRINGLE:** Now, what is done is it has grown because it is 53,000 people off and we had to go find, I think it was 53,000 people, it was underpopulated. Every district had to gain population and I believe the seventh had to gain the most.

**REP. CHRIS ENGLAND:** No question. I think that's one of the kind of one of the two things that do not really kind of work well in this discussion is that we're trying to maintain the core of a seventh congressional district that really doesn't exist as it did 20 or so years ago, and the fact to the matter is, it's not necessarily the quest to maintain a core as it is to maintain one Democratic district at a seven and I think -- and that's kind one of the core issues here is like when you got a list of things that you have to comply with, whether it'd be minimizing deviation, whether it'd be trying to keep communities of interest together or whether it means trying to make sure that one district in particular remains packed as possible with African-Americans in it when you got the lofty goals, the political goals kind of always keep you from reaching those lofty goals. So, what is happening is, the State of Alabama changes the demographic shift people move, but the districts never do because -- I mean, I'm not crazy, this is a political process. There are states across the country that are using this particular process to allow politicians to pick their voters, one; but two to also try to change the markings in a very tight house. So, it wouldn't be to your political benefit if someone who's drawing the map is a republican to create two



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

opportunity districts for example. It wouldn't be in your best interest if somebody who's drawn the map for the republicans to potentially lose a congressional seat considering how close the balance is in congress. I mean, I don't think you should be shy about that, it's a political process. But when that is your quest, when your quest is to do that, other things start getting sacrificed. So, one of the things that you mentioned, when you were talking to Representative Faulkner about that rounding off of that finger in Jefferson County, part of the reason that you're doing that is because drawing in a particular way maintains what you believe is safely creating a safe seventh congressional district for the only black member in the delegation, but it also serves the other purpose to make sure that those folks can't go into the sixth congressional district and have any real impact of what goes on there.

[00:55:07]

So, it's kind of hard to say we're complying with the voting rights act and we're trying to keep communities of interest together, but then there's always that shadow concern that lurks in the background; we need to make sure that we've got -- we want to make sure that we minimize the influence of those folks whether they can impact the second congressional district if you expanded the second congressional district into Montgomery County or their impact in the sixth congressional district if he moves that line a little bit further south, west or southeast; or four congressional district as well. So, I mean, it's not, I don't think these things happen by coincidence. Just like when you say we didn't have race on, but the seventh congressional district manages to maintain somehow almost the same exact shape that it's had the last 20 years; but specifically, the same sort of black voting age population. I mean; so, that's why I think the racial polarize study is so important because it gives us a better understanding and perspective of the work that's being done, what that 55% actually means, and also, it's impossible to make more than one congressional district that's minority-majority. Thank you.

**MR. SPEAKER:** Thanks the gentleman. All right, the Chair recognizes the lady from Jefferson, representative Givan.

**REP. JUANDALYNN GIVAN:** Representative Pringle.

[BACKGROUND CONVERSATION]

**REP. JUANDALYNN GIVAN:** Since your chief of staff is up here Mr. Speaker you need to give me some of my second. He needs to come on back to the house of representatives, but we love Ms. [INDISCERNIBLE 00:57:25].

**MR. SPEAKER:** He's doing his job.

**REP. JUANDALYNN GIVAN:** He is. Let me say he's doing it mister speaker, not you.

**MR. SPEAKER:** Okay.

**REP. JUANDALYNN GIVAN:** Listen; thank you all for the recognition Mr. speaker. Pringle?

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. CHRIS PRINGLE:** Yes ma'am?

**REP. JUANDALYNN GIVAN:** I am standing up here today for the first time in 14 years to honestly say I haven't a clue what is going on. So, could you just tell me what in the slim shiggity is going on? What are we doing? I got here a little late. And I'm not embarrassed to come up here and say that. I just wish some of my colleagues would take note that when they don't know what they're doing and they come up here [INDISCERNIBLE 00:58:04] the ball on the one-yard line, they just need to take some time to acknowledge that they just don't know what's going on. But I promise I was going to be good this week, let me stop, let me be good. But no, seriously, I'll be good. I'll be gone. What's is going on? What are we doing? Because I was listening to Faulkner who was tap dancing like he was on a Broadway stage and he should've just come here to tell the people what it was really about and that was the fact that Congresswoman Sewell represents a portion of Center Point and that he did not want those lines to cross over into his lily white district and he had problems with it. And that's really what it's all about. And he knows, and we know it, and us from Jefferson County definitely know it, and then he came alive on my colleague about it; and he should've just said what it is; I think we should just speak truth to power when we come to this microphone and I'm going to do it and I don't care if I don't get onto the community or what I don't have, I'm going to be free. Free. I had somebody to tell that to just be you. So, I'm going to be me, and I like it. So, I'm just trying to get some understanding and clarity what are we doing now with regards to these maps, what's going on, I'm just trying to get brought up to speed.

**REP. CHRIS PRINGLE:** Ms. Givan what we're doing is the committee on reapportionment has brought forth an excellent plan that complies with the law, it complies with our guidelines of the committee. It's a good plan, it's a fair plan, it's an [INDISCERNIBLE 00:59:46] plan, and I look forward to you voting with me to pass my plan.

**REP. JUANDALYNN GIVAN:** You do?

**REP. CHRIS PRINGLE:** Yes ma'am.

**REP. JUANDALYNN GIVAN:** Now, Pringle, you and I have been here together right here, right here, all of these years.

**REP. CHRIS PRINGLE:** Yeah.

[01:00:00]

**REP. CHRIS PRINGLE:** Yeah.

**REP. JUANDALYNN GIVAN:** And I think we worked very, very well together. But I guess my question is, I'm seeing from not only on my side of the aisle, some of your good Republican folks have some issues with their maps or the Congressional Maps. Can you address what those issues are for me because I'm trying to understand them.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. CHRIS PRINGLE:** Well I can tell you that Mr. Faulkner bought a plan that switched two voting precincts out of the 7th and put them in the 6th and gave two from the 6th to the 7th. I said, I thought it was violation of Section 2 and a racial gerrymander and I move.

**REP. JUANDALYNN GIVAN:** I agree with you on this, we're on the same page.

**REP. CHRIS PRINGLE:** And the committee agreed with me. I mean the body agreed with me. We have a motion.

**REP. JUANDALYNN GIVAN:** Okay, I agree with you on that one.

**REP. CHRIS PRINGLE:** Mr. Holmes bought forth a plan that --.

**REP. JUANDALYNN GIVAN:** You don't have to do nothing to say his name, next.

**REP. CHRIS PRINGLE:** Well, I said it was a violation of Section 2 as a racial gerrymander, so we table and that's where we are now. I'm waiting on Ms. Coleman; she has a plan that I've gotten some statistics on it. We carried --.

**REP. JUANDALYNN GIVAN:** Are we going to Ms. Coleman's plan?

**REP. CHRIS PRINGLE:** Well, we can't carry over a substitute, so we put it down, it's good to roll, but she's going to be called on in a few minutes to reoffer her substitute and we'll discuss her substitute to this plan.

**REP. JUANDALYNN GIVAN:** Well she's going to reoffer next?

**REP. CHRIS PRINGLE:** Yeah.

**REP. JUANDALYNN GIVAN:** She's already offered it.

**REP. CHRIS PRINGLE:** Yeah, but you can't carry over a substitute, it had to be withdrawn.

**REP. JUANDALYNN GIVAN:** So she withdrew herself?

**REP. CHRIS PRINGLE:** Graciously yes ma'am, to allow me some opportunity to look at, which has been done and when the time is appropriate, Ms. Coleman is going to be invited back up, really up for her.

[OVERLAY]

**REP. JUANDALYNN GIVAN:** So then when she comes back, you're not going to vote to table it?

**REP. CHRIS PRINGLE:** The plan I think is fraught with problems. So we're going to go over those problems when they're up here.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. JUANDALYNN GIVAN:** Okay, so when you start out with the word “problem” that means it’s not going to get any better because we’re not going to have an opportunity obviously to mitigate those problems.

**REP. CHRIS PRINGLE:** I’ll be more than happy to talk to her and explain the problems I found with the plan.

**REP. JUANDALYNN GIVAN:** Oh okay.

**REP. CHRIS PRINGLE:** Well the problems the attorneys have found with it.

**REP. JUANDALYNN GIVAN:** So explain but not mitigate?

**REP. CHRIS PRINGLE:** Well, I have a good -- sorry about that.

**REP. JUANDALYNN GIVAN:** You go ahead and take your call.

**REP. CHRIS PRINGLE:** That’s my brother.

**REP. JUANDALYNN GIVAN:** My brother is in the hospital; he fell very ill this Friday.

**REP. CHRIS PRINGLE:** I’m sorry.

**REP. JUANDALYNN GIVAN:** Yeah.

**REP. CHRIS PRINGLE:** Is he here in Alabama?

**REP. JUANDALYNN GIVAN:** Yes. But you know, that’s okay, I remember -- everybody, I remember the other year about the fathers and mothers was dying and everything and Mr. Speaker made sure that he acknowledged everybody. I had a death and nobody even knew it, but that’s the story of my relationship in the House at this point. But anyway I digress. Okay, so we are at this point where you want to -- we’re going to bring back the Congressional Map that was proposed by Representative Coleman for which you already have some problems and I don’t at this point see an avenue to mitigate those problems at this point. So right now, it’s just going to be going through a formation, so at least at this point to vote it up or vote it down. Do you know what’s the schedule is like this week? I know we probably won’t get the bill back from the Senate. I’m assuming this whatever is going to pass today, what are we passing today? The congressional or --.

**REP. CHRIS PRINGLE:** In calendar today is Congressional plan then the State House plan.

**REP. JUANDALYNN GIVAN:** So we’re going to pass out both of those plans?

**REP. CHRIS PRINGLE:** And the Senate has, the Senate plan and the State School Board plan.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. JUANDALYNN GIVAN:** And the Senate has State School Board plan. We will get those probably today and we'll vote this out probably sometime today, am I correct?

**REP. CHRIS PRINGLE:** If that's the will of the body, we will pass it both today, yes ma'am.

**REP. JUANDALYNN GIVAN:** Okay, and then so at least by Friday, do you think we'll finish this session by Friday?

**REP. CHRIS PRINGLE:** If that's the will of the body, but I'm not in control.

**REP. JUANDALYNN GIVAN:** Oh you're in control now.

**REP. CHRIS PRINGLE:** No.

**REP. JUANDALYNN GIVAN:** You're in control to a lot of this process Mr. Pringle. Okay, well, at least we know a little bit more now about what's going on. Okay well, I just want to come up here because I saw Mr. Faulkner tap dance and then doing an electric slide and a cute shuffle and the hustle and everything else. So I just thought it's just quite interesting that he came up to speak about Representative Hollis' district and she comes in and says that he's telling a lie about it. So I just wanted to come back up and just see what was going on and make sure that there was some clarity for the folks in House District 60 and House District 7 as would exist to understand that we have a representative that has problems with the way the lines are drawn because they don't want Congresswoman Sewell to represent any portion of the 6th Congressional District.

[01:05:17]

And so I just believe that when we come to this microphone that we should not try to sprinkle and tinkle on the little legs and toes and hands and feet of the people, and we should just speak the truth, the power and say what it is, but I'm glad that piece of legislation was voted down and that it went up in flames. I think you've done a decent job in trying to bring everybody together as it relates to their lines. I know we have a little more work to do and I'm glad I had this opportunity to come to the microphone to speak to you about these issues. And then I hope when I get a chance to come back up and talk about House District 60, why you're laughing Pringle?

**REP. CHRIS PRINGLE:** Because I know how excited you were when you came out and met with us.

**REP. JUANDALYNN GIVAN:** Oh Lord, now that's supposed to be my secret and your secret, you are telling our secret now, you can't tell our secret. But you know, I don't have many issues with a lot of things these days. I'm trying to say just float through this process and live my best life and be through with it. I've only got one life to live and I'm going to -- I had a great weekend, I talk about that when I come back up here, hopefully this week will allow me to come back and I'll give a chance to finish this discussion and hopefully give a chance to speak with you about my map once we get to the house legislative maps here in Alabama House of



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

Representatives with such distinguished men and women, boys and girls, all the great little people of the world, thank you.

**REP. CHRIS PRINGLE:** Thank you.

**MR. SPEAKER:** And the Chair thanks the lady. The Chair recognizes now the lady from Jefferson, Representative Coleman, I think we're now ready to address your issue back and keep in mind your earlier motion was withdrawn, so we're back on fresh.

**REP. MERIKA COLEMAN:** Thank you Mr. Speaker for the recognition. I'm going to have to tell, first of all, would the gentleman yield?

**REP. CHRIS PRINGLE:** Yes ma'am.

**REP. MERIKA COLEMAN:** Now you know you had me going downstairs, running downstairs fussing at the wrong folks. Because you know, what you said and I want to make sure the staff is clear about why I was fussing downstairs. So of course the process is you put reapportionment on notice which I did with my substitute, and then they generate everything, send everything to LSA, which they did. And so, I thought I heard you in our exchange that you were told that no -- I need my mask down?

**[BACKGROUND CONVERSATION]**

**REP. MERIKA COLEMAN:** Okay, from our exchange I was under the impression that you said you were told that they didn't have the map which I knew that they did because they had done the work and I went down there and they explained to me that one person had been working the map which was Donna and Randy had not seen it, which is who you text instead of Donna. So, I had to apologize to the staff for fussing a little bit. I just had my mother fussed mode on just a little bit because we had worked really hard on the fair and equitable map because I have that social justice personality.

**REP. CHRIS PRINGLE:** Yes ma'am.

**REP. MERIKA COLEMAN:** And so just really quick to reiterate the point just in case those folks -- it's been a lot of other substitutes right now. This is the 7th Congressional District, the ideal district size we agree on, 717,754. This plan meets the one person one vote requirement by the US Constitution, five of the seven districts have the same population. Two districts though one, District 4 has 43 persons more District 6 has 43 persons less than the ideal number just to preserve the counties. I think, I remember you saying -- well I feel confident I remember you saying that you had eight or nine county splits and our plan or in the fair and equitable plan there's only four county splits and with that Mr. Speaker, I would like to offer the substitute to Chris Pringle's plan, the Chairman's plan, the Coleman Congressional Plan 1.

**MR. SPEAKER:** All right [INDISCERNIBLE 01:09:44] the substitute.

**MR. CLERK:** Substitute to House Bill No. 1 by Representative Coleman.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**MR. SPEAKER:** And Representative Coleman.

[BACKGROUND CONVERSATION]

[01:10:00]

**MR. SPEAKER:** Where is your map?

**REP. MERIKA COLEMAN:** Yeah, do you need the big version of the map and for the members, there are copies of the map here, I have a really big one.

[BACKGROUND CONVERSATION]

**REP. MERIKA COLEMAN:** I need that big version myself.

[BACKGROUND CONVERSATION]

**REP. MERIKA COLEMAN:** Thank you so much Mr. Speaker, if there are no questions on the map, I move passage of the Coleman Congressional Map Plan 1 substitute.

**REP. CHRIS PRINGLE:** Ms. Coleman, let me ask you, because I'm looking at some numbers here, go over with me real quickly, Congressional District 1 has, what's the number of people over ideal?

**REP. MERIKA COLEMAN:** The total number 717,764 then 717,754 and so on and so forth.

**REP. CHRIS PRINGLE:** What's the number over ideal?

**REP. MERIKA COLEMAN:** 43 was supposed to be, now I'm not a mathematician, you know, I'm political science, but it's supposed to be 43 over ideal in two of the separate districts.

**REP. CHRIS PRINGLE:** I've got Congressional District 1 has seven people over ideal population.

**REP. MERIKA COLEMAN:** Oh it does say that, seven over here and then 44,251 over negative 71 and 6 and 22 and 7.

**REP. CHRIS PRINGLE:** Okay, yeah.

**REP. MERIKA COLEMAN:** But what's the phrase should be used? De minimis? Those would still constitute de minimis deviations.

**REP. CHRIS PRINGLE:** So, you're over by 0.02% population. Ladies and gentlemen, what this bill will do, it creates a district that District 1 is seven people overpopulated, District 2, zero, District 3, zero, District 4.



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. MERIKA COLEMAN:** 42.

**REP. CHRIS PRINGLE:** No, there's no district -- congressional, yeah, District 4 is 42 people overpopulated. District 5 is one. District 6 is 71 people underpopulated and District 7 is 22 people overpopulated.

**REP. MERIKA COLEMAN:** So can I ask you a question of what that definition de minimis means? Tell me what that means as it relates to numbers? Would you?

**REP. CHRIS PRINGLE:** It means if you have a map and you can prove you can get the zero, you have to get the zero.

**REP. MERIKA COLEMAN:** But if part of the court cases that we've been dealing with have been about preserving county lines, correct?

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. MERIKA COLEMAN:** How many splits did your map have?

**REP. CHRIS PRINGLE:** Six counties.

**REP. MERIKA COLEMAN:** Okay, 16 splits?

**REP. CHRIS PRINGLE:** Six.

**REP. MERIKA COLEMAN:** Six splits. Well that's a little bit less than what we talked about earlier, but it's still more than the four splits that I have in my substitute.

**REP. CHRIS PRINGLE:** Yeah it is and if you look at District No. 1, it runs all the way down the western side of the state, the whole -- it splits Mobile, splits Washington County and it separates Mobile and Baldwin County.

**REP. MERIKA COLEMAN:** So can I ask you this question? So you just mentioned, let's look at your map.

**REP. CHRIS PRINGLE:** Yeah.

[OVERLAY]

**REP. CHRIS PRINGLE:** Well I mean, these counties are big, I realized that but you're splitting Mobile and Baldwin County which as you probably know are a very strong community of interest, a very cohesive community that we all work and live together and interchange back and forth across that day way where by the way we need a new bridge in order to keep our community of interest together.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. MERIKA COLEMAN:** Well on the house maps because we will get to those, we feel that same way in Jefferson County and while didn't respect that in Jefferson, so they're going to be some situations where you're going to have to go down the state across the state. And again, remember I told you that personality test I took, fair and equitable. This is the most fair and equitable plan in my opinion that we have before us today and I'm going to ask the members to support this plan.

**REP. CHRIS PRINGLE:** Ladies and gentleman, also let me point out under this plan, the BVAP, the black population under this plan will take this district. I'm getting two different numbers here, one minute. It would go to 62.63% African-American.

[01:15:07]

**REP. MERIKA COLEMAN:** The only reason -- thank you so much for asking that question. So the only reason it goes, so then you're talking about Congressional District 7?

**REP. CHRIS PRINGLE:** Yes ma'am.

**REP. MERIKA COLEMAN:** It's only because we were trying to preserve those counties. That's how we got to that number.

**REP. CHRIS PRINGLE:** Yes, ma'am. I understand that and that you kept that finger in Jefferson County very skinny and you obviously drew basically on racial lines in Jefferson County.

**REP. MERIKA COLEMAN:** Well, that's not true. That was supposed your plan not mine. Well because actually -- well if you make the allegations so you know, you have to let me defend the allegation. Now again remember, this is about a fair and equitable plan, this is not about Merika Coleman, because if it was about Merika Coleman, then the entire seven congressional, all of Jefferson County would be in the 7th, because I have the opportunity to be able to -- that particular congressperson speaks directly to me, so this is not about me. This is about what's fair and equitable.

**REP. CHRIS PRINGLE:** Yes, ma'am.

**REP. MERIKA COLEMAN:** And so if you make the allegation, I have to defend myself. It was only done to be able to preserve those other counties.

**REP. CHRIS PRINGLE:** I understand that. I do. But if we pass a plan out of here with 62.63% African-Americans packed into the 7th Congressional District, it's going to clearly be a red flag for the court system and they will probably throw this plan out.

**REP. MERIKA COLEMAN:** I don't think it'll be a red flag for the point system if an African-American woman is carrying it and we end up voting for work because an African-American voted for [INDISCERNIBLE 01:16:34] and we all voted for, it won't be a red flag, it'll be a red

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

flag on your plan if there's nobody African-American that supports it, that's where the red flag is.

**REP. CHRIS PRINGLE:** I don't know the courts are going to pay attention that have voted for against the plan as much as -- they're going to look at that.

**REP. MERIKA COLEMAN:** But you just brought the issue of -- Mr. Chairman.

**REP. CHRIS PRINGLE:** No, no, no [INDISCERNIBLE 01:16:51]. You're packed in that district with African-Americans and raised in the black population up there, a high and it doesn't need to be in this. Look, the courts are going to look at that as a plan that packs.

**REP. MERIKA COLEMAN:** So since you know, go ahead and tell me then, tell all of us then, you just said as a number of for African-Americans that it does not have to be. So tell me what that number is because I actually was not talking -- I didn't bring up race in the discussion, I brought up equity. You brought up race, I didn't.

**REP. CHRIS PRINGLE:** All right it's --.

**MR. SPEAKER:** The lady's time has expired but go ahead and respond.

**REP. CHRIS PRINGLE:** We have a plan that proves it can be a majority-minority district the way it is that we can say complies with Section 2 of the Voting Rights Act but if we go back and pack it with more African-Americans when we've proven we don't need to, we're going to run into a packing allegation and I think we'll go run a file of Section 2 of the Voting Rights Act.

**REP. MERIKA COLEMAN:** So just the last comment --.

**REP. CHRIS PRINGLE:** Because the last time, the reason they left that finger in Jefferson County was under Section 5, we would be faced with a retrogression issue if we didn't maintain it. We don't have retrogression anymore because Section 5 was gone, but we still have Section 2, we have to comply with fully.

**REP. MERIKA COLEMAN:** So just to round it off, thank you so much. The gentleman did not give us the number. I asked him the question. He did not give us the number. Again, this is the fair and equitable plan and I would ask the members to support the substitute.

**MR. SPEAKER:** All right, and Mr. Chairman, you need to make a comment, how do you want to handle this motion?

**REP. CHRIS PRINGLE:** I'm going to move the table floor in a count.

**MR. SPEAKER:** All right members, the question on the floor now is going to be the substitute offered by Representative Coleman, and the Chairman has recommended that we table. We're voting on a tabling motion. If you are in favor of the tabling motion, your vote will "Aye", if you're opposed your vote is "No." The clerk will unlock the machine and the members will vote.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. MERIKA COLEMAN:** Vote “No” please on the tabling motion, vote “No.”

[BACKGROUND CONVERSATION]

**MR. SPEAKER:** All the members voted. All the members voted?

**REP. MERIKA COLEMAN:** If you want to be fair and equitable vote “No.” Don’t send the message to the rest of the country that this is not -- that we’re going to end up having a plan that’s not fair and equitable.

**MR. SPEAKER:** All right, hold on. All the members voting. All right, Clerk will lock the machine. Go with the vote. All right, the 74 yeas, 28 nays, 0 abstention and the substitute does not prevail.

**REP. MERIKA COLEMAN:** Well, we’ve sent the message. We are, thank you.

**MR. SPEAKER:** All right and the Chair thanks the lady. All right. And gentleman from Jefferson, Representative Rogers, you’re recognized.

[BACKGROUND CONVERSATION]

**REP. JOHN ROGERS:** Thank you Mr. Speaker. Now, I know the votes that are due -- well I can’t wait to Mr. Speaker tell what our scheduling going to be all rest of the week because they get interesting.

[01:20:02]

The thing I was concerned about that [INDISCERNIBLE 01:20:08] is that in looking at all the numbers here that on this anything is that there is no deviation in any district, right?

**REP. CHRIS PRINGLE:** In the congressional plans --.

[OVERLAY]

**REP. JOHN ROGERS:** Yeah, basically we got one that’s 0% deviation.

**REP. CHRIS PRINGLE:** Yes, sir.

**REP. JOHN ROGERS:** Okay. If you were to do the plus or minus deviation, you’re really going to get two -- basically, you got a black district and you got an influence district. You went ahead -- because of the fact yeah, I know what we say we don’t -- I don’t even admit to the fact about by the race or not, but it’s clearly a clear example of stacking and packing in a way because if you look at that one district with 81% white, that could be spread out. Do you think so? I mean, I know you drew the plan, it’s part of drawing a plan, but talking to the senators, it

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

clearly could be a black district and a good influence district because in fact I don't forget the plan.

**REP. CHRIS PRINGLE:** So you're saying that the 81% white district could be spread out and made an influence district?

**REP. JOHN ROGERS:** O yeah. I mean I've talked to Terri Sewell. I've talked to several people who draw maps and back 10 years ago, we could've had two black districts, two basically districts where we could win. That was 10 years ago and it went freed the horn all over the drawing maps [INDISCERNIBLE 01:21:45] all those drawing maps, you can either clearly get out of there, but when you start -- I don't want to try and say it's racial, but it's a little stacking and a little packing there on the side that looked like to me, especially with the 81%. If you did a 2% or 1% deviation, all listen to our district, you can make it. And you still would have to break out too many [INDISCERNIBLE 01:22:09]. And the reason I know you can do it because we lay it on the floor and drew the maps earlier. Ten years ago you could have done it.

**REP. CHRIS PRINGLE:** There are a lot of things you can do but that doesn't make it legal. I mean, I can do a lot of things that are --.

**REP. JOHN ROGERS:** What's illegal about it? You're not stacking or packing, you spread an area around, so it's like you don't need a district without a chance you take they telling me sometimes that if you try to divide up two equally, you stand a chance of losing a minority representative, but you could have a district where it'll be influenced district. So therefore, you can almost do it when you get to about 50%, 55% or 51% minority district, 52% minority district.

**REP. CHRIS PRINGLE:** That's what Ms. Sewell's district is.

**REP. JOHN ROGERS:** I know, but you get two of them.

**REP. CHRIS PRINGLE:** Well, if you bring a plan down here that gives two majority-minority districts, we'll look at it.

**REP. JOHN ROGERS:** Okay, I can do that. I can bring a plan from 10 years ago that we drew.

**REP. CHRIS PRINGLE:** I don't think 10 years ago would work as the census have changed.

**REP. JOHN ROGERS:** I know, but yes it won't work the same as it is now, but it's the same thing. It's basically the same, the numbers are there.

**REP. CHRIS PRINGLE:** No, this changed.

**REP. JOHN ROGERS:** But you got to do 1% deviation. You can do a 5% deviation or you can do a 1% deviation, you got your numbers. No trouble about two, but 1% deviation will get you where you want to get to. And the other question I need to ask is that you said one time that you had done a racially poor voting study. Who did it? I've been checking since you told me that.

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

[OVERLAY]

**REP. CHRIS PRINGLE:** Well, I'm working on getting that. It was a gentleman out of Georgia and I don't know his name.

**REP. JOHN ROGERS:** Well, we need to know because that could be part of the law.

**REP. CHRIS PRINGLE:** I know it. I'm going to get it to you. I'm going to have the information. Everything I've done is going to be part of the law, it's all going to be open, it's all going to be in the record.

**REP. JOHN ROGERS:** Okay. I've now see a real full here, everybody said it's fine. I mean, I don't see anybody here with this plan, which makes it kind of funny, but Republican against it, the Democrats against it, only body supporting it you and [INDISCERNIBLE 01:24:34] and they haven't been linked. But the thing about it is that the guy -- where you say he's from?

**REP. CHRIS PRINGLE:** Out of Georgia, the gentleman out of Georgia did the racial polarization study. I have no clue what his name is.

**REP. JOHN ROGERS:** When we did that, just because the district is a -- you don't need a 65% black district to win.

**REP. CHRIS PRINGLE:** I don't know what you need. I'm not going to give you a number.

[01:25:02]

**REP. JOHN ROGERS:** I think the most out is 62%.

**REP. CHRIS PRINGLE:** I believe that's 65% came when Joe Reed was drawing the district.

**REP. JOHN ROGERS:** Yeah, let's say disagreement in the district.

**REP. CHRIS PRINGLE:** Who?

**REP. JOHN ROGERS:** [INDISCERNIBLE 01:25:14].

**REP. CHRIS PRINGLE:** Yeah.

**REP. JOHN ROGERS:** He's doing primarily Caucasian, but they're Democrats and a lot of people in his House were feeling real short [INDISCERNIBLE 01:25:28] they feel that they could make a new district -- I'm going to run, they're telling me because of the fact that this map is causing him to have some heartburn because of the fact that they can't win. I even have one telling that I'm going to vote for the plan because I'm part Republican and I got you, but I can't win, I'm not going to run again. So what I'm saying to you that there's a way they could draw this where it'd be like -- draw it in line where they're much better.



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**REP. CHRIS PRINGLE:** Are we talking about Congress or the House.

**REP. JOHN ROGERS:** I'm talking about Congress.

**REP. CHRIS PRINGLE:** Okay. So a member of Congress.

**REP. JOHN ROGERS:** I'm really talking about both of them really.

**REP. CHRIS PRINGLE:** Yeah, a member of Congress told you they weren't going to run again because of where this was going?

**REP. JOHN ROGERS:** It's not Congress but the House, a lot of the House members.

**REP. CHRIS PRINGLE:** Okay. I'm just trying to figure out which House.

**REP. JOHN ROGERS:** Everybody cover, hey, they got -- Congress got two House map. Hey, if I was [INDISCERNIBLE 01:26:29], I'd run too. With this deal here, they guarantee to win. I mean, because of the fact that I agree we're going to have to start going to [INDISCERNIBLE 01:26:43] country store. We're going to do that this time. In fact, I talked to some people who are basically are Republican, but they're liberal Republican, they talk. We got to get them to realize that we're all in the ballgame together. It's not me against you or you against me. But I think we can do a lot of recruits so to speak. But if we shared the map -- this congressional map a little bit, a little tweaking here and there, we could have a good district. We can get probably a 55, 54 district out of this map beside you're still having the settlement we got, we could have eight congressmen in Washington.

**REP. CHRIS PRINGLE:** We can't have eight congressmen.

**REP. JOHN ROGERS:** Because we're getting two black, we can get a black district and we can get an influence district. You keep that.

**REP. CHRIS PRINGLE:** Mr. Rogers, let me explain this. We can't decide how many members of Congress we have. They apportioned it and they gave us seven seats. We can't just tell them, "No, we think we're going to draw eight."

**REP. JOHN ROGERS:** Hey, we could get seven, but out of that seven, we could have a black district [INDISCERNIBLE 01:28:05] black district and an influence district out of the seven. Now that could have -- but you would have -- you had 6th coming as one of those numbers down like 81% down, we would have 81%, you would have 81% district. You could spread that out [INDISCERNIBLE 01:28:25]. And so that way, it'll be a much fair representation and we've drawn that map several times. As a matter of fact, one of the maps you going to get submitted going to have two plans to it. They got two, but you can still have one, they can have two. I mean, we can go back -- like where there were a lot of Democrats who speak to other Republican Party. They still basically have not run again. They just switch and just run at a party, so they can run again but they'd run as a more liberal Republican, whatever if there is such liberal Republican. Therefore, we would have a better chance at getting an influence district. Otherwise,



House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

you can't have a majority of black district, but you'd be a district where you got influence. They both not totally Republican and we can draw that. I mean, I got those maps they drew from two years ago where we sit on floor because we didn't have no computer. We draw them there. When they first had the first congressional black district.

**REP. CHRIS PRINGLE:** Then what year was that? Was it 1990?

**REP. JOHN ROGERS:** That was that two years ago.

**MR. SPEAKER:** And the gentleman's time.

**REP. CHRIS PRINGLE:** No, it was longer than that. It was 1990.

**REP. JOHN ROGERS:** Hey, I could show it to you.

**REP. CHRIS PRINGLE:** [INDISCERNIBLE 01:29:52]

**REP. JOHN ROGERS:** Yeah, but we could've had two winners here. Thank you.

**MR. SPEAKER:** And the chair thanks the gentleman. All right. Chair now will recognize the lady from Madison, Representative Hall.

[01:30:08]

Representative Hall in the chamber. All right members I thank Mr. Chairman. Hold on, they're checking the restroom to make sure we didn't miss anybody.

[BACKGROUND CONVERSATION]

**REP. CHRIS PRINGLE:** Ms. Hall, I thought Ms. Hall was coming. I'm not going to deny Ms. Hall the ability to ask me questions.

**MR. SPEAKER:** Well, I wouldn't want to do that either. Okay, all right. Well, let's go ahead. I think we're ready for the question, Mr. Chairman.

**REP. CHRIS PRINGLE:** Mr. Speaker, I move to pass this as House Bill 1.

**MR. SPEAKER:** All right, the question before us is going to be passage of House Bill No. 1. If you're in favor of this bill, your vote will be "Aye." If you're opposed, your vote is "No." Clerk will unlock the machine and the members will vote. Final passage of House Bill 1.

[BACKGROUND CONVERSATION]

**MR. SPEAKER:** All the members voted?

[BACKGROUND CONVERSATION]

House Floor Debate  
November 1, 2021  
Transcript by TransPerfect

**MR. SPEAKER:** All the members had an opportunity to vote. All right. Clerk will unlock the machine and record the vote. There are 65 yeas, 38 nays, 0 abstention and House Bill 1 is passed. All right, members, we'll move to -- the first bill. Now Mr. Clerk, let's go to the next bill on the calendar.

**MR. CLERK:** On Page 1 of the calendar, House Bill No. 2 by Representative Pringle relating to reapportionment and re-districting of the Alabama House of Representatives.

**MR. SPEAKER:** Chairman Pringle, you're recognized.

**REP. CHRIS PRINGLE:** Thank you, ladies and gentlemen. Can I get me a second to reload here?

[BACKGROUND CONVERSATION]

**REP. CHRIS PRINGLE:** They all should be up there. The House maps are supposed to be up there. Ladies and gentlemen, there are supposed to be House maps here in the chamber for the House plan and I'm going to need somebody to bring me a copy of the House -- the big copy of the House plan.

[BACKGROUND CONVERSATION]

**REP. CHRIS PRINGLE:** I need a big map for my House plan. They never sent it up me.

[BACKGROUND CONVERSATION]

**REP. CHRIS PRINGLE:** Yeah.

**MR. SPEAKER:** They have it down there?

**REP. CHRIS PRINGLE:** They should. But I need the existing and I need the substitute.

[01:33:44]



I, Anders Nelson, hereby certify that the document "Day 3 11\_1\_2021 - House Bill 1 debate" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

**Anders  
Nelson**

---

Anders Nelson  
Project Manager

Digitally signed by  
Anders Nelson

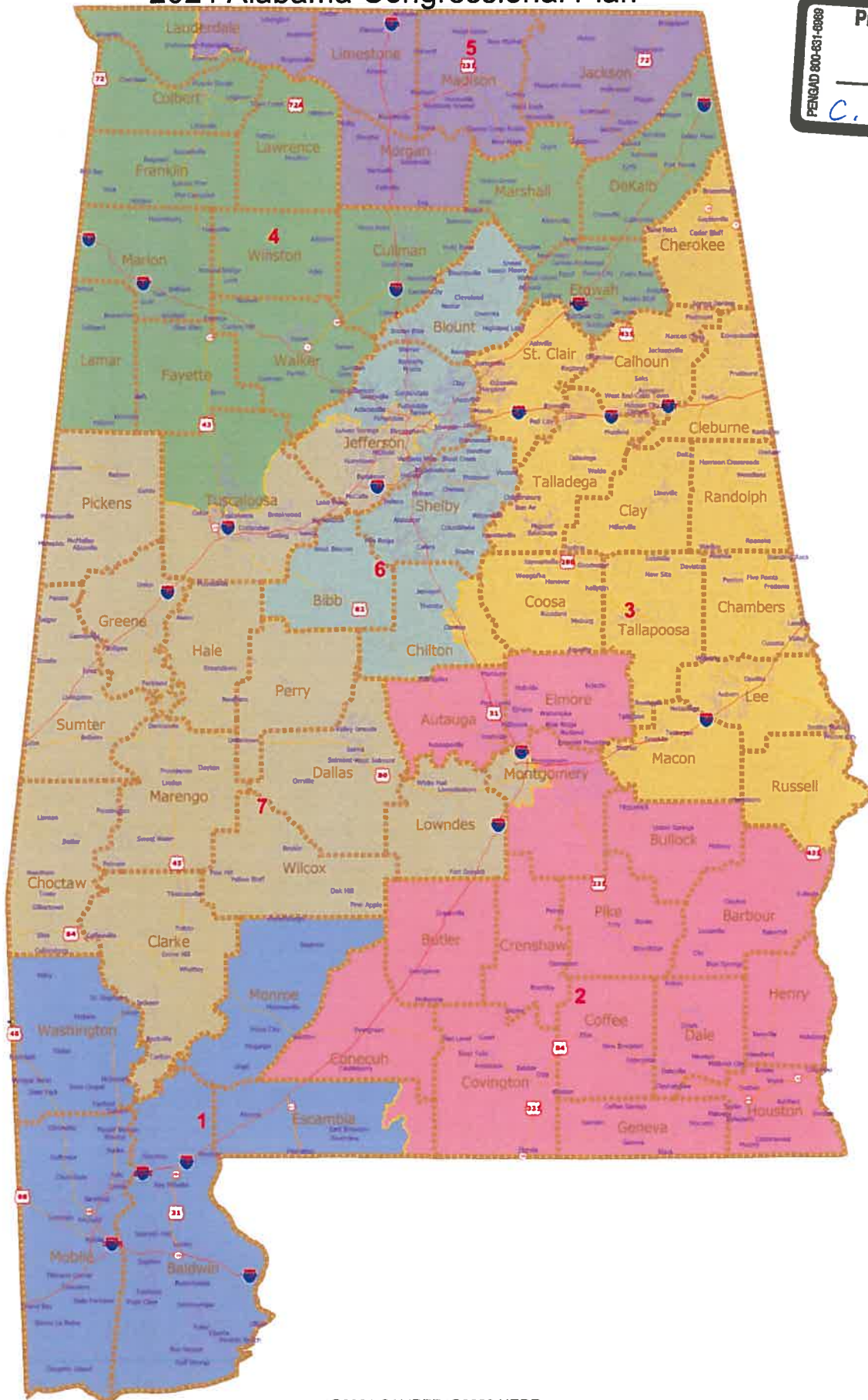
Date: 2021.12.14 15:45:28  
-05'00'

December 14, 2021

# 2021 Alabama Congressional Plan

PLAINTIFF'S  
EXHIBIT  
6  
*C. Pringle*

PERGAD 800-631-8888



©2021 CALIPER; ©2020 HERE

RC 000553

**In The Matter Of:**

**Evan Milligan,et al v. John H.Merrill, et al.**

---

Jim McClendon

*December 17, 2021*

---

US Legal

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

1	UNITED STATES DISTRICT COURT	1	A P P E A R A N C E S
2	FOR THE NORTHERN DISTRICT OF ALABAMA	2	
3		3	FOR THE MILLIGAN PLAINTIFFS:
4		4	MICHAEL L. TURRILL
5		5	Attorney at Law
6	EVAN MILLIGAN, et al., )	6	Hogan Lovells US LLP
7	) CIVIL CASE NO.	7	1999 Avenue of the Stars, Ste. 1400
8	Plaintiffs, ) 2:2021-CV-01530-AMM	8	Los Angeles, California 90067
9	VS. ) VIDEO DEPOSITION OF:	9	michael.turrill@hoganlovells.com
10	JOHN MERRILL, et al., ) JAMES MCCLENDON	10	
11	)	11	KATHRYN SADASIVAN
12	Defendants. )	12	Attorney at Law
13		13	NAACP Legal Defense & Educational Fund
14		14	40 Rector Street, FL 5
15		15	New York, New York 10006
16	S T I P U L A T I O N S	16	ksadasivan@naacpldf.org
17	IT IS STIPULATED AND AGREED, by and between	17	
18	the parties through their respective counsel, that	18	DEUEL ROSS (Via Zoom)
19	the deposition of:	19	Attorney at Law
20	JAMES MCCLENDON,	20	NAACP Legal Defense & Educational Fund
21	may be taken before LeAnn Maroney, Notary Public,	21	700 14th Street N.W., Ste. 600
22	State at Large, at the law offices of Balch &	22	Washington, DC 20005
23	Bingham, 105 Tallapoosa Street, Montgomery, Alabama,	23	dross@naacpldf.org
24	36104, on December 17, 2021, commencing at 1:57 p.m.	24	
25	Page 1	25	Page 3
1	IT IS FURTHER STIPULATED AND AGREED that the	1	JULIE A. EBENSTEIN
2	signature to and reading of the deposition by the	2	Attorney at Law
3	witness is waived, the deposition to have the same	3	American Civil Liberties Union Foundation
4	force and effect as if full compliance had been had	4	125 Broad Street
5	with all laws and rules of Court relating to the	5	New York, New York 10004
6	taking of depositions.	6	jebenstein@aclu.org
7		7	
8	IT IS FURTHER STIPULATED AND AGREED that it	8	KAITLIN WELBORN
9	shall not be necessary for any objections to be made	9	Attorney at Law
10	by counsel to any questions, except as to form or	10	American Civil Liberties Union of Alabama
11	leading questions, and that counsel for the parties	11	P.O. Box 6179
12	may make objections and assign grounds at the time	12	Montgomery, Alabama 36106
13	of the trial, or at the time said deposition is	13	kwelborn@aclualabama.org
14	offered in evidence, or prior thereto.	14	
15		15	FOR THE CASTER PLAINTIFFS: (Via Zoom)
16		16	DAN OSHER
17	***	17	Attorney at Law
18		18	Elias Law Group
19		19	10 G Street NE, Ste. 600
20		20	Washington, DC 20002
21		21	dosher@elias.law
22		22	
23		23	
24		24	
25	Page 2	25	Page 4

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

1 FOR DEFENDANT JOHN H. MERRILL:	1 I, LeAnn Maroney, a Court Reporter of
2 JIM DAVIS	2 Birmingham, Alabama, and a Notary Public for the
3 Assistant Attorney General	3 State of Alabama at Large, acting as commissioner,
4 Office of the Attorney General	4 certify that on this date, pursuant to the Federal
5 501 Washington Avenue	5 Rules of Civil Procedure and the foregoing
6 Montgomery, Alabama 36130	6 stipulation of counsel, there came before me on
7 jim.davis@alabamaag.gov	7 December 17, 2021, JAMES MCCLENDON, witness in the
8	8 above cause, for oral examination, whereupon the
9 FOR THE DEFENDANTS JAMES MCCLENDON & JAMES	9 following proceedings were had:
10 MCCLENDON:	10 * * * * *
11 DORMAN WALKER	11 THE VIDEOGRAPHER: This marks the
12 Attorney at Law	12 beginning of the deposition of Jim McClendon in the
13 Balch & Bingham	13 matter of Evan Milligan, et al., versus John H.
14 105 Tallapoosa Street, Ste. 200	14 Merrill, et al., Civil Case Number 2:21-CV-01530-AMM
15 Montgomery, Alabama 36104	15 filed in the United States District Court for the
16 dwalker@balch.com	16 Northern District of Alabama. The date is December
17	17 17, 2021. The time is 1:57 p.m.
18	18 All attorneys present, will you please
19 ALSO PRESENT:	19 state your names and whom you represent.
20 Paige Ali, Videographer	20 MR. DAVIS: Jim Davis, Alabama Attorney
21	21 General's Office, for Secretary of State John
22	22 Merrill.
23	23 MR. WALKER: Dorman Walker, Balch &
24	24 Bingham, for Senator Jim McClendon.
25	25 MS. SADASIVAN: This is Kathryn
Page 5	Page 7
1 I N D E X	1 Sadasivan for plaintiffs Evan Milligan, Shalela
2 MS. SADASIVAN: 9-103	2 Dowdy, Letetia Jackson, Greater Birmingham
3 MR. OSHER: 104-111	3 Ministries, and the NAACP of Alabama.
4 MR. DAVIS: 111-114	4 I'm still having trouble hearing you
5	5 all, though. The audio is going out. Are you able
6	6 to move the place where -- anything towards the
7 E X H I B I T L I S T	7 witness, a phone, audio of some sort?
8	8 (Discussion held off the record.)
9	9 THE VIDEOGRAPHER: Okay. The attorneys
10 Plaintiff's Exhibit 1 - 35	10 that are on Zoom, if you'll do your introductions.
11 (Talk points)	11 MR. TURRILL: Michael Turrill of Hogan
12 Plaintiff's Exhibit 2 - 36	12 Lovells on behalf of the Milligan plaintiffs.
13 (2011 reapportionment guidelines)	13 MR. ROSS: Deuel Ross for the Milligan
14 Plaintiff's Exhibit 3 - 47	14 plaintiffs.
15 (Montgomeryadvertiser.com)	15 MR. OSHER: Dan Osher for the Caster
16 Plaintiff's Exhibit 4 - 61	16 plaintiffs.
17 (Public hearing schedule)	17 MS. EBENSTEIN: Julie Ebenstein for the
18 Plaintiff's Exhibit 5 - 64	18 Milligan plaintiffs.
19 (2021 reapportionment guidelines)	19 THE VIDEOGRAPHER: Do you want to swear
20 Plaintiff's Exhibit 6 - 76	20 him in?
21 (Transcript of October 26, 2021)	21 JAMES MCCLENDON,
22 Plaintiff's Exhibit 7 - 94	22 having been duly sworn, was examined and testified
23 (Transcript of November 3, 2021)	23 as follows:
24 Plaintiff's Exhibit 8 - 100	24 THE REPORTER: Usual stipulations?
25 (Hall request for additional meetings)	25 MR. WALKER: Meaning that the only
Page 6	Page 8



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 objections that need to be made are to the form of 2 the question. Yes, Katherine?</p> <p>3 MS. SADASIVAN: Yes.</p> <p>4 THE VIDEOGRAPHER: We are off the 5 record. The time is 1:59 p.m.</p> <p>6 (Recess was taken.)</p> <p>7 THE VIDEOGRAPHER: We are back on the 8 record. The time is 2:04 p.m.</p> <p>9 EXAMINATION BY MS. SADASIVAN:</p> <p>10 Q. Good afternoon, Mr. McClendon. My name 11 is Kathryn Sadasivan and I work for the NAACP Legal 12 Defense &amp; Educational Fund. I represent the 13 plaintiffs in this case, Milligan versus Merrill. 14 Thank you for making yourself available for today's 15 deposition.</p> <p>16 Do you understand that you're here today 17 because you've been served with a notice of 18 deposition and you are a defendant in Milligan 19 versus Merrill in your official capacity as cochair 20 of the Alabama permanent legislative committee on 21 reapportionment?</p> <p>22 A. I do.</p> <p>23 Q. Before going any further, can you please 24 state and spell your name for the record?</p> <p>25 A. James H. McClendon, M-c-C-L-E-N-D-O-N.</p> <p style="text-align: right;">Page 9</p>	<p>1 Q. Are you taking any medication that might 2 affect your ability to understand the questions that 3 I ask or provide answers to those questions?</p> <p>4 A. No.</p> <p>5 Q. Do you have any condition that would 6 affect your ability to understand the questions that 7 I ask and provide answers to the questions?</p> <p>8 A. No.</p> <p>9 Q. Do you understand that today's 10 deposition is being conducted via web 11 videoconference?</p> <p>12 A. Yes.</p> <p>13 Q. Do you understand that a court reporter 14 is transcribing this deposition, meaning that they 15 are writing down everything that you, your counsel, 16 and I say today?</p> <p>17 A. Yes.</p> <p>18 Q. It's important that all of your answers 19 are verbal. This will allow the court reporter to 20 record our statements. The court reporter won't be 21 able to record gestures or nodding. Do you 22 understand?</p> <p>23 A. I do.</p> <p>24 Q. Likewise, it's important that we don't 25 speak over one another. I will wait until you</p> <p style="text-align: right;">Page 11</p>
<p>1 Q. And your first name, as well, please.</p> <p>2 A. J-A-M-E-S.</p> <p>3 Q. Have you ever been deposed before?</p> <p>4 A. Yes.</p> <p>5 Q. When?</p> <p>6 A. Roughly ten years ago during 7 redistricting last time.</p> <p>8 Q. And what was your role in the 9 litigation?</p> <p>10 A. I was house chairman of redistricting at 11 that time.</p> <p>12 Q. Were you a defendant?</p> <p>13 A. Yes.</p> <p>14 Q. Were you -- have you been involved in 15 any other cases?</p> <p>16 A. Any? No.</p> <p>17 Q. You are sworn and under oath. Do you 18 understand that for purposes of my questioning, you 19 must testify truthfully and as completely as 20 possible as though we were before a judge in a 21 courtroom?</p> <p>22 A. Yes.</p> <p>23 Q. Is there any reason you cannot give 24 truthful and complete testimony today?</p> <p>25 A. No.</p> <p style="text-align: right;">Page 10</p>	<p>1 finish your answer, and I ask that you please wait 2 until I finish my question before answering. Do you 3 understand?</p> <p>4 A. I do.</p> <p>5 Q. If you don't understand a question that 6 I ask, please just let me know, and I'll rephrase 7 it. If at any point you recall additional 8 information that is responsive to a question that I 9 asked you earlier, please let me know, and I will 10 allow you to clarify the record. Do you understand?</p> <p>11 A. I do.</p> <p>12 Q. Please do not guess or assume when 13 answering. Be sure to state only that which you 14 know to be true based on your personal knowledge. 15 Will you do that?</p> <p>16 A. Yes.</p> <p>17 Q. You may hear your attorney, Mr. Walker, 18 object to a question from time to time. His 19 objections are being made for the record, and you 20 are still required to answer my question unless you 21 are instructed by your attorney not to answer. Do 22 you understand?</p> <p>23 A. I'm not sure about that. Maybe say it 24 again. Let me hear you say that one more time.</p> <p>25 Q. You may hear your attorney object to a</p> <p style="text-align: right;">Page 12</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 question from time to time throughout this 2 deposition. Those objections are made largely for 3 the record. And you understand you are still 4 required to respond to my question unless you are 5 instructed by your attorney not to?</p> <p>6 <b>A. Okay.</b></p> <p>7 Q. Do you understand that?</p> <p>8 <b>A. I've got it.</b></p> <p>9 Q. Is that a yes?</p> <p>10 <b>A. Yes.</b></p> <p>11 Q. Thank you.</p> <p>12 Since we're conducting this deposition 13 remotely and we're not together in the same room, I 14 ask that you please keep your cell phone off unless 15 we are on a break. Can you do that?</p> <p>16 <b>A. I understand.</b></p> <p>17 Q. Please don't refer to any documents or 18 other materials during our conversation today. Will 19 you do that?</p> <p>20 <b>A. Did you say don't refer to any materials 21 or documents today? Is that what you said?</b></p> <p>22 Q. Do you have any documents with you?</p> <p>23 <b>A. I do not.</b></p> <p>24 MR. WALKER: Oh, did you mean don't look 25 at any documents?</p> <p style="text-align: right;">Page 13</p>	<p>1 <b>A. Correct. Yes, it is.</b></p> <p>2 MR. WALKER: Kathryn, can I ask that 3 this personal information be redacted with anything 4 you file with the court?</p> <p>5 Q. Do you have any other phone numbers?</p> <p>6 <b>A. Well, I do have a phone in my office in 7 the Alabama state house, but I'm not sure what the 8 number is.</b></p> <p>9 Q. Do you have an email account?</p> <p>10 <b>A. I do. I have two.</b></p> <p>11 Q. And what are they?</p> <p>12 <b>A. My personal email is 13 jimmcc@windstream.net. My senate email is 14 jim.mcclendon@alsenate.gov.</b></p> <p>15 Q. Do you have any personal social media 16 accounts?</p> <p>17 <b>A. Facebook, yes.</b></p> <p>18 Q. You just have a Facebook account?</p> <p>19 <b>A. Correct.</b></p> <p>20 Q. No Twitter?</p> <p>21 <b>A. No Twitter.</b></p> <p>22 Q. And where were you born?</p> <p>23 <b>A. Mobile, Alabama.</b></p> <p>24 Q. And where did you go to high school?</p> <p>25 <b>A. Springville, Alabama.</b></p> <p style="text-align: right;">Page 15</p>
<p>1 Q. Do you have any -- if you don't have any 2 documents with you, please don't look at any 3 documents other than those that I will give you. Do 4 you understand that?</p> <p>5 <b>A. I do.</b></p> <p>6 Q. Thank you. Sorry for all the 7 preparatory language.</p> <p>8 Finally, if you need a break at any 9 time, please just let me know. If there's a 10 question pending, I just ask that you answer that 11 question before going on a break. Do you 12 understand?</p> <p>13 <b>A. I do.</b></p> <p>14 Q. Thank you.</p> <p>15 I'm going to ask you some background 16 questions to get to know you a little bit better.</p> <p>17 What is your date of birth?</p> <p>18 <b>A. 1-10-43.</b></p> <p>19 Q. That's January 10, 1943?</p> <p>20 <b>A. Correct.</b></p> <p>21 Q. What's your address?</p> <p>22 <b>A. 361 Jones Road, Springville, Alabama.</b></p> <p>23 Q. And your telephone number?</p> <p>24 <b>A. (205)999-8096.</b></p> <p>25 Q. Is that a mobile phone number?</p> <p style="text-align: right;">Page 14</p>	<p>1 Q. Where did you go to college?</p> <p>2 <b>A. My undergraduate degree is from 3 Birmingham Southern College in Birmingham, and my 4 doctorate is from the University of Houston, 5 Houston, Texas.</b></p> <p>6 Q. And what is your doctorate in?</p> <p>7 <b>A. Optometry.</b></p> <p>8 Q. And what courses did you take at 9 Birmingham Southern?</p> <p>10 <b>A. Just pretty much premed-type courses.</b></p> <p>11 Q. And have you studied anywhere else?</p> <p>12 <b>A. No, other than continuing education 13 courses required to maintain my optometry license.</b></p> <p>14 Q. So you are an optometrist?</p> <p>15 <b>A. Correct. Yes, I am.</b></p> <p>16 Q. Have you -- are you married?</p> <p>17 <b>A. I am.</b></p> <p>18 Q. How long have you been married?</p> <p>19 <b>A. 26 years.</b></p> <p>20 Q. Congratulations.</p> <p>21 Do you have kids?</p> <p>22 <b>A. I do.</b></p> <p>23 Q. How many?</p> <p>24 <b>A. One child.</b></p> <p>25 Q. One child. And how old are they?</p> <p style="text-align: right;">Page 16</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 A. She is 50.</p> <p>2 Q. And what does she do for a living?</p> <p>3 A. A school teacher.</p> <p>4 Q. In Alabama?</p> <p>5 A. Yes.</p> <p>6 Q. Where?</p> <p>7 A. In the Jefferson County system.</p> <p>8 Q. And where do you work?</p> <p>9 A. I'm a -- I'm retired from optometry.</p> <p>10 Q. So you are not employed currently?</p> <p>11 A. As an optometrist, no, I am not.</p> <p>12 Q. Are you employed anywhere currently?</p> <p>13 A. Only as an Alabama senator.</p> <p>14 Q. So you're working as an Alabama senator?</p> <p>15 A. Well, I am a senator, and we do work</p> <p>16 from time to time.</p> <p>17 Q. Are you paid?</p> <p>18 A. Yes.</p> <p>19 Q. Do you know why you're here today?</p> <p>20 A. Yes.</p> <p>21 Q. Why?</p> <p>22 A. A lawsuit concerning redistricting that</p> <p>23 we just completed in the Alabama legislature.</p> <p>24 Q. Did you read the complaint in the case</p> <p>25 in which you're sitting for a deposition today?</p> <p style="text-align: right;">Page 17</p>	<p>1 Q. Did you review any documents?</p> <p>2 A. Yes.</p> <p>3 Q. Which documents?</p> <p>4 A. There were two. Actually, I can't say I</p> <p>5 reviewed them. I looked at the cover. One of them</p> <p>6 had to do with the notes -- the bullet points we</p> <p>7 used on the floor, in my case on the floor of the</p> <p>8 senate.</p> <p>9 And the other one -- I can't even</p> <p>10 remember what the other one was. But I gave them</p> <p>11 back to my attorney. I didn't take them home and</p> <p>12 read them or study them.</p> <p>13 Q. So I am going to try to drop in the chat</p> <p>14 a document that I'll ask the court reporter to mark</p> <p>15 as Exhibit 1. And I can show it on my screen, as</p> <p>16 well.</p> <p>17 Is this the document that you reviewed</p> <p>18 in advance of your deposition today? Let me share</p> <p>19 my screen.</p> <p>20 Senator McClendon, is this the document</p> <p>21 that you were referring to?</p> <p>22 A. I really can't read that. I see talking</p> <p>23 points -- okay. Scroll it up and let me see it.</p> <p>24 Well, that looks similar. I don't know if that's</p> <p>25 exactly the same document. But that's sort of the</p> <p style="text-align: right;">Page 19</p>
<p>1 A. I didn't quite understand. Did you say</p> <p>2 will you read or did you read?</p> <p>3 Q. Did you read.</p> <p>4 A. I have not read it, no.</p> <p>5 Q. Do you know what the case is about?</p> <p>6 A. Yes. This case has to deal with the</p> <p>7 congressional districts.</p> <p>8 Q. Are you represented by counsel today?</p> <p>9 A. I am.</p> <p>10 Q. Who is your counsel?</p> <p>11 A. Dorman Walker.</p> <p>12 Q. And how did you prepare for this</p> <p>13 deposition today?</p> <p>14 A. I came in yesterday and we met for a</p> <p>15 couple of hours and we sort of talked about how this</p> <p>16 works and what to expect. But that was the only</p> <p>17 preparation.</p> <p>18 Q. And who is "we"?</p> <p>19 A. Jim Davis was here and Chris --</p> <p>20 Representative Pringle was here and I was here. So</p> <p>21 it was four of us present.</p> <p>22 Q. So you -- the only preparation you did</p> <p>23 for this deposition was to meet with Chris Pringle,</p> <p>24 Jim Davis, and Mr. Walker yesterday for a few hours?</p> <p>25 A. That is correct.</p> <p style="text-align: right;">Page 18</p>	<p>1 format that was used.</p> <p>2 Q. I'll represent that this was produced in</p> <p>3 this litigation and that I have given it to the</p> <p>4 court reporter and hopefully you also have a copy.</p> <p>5 And what was this document?</p> <p>6 A. What you and I were just discussing was</p> <p>7 talking points that I was provided by our attorney</p> <p>8 when the issue of the congressional map came before</p> <p>9 the senate as a body.</p> <p>10 Q. And who gave you this document?</p> <p>11 A. Pardon?</p> <p>12 Q. Who gave that document to you?</p> <p>13 A. One of the staff members of the</p> <p>14 redistricting -- not committee, but the</p> <p>15 redistricting department there in the state house.</p> <p>16 Q. What is the difference between the</p> <p>17 redistricting committee and the redistricting</p> <p>18 department?</p> <p>19 A. Well, the redistricting office is</p> <p>20 staffed by state employees. And the redistricting</p> <p>21 committee is composed of elected senators and</p> <p>22 representatives.</p> <p>23 Q. So you were given this document when?</p> <p>24 A. Well, prior to it going on the floor for</p> <p>25 debate, and not much sooner than that.</p> <p style="text-align: right;">Page 20</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. Prior to what going on the floor for 2 debate?</p> <p>3 A. The congressional bill.</p> <p>4 Q. And do you remember when that was?</p> <p>5 MR. WALKER: Hang on. Kathryn, when you 6 say "this document," are you talking about Talking 7 Points for Likely Issues No. 1? Or are you talking 8 about the collection of talking points?</p> <p>9 Q. Well, does that change your answer?</p> <p>10 A. Well, I don't think it does. I got that 11 prior to the bill going on the floor for debate. In 12 fact, I may have gotten it prior to the committee -- 13 the standing committee meeting. That would -- that 14 would make sense.</p> <p>15 Q. And what standing committee meeting are 16 you talking about?</p> <p>17 A. The bills that -- the redistricting 18 committee is considered an interim committee. And 19 the bills that come out of interim committees must 20 go to a standing committee before they can go to 21 rules in order to get on the floor.</p> <p>22 So there was a standing committee -- 23 which happened to be general fund -- that was 24 handling not only a general fund bill but all the 25 redistricting bills, as well. So that would have</p> <p style="text-align: right;">Page 21</p>	<p>1 Q. Besides the talking points, what other 2 documents did you look at?</p> <p>3 A. It may have been a summary of this 4 lawsuit. But I'm not -- Kathryn, I'm really not -- 5 I really don't remember what it was. I didn't pay 6 much attention to it.</p> <p>7 Q. You say "a summary of this lawsuit." 8 Would you mind giving me a summary of this lawsuit?</p> <p>9 A. I can't do it. Sorry. I wish I could.</p> <p>10 Q. You testified earlier that you were a 11 party to a lawsuit in the last redistricting cycle; 12 is that correct?</p> <p>13 A. Correct.</p> <p>14 Q. Was that a redistricting case?</p> <p>15 A. Yes.</p> <p>16 Q. And you were deposed?</p> <p>17 A. Yes.</p> <p>18 Q. Did you testify at trial?</p> <p>19 A. I'm sorry. I didn't understand you.</p> <p>20 Q. Sorry. Did you testify at trial?</p> <p>21 A. Yes.</p> <p>22 Q. And what was that case about?</p> <p>23 A. That case, I believe, was -- legislative 24 was the target, not congressional. The issue was --</p> <p>25 Q. And when you say --</p> <p style="text-align: right;">Page 23</p>
<p>1 been the standing committee that this bill went to 2 after it came to the senate from the house.</p> <p>3 Q. You said you reviewed the talking points 4 that we discussed. And what else before this 5 deposition?</p> <p>6 A. What did I review? Well, no. The 7 talking points was the -- that was the purpose of 8 having the talking points, is I had a summary of the 9 main points that needed to be shared with the 10 standing committee members so they would be able to 11 vote however they wanted to.</p> <p>12 Q. I'm sorry. I meant -- just going back, 13 what documents other than this talking points did 14 you look at to prepare for this deposition today?</p> <p>15 A. Well, I looked at a number of documents 16 during the process of the bill going through the 17 redistricting committee. But there wasn't anything 18 in particular that I did to review that prior to the 19 meeting of the standing committee. They were all 20 summarized. So --</p> <p>21 Q. For this deposition, though, you 22 mentioned that you met yesterday with Mr. Davis, 23 Mr. Walker, and Mr. Pringle and that you looked at 24 several documents.</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 22</p>	<p>1 A. I'm sorry.</p> <p>2 Q. I'm sorry.</p> <p>3 A. It's my turn?</p> <p>4 My point is that case was not 5 congressional. That had do with house and senate 6 districts.</p> <p>7 Q. And when you say "the target," you mean 8 what?</p> <p>9 A. That the object, the goal of the case 10 was to challenge the way house and senate districts 11 were drawn.</p> <p>12 Q. And do you remember under what law those 13 were challenged?</p> <p>14 A. No.</p> <p>15 Q. So let's talk about your career in 16 public service. When were you first elected to 17 public office?</p> <p>18 A. 2001.</p> <p>19 Q. And what were you elected -- where were 20 you elected?</p> <p>21 A. What or where? Which one do you want? 22 I was elected --</p> <p>23 Q. What district (inaudible.)</p> <p>24 A. Alabama house of representatives, House 25 District 50.</p> <p style="text-align: right;">Page 24</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. And did you run as a -- with the support 2 of a political party?</p> <p>3 A. Well, there was a primary with 4 republican -- I don't think the republican party 5 endorsed any of the republican candidates.</p> <p>6 Q. You ran as a republican?</p> <p>7 A. Yes, I did.</p> <p>8 Q. Why did you run as a republican?</p> <p>9 A. Why did I run as a republican? Is that 10 what you said?</p> <p>11 Q. Yes, sir.</p> <p>12 A. Because I am a republican.</p> <p>13 Q. What does it mean to be a republican?</p> <p>14 A. I would say the first word that comes to 15 mind would be "conservative." And that would be 16 socially conservative and fiscally conservative.</p> <p>17 Q. And when you say "socially 18 conservative," what do you mean?</p> <p>19 A. It has to do with policies that we make 20 that are conservative in nature.</p> <p>21 Q. And what is a policy that is 22 conservative in nature?</p> <p>23 A. I would say one of the things that 24 conservatives believe in is law and order.</p> <p>25 Q. Okay. So how long did you serve in</p> <p style="text-align: right;">Page 25</p>	<p>1 Q. Those are all of the committees that you 2 have ever served on?</p> <p>3 A. No. No. In the house, I served on 4 several different committees over three terms. And, 5 of course, I served on redistricting, as well, ten 6 years ago and became -- and was house chair of 7 redistricting.</p> <p>8 Q. And when you say "redistricting," you 9 mean the permanent -- the Alabama legislative 10 committee on reapportionment?</p> <p>11 A. That's exactly what I mean.</p> <p>12 Q. Okay. So if I say redistricting for the 13 reapportionment committee or if you say those 14 things, you mean the permanent committee on 15 reapportionment?</p> <p>16 Is that a yes?</p> <p>17 A. You know, there's a little difference in 18 there. During the interim years when there's not 19 redistricting activity going on, there is a 20 permanent redistricting committee composed of three 21 members of the house and three of the senate.</p> <p>22 And then as we approach the 23 redistricting time period where the activity goes 24 up, then -- then it converts over to 11 and 11 for 25 the actual process.</p> <p style="text-align: right;">Page 27</p>
<p>1 house district 50?</p> <p>2 A. I served three four-year terms. I went 3 into office -- well, I went into office in 2021. So 4 three four-year terms.</p> <p>5 Q. And are you currently a member of the 6 house of representatives?</p> <p>7 A. No. I'm a member of the Alabama senate.</p> <p>8 Q. And when were you first elected to the 9 Alabama senate?</p> <p>10 A. It must have been '14. Yeah, 2014.</p> <p>11 Q. Prior to --</p> <p>12 A. Your turn.</p> <p>13 Q. I'm so sorry. I said don't cut each 14 other off, and I'm cutting you off. I'm sorry.</p> <p>15 A. I answered your -- 2014, which is the 16 answer to the question.</p> <p>17 Q. Thank you. Sorry again.</p> <p>18 What legislative committees have you 19 served on during your very long tenure in the 20 Alabama legislature?</p> <p>21 A. Well, in the senate, I'm currently on 22 the health committee, I am on the general fund 23 committee, I am on the education trust fund 24 committee, and I am on education policy. And I 25 chair the health committee.</p> <p style="text-align: right;">Page 26</p>	<p>1 Q. That makes sense. So it's the same 2 committee, just getting bigger or larger or smaller 3 based on the time period?</p> <p>4 A. Correct.</p> <p>5 Q. What was your role in Alabama's 2011 6 redistricting process?</p> <p>7 A. I was house chairman.</p> <p>8 Q. And what are the responsibilities of the 9 house chairman for redistricting?</p> <p>10 A. Well, part of -- essentially part of a 11 leadership team that makes preparations for the 12 actual process, meets with the attorney and can meet 13 with the person that draws the maps, and begins 14 discussions and review, for example, of our 15 guidelines to see if they need to be updated or 16 changed, and also help time the scheduling of the 17 actual meeting of the full redistricting committee.</p> <p>18 Q. Do you have any other responsibilities?</p> <p>19 A. No. I think that pretty well summarizes 20 it. I'm sure there's some other things that we do 21 that are not big items. But I think that summarizes 22 the things worth discussing.</p> <p>23 Q. And when you said you meet with the 24 attorney and you -- as the cochair, you meet with 25 the attorney and you meet with the person who draws</p> <p style="text-align: right;">Page 28</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 the map, what do you -- what do you do during those</p> <p>2 meetings? Or what is your role during those</p> <p>3 meetings?</p> <p>4 MR. WALKER: I'll instruct you not to</p> <p>5 discuss anything that I may have told you or you may</p> <p>6 have told me during those meetings.</p> <p>7 A. Yes, ma'am. Do you mind me correcting</p> <p>8 you on a phrase?</p> <p>9 Actually, if you look at the law, there</p> <p>10 is a house chair and a senate chair. They are not</p> <p>11 cochairs, although that seems to be a well-kept</p> <p>12 secret. But now you know.</p> <p>13 So now --</p> <p>14 Q. The secret is out.</p> <p>15 So as the house chair of the</p> <p>16 redistricting committee, what do you mean -- what</p> <p>17 was your responsibility with respect to your</p> <p>18 meetings with the attorney and the meetings with the</p> <p>19 person who draws the map?</p> <p>20 MR. WALKER: Same instruction.</p> <p>21 THE WITNESS: Okay. Well, stop me if I</p> <p>22 go astray here.</p> <p>23 MR. WALKER: Okay.</p> <p>24 A. Of course, probably the single most</p> <p>25 important role of the attorney is to help the</p> <p style="text-align: right;">Page 29</p>	<p>1 course, is the time schedule on when we can carry</p> <p>2 out the duties and when we need to carry out the</p> <p>3 duties. And then another thing has to do with</p> <p>4 making sure that we stay in compliance with the</p> <p>5 courts and the law and recent court cases.</p> <p>6 Q. Who selected the attorney?</p> <p>7 MR. WALKER: At what time are you</p> <p>8 talking about?</p> <p>9 MS. SADASIVAN: In 2011.</p> <p>10 A. I do not know the answer to that.</p> <p>11 Q. Did you have any involvement in the</p> <p>12 selection of the attorney --</p> <p>13 A. No.</p> <p>14 Q. -- for the reapportionment committee?</p> <p>15 A. No.</p> <p>16 Q. Did you have any role in the selection</p> <p>17 of the demographer as the house chair of the</p> <p>18 reapportionment committee?</p> <p>19 A. No.</p> <p>20 Q. Do you know who made the decision?</p> <p>21 A. I do not.</p> <p>22 Q. How were you selected to serve as the</p> <p>23 house chair of the reapportionment committee?</p> <p>24 A. By the speaker of the house.</p> <p>25 Actually --</p> <p style="text-align: right;">Page 31</p>
<p>1 elected members of this committee know what the law</p> <p>2 is and what -- and keep us up to date on recent</p> <p>3 court cases so we can do our best to be in</p> <p>4 compliance with what the law says and what the</p> <p>5 courts have subsequently interpreted.</p> <p>6 Q. So as the house chair of the</p> <p>7 reapportionment committee, what were -- what was</p> <p>8 your role in those meetings?</p> <p>9 A. Well, I guess my role was to be there</p> <p>10 and to make sure that we stay -- are we -- I guess</p> <p>11 we're talking generically here. We're not talking</p> <p>12 about 2011 or 2021. Are we just talking about being</p> <p>13 a chair, a redistricting chair? Is that what the</p> <p>14 discussion is? Or are we talking about a certain</p> <p>15 time period?</p> <p>16 Q. So when I asked you what your</p> <p>17 responsibilities were as house chair of the</p> <p>18 reapportionment committee, you said, among other</p> <p>19 things, you meet with the attorney, you meet with</p> <p>20 the person who draws the map, meeting with the</p> <p>21 reapportionment committee. And I'm just asking what</p> <p>22 you meant by that as your role.</p> <p>23 What was your role in those meetings</p> <p>24 with the attorney and with the drawer?</p> <p>25 A. To discuss the -- one of the issues, of</p> <p style="text-align: right;">Page 30</p>	<p>1 Q. Who was that?</p> <p>2 A. -- I was -- he selected me to be on the</p> <p>3 committee. And then the house members on that</p> <p>4 committee elected the house chair.</p> <p>5 Q. I see. So you were elected by the other</p> <p>6 house members of the reapportionment committee to</p> <p>7 serve as the house chair?</p> <p>8 A. Correct.</p> <p>9 Q. And who was the senate chair of the</p> <p>10 reapportionment committee in 2011?</p> <p>11 A. Gerald Dial.</p> <p>12 THE REPORTER: Gerald who?</p> <p>13 A. D-I-A-L.</p> <p>14 Q. And was the starting point -- what was</p> <p>15 the starting point for drawing the congressional</p> <p>16 maps in 2011?</p> <p>17 A. The starting point would be the existing</p> <p>18 lines.</p> <p>19 Q. What existing lines?</p> <p>20 A. The congressional lines that were</p> <p>21 current at that time.</p> <p>22 Q. And how did you go about deciding how to</p> <p>23 update those lines based on the census data in 2011?</p> <p>24 A. Actually, I didn't make those decisions.</p> <p>25 Q. Who did?</p> <p style="text-align: right;">Page 32</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 A. The map drawer met with and talked to</p> <p>2 the members of the congressional delegation. And,</p> <p>3 of course, once we had the data, the population</p> <p>4 numbers, then they knew if a district needed to have</p> <p>5 an increase or a decrease in population.</p> <p>6 Q. Did the legislature conduct public</p> <p>7 hearings in the redistricting process?</p> <p>8 A. Yes.</p> <p>9 Q. Following the (inaudible.)</p> <p>10 A. What was the last thing you said?</p> <p>11 Following?</p> <p>12 Q. The 2010 census.</p> <p>13 A. Yeah, the -- correct, we did have public</p> <p>14 hearings.</p> <p>15 Q. How many?</p> <p>16 A. 22.</p> <p>17 Q. And when did those hearings occur?</p> <p>18 A. I just -- I do not remember. I don't</p> <p>19 remember those dates.</p> <p>20 Q. How many meetings did the</p> <p>21 reapportionment committee hold in 2011?</p> <p>22 A. I can't tell you exactly. I don't know</p> <p>23 the exact number. I don't -- I don't remember the</p> <p>24 exact number.</p> <p>25 Q. Was it more than one?</p> <p style="text-align: right;">Page 33</p>	<p>1 look at a map?</p> <p>2 A. Well, the map and the data was put</p> <p>3 before them at the committee meeting.</p> <p>4 Q. I'm dropping into the chat and I will</p> <p>5 ask the court reporter to mark as McClendon Exhibit</p> <p>6 2 --</p> <p>7 MR. WALKER: Kathryn, what was Exhibit</p> <p>8 1? I'm sorry. Was that the talking points?</p> <p>9 MS. SADASIVAN: Yes, sir.</p> <p>10 MR. WALKER: Okay. Let me -- let me --</p> <p>11 I'm your secretary in this. So let me take care of</p> <p>12 it.</p> <p>13 MS. SADASIVAN: Oh, thank you so much,</p> <p>14 Dorman. I'm sorry about that. I appreciate it.</p> <p>15 MR. WALKER: We're a full-service law</p> <p>16 firm.</p> <p>17 MS. WELBORN: I'm happy to play the</p> <p>18 role.</p> <p>19 MR. WALKER: Well, I've got them spread</p> <p>20 out over here.</p> <p>21</p> <p>22 (Plaintiff's Exhibit 1 was</p> <p>23 marked for identification.)</p> <p>24</p> <p>25 Q. Senator McClendon, do you have the</p> <p style="text-align: right;">Page 35</p>
<p>1 A. Yes.</p> <p>2 Q. Was it more than two meetings?</p> <p>3 A. I'm sorry? What was the last word you</p> <p>4 said? It came out fuzzy.</p> <p>5 Q. Was it more than two meetings?</p> <p>6 A. I'm just guessing. And I can't answer</p> <p>7 that question because I don't remember.</p> <p>8 Q. What was the role of the reapportionment</p> <p>9 committee in the map drawing process in 2011?</p> <p>10 A. Are we talking congressional maps?</p> <p>11 Q. Yes.</p> <p>12 A. The role of the reapportionment</p> <p>13 committee was to take the map that was submitted,</p> <p>14 that was put together by the -- with the approval of</p> <p>15 the congressional delegation, and to approve or</p> <p>16 disapprove that map and submit it for introduction</p> <p>17 to the legislature.</p> <p>18 Q. And how did the committee go about</p> <p>19 approving or disapproving of the map drawn?</p> <p>20 A. A roll call vote.</p> <p>21 Q. Were members given any guidance on how</p> <p>22 to vote?</p> <p>23 A. I don't quite understand that -- that</p> <p>24 question, were they given guidance.</p> <p>25 Q. Any information on how to vote or how to</p> <p style="text-align: right;">Page 34</p>	<p>1 document that I've asked the court reporter to mark</p> <p>2 as McClendon Exhibit 2 in front of you?</p> <p>3 MR. WALKER: I'm sorry. Which one is</p> <p>4 it? Tell me.</p> <p>5 A. Exhibit what?</p> <p>6 MR. WALKER: No. Don't say anything.</p> <p>7 Exhibit 2, just tell me what it is.</p> <p>8 Q. Do you recognize the document in front</p> <p>9 of you?</p> <p>10 MS. WELBORN: What is the document,</p> <p>11 Kathryn? Which one is it?</p> <p>12 MS. SADASIVAN: I just dropped it into</p> <p>13 the chat. It is the 2011 legislative</p> <p>14 reapportionment committee guidelines.</p> <p>15 MR. DAVIS: The chat is not going to</p> <p>16 work because the system is pretty far away from us</p> <p>17 all. Nobody can get to the chat easily.</p> <p>18 MS. SADASIVAN: Okay. Would it help if</p> <p>19 I pull it up so you can see it?</p> <p>20 MR. WALKER: The May 2011 guidelines?</p> <p>21 MS. SADASIVAN: This is the document</p> <p>22 we're looking at.</p> <p>23</p> <p>24 (Plaintiff's Exhibit 2 was</p> <p>25 marked for identification.)</p> <p style="text-align: right;">Page 36</p>



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 2 Q. Do you recognize this document, Senator 3 McClendon? 4 A. Yes. It looks -- it looks familiar. 5 Q. How do you recognize this document? 6 A. The first part of what you said was cut 7 off. Say it again. 8 Q. How do you recognize this document? 9 A. How do I recognize it? I mainly 10 recognize it by the fact that it's reapportionment 11 committee guidelines. And I recall going through 12 that process and the adoption of those guidelines. 13 Q. Do you know who drafted the document? 14 A. Did I draft the document? 15 Q. Do you know who drafted the 2011 16 reapportionment -- 17 A. Do I know who drafted it. I think I 18 have a good idea. But I can't say that I'm a 19 hundred percent certain who drafted the document. 20 So the answer to the question would be no. 21 Q. Who do you think drafted it? 22 A. I imagine it was our attorney at the 23 time. But I'm just not sure about that. 24 Q. Can you read please on Page 1 under May 25 2011 the paragraph beginning with "Pursuant"? Page 37</p>	<p>1 Q. It's in the sentence beginning with 2 "Accordingly." 3 A. Yeah, I see it. 4 Well, that means the committee, the 5 reapportionment committee, adopted the guidelines, 6 had a vote and said that's our guidelines. 7 Q. Will you please go to page two and read 8 under numeral III Voting Rights Act, and read the 9 two paragraphs below it? 10 A. "Districts shall be drawn in accordance 11 with the laws of the United States and the State of 12 Alabama, including compliance with protections 13 against the unwarranted retrogression or dilution of 14 racial or ethnic minority voting strength. Nothing 15 in these guidelines shall be construed to require or 16 permit any districting policy or action that is 17 contrary to the U.S. Constitution or the Voting 18 Rights Act." 19 Number 2, "Redistricting plans are 20 subject to the preclearance process established in 21 Section 5 of the Voting Rights Act." 22 Q. I'm sorry. I'll just have you read Page 23 4, Paragraph 2 and 3 under Plans Produced by 24 Legislators. 2, 3, and 4. I apologize. 25 A. 2, 3, and 4 under Roman numeral V. Is Page 39</p>
<p>1 A. I see that. 2 Q. Could you read it, please? 3 A. To myself or to you? 4 Q. Out loud. Thank you. 5 A. "Pursuant to the constitution of the 6 United States and the Constitution of the State of 7 Alabama, the Alabama state legislature is required 8 to review 2010 federal decennial census data 9 provided by the U.S. Bureau of the Census to 10 determine if it is necessary redistrict Alabama's 11 congressional, legislative, and state board of 12 education districts because of population changes 13 since the 2000 census. 14 Accordingly, the following guidelines 15 for congressional, legislative, and state board of 16 education redistricting have been established by the 17 legislature's permanent joint legislative committee 18 on reapportionment, (hereinafter referred to as the 19 'reapportionment committee.')</p> <p>20 There you go. 21 Q. Thank you. 22 In the paragraph that you just read 23 where you said that the guidelines were established 24 by the committee, what does that mean? 25 A. Okay. Let me find it. Page 38</p>	<p>1 that what you're asking for? It must be. That's 2 the only 2, 3, and 4 on the page. 3 "A proposed redistricting plan will be 4 public information upon its introduction as a bill 5 in the legislative process, or upon presentation for 6 consideration by the reapportionment committee." 7 "Access to the legislative 8 reapportionment office computer system, census 9 population data, and redistricting work maps will be 10 available to all members of the legislature upon 11 request. Reapportionment office staff will provide 12 technical assistance to all legislators who wish to 13 develop proposals." 14 Number 4, "In accordance with Rule 23 of 15 the joint rules of the Alabama legislature (2011) 16 all amendments or revisions to the redistricting 17 plans, following introduction as a bill, shall be 18 drafted by the reapportionment office." 19 Q. I'm going to ask you to quickly scan the 20 lest of the guidelines and then let me know if you 21 followed those guidelines in 2011. 22 MR. WALKER: Objection to form. You may 23 answer the question. 24 A. Yes, ma'am, it's my belief that we 25 followed the guidelines. Page 40</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. And how did you go about following the</p> <p>2 guidelines in the map-drawing process?</p> <p>3 A. Well, you just read the guidelines and</p> <p>4 try to stay -- and try to do what it says.</p> <p>5 Q. What action did you take to make sure</p> <p>6 that the guidelines were followed?</p> <p>7 A. What action did I take to make sure they</p> <p>8 were followed. I consulted with the attorney and</p> <p>9 with the person drawing the map to make sure that</p> <p>10 they were following the rules that we had before us.</p> <p>11 Q. And how did you do that?</p> <p>12 A. I just looked them in the eye.</p> <p>13 Q. You looked them in the eye and what?</p> <p>14 A. And said, "Are we staying within the</p> <p>15 guidelines?" I'm not even sure I said that. We did</p> <p>16 -- we did talk about the importance of the</p> <p>17 guidelines. And it was understood everybody would</p> <p>18 use that as exactly what they're called, guidelines.</p> <p>19 Q. And so when you said you talked about</p> <p>20 the guidelines and that they were important, were</p> <p>21 you explaining the guidelines to the demographer?</p> <p>22 A. I was not explaining them, no. We would</p> <p>23 talk about them from time to time. But it was just</p> <p>24 so well known that we followed the guidelines.</p> <p>25 That's what we did. That's our job.</p> <p style="text-align: right;">Page 41</p>	<p>1 A. To keep the what demographics?</p> <p>2 Q. The racial demographics.</p> <p>3 A. Racial demographics. In 2011, you know,</p> <p>4 I don't know the answer to that.</p> <p>5 Q. Was it a primary goal to keep District 7</p> <p>6 the same black population as in 2001?</p> <p>7 A. I do not know the answer to that</p> <p>8 question.</p> <p>9 Q. Did you consider race in drawing any of</p> <p>10 the districts in 2011?</p> <p>11 A. No.</p> <p>12 Q. Why was there only one district with a</p> <p>13 majority black voting age population in 2011?</p> <p>14 THE REPORTER: I'm sorry. Could you say</p> <p>15 that question over?</p> <p>16 Q. Why was there only one district with a</p> <p>17 majority black voting age population in 2011?</p> <p>18 A. Well, I -- I don't need to speculate. I</p> <p>19 will say I do not know why.</p> <p>20 Q. What is Section 5 of the Voting Rights</p> <p>21 Act?</p> <p>22 A. Section 5 has to do with racial</p> <p>23 injustice or racial problems when it comes to</p> <p>24 elections. And it provides some solutions to that.</p> <p>25 Or remedy, I should say.</p> <p style="text-align: right;">Page 43</p>
<p>1 Q. Do you know if anyone else talked to the</p> <p>2 person -- the attorney or to the map drawer about</p> <p>3 the guidelines?</p> <p>4 A. Do I know? No, I do not.</p> <p>5 Q. How many congressional redistricting</p> <p>6 plans were considered by the reapportionment</p> <p>7 committee in 2011?</p> <p>8 A. I don't recall.</p> <p>9 Q. How did the reapportionment committee</p> <p>10 decide on which Alabama congressional map to</p> <p>11 introduce?</p> <p>12 A. We took the map that the members of the</p> <p>13 congressional delegation had -- proved to be</p> <p>14 satisfied with.</p> <p>15 Q. That was the starting point in the 2001</p> <p>16 map?</p> <p>17 A. Yes.</p> <p>18 Q. Was the goal in drafting to make sure</p> <p>19 the congressional districts remained roughly the</p> <p>20 same as in 2001?</p> <p>21 A. One of the goals is that we keep the</p> <p>22 core of the districts recognizable, or we attempt to</p> <p>23 do that.</p> <p>24 Q. Was it a primary goal to keep the same</p> <p>25 racial demographics for each district?</p> <p style="text-align: right;">Page 42</p>	<p>1 Q. What is a racial problem?</p> <p>2 A. What is a racial problem? Are you</p> <p>3 asking for an example or something? I don't quite</p> <p>4 -- I don't understand your question, what is a</p> <p>5 racial problem.</p> <p>6 Q. I'm asking you what you meant by your</p> <p>7 statement. Do you want your court reporter to read</p> <p>8 your answer about what Section 5 is back?</p> <p>9 A. To make sure that every -- every group,</p> <p>10 subgroup, race had a fair opportunity to express</p> <p>11 themselves at the polls.</p> <p>12 Q. And why did Section 5 apply to Alabama?</p> <p>13 THE REPORTER: I'm sorry. What?</p> <p>14 Q. Why did Section 5 apply to Alabama?</p> <p>15 A. You know, I could -- I could guess at</p> <p>16 that. But I don't want to do that. So I'll say I</p> <p>17 don't know.</p> <p>18 Q. You don't know why Section 5 applied to</p> <p>19 Alabama?</p> <p>20 A. Like I said, I could guess at it. But I</p> <p>21 don't want to do that. So I don't know.</p> <p>22 Q. And I'm just asking you don't know why</p> <p>23 Section 5 applied to Alabama?</p> <p>24 A. Correct.</p> <p>25 Q. The guidelines mention preclearance</p> <p style="text-align: right;">Page 44</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 under Section 5 of the VRA. What involvement did 2 you have in obtaining justice department 3 preclearance of a proposed congressional plan in 4 2011?</p> <p>5 <b>A. None.</b></p> <p>6 Q. Did you have any role in proposing 7 judicial preclearance of the 2021 map?</p> <p>8 <b>A. Did I have any -- I'm really having a 9 time understanding you. Did I have any -- okay. 10 Say that -- say that again, please, ma'am.</b></p> <p>11 Q. Did you have any role in proposing 12 judicial preclearance in the redistricting process 13 in 2011?</p> <p>14 <b>A. No.</b></p> <p>15 Q. Did you introduce any proposed 16 redistricting plans for the Alabama congressional 17 delegation in 2011?</p> <p>18 <b>A. I do not recall if the bill started in 19 the house or in the senate. I don't know. So I 20 can't answer the question.</b></p> <p>21 Q. Did you introduce any redistricting 22 bills in the 2011 legislative session?</p> <p>23 <b>A. Any redistricting bill. So we've gone 24 outside of congressional.</b></p> <p>25 <b>Yes, I'm sure I introduced the house</b> Page 45</p>	<p>1 and then the number after it is SOS 001929. And 2 this is what the document looks like.</p> <p>3 MR. WALKER: Can you describe it, 4 please?</p> <p>5 THE WITNESS: Look up here.</p> <p>6 MR. WALKER: Oh, that. Okay. We've got 7 it.</p> <p>8 9 (Plaintiff's Exhibit 3 was 10 marked for identification.)</p> <p>11</p> <p>12 Q. Do you recognize this document, Senator 13 McClendon?</p> <p>14 <b>A. No.</b></p> <p>15 Q. I will represent to you that this is a 16 news article produced by the secretary of state, a 17 defendant in this case. In it, Brian Lyman is 18 discussing a plan put forward by Mr. Buskey which 19 would have created two majority minority districts. 20 And in this article, you were quoted as 21 saying -- on Page 2, the second paragraph on Page 2, 22 as saying, The Buskey plan would lead to 23 "retrogression," or a retreat from minority 24 population benchmarks set by the department of 25 justice. Under the Voting Rights Act, the DOJ must Page 47</p>
<p>1 bill in the house. I don't remember who did the BOE 2 bill, who started it. I don't remember who started 3 the congressional bill.</p> <p>4 Q. Did you consider a plan permitting two 5 majority minority districts in 2011?</p> <p>6 <b>A. Not to my knowledge.</b></p> <p>7 Q. Why?</p> <p>8 <b>A. It wasn't brought before us.</b></p> <p>9 Q. It wasn't brought before who?</p> <p>10 <b>A. That is correct.</b></p> <p>11 Q. Who? You said, "It wasn't brought 12 before us." It wasn't brought before who?</p> <p>13 <b>A. The redistricting committee.</b></p> <p>14 Q. Did you have the opportunity to consider 15 a map with two majority minority districts in the 16 legislature?</p> <p>17 <b>A. No, I don't think so.</b></p> <p>18 Q. You did not?</p> <p>19 <b>A. I don't remember that at all, if we did.</b></p> <p>20 Q. I'm going to -- I'm dropping it in the 21 chat, as well, in case it's helpful. I know it's 22 probably not.</p> <p>23 I am going to show you what I ask the 24 court reporter to mark as McClendon Exhibit 3. And 25 let me just share my screen quickly. It is exhibit, Page 46</p>	<p>1 approve the state's redistricting plan before it can 2 be implemented. If the redistricting plan retreats 3 from the justice department benchmarks, such as 4 reducing minority population in a 5 previously-approved congressional district, the 6 state must show that it had no discriminatory 7 purpose in the move and did not reduce minority 8 voters' effective exercise of the electoral 9 franchise.</p> <p>10 Does that sound familiar to you?</p> <p>11 MR. WALKER: Are you asking him if he 12 said that, or what?</p> <p>13 Q. I'm just asking if that helps refresh 14 your memory.</p> <p>15 <b>A. Well, it provides a memory. I don't -- 16 I don't remember this.</b></p> <p>17 Q. So you don't know why you believed that 18 the map introduced by Representative Buskey would 19 have led to retrogression?</p> <p>20 <b>A. So what did he introduce? No. I'm 21 really lost on trying to decipher this.</b></p> <p>22 Q. So is that -- did you say the quote that 23 I just read to you?</p> <p>24 <b>A. I don't recall saying it. I don't 25 recall the article.</b> Page 48</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. How about I give you a few minutes to</p> <p>2 look through the article, and then I'll ask you some</p> <p>3 questions again.</p> <p>4 MR. WALKER: Kathryn, we've been going</p> <p>5 for about an hour, and I need to step out for a</p> <p>6 second. Would you mind if we took a five-minute</p> <p>7 break?</p> <p>8 MS. SADASIVAN: If you don't mind, we'll</p> <p>9 just finish this question after Senator McClendon</p> <p>10 has a chance to look at it. And then after that, we</p> <p>11 can take a break.</p> <p>12 MR. WALKER: Certainly. No problem.</p> <p>13 MS. SADASIVAN: Thank you so much,</p> <p>14 Dorman.</p> <p>15 <b>A. I'm ready when you are.</b></p> <p>16 Q. Do you have any reason to believe that</p> <p>17 quote is inaccurate?</p> <p>18 <b>A. Now, what did you --</b></p> <p>19 MR. WALKER: Which quote?</p> <p>20 <b>A. Yeah. My question is what quote are you</b></p> <p>21 <b>talking about?</b></p> <p>22 Q. On Page 2 of the exhibit I just shared</p> <p>23 with you beginning with Rep Jim McClendon,</p> <p>24 R-Springville, who carried the plan in the house.</p> <p>25 There are two paragraphs where Senator McClendon is</p> <p style="text-align: right;">Page 49</p>	<p>1 <b>A. I do not.</b></p> <p>2 MR. DAVIS: Are we breaking now?</p> <p>3 MS. SADASIVAN: No. I'm sorry. I asked</p> <p>4 a question.</p> <p>5 MR. DAVIS: And he answered it.</p> <p>6 Q. You don't recall seeing two majority</p> <p>7 minority districts in the Alabama congressional plan</p> <p>8 in 2011?</p> <p>9 <b>A. I do not recall it.</b></p> <p>10 Q. Okay. Thank you so much.</p> <p>11 MR. SADASIVAN: We can take a break now.</p> <p>12 MR. WALKER: Thank you.</p> <p>13 THE VIDEOGRAPHER: We are off the</p> <p>14 record. The time is 3:09 p.m.</p> <p>15 (Recess was taken.)</p> <p>16 THE VIDEOGRAPHER: We are back on the</p> <p>17 record. The time is 3:22 p.m.</p> <p>18 Q. Senator McClendon, I just want to</p> <p>19 clarify really quickly Exhibit 3. You stated that</p> <p>20 you don't remember being interviewed for that</p> <p>21 article, right?</p> <p>22 <b>A. I do not.</b></p> <p>23 Q. And you don't remember saying anything</p> <p>24 about retrogression?</p> <p>25 <b>A. Yes. The answer is the same as it was</b></p> <p style="text-align: right;">Page 51</p>
<p>1 quoted. And I'm asking if you have any reason to</p> <p>2 believe that that quote is inaccurate.</p> <p>3 <b>A. Well, there are no -- the only quotation</b></p> <p>4 <b>marks are around the word "retrogression" and around</b></p> <p>5 <b>the words "effective exercise of the electoral</b></p> <p>6 <b>franchise." There's no -- I don't see where I was</b></p> <p>7 <b>attributed a quote in those paragraphs.</b></p> <p>8 Q. Do you have any reason to believe that</p> <p>9 that paragraph discussing -- beginning with "Rep Jim</p> <p>10 McClendon" and continuing on until "This plan, as</p> <p>11 far as the justice department and Voting Rights Act</p> <p>12 goes, it's a failure," do you have any reason to</p> <p>13 believe that that is inaccurate?</p> <p>14 <b>A. Well, the only part that has quotes is</b></p> <p>15 <b>the one you just read. And I do not recall making</b></p> <p>16 <b>that statement.</b></p> <p>17 Q. So you don't think that that was an</p> <p>18 accurate reflection of what you thought at the time?</p> <p>19 MR. WALKER: Objection to form. You may</p> <p>20 answer it.</p> <p>21 <b>A. I just -- I don't recall making the</b></p> <p>22 <b>statement.</b></p> <p>23 Q. And you don't recall having the</p> <p>24 opportunity to see two majority minority districts</p> <p>25 in a congressional plan?</p> <p style="text-align: right;">Page 50</p>	<p>1 <b>before. I do not remember.</b></p> <p>2 Q. If there was a plan in 2011 that</p> <p>3 complied with all the districting principles and the</p> <p>4 guidelines and created two majority minority</p> <p>5 districts, would you have voted for it?</p> <p>6 <b>A. Okay. Say that again. We're having a</b></p> <p>7 <b>hard time.</b></p> <p>8 THE REPORTER: I think if you would slow</p> <p>9 down just a little bit, that would help.</p> <p>10 MS. SADASIVAN: If I come in a little</p> <p>11 bit, is this better?</p> <p>12 MR. WALKER: No. Slow down.</p> <p>13 Q. If there was a plan that complied with</p> <p>14 the redistricting guidelines and created two</p> <p>15 majority minority districts in 2011, would you have</p> <p>16 voted for it?</p> <p>17 <b>A. Thank you. I -- I understood you very</b></p> <p>18 <b>well.</b></p> <p>19 <b>I would certainly have considered it and</b></p> <p>20 <b>would -- but part of that is looking at what else is</b></p> <p>21 <b>available. So I would have put it on the list for</b></p> <p>22 <b>consideration, yes.</b></p> <p>23 Q. Let's move to the 2021 redistricting</p> <p>24 process.</p> <p>25 <b>A. Good.</b></p> <p style="text-align: right;">Page 52</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. What was your role in the</p> <p>2 reapportionment committee in 2021?</p> <p>3 A. Senate chair.</p> <p>4 Q. And what were your responsibilities as</p> <p>5 senate chair?</p> <p>6 A. Pretty much the same as it was as house</p> <p>7 chair, to confer with the attorney and the map</p> <p>8 drawer, to help try to set the schedule of events as</p> <p>9 they were going to unfold.</p> <p>10 Q. And when you say "confer with the</p> <p>11 attorney and map drawer, I'm not asking for</p> <p>12 attorney-client information. But generally as</p> <p>13 senate chair, what responsibilities did conferring</p> <p>14 with the attorney and map drawer entail?</p> <p>15 A. Well, for quite some time, we were</p> <p>16 trying to decide when we could actually get started</p> <p>17 on the process. And we spent a little bit of time</p> <p>18 wondering when we were going to get the data. We</p> <p>19 spent a lot of time wondering when we were going to</p> <p>20 get the data. And we shared some speculation about</p> <p>21 when it would show up. So we did the timing of the</p> <p>22 -- and sequence of events is one of the things</p> <p>23 initially that we talked about.</p> <p>24 Q. And so conferring with the attorney and</p> <p>25 the map drawer, you were trying to reach decisions</p> <p style="text-align: right;">Page 53</p>	<p>1 A. Well, no. It was just part of a</p> <p>2 continuum of setting the schedule and seeing when</p> <p>3 things would work out, how things -- in what order</p> <p>4 things needed to unfold in order to get the job done</p> <p>5 in a timely manner.</p> <p>6 Q. And other than you and the map drawer</p> <p>7 and the attorney, who else was involved in that</p> <p>8 decision-making?</p> <p>9 A. Representative Pringle.</p> <p>10 Q. Anybody else?</p> <p>11 A. No.</p> <p>12 Q. So you, the attorney, Representative</p> <p>13 Pringle, and the map drawer determined when you</p> <p>14 would begin the public hearings or the</p> <p>15 reapportionment committee meetings?</p> <p>16 A. Well, the staff, the reapportionment</p> <p>17 staff, had some input into it. Although the public</p> <p>18 hearings, we gave -- we gave a time frame to the</p> <p>19 community -- the community college system. The</p> <p>20 chancellor loaned us one of his personnel to help us</p> <p>21 coordinate those public hearings. And so he's the</p> <p>22 one that actually set up the dates, locations, and</p> <p>23 times for the public hearings.</p> <p>24 I think we told him we wanted to get</p> <p>25 this done the first couple of weeks in September.</p> <p style="text-align: right;">Page 55</p>
<p>1 about the timeline?</p> <p>2 A. Correct.</p> <p>3 Q. Anything else?</p> <p>4 A. That's the main -- at that point, that</p> <p>5 was the main thing, when can we get started.</p> <p>6 Q. At what point?</p> <p>7 A. Was that a question?</p> <p>8 Q. Yes. You said "at that point." And I'm</p> <p>9 just asking at what point was that the main --</p> <p>10 A. That was prior to receiving the data</p> <p>11 from the census bureau.</p> <p>12 Q. And did your responsibilities to confer</p> <p>13 with the attorney and the map drawer change after</p> <p>14 you received census data?</p> <p>15 A. I'm not sure I understand your question.</p> <p>16 Do it again and let me listen carefully.</p> <p>17 Q. You just shared that your</p> <p>18 responsibilities before the census numbers came out</p> <p>19 with respect to the attorney and the map drawer as</p> <p>20 senate chair of the reapportionment committee was to</p> <p>21 determine a timeline.</p> <p>22 And I'm asking if your responsibilities</p> <p>23 as senate chair of the reapportionment committee</p> <p>24 with respect to conferring with the attorney and map</p> <p>25 drawer changed once you received census data.</p> <p style="text-align: right;">Page 54</p>	<p>1 And then one of the representatives asked for</p> <p>2 additional meetings, so it spilled over into the</p> <p>3 third week into September.</p> <p>4 Q. So just going back to your role as</p> <p>5 senate chair of the reapportionment committee and</p> <p>6 your responsibilities to confer with the attorney</p> <p>7 and the map drawer, what were -- the public hearings</p> <p>8 -- strike that.</p> <p>9 Going back to your role as senate chair</p> <p>10 of the reapportionment committee and your</p> <p>11 responsibilities to confer with the attorney and map</p> <p>12 drawer, what other timelines did you discuss?</p> <p>13 A. We also needed to be able to give some</p> <p>14 idea as to when we would actually be prepared for a</p> <p>15 legislative session, for the governor to call a</p> <p>16 special session to consider redistricting.</p> <p>17 Q. And how did you arrive at that</p> <p>18 information of when that should be?</p> <p>19 A. There was -- we just sort of projected</p> <p>20 forward saying we need -- we'll need X amount of</p> <p>21 time for the public hearings and then we'll need X</p> <p>22 amount of time to meet with the legislators and the</p> <p>23 congressional delegation and the board of education.</p> <p>24 And then we basically set a timeline and</p> <p>25 said we can -- and then at this point we'll be ready</p> <p style="text-align: right;">Page 56</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 to ask the governor to call a special session.</p> <p>2 Q. And were other members of the</p> <p>3 reapportionment committee besides House Chair</p> <p>4 Pringle involved in that decision?</p> <p>5 A. No.</p> <p>6 Q. When did you start planning for the 2021</p> <p>7 redistricting process?</p> <p>8 A. We probably started thinking about it a</p> <p>9 year and a half ahead of time or more, two years</p> <p>10 maybe ahead of time.</p> <p>11 Q. And what were the first steps that you</p> <p>12 took to prepare for the redistricting process?</p> <p>13 A. The first thing that I personally tried</p> <p>14 to figure out was what the timeline was going to be.</p> <p>15 And, of course, that proved to be futile because of</p> <p>16 the delay in receiving the data and another delay</p> <p>17 and another delay.</p> <p>18 Q. When was your first meeting on</p> <p>19 redistricting in 2021?</p> <p>20 A. You know, I don't know the date.</p> <p>21 Q. Do you know who it was with?</p> <p>22 A. Are you talking about the redistricting</p> <p>23 committee? Or who are -- what kind of meeting are</p> <p>24 you talking about?</p> <p>25 Q. I'm talking about a meeting between you,</p> <p style="text-align: right;">Page 57</p>	<p>1 to it.</p> <p>2 So we sort of had to work on that before</p> <p>3 we actually announced it. And I don't know the</p> <p>4 final date that we came out with it.</p> <p>5 Q. And that's Representative Laura Hall?</p> <p>6 A. Yes.</p> <p>7 Q. And there was no deadline to decide on</p> <p>8 public hearings?</p> <p>9 A. Well, there was a deadline. June 30th.</p> <p>10 Q. Who set the deadline?</p> <p>11 A. But on June -- I think it was June 29th,</p> <p>12 we received communication from her. So we sort of</p> <p>13 scrapped the deadline in order to the comply with</p> <p>14 her request.</p> <p>15 Q. Is there a time to determine public</p> <p>16 hearings set by law in Alabama?</p> <p>17 A. Ask that again, now.</p> <p>18 Q. Is there any law governing public</p> <p>19 redistricting hearings in Alabama?</p> <p>20 A. Not to my knowledge.</p> <p>21 Q. Was there any committee deadline or a</p> <p>22 committee -- rather a committee rule setting a</p> <p>23 deadline to determine public hearings?</p> <p>24 A. Not to my knowledge.</p> <p>25 Q. Who developed the deadline on</p> <p style="text-align: right;">Page 59</p>
<p>1 Senator McClendon, and any other person about</p> <p>2 redistricting in 2021.</p> <p>3 A. Okay. I don't know the answer to that</p> <p>4 question.</p> <p>5 Q. What role did you play in setting the</p> <p>6 schedule of the public hearings on redistricting?</p> <p>7 A. I talked to the chancellor of the</p> <p>8 two-year system and asked him to designate someone</p> <p>9 to work with our staff. And then they worked it out</p> <p>10 from there and came back with a schedule and a plan.</p> <p>11 Q. Did you review the locations of the</p> <p>12 public hearings?</p> <p>13 A. Yes, I looked at what they put together.</p> <p>14 And we were just about ready to announce it when</p> <p>15 Representative Hall requested that we add some more,</p> <p>16 which we did.</p> <p>17 Q. When were you preparing to announce the</p> <p>18 dates and locations of the public hearings?</p> <p>19 A. You know, I don't know why I would</p> <p>20 remember this, but I think June 30th was our target</p> <p>21 date to do that. And then I believe it was the day</p> <p>22 before we got a letter, an email maybe -- I didn't</p> <p>23 get it. The staff received communications from one</p> <p>24 of the members of our redistricting committee</p> <p>25 requesting that there be another half dozen added on</p> <p style="text-align: right;">Page 58</p>	<p>1 determining the time, location, and manner of public</p> <p>2 hearings?</p> <p>3 A. I think the staff, in conjunction with a</p> <p>4 representative from the community system, said we</p> <p>5 feel like we can get it done by this date, and</p> <p>6 actually communicated with members of the</p> <p>7 redistricting committee for suggestions and asked</p> <p>8 that they have those suggestions in by June 30.</p> <p>9 Q. When did you discuss public hearings</p> <p>10 with the reapportionment committee?</p> <p>11 A. When did who?</p> <p>12 Q. When did you discuss -- you or other</p> <p>13 members of the legislative delegation of the</p> <p>14 reapportionment committee discuss the public</p> <p>15 hearings?</p> <p>16 A. I don't know the answer.</p> <p>17 Q. What venues did you consider in</p> <p>18 Montgomery for public hearings?</p> <p>19 A. Well, we held one at the -- the public</p> <p>20 one was at the state house.</p> <p>21 Q. Were there any others?</p> <p>22 A. I don't know the answer to that. I</p> <p>23 don't have that schedule in front of me. I would be</p> <p>24 surprised if we had more than one, but I don't know</p> <p>25 for sure.</p> <p style="text-align: right;">Page 60</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 MS. SADASIVAN: I am going to drop into 2 the chat -- again, I know you all can't see it. So 3 I will share my screen. 4 But I would ask the court reporter to 5 mark it as McClendon Exhibit 4. It is a document 6 that says 2021 Legislative Reapportionment Public 7 Hearings Final. 8 Do you have that before you, Senator 9 McClendon? 10 MR. WALKER: Give me just a second. 11 12 (Plaintiff's Exhibit 4 was 13 marked for identification.) 14 15 MR. WALKER: Is this it? Is that what 16 she's showing? 17 THE WITNESS: That looks like it. It's 18 hard to tell. It does look similar to it. 19 MS. WELBORN: That's it. 20 A. Does yours start off with Drake State in 21 the upper left? 22 Q. Yes, sir. 23 A. Okay. Then we probably have -- I 24 probably have that document before me, yes. 25 Q. And can you look through that document Page 61</p>	<p>1 A. 22. 2 MR. WALKER: No. Meetings. 3 A. Oh, meetings. I can think of two 4 meetings that we had. I don't know if there was a 5 third or not. 6 Q. What were the dates of those meetings? 7 A. I'm thinking the first one was during 8 the legislative session, probably the very -- toward 9 the very end of the regular session, which would 10 have put it in May. We did it because we had -- you 11 know, everybody was in town. 12 And then the next meeting that I am 13 thinking about was held just prior to the special 14 session that was called for consideration of the 15 bills, the redistricting bills. 16 MS. SADASIVAN: So I am going to drop in 17 the chat an exhibit that I'll ask the court reporter 18 to mark as McClendon Exhibit 4. I'm going to pull 19 it up on my screen and share my screen with you so 20 you can see it. 21 MR. WALKER: I think this is five. 22 MS. SADASIVAN: I'm sorry. Five. Thank 23 you. 24 Q. Can you see my screen? 25 A. Reapportionment Committee Redistricting Page 63</p>
<p>1 and just see if you had any other public hearings in 2 Montgomery? 3 A. Well, I don't see any. 4 Q. Did you consider any historically black 5 colleges or universities when you were scheduling 6 the public hearings? 7 A. Well, I wasn't doing the considering. 8 It was the staff in the two-year college. 9 The original idea started with having 10 these meetings at our two-year colleges because they 11 are spread all over the state. And so that's why we 12 got a liaison from them to help schedule these 13 things. 14 So whether they -- I think I saw one 15 with Troy on here. And if I recall -- yeah, here is 16 one at Trojan Center Ballroom. And that's because 17 there was not a community college close by or 18 something like that. 19 So by and large, we focused on our 20 community college system to host us, to host these 21 meetings. So -- 22 Q. How many meetings did -- 23 A. I'm sorry. Go ahead. Your turn. 24 Q. I was just asking how many meetings did 25 the reapportionment committee hold in 2021? Page 62</p>	<p>1 Guidelines, May 5th. Okay. 2 3 (Plaintiff's Exhibit 5 was 4 marked for identification.) 5 6 Q. Have you seen this document before, 7 Senator McClendon? 8 A. Give me a second to look at it. Yes. 9 It looks -- it looks familiar. 10 Q. Where have you seen this document 11 before? 12 A. Where? At the state house. 13 Q. How do you recognize it? 14 A. I'm just looking at -- well, I look at 15 the title, I look at the date, I look at the plus or 16 minus 5 percent, and some of the other topics. And 17 those all appear to be the guidelines that we -- 18 that the redistricting or reapportionment committee 19 adopted prior to the map-making process. 20 Q. And did you endeavor to comply with 21 these policies in the 2021 redistricting -- 22 A. Did I -- 23 Q. -- process? 24 A. Did I try to comply with these policies? 25 Is that your question? Page 64</p>



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. Did you comply with these -- yes. Did</p> <p>2 you comply with these policies in the 2021</p> <p>3 redistricting process as senate chair of the</p> <p>4 reapportionment committee?</p> <p>5 <b>A. I did.</b></p> <p>6 Q. Section II f states, "Districts shall be</p> <p>7 drawn in compliance with the Voting Rights Act of</p> <p>8 1965, as amended. A redistricting plan shall have</p> <p>9 neither the purpose nor the effect of diluting</p> <p>10 minority voting strength, and shall comply with</p> <p>11 Section 2 of the Voting Rights Act and the United</p> <p>12 States Constitution."</p> <p>13 How did you go about complying with</p> <p>14 Section 2 of the Voting Rights Act?</p> <p>15 MR. WALKER: Are you -- may I ask,</p> <p>16 Kathryn, are you talking about for the congressional</p> <p>17 plan?</p> <p>18 MS. SADASIVAN: I'm asking -- he said</p> <p>19 Senator McClendon tried to comply with these</p> <p>20 guidelines as senate chair of the redistricting</p> <p>21 committee. I'm asking how in general did Senator</p> <p>22 McClendon, as senate chair of the reapportionment</p> <p>23 committee, go about ensuring compliance with this</p> <p>24 particular policy.</p> <p>25 <b>A. Well, subsequent to us adopting these</b></p> <p style="text-align: right;">Page 65</p>	<p>1 southerner, so I talk quickly, and I'm probably</p> <p>2 using too many adjectives.</p> <p>3 I was asking you what is required to</p> <p>4 determine whether a map complies with the Voting</p> <p>5 Rights Act.</p> <p>6 <b>A. Well, it's -- I would say it's a legal</b></p> <p>7 <b>opinion first to be familiar with the Voting Rights</b></p> <p>8 <b>Act and subsequent cases, and then to be able to</b></p> <p>9 <b>compare what we have produced, what's in front of</b></p> <p>10 <b>us, with the knowledge of the requirement of the</b></p> <p>11 <b>Constitution and the Voting Rights Act.</b></p> <p>12 Q. And when did you compare what was</p> <p>13 produced by your demographer with the requirements</p> <p>14 of the Voting Rights Act?</p> <p>15 <b>A. I think probably every time we talked,</b></p> <p>16 <b>this was part of it. It came up in the conversation</b></p> <p>17 <b>as we went through the map-drawing process. And</b></p> <p>18 <b>both the attorney and the map drawer would be quick</b></p> <p>19 <b>to say that could -- that particular line moved over</b></p> <p>20 <b>there could be a problem, and we need to look at it.</b></p> <p>21 Q. And when you say "could be a problem,"</p> <p>22 you mean could be a problem under the Voting Rights</p> <p>23 Act?</p> <p>24 <b>A. Yes.</b></p> <p>25 Q. And what was your understanding of what</p> <p style="text-align: right;">Page 67</p>
<p>1 <b>guidelines, then I was dependent on the attorney,</b></p> <p>2 <b>Dorman Walker, and the map drawer during the</b></p> <p>3 <b>process, once they started actually putting lines</b></p> <p>4 <b>down on paper, to stay inside those guidelines.</b></p> <p>5 Q. So your role was overseeing the</p> <p>6 map-drawing process to ensure that it complied with</p> <p>7 the guidelines?</p> <p>8 <b>A. One of my goals was to be in compliance</b></p> <p>9 <b>with the Voting Rights Act of 1965. That was one of</b></p> <p>10 <b>my jobs. And, of course --</b></p> <p>11 Q. It was your job to ensure compliance</p> <p>12 with the Voting Rights Act of 1965?</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. And how did you go about doing that?</p> <p>15 <b>A. Well, I counted on these experts that</b></p> <p>16 <b>were working for me and working for the committee to</b></p> <p>17 <b>follow those guidelines and be familiar with the</b></p> <p>18 <b>court cases and with the law and with the rulings.</b></p> <p>19 Q. And what is required to determine if a</p> <p>20 map complies with Section 2 of the Voting Rights</p> <p>21 Act?</p> <p>22 <b>A. Say that again. Once again -- something</b></p> <p>23 <b>about the audio. It could be me. But go ahead and</b></p> <p>24 <b>try it again.</b></p> <p>25 Q. It's probably me. I'm also a</p> <p style="text-align: right;">Page 66</p>	<p>1 was required to comply with the Voting Rights Act?</p> <p>2 <b>A. Well, as far as what's in the Voting</b></p> <p>3 <b>Rights Act, I couldn't quote it. But that's why I</b></p> <p>4 <b>have an attorney.</b></p> <p>5 Q. How many times did you have a</p> <p>6 conversation where the map drawer said if you move</p> <p>7 this line, you could have a problem under the Voting</p> <p>8 Rights Act?</p> <p>9 <b>A. I can say I heard that several times.</b></p> <p>10 Q. And who did you hear that from?</p> <p>11 <b>A. I heard it both from the attorney and</b></p> <p>12 <b>the map drawer, not necessarily at the same time.</b></p> <p>13 Q. You were --</p> <p>14 <b>A. Pardon?</b></p> <p>15 Q. You were advised several times by your</p> <p>16 attorney and by the map drawer that the way that a</p> <p>17 particular line was drawn could violate the Voting</p> <p>18 Rights Act?</p> <p>19 <b>A. Or the way a line was proposed to go.</b></p> <p>20 <b>That was their job.</b></p> <p>21 Q. And did that occur with respect to the</p> <p>22 congressional map?</p> <p>23 <b>A. Not to my knowledge. Because I was not</b></p> <p>24 <b>involved in drawing the congressional map.</b></p> <p>25 Q. Who was involved in drawing the</p> <p style="text-align: right;">Page 68</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 congressional map?</p> <p>2 A. The map drawer met with the</p> <p>3 congressional delegation or their representative</p> <p>4 sometimes in person, sometimes virtually like this,</p> <p>5 and really worked this out with the members of the</p> <p>6 congressional delegation.</p> <p>7 Q. Were the members of the congressional</p> <p>8 delegation responsible for ensuring that map</p> <p>9 complied with the Voting Rights Act?</p> <p>10 A. That's a good question. I don't know</p> <p>11 the answer to that question.</p> <p>12 Q. Were you responsible for ensuring that</p> <p>13 the congressional map complied with the Voting</p> <p>14 Rights Act?</p> <p>15 A. Yes. I would say that was one of my</p> <p>16 responsibilities.</p> <p>17 Q. In the conversations that you had</p> <p>18 regarding potential violations of the Voting Rights</p> <p>19 Act, did you or anyone else discuss racial</p> <p>20 polarization analysis?</p> <p>21 A. No. No.</p> <p>22 Q. Do you know what the basis for -- in</p> <p>23 these conversations when you heard there might be a</p> <p>24 potential Voting Rights Act violation, do you know</p> <p>25 what that was based upon?</p> <p style="text-align: right;">Page 69</p>	<p>1 communities of interest, communities that have a</p> <p>2 particularly common political interest, keep them</p> <p>3 together, keep them in the same whatever it is,</p> <p>4 house direct, congressional district, BOE district,</p> <p>5 if possible.</p> <p>6 Q. You said "common political interests."</p> <p>7 Is that your definition of community of interest?</p> <p>8 A. There's a -- there's a definition right</p> <p>9 here in whatever this is on Line 30. Line 30</p> <p>10 through 32 is a definition of communities of</p> <p>11 interest.</p> <p>12 Q. So you just mentioned a common political</p> <p>13 interest, and I was wondering if that was part of</p> <p>14 your definition of communities of interest.</p> <p>15 A. Oh, that's just one -- that's just one</p> <p>16 part of it, one part -- one way you could have a</p> <p>17 community of interest. There's a lot of different</p> <p>18 ways you can have a community of interest.</p> <p>19 Q. What do you consider to be communities</p> <p>20 of interest in Alabama?</p> <p>21 A. There are -- there's not a community of</p> <p>22 interest in Alabama. There are many communities of</p> <p>23 interest.</p> <p>24 Q. Such as?</p> <p>25 A. Well, a city. A city is a community of</p> <p style="text-align: right;">Page 71</p>
<p>1 A. Well, I think at different times there</p> <p>2 were different issues.</p> <p>3 Q. Such as?</p> <p>4 A. On the congressional side, I cannot --</p> <p>5 as far as the congressional districts go, I can't</p> <p>6 give you a single example because I simply wasn't</p> <p>7 involved in that process.</p> <p>8 Q. When did you adopt the guidelines that</p> <p>9 we're talking about right now?</p> <p>10 A. Maybe May the 5th of 2021. That's the</p> <p>11 date on the document. And that was one of the</p> <p>12 purposes of -- objectives of that particular meeting</p> <p>13 of the committee, was to have the guidelines in</p> <p>14 place before we got the data and before we started</p> <p>15 working with the elected officials.</p> <p>16 Q. So the third policy in Section II j</p> <p>17 (iii) in McClendon Exhibit 5 that we're talking</p> <p>18 about now, the May 5, 2021, redistricting criteria,</p> <p>19 says, "Districts shall respect communities of</p> <p>20 interest, neighborhoods, and political subdivisions</p> <p>21 to the extent practicable and in compliance with</p> <p>22 paragraphs a through 1."</p> <p>23 What is your understanding of what that</p> <p>24 policy requires?</p> <p>25 A. Well, when possible, it's good to keep</p> <p style="text-align: right;">Page 70</p>	<p>1 interest.</p> <p>2 Q. Is Montgomery a community of interest?</p> <p>3 A. Yes. Montgomery is a city.</p> <p>4 Q. What are some other communities of</p> <p>5 interest?</p> <p>6 A. You can have parts of a city that are a</p> <p>7 community of interest. There are -- a county is a</p> <p>8 community of interest.</p> <p>9 Q. What is the black belt in Alabama?</p> <p>10 A. It's a geographic area pretty much</p> <p>11 across the middle of the state from east to west.</p> <p>12 And it has to do with the rich soil that's found in</p> <p>13 that area.</p> <p>14 Q. Do you know what counties are in the</p> <p>15 black belt?</p> <p>16 A. I couldn't name -- I could name a few</p> <p>17 counties. But I cannot -- I cannot name the</p> <p>18 counties in the black belt.</p> <p>19 Q. Is there anything other than the soil</p> <p>20 that might define the black belt?</p> <p>21 A. I don't know what you're fishing for.</p> <p>22 Q. I can ask the question again.</p> <p>23 What are other characteristics that you</p> <p>24 know of of the black belt?</p> <p>25 A. That's a better question.</p> <p style="text-align: right;">Page 72</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Well, I think there's a perception that</p> <p>2 there's a lower socioeconomic income level across</p> <p>3 the black belt. There's probably -- there may be --</p> <p>4 that would probably be the main thing.</p> <p>5 Q. Do you consider the black belt a</p> <p>6 community of interest?</p> <p>7 A. No, not necessarily, because it's</p> <p>8 multiple counties, multiple communities.</p> <p>9 Q. Going back to your testimony earlier</p> <p>10 about maintaining the core of districts. Does</p> <p>11 maintaining the core of the existing congressional</p> <p>12 districts require consideration of racial data?</p> <p>13 A. Say that again and slow down again. I'm</p> <p>14 not listening very fast today.</p> <p>15 Q. I'm sorry. I'm speaking quickly. And I</p> <p>16 like that term, "listening fast."</p> <p>17 So what I asked was you testified</p> <p>18 earlier that you were maintaining -- or attempting</p> <p>19 to maintain the core of exhibiting districts in the</p> <p>20 congressional map. And I'm asking whether that</p> <p>21 requires the consideration of racial data.</p> <p>22 A. Well, we don't -- no. We don't -- we</p> <p>23 don't use racial data except after the fact.</p> <p>24 Q. After what fact do you use racial data?</p> <p>25 A. After the lines are drawn.</p> <p style="text-align: right;">Page 73</p>	<p>1 So you said you met the Tuesday before</p> <p>2 the Alabama special legislative session began on</p> <p>3 redistricting?</p> <p>4 A. Correct.</p> <p>5 Q. And that was the second meeting in your</p> <p>6 memory of the reapportionment committee?</p> <p>7 A. That is -- I believe that is correct,</p> <p>8 yes.</p> <p>9 Q. Were there other meetings of the</p> <p>10 reapportionment committee outside of those two to</p> <p>11 draw the map that we're discussing today?</p> <p>12 A. No, not of the -- not of the committee.</p> <p>13 Not a regular committee meeting, no.</p> <p>14 Q. What about a subset of the committee?</p> <p>15 A. What about what?</p> <p>16 MS. WELBORN: A subset.</p> <p>17 Q. Were there other meetings of a subset of</p> <p>18 the committee?</p> <p>19 A. No.</p> <p>20 Q. What was the agenda for your October</p> <p>21 26th meeting, reapportionment committee meeting?</p> <p>22 A. To select -- so is that the date,</p> <p>23 October 26th? That was meeting number two?</p> <p>24 A goal for that committee was to select</p> <p>25 the bills, the maps, that would be introduced to the</p> <p style="text-align: right;">Page 75</p>
<p>1 Q. And how do you see that racial data when</p> <p>2 you decide to look at it?</p> <p>3 A. The software will produce that.</p> <p>4 Q. What software?</p> <p>5 A. The software used to draw the maps.</p> <p>6 Q. Do you know what that software is?</p> <p>7 A. Give me a multiple choice, and I'll give</p> <p>8 it to you. Not right off the bat, no. You know,</p> <p>9 it's like I know it when I see it. But, you know, I</p> <p>10 never used it. But it's a new system for us. We</p> <p>11 recently adopted it.</p> <p>12 Q. When was the second meeting of the</p> <p>13 reapportionment committee in 2021?</p> <p>14 A. If, in fact, there were just the two</p> <p>15 meetings, it would have been immediately -- let me</p> <p>16 see. It would have been on the Tuesday prior to the</p> <p>17 special session convening on a Thursday. So</p> <p>18 whatever those dates are.</p> <p>19 Q. Do you have reason to believe that there</p> <p>20 was another meeting of the reapportionment committee</p> <p>21 other than the two we're discussing now?</p> <p>22 A. No, I don't. But I wouldn't be</p> <p>23 surprised. But I just don't believe there was.</p> <p>24 Q. I unfortunately don't have the exhibits</p> <p>25 (inaudible) the meetings, so we'll just move on.</p> <p style="text-align: right;">Page 74</p>	<p>1 legislature on Thursday.</p> <p>2 Q. And how many congressional maps did the</p> <p>3 members of the reapportionment committee vote on?</p> <p>4 A. I think just the one. But I can't -- I</p> <p>5 can't swear to that.</p> <p>6 Q. So when you say "select the map," you</p> <p>7 mean to vote on the one map?</p> <p>8 A. I can't remember if a substitute</p> <p>9 congressional map was offered or not.</p> <p>10 Q. I am going to drop into chat, and I will</p> <p>11 share my screen, as well. I will represent to you</p> <p>12 that this is a certified transcript of the October</p> <p>13 26, 2021, meeting of the reapportionment committee.</p> <p>14</p> <p>15 (Plaintiff's Exhibit 6 was</p> <p>16 marked for identification.)</p> <p>17</p> <p>18 Q. Do you see this?</p> <p>19 A. I do.</p> <p>20 MS. SADASIVAN: I'm going to ask</p> <p>21 Mr. Walker if you would be so kind to mark this as</p> <p>22 Exhibit 6.</p> <p>23 MR. WALKER: I have done so. It is</p> <p>24 marked.</p> <p>25 MS. SADASIVAN: Thank you, sir.</p> <p style="text-align: right;">Page 76</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. I'll let you quickly scan -- it's quite</p> <p>2 a long document. I'll let you just scan through it.</p> <p>3 And if you wouldn't mind just letting me know if</p> <p>4 this looks familiar to you.</p> <p>5 A. Well, I've glanced through it. It looks</p> <p>6 familiar. But it's really --</p> <p>7 Q. Okay. Again, I'll represent to you that</p> <p>8 it's a transcript of the October 26, 2021, meeting</p> <p>9 of the reapportionment committee, as you likely</p> <p>10 remember. And as you can see from the transcript, a</p> <p>11 considerable portion of the meeting was about racial</p> <p>12 polarization analysis.</p> <p>13 What is your understanding of racial</p> <p>14 polarization in voting?</p> <p>15 A. In this case, this -- this is an</p> <p>16 additional evaluation or test of the data to any</p> <p>17 place it's suspicious that there could be racial</p> <p>18 discrimination. It's an extra test tacked on to</p> <p>19 what we normally do to see if, in fact, we are in or</p> <p>20 out of compliance with the Voting Rights Act and our</p> <p>21 own guidelines and the court cases.</p> <p>22 Q. And what would give rise to suspicious</p> <p>23 racial discrimination that would require a racial</p> <p>24 polarization analysis?</p> <p>25 A. What would -- what would make you think</p> <p style="text-align: right;">Page 77</p>	<p>1 one of the committee members.</p> <p>2 Q. Who?</p> <p>3 A. It might have been Representative</p> <p>4 England. I think that's who it was. I'm not a</p> <p>5 hundred percent sure. I think he had a good bit to</p> <p>6 say about it.</p> <p>7 Q. And why did -- what was your</p> <p>8 understanding of why Representative England was</p> <p>9 concerned about racially polarized voting?</p> <p>10 A. I didn't have an understanding of why he</p> <p>11 was concerned. He just let it be known that he was</p> <p>12 concerned.</p> <p>13 Q. Did anyone else express concerns about</p> <p>14 racially polarized voting?</p> <p>15 A. I don't remember.</p> <p>16 Q. What was the conversation?</p> <p>17 A. I don't know. If we've got the</p> <p>18 transcript, we can take a look at it.</p> <p>19 I think there was someone that may have</p> <p>20 even suggested we should have evaluated all 140</p> <p>21 races for this. I don't remember who that was.</p> <p>22 Q. So if you wouldn't mind turning to Page</p> <p>23 17 of McClendon Exhibit 5.</p> <p>24 MS. WELBORN: I think it's Exhibit 6.</p> <p>25 Q. Exhibit 6. I apologize.</p> <p style="text-align: right;">Page 79</p>
<p>1 that that's an issue? Is that what you're asking,</p> <p>2 that racial discrimination is an issue?</p> <p>3 I guess, you know, the first thing I</p> <p>4 would say is if we had an incumbent minority person</p> <p>5 and there was such a change in the composition of</p> <p>6 the voters in that district, that that -- that</p> <p>7 district may no longer have -- have less of a chance</p> <p>8 of having a minority representative. That would be</p> <p>9 -- I think that would be a red flag.</p> <p>10 Q. So a suspicious racial issue would be if</p> <p>11 a minority representative were no longer able to win</p> <p>12 an election in their district?</p> <p>13 A. Or threatened if they -- yeah. Roughly</p> <p>14 what you said. I don't exactly agree word for word.</p> <p>15 But yeah, that's the idea.</p> <p>16 Q. What is your understanding of why RPV --</p> <p>17 and when I say RPV, I mean racially polarized</p> <p>18 voting. What is your understanding of why RPV was</p> <p>19 discussed in the October 26th meeting?</p> <p>20 A. Wait a minute. I missed one word I</p> <p>21 didn't understand. Why is it what in the meeting?</p> <p>22 MS. WELBORN: Discussed.</p> <p>23 A. "Discussed," is that the word you used?</p> <p>24 Q. Yes, sir.</p> <p>25 A. Oh, okay. Well, it was brought up by</p> <p style="text-align: right;">Page 78</p>	<p>1 A. I'm on Page 17. Yep, Smitherman.</p> <p>2 Q. All right. So you'll see that</p> <p>3 Representative Laura Hall asked you about a racially</p> <p>4 polarized voting study done.</p> <p>5 Can you read where it says Senator</p> <p>6 McClendon beginning with "Because"?</p> <p>7 A. "Because of the black age voting</p> <p>8 population in Congressional District 7, there was</p> <p>9 not one needed because it was over 54 percent black</p> <p>10 voting age population."</p> <p>11 Q. And then will you also read what</p> <p>12 Representative Hall said in response?</p> <p>13 A. "So you're saying that we don't have a</p> <p>14 black -- we don't have a polarization, racially</p> <p>15 polarization study?"</p> <p>16 Q. And then please read your response.</p> <p>17 A. "None. Because the voting age" -- well,</p> <p>18 I suspect that's a transcript error. "What is it?</p> <p>19 I got it right here."</p> <p>20 "Because the voting age is 54." Don't</p> <p>21 you think that's the VAP, 54, instead of the voting</p> <p>22 age?</p> <p>23 Q. And then -- I'm sorry. Can you please</p> <p>24 just read it as it is on the transcript, what</p> <p>25 Representative Hall said after that beginning with</p> <p style="text-align: right;">Page 80</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 "And"?</p> <p>2 A. "And you use District 7 as the basis for</p> <p>3 not having such a study done?"</p> <p>4 Q. And then please read your response.</p> <p>5 A. The black vote -- "The black VAP of the</p> <p>6 district is sufficient to where you don't need a</p> <p>7 study done."</p> <p>8 Q. Who makes the decision to undertake an</p> <p>9 RPV analysis?</p> <p>10 A. The attorney.</p> <p>11 Q. If you asked the attorney to undertake</p> <p>12 an RPV analysis, what would happen?</p> <p>13 A. We would discuss whether, in his</p> <p>14 opinion, the issue was actually there or not and</p> <p>15 needed to be decided and further information</p> <p>16 gathered on the outside. I mean, his job is not</p> <p>17 just to jump.</p> <p>18 Q. If you asked Mr. Walker to conduct an</p> <p>19 RPV analysis, would one be conducted?</p> <p>20 A. First, I don't think -- I would not ask</p> <p>21 Mr. Walker to do something. I would ask Mr. Walker,</p> <p>22 "What is your opinion? Do we need to do this or</p> <p>23 not?" That's how it works.</p> <p>24 Q. I understand. And if you asked him to</p> <p>25 undertake a racial polarization analysis, would one</p> <p style="text-align: right;">Page 81</p>	<p>1 A. You know, I don't know the answer to</p> <p>2 that question.</p> <p>3 Q. You don't know whether or not you could</p> <p>4 undertake --</p> <p>5 A. I don't know. The only way I would know</p> <p>6 is if I had exercised that and see how it worked</p> <p>7 out. But I've never exercised it, never thought</p> <p>8 about exercising it. So I don't know the answer to</p> <p>9 that.</p> <p>10 Q. You didn't think about asking for an RPV</p> <p>11 analysis when Representative England and</p> <p>12 Representative Hall asked for one to be undertaken?</p> <p>13 A. It's like -- it's highly probable that</p> <p>14 we discussed doing that afterwards, after the</p> <p>15 meeting. I may have discussed it with Mr. Walker.</p> <p>16 And if he had thought it was of value and worthwhile</p> <p>17 to do and would give us additional information that</p> <p>18 we needed, it would have been ordered. And if he</p> <p>19 had felt like it was an exercise in futility and a</p> <p>20 waste of time and money, he would have made that</p> <p>21 expression, as well.</p> <p>22 Q. And did you ask Mr. Walker to undertake</p> <p>23 an RPV analysis after the October 26th meeting?</p> <p>24 A. We may have talked about it. But I</p> <p>25 don't remember exactly doing that.</p> <p style="text-align: right;">Page 83</p>
<p>1 be undertaken?</p> <p>2 A. You know, that's a hypothetical. And</p> <p>3 I'm not going to do a hypothetical.</p> <p>4 Q. Do you have the power, as senate chair</p> <p>5 of the reapportionment committee, to ensure that the</p> <p>6 individuals, the attorney, and the map drawer, for</p> <p>7 example, comply with the Voting Rights Act?</p> <p>8 A. Well, yes. That's their responsibility.</p> <p>9 Q. And if you decided that you needed a</p> <p>10 racially polarized voting study done, could you</p> <p>11 insist that they undertake one?</p> <p>12 A. Well, once again, you're doing something</p> <p>13 hypothetical. I depend on Mr. Walker for his legal</p> <p>14 opinion and his experience. He's got many more</p> <p>15 years of experience than I do.</p> <p>16 And what I most likely do with him is</p> <p>17 say, "Dorman, what do you think about this? Do we</p> <p>18 need to do this or not? Does it make any sense?"</p> <p>19 Q. Senator McClendon, I understand that</p> <p>20 you're very personable and you rely on the opinions</p> <p>21 of your attorneys.</p> <p>22 What I'm asking you is if you have the</p> <p>23 power to insist, as senate chair of the</p> <p>24 reapportionment committee, that a racially polarized</p> <p>25 voting study be undertaken?</p> <p style="text-align: right;">Page 82</p>	<p>1 Q. How much did Alabama's population change</p> <p>2 between 2011 and 2021?</p> <p>3 A. I believe it increased about 5 percent.</p> <p>4 I think it went from 4.88 to a little over 5</p> <p>5 million, 5,020,000 or something like that.</p> <p>6 Q. In this redistricting cycle, was</p> <p>7 District 7 over or underpopulated?</p> <p>8 A. I think it was under. Yes, I'm sure it</p> <p>9 was under.</p> <p>10 Q. I'm going to go back to McClendon</p> <p>11 Exhibit 6. If you wouldn't mind please turning to</p> <p>12 Page 19.</p> <p>13 And if you could look at the second</p> <p>14 paragraph on the page after Representative England</p> <p>15 said, "It would appear that District 7 would look</p> <p>16 like that would need to be done," referring to an</p> <p>17 RPV analysis.</p> <p>18 He goes on, "So it appears to me that if</p> <p>19 we're doing this in the logical way, that District 7</p> <p>20 just -- as it appears on a map, would produce a</p> <p>21 certain percentage."</p> <p>22 And he asks, "And what is the</p> <p>23 relationship between the 54 percent that you're</p> <p>24 citing and the actual results or potential results</p> <p>25 of a racial polarization study? What is the</p> <p style="text-align: right;">Page 84</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon

12/17/2021

<p>1 relationship between the two?"</p> <p>2 A. Let me --</p> <p>3 Would you read your response?</p> <p>4 A. I'm sorry. I thought you were done. Go</p> <p>5 ahead.</p> <p>6 Q. Would you please read your response?</p> <p>7 A. Let me read this sentence you just read.</p> <p>8 So I would like to request that the study be done on</p> <p>9 District 7. And what is the relationship between</p> <p>10 the 54 percent that you're citing and a racial</p> <p>11 polarization study? What is the relationship?</p> <p>12 My response is, "I got no clue."</p> <p>13 Q. Does this seem like an accurate</p> <p>14 representation of your conversation in the meeting,</p> <p>15 the October 26 reapportionment committee meeting?</p> <p>16 A. I think it's fairly accurate. I've</p> <p>17 certainly found some errors in here. But it's</p> <p>18 probably close enough.</p> <p>19 Q. And do you still have no clue what the</p> <p>20 relationship between the 54 percent number that you</p> <p>21 cited earlier as not a threshold by which you would</p> <p>22 consider an RPV analysis and the actual or potential</p> <p>23 results of a racial polarization analysis?</p> <p>24 A. Okay. Give me -- break that up. That</p> <p>25 was a couple of questions. Give me the first one.</p> <p style="text-align: right;">Page 85</p>	<p>1 What did you mean by that?</p> <p>2 A. What I meant by that was it didn't look</p> <p>3 like it was -- that a minority congresswoman was at</p> <p>4 risk. If she wanted to be elected again -- and</p> <p>5 apparently she does -- there was nothing to suggest</p> <p>6 it was close enough to think there was a threat to</p> <p>7 her reelection.</p> <p>8 Q. And how is that related to the black</p> <p>9 voting age population in District 7 at 54 percent?</p> <p>10 A. Well, most of the voters are a minority.</p> <p>11 Q. And so you were assuming that black</p> <p>12 voters would vote for a black representative?</p> <p>13 A. That's pretty -- a pretty safe bet here</p> <p>14 in Alabama.</p> <p>15 Q. And where did the 54 percent number come</p> <p>16 from?</p> <p>17 A. Those -- those numbers are generated by</p> <p>18 the software when the district is drawn. But they</p> <p>19 are generated after the district is drawn.</p> <p>20 Q. Did you talk to Representative Sewell</p> <p>21 about the black voting age population in her</p> <p>22 district?</p> <p>23 A. No, I did not.</p> <p>24 Q. Did you talk to Representative Sewell</p> <p>25 about the congressional map?</p> <p style="text-align: right;">Page 87</p>
<p>1 Q. It's just one question, but it's long.</p> <p>2 I'm asking you if you still have no clue</p> <p>3 with respect to the question that Representative</p> <p>4 England asked you and that you just read?</p> <p>5 A. Here -- here's the issue.</p> <p>6 Representative England apparently was targeting that</p> <p>7 number of 54 percent of BVAP as if it were some sort</p> <p>8 of threshold of do or die.</p> <p>9 And even the courts, to my knowledge,</p> <p>10 have never come up with a number that says you've</p> <p>11 got to have this percent or you can't go below this</p> <p>12 percent. It's never happened.</p> <p>13 So when somebody picks out a number of</p> <p>14 54 percents and says that's good or bad, well,</p> <p>15 Congresswoman Sewell was happy with it. And she's</p> <p>16 probably got a whole lot more information on her</p> <p>17 electability in her own district than I have.</p> <p>18 Q. So I'm just going to point you back to</p> <p>19 Page 17 of the transcript of your October 26th</p> <p>20 meeting of the reapportionment committee where</p> <p>21 before Representative England brought that up, you</p> <p>22 had said, "Because of the black voting age</p> <p>23 population in Congressional District 7, there was</p> <p>24 not one needed," referring to an RPV analysis,</p> <p>25 because it was over 54 percent BVAP.</p> <p style="text-align: right;">Page 86</p>	<p>1 A. No, I did not.</p> <p>2 Q. How do you know that Representative</p> <p>3 Sewell was okay with the district, as you suggested,</p> <p>4 based on the BVAP?</p> <p>5 A. I was told that by the map drawer who</p> <p>6 interviewed Representative Sewell I think once in</p> <p>7 person and once virtually. Or it may have been a</p> <p>8 staff person. But they were okay with the district.</p> <p>9 Q. So you wanted to ensure that the BVAP in</p> <p>10 districts with a minority candidate representing</p> <p>11 them was not too low?</p> <p>12 A. Correct.</p> <p>13 Q. Did you take any steps to ensure that</p> <p>14 the BVAP in any district was not too high?</p> <p>15 A. Not to my knowledge.</p> <p>16 Q. Who drew the maps for you in 2021?</p> <p>17 A. Randy Hinaman.</p> <p>18 Q. What is Randy Hinaman's role in the</p> <p>19 redistricting process?</p> <p>20 A. He's the map drawer.</p> <p>21 Q. When did you first meet with Mr. Hinaman</p> <p>22 about the redistricting cycle in 2021?</p> <p>23 A. In the spring of 2021, I guess. I</p> <p>24 don't -- I don't remember an exact date.</p> <p>25 Q. Who did you meet with Mr. Hinaman with?</p> <p style="text-align: right;">Page 88</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 A. I don't remember who was there.</p> <p>2 Q. What was discussed?</p> <p>3 A. Pardon me? What was what?</p> <p>4 Q. What did -- what did you all discuss?</p> <p>5 A. I would just guess. And I would say we</p> <p>6 probably discussed when are we going to see the data</p> <p>7 so we can go to work.</p> <p>8 Q. Did you provide any instructions to</p> <p>9 Mr. Hinaman in the spring of 2021?</p> <p>10 A. No.</p> <p>11 Q. Why not?</p> <p>12 A. He was -- he was more experienced than</p> <p>13 me.</p> <p>14 Q. Did you provide Mr. Hinaman with any</p> <p>15 materials throughout any of the process of him</p> <p>16 drawing the 2021 Alabama maps?</p> <p>17 A. No.</p> <p>18 Q. Why?</p> <p>19 A. There was no need to.</p> <p>20 Q. Why was there no need to?</p> <p>21 A. Well, he was the map drawer. He knew</p> <p>22 his job.</p> <p>23 Q. Where was his job description?</p> <p>24 A. Where was his job description?</p> <p>25 Q. Defined.</p> <p style="text-align: right;">Page 89</p>	<p>1 BVAP of around 54 percent?</p> <p>2 A. I was told that in any of the districts</p> <p>3 that were drawn that needed this additional</p> <p>4 analysis, it had been requested.</p> <p>5 Q. Can you repeat your answer, please?</p> <p>6 A. I was told that any of the districts</p> <p>7 that needed additional analysis, that that analysis</p> <p>8 had been requested.</p> <p>9 Q. And were you told which districts</p> <p>10 required analysis?</p> <p>11 A. No.</p> <p>12 Q. Did you know any criteria for which</p> <p>13 districts required an analysis?</p> <p>14 A. I did not know the criteria.</p> <p>15 Q. When did you determine that your plan</p> <p>16 didn't violate the Voting Rights Act?</p> <p>17 A. Well, sometime -- sometime prior to</p> <p>18 submitting it to the redistricting committee for</p> <p>19 consideration. That was like part of the process,</p> <p>20 to make sure we were in compliance before</p> <p>21 introducing it for consideration for the other</p> <p>22 committee members.</p> <p>23 Q. And when did you submit the</p> <p>24 congressional redistricting bill for consideration</p> <p>25 by the reapportionment committee?</p> <p style="text-align: right;">Page 91</p>
<p>1 A. You know, he -- I don't know the answer</p> <p>2 to that.</p> <p>3 MS. SADASIVAN: Would you mind if we</p> <p>4 take a five-minute break?</p> <p>5 THE VIDEOGRAPHER: We are off the</p> <p>6 record. The time is 4:26 p.m.</p> <p>7 (Recess was taken.)</p> <p>8 THE VIDEOGRAPHER: We are back on the</p> <p>9 record. The time is 4:37 p.m.</p> <p>10 Q. Senator McClendon, thank you again for</p> <p>11 sitting for the deposition and for your time.</p> <p>12 Following up on McClendon Exhibit 6</p> <p>13 where we were discussing the quote where you said</p> <p>14 that because of the black voting age population in</p> <p>15 Congressional District 7, there was not one needed</p> <p>16 with respect to an RPV analysis because the district</p> <p>17 was over 54 percent BVAP. That was the October 26th</p> <p>18 meeting of the reapportionment committee.</p> <p>19 Did Mr. Walker tell you that a racial</p> <p>20 polarization analysis was unnecessary because</p> <p>21 District 7 had a BVAP of 54 percent?</p> <p>22 MR. WALKER: Object on the basis of</p> <p>23 attorney-client privilege.</p> <p>24 Q. Were you told that a racial polarization</p> <p>25 analysis was unnecessary because District 7 had a</p> <p style="text-align: right;">Page 90</p>	<p>1 A. The date -- the date we met that Tuesday</p> <p>2 prior to the special session convening on Thursday.</p> <p>3 Q. So you determined before the October</p> <p>4 26th meeting that your map, the congressional</p> <p>5 redistricting map you introduced, didn't violate the</p> <p>6 VRA?</p> <p>7 A. I felt confident that was the case, yes.</p> <p>8 Q. Do you know if an RPV analysis was</p> <p>9 conducted for Congressional District 1?</p> <p>10 A. Do I know if it was conducted? Is that</p> <p>11 your question?</p> <p>12 No, I don't know if it was conducted.</p> <p>13 Q. Who would know?</p> <p>14 A. The attorney.</p> <p>15 Q. And who is that?</p> <p>16 A. His name is Dorman Walker.</p> <p>17 Q. When did the special legislative session</p> <p>18 on redistricting begin in Alabama in 2021?</p> <p>19 A. The Thursday of that week following the</p> <p>20 redistricting committee meeting. And I don't</p> <p>21 remember what the date was.</p> <p>22 Q. Did you do anything to prepare for the</p> <p>23 special session?</p> <p>24 A. Well, yes.</p> <p>25 Q. What did you do to prepare for the</p> <p style="text-align: right;">Page 92</p>



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 special session?</p> <p>2 <b>A.</b> I tried to get the -- first, we handled</p> <p>3 -- the senate handled the senate and the BOE map</p> <p>4 first. And so I wanted my information in place in</p> <p>5 my hand that I would present to the standing</p> <p>6 committee and ultimately to the senate floor. So my</p> <p>7 preparation was to have my bullet points convenient</p> <p>8 before those meetings.</p> <p>9 Q. Did you review any maps of two majority</p> <p>10 black districts in 2021?</p> <p>11 <b>A.</b> No.</p> <p>12 Q. Did you have the opportunity to vote on</p> <p>13 any two majority black congressional district plans</p> <p>14 in 2021?</p> <p>15 MR. WALKER: Did you say have the</p> <p>16 opportunity to vote?</p> <p>17 MS. SADASIVAN: Yes.</p> <p>18 MR. WALKER: Okay.</p> <p>19 <b>A.</b> There may -- I don't -- and I'm not</p> <p>20 certain. But I think one was introduced on the</p> <p>21 senate floor. But I'm not sure.</p> <p>22 Q. You think that a bill creating two</p> <p>23 majority minority districts was introduced on the</p> <p>24 senate floor?</p> <p>25 MR. WALKER: May.</p> <p style="text-align: right;">Page 93</p>	<p>1 congressional plan?</p> <p>2 Q. Let me just scroll down.</p> <p>3 I guess my question was initially -- and</p> <p>4 I'm seeing on Page 27 there's the beginning of a</p> <p>5 discussion between Senator McClendon and Senator</p> <p>6 Singleton.</p> <p>7 But I had first asked, Senator</p> <p>8 McClendon, if you could look through the transcript</p> <p>9 and see if it generally appears accurate of the</p> <p>10 senate floor debate on November 3, 2021, in the</p> <p>11 Alabama senate. I will represent to you that it's</p> <p>12 the transcript from the video that we received.</p> <p>13 <b>A.</b> And I'll accept that, that it is a</p> <p>14 transcript of the senate floor.</p> <p>15 Q. And in this transcript, you vote against</p> <p>16 a map introduced by Senator Singleton and Senator</p> <p>17 Hatcher. Can you --</p> <p>18 <b>A.</b> What page is that on?</p> <p>19 Q. I believe the motion is -- the</p> <p>20 substitute was offered by Senator Hatcher on Page</p> <p>21 39.</p> <p>22 <b>A.</b> Okay.</p> <p>23 Q. And Senator McClendon moved it for an up</p> <p>24 or down vote on Page 40, and then votes against it</p> <p>25 on Page 41. Do you see that?</p> <p style="text-align: right;">Page 95</p>
<p>1 <b>A.</b> May have been introduced on the senate</p> <p>2 floor. Introduced on the senate floor.</p> <p>3 Q. So I am dropping into the chat and I'll</p> <p>4 ask Mr. Walker to mark as Exhibit 7 or McClendon</p> <p>5 Exhibit 7 a document that is the transcript of the</p> <p>6 senate floor debate in Alabama on November 3, 2021.</p> <p>7 Do you recognize the document? It's on</p> <p>8 my screen so you can see it.</p> <p>9 MR. WALKER: Oh, okay. This is 7?</p> <p>10 MS. WELBORN: Yes.</p> <p>11 MS. SADASIVAN: Yes, sir.</p> <p>12</p> <p>13 (Plaintiff's Exhibit 7 was</p> <p>14 marked for identification.)</p> <p>15</p> <p>16 Q. And I have the exhibit pulled up, as</p> <p>17 well. Take a minute to look at it, Senator</p> <p>18 McClendon, please.</p> <p>19 <b>A.</b> What did you say?</p> <p>20 Q. Will you just take a minute to look at</p> <p>21 the transcript, and at the end confirm yes or no</p> <p>22 whether it generally appears accurate of the senate</p> <p>23 floor debate in 2021 on the various redistricting</p> <p>24 bills in the special legislative session.</p> <p>25 <b>A.</b> Where does this start dealing with the</p> <p style="text-align: right;">Page 94</p>	<p>1 <b>A.</b> Okay. Yeah, I do. I do.</p> <p>2 Q. Can you tell me why you voted against</p> <p>3 Senator Hatcher's two majority minority district</p> <p>4 plan?</p> <p>5 <b>A.</b> You know, if I recall correctly, his map</p> <p>6 pitted -- put two incumbent congressional members in</p> <p>7 the same district.</p> <p>8 Did you hear me?</p> <p>9 Q. I can. I asked you why you voted</p> <p>10 against Senator Hatcher's plan.</p> <p>11 <b>A.</b> And my response was that, among other</p> <p>12 things, the most blatant thing and easiest to notice</p> <p>13 was that he had put two incumbents in the same</p> <p>14 district.</p> <p>15 Q. You agree that the black voting age</p> <p>16 population of the state of Alabama is approximately</p> <p>17 27 percent of the state?</p> <p>18 <b>A.</b> Approximately.</p> <p>19 Q. Did that factor in to how you voted on</p> <p>20 Senator Hatcher's map?</p> <p>21 <b>A.</b> It had nothing to do with it.</p> <p>22 Q. Did you have the opportunity to vote on</p> <p>23 Senator Singleton's proposed map?</p> <p>24 <b>A.</b> I did.</p> <p>25 Q. And how did you vote?</p> <p style="text-align: right;">Page 96</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 A. A nay.</p> <p>2 Q. And why did you vote nay?</p> <p>3 A. I think the blatant problem with his map</p> <p>4 was that no minority candidate had a majority</p> <p>5 district. He had --</p> <p>6 Q. And when you say a minority candidate</p> <p>7 had a majority district, what do you mean?</p> <p>8 A. I think he drew two districts they</p> <p>9 called opportunity districts. But no minority</p> <p>10 candidate had a majority of the voters in either of</p> <p>11 those districts.</p> <p>12 Q. With respect to Senator Hatcher's map,</p> <p>13 you said you voted against it because two incumbents</p> <p>14 were paired?</p> <p>15 A. I think that is -- I think that's</p> <p>16 correct.</p> <p>17 Q. And what is -- in terms of your</p> <p>18 understanding of the law, what is a more important</p> <p>19 criteria for a map proposed by the Alabama</p> <p>20 legislature? Compliance with federal law and the</p> <p>21 Voting Rights Act or ensuring incumbents are not</p> <p>22 paired?</p> <p>23 A. You're asking me to say what's most</p> <p>24 important among those three or what takes precedent?</p> <p>25 Is that what your question is?</p> <p style="text-align: right;">Page 97</p>	<p>1 hearings occurred between the hours of 9:00 a.m. and</p> <p>2 5:00 p.m.</p> <p>3 A. Most all of them did. I guess there's</p> <p>4 one exception to that. And that would have been the</p> <p>5 meeting at the state house in Montgomery.</p> <p>6 Q. How many public hearings were held at</p> <p>7 the same time as another public hearing?</p> <p>8 A. Zero.</p> <p>9 Q. In other words, how many public hearings</p> <p>10 overlapped with another one of the public hearings?</p> <p>11 A. Zero.</p> <p>12 Q. No public hearings occurred at the same</p> <p>13 time as another public hearing?</p> <p>14 A. Correct.</p> <p>15 Q. And when did you finalize the times of</p> <p>16 the public hearings?</p> <p>17 A. It would have been sometime in July,</p> <p>18 early July. Actually, it was done twice. The first</p> <p>19 time, it was targeted to be completed by June 30th.</p> <p>20 And then we added six more, and that just tacked</p> <p>21 them on the end. So it was in the early part of</p> <p>22 July.</p> <p>23 Q. So you added six more why?</p> <p>24 A. Representative Hall requested it.</p> <p>25 Q. How did she request additional hearings?</p> <p style="text-align: right;">Page 99</p>
<p>1 Q. Yes, sir.</p> <p>2 A. Well, you always have to assume that</p> <p>3 federal law supersedes state law. But in this case,</p> <p>4 it was -- it didn't matter. It was just -- it was</p> <p>5 an -- it was an inappropriate situation.</p> <p>6 Actually, what happens when you pit two</p> <p>7 incumbents, suddenly the redistricting committee is</p> <p>8 picking winners and losers. And that should be up</p> <p>9 to the voters.</p> <p>10 Q. The reapportionment committee -- just to</p> <p>11 go back a little bit to the public hearings that you</p> <p>12 held on redistricting. How many were there?</p> <p>13 A. Still 28.</p> <p>14 Q. And how many occurred between the hours</p> <p>15 of 9:00 and 5:00?</p> <p>16 A. Well, I don't know. I would have to --</p> <p>17 I would have to go back. I think most -- most of</p> <p>18 them did, yeah.</p> <p>19 Q. If I say the McClendon exhibit, I'm</p> <p>20 afraid I will get it wrong. But it has the schedule</p> <p>21 of the public hearings.</p> <p>22 A. That would be Number 4.</p> <p>23 Q. Thank you, sir.</p> <p>24 A. Okay. What is your question, now?</p> <p>25 Q. I asked how many of the 28 public</p> <p style="text-align: right;">Page 98</p>	<p>1 A. Email.</p> <p>2 Q. Sir, I am going to drop in the chat and</p> <p>3 I will share my screen and ask Mr. Walker if he</p> <p>4 could please mark this as, I believe, McClendon</p> <p>5 Exhibit 7.</p> <p>6 MR. WALKER: Eight.</p> <p>7 MS. SADASIVAN: Eight. Gosh. Why am I</p> <p>8 always one off? It's Friday.</p> <p>9 Q. So I'm showing you what I've asked</p> <p>10 Mr. Walker to mark as McClendon Exhibit 8. I'm</p> <p>11 scrolling down to the bottom where it says RC</p> <p>12 045704.</p> <p>13 MS. WELBORN: Kathryn, can you scroll</p> <p>14 all the way up? We don't know what the document is.</p> <p>15 MS. SADASIVAN: So the document says RC</p> <p>16 045697. This was produced by Mr. Walker yesterday.</p> <p>17 MS. WELBORN: What does it look like on</p> <p>18 the first page so we can figure out which one it is?</p> <p>19 MS. SADASIVAN: It looks like this.</p> <p>20 MR. WALKER: Okay.</p> <p>21</p> <p>22 (Plaintiff's Exhibit 8 was</p> <p>23 marked for identification.)</p> <p>24</p> <p>25 A. Is this -- okay. Exhibit 8.</p> <p style="text-align: right;">Page 100</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 MR. WALKER: She's turned it back a page 2 or two. 3 Q. So if you look on Page 12 of the exhibit 4 that Mr. Walker handed you, it's marked at the 5 bottom with Bates number RC 045712. 6 A. 712. Okay. I've got 712. What page? 7 Q. 045712. It's page 12 of that PDF. 8 A. 712. I've got Page 1. 9 Q. Do you recognize on Page -- I guess the 10 page that we just landed on, did you recognize the 11 document that you're looking at, Mr. McClendon? 12 A. Yes. Well, I have it in front of me. 13 Let me look at it. 14 Yes, I've seen this before. 15 Q. Where have you seen it before? 16 A. I probably -- I probably received a copy 17 of it, of the email. 18 Q. What is this that you're looking at? 19 A. This is Representative Hall, I guess. 20 Yes. This is when she made a request for additional 21 meetings. And she sent that to the staff office and 22 they forward a copy to me. 23 Q. So in her email that we're looking at 24 right now, Representative Hall says, "During the May 25 5th committee meeting, members agreed to hearing Page 101</p>	<p>1 A. But I cannot discuss what he said to me. 2 Q. You stated earlier that the time and 3 manner of the public hearings is not governing by 4 Alabama law, correct? 5 A. Not to my knowledge. 6 Q. So when Representative Hall asked for 7 other times for the public hearings, was there any 8 legal constraints to the times that you could select 9 for the public hearings? 10 A. Not to my knowledge. 11 Q. Why did you not change the times of the 12 public hearings based on this email? 13 A. That was being -- we used our staff and 14 we used our liaison from the community college 15 system to contact the local community colleges and 16 locations and to see what would work out for 17 everybody involved. And that's how it came about. 18 MS. SADASIVAN: I think that's all the 19 questions I have. The Singleton and the Caster 20 plaintiffs may have questions. 21 MR. OSHER: I have a few questions. 22 Jim, if you want to go first for Singleton, you're 23 more than welcome to. He might not be on. 24 Okay. Senator, give me one moment, sir. 25 Page 103</p>
<p>1 locations that would not require constituents to 2 travel more than one county. However, the proposed 3 location map will require interested parties to 4 travel significant distances to participate." 5 Going down, it says, "While it may not 6 be feasible for all committee members to attend 7 every public hearing, the proposed schedule requires 8 members to 'pick and choose' hearings and will not 9 have the full benefit of the public hearing 10 testimony and discussion of any alternative maps 11 introduced." 12 On the second page -- on the following 13 page, which is Bates number RC 045713, 14 Representative Hall says, "In addition, the timing 15 of each hearing is unsatisfactory. Hearings held 16 during working days cannot be viewed objectively as 17 providing the opportunity for public input." 18 How did you respond to Representative 19 Hall's concerns about the timing of the public 20 hearings? 21 A. I think I called my attorney and 22 basically said, "How do you want to handle this? 23 What do you think we need to do?" And -- 24 MR. WALKER: Do not discuss what I said 25 to you. Page 102</p>	<p>1 EXAMINATION BY MR. OSHER: 2 Q. Senator McClendon, can you hear me? 3 A. I can hear you very well. 4 Q. Oh, well that's a surprise. That never 5 happens. Thank you for your time today. I just 6 have a few questions. 7 I believe -- am I correct that you were 8 in the room when Representative Pringle was taking 9 his deposition? 10 A. You are correct. 11 Q. Or I should say was having his 12 deposition taken. 13 And so I assume that you heard the 14 questions that I asked him. Is that correct? 15 A. That is correct. 16 Q. I'm just going to ask you the same 17 questions. 18 How long have you been serving in the 19 Alabama legislature? 20 A. 19 years. 21 Q. 19 years. And have you been a member of 22 the republican party that whole time? 23 A. Well, I've always run as a republican. 24 And I believe I've been a dues-paying member of the 25 county republican group that whole time. Page 104</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 Q. And have you -- have you always been a 2 member of the republican party?</p> <p>3 A. Well, "always been" goes back a long 4 way. I think I've been a member of the republican 5 party as long as I've been a candidate or an elected 6 official.</p> <p>7 Q. And how long does that date back until 8 in the -- in the past?</p> <p>9 A. 2001.</p> <p>10 Q. Okay. Based your 19 years serving in 11 the legislature, in your view, do the views of the 12 members of the democratic party in Alabama generally 13 differ from the members of the republican party in 14 Alabama when it comes to the issue of removing 15 confederate monuments from public spaces?</p> <p>16 A. You know, I think if you make that broad 17 and say generally, I think I can agree with that 18 statement. There -- there are definitely 19 exceptions. But I think with the "general" in 20 there, I can say I generally agree with your 21 statement.</p> <p>22 Q. So the answer to my question was yes?</p> <p>23 A. Yes.</p> <p>24 MR. WALKER: Objection to form. He 25 answered that he can generally agree.</p> <p style="text-align: right;">Page 105</p>	<p>1 Q. Thank you. I appreciate it. A few 2 more.</p> <p>3 Based on your 19 years in the Alabama 4 legislature, do the views of the members of the 5 democratic party in Alabama generally differ from 6 the members of the republican party in Alabama when 7 it comes to the issue of affirmative action?</p> <p>8 A. And we'll get back to the discussion you 9 had earlier on affirmative action. I'm not even 10 exactly sure of a definition of affirmative action. 11 I remember hearing that term some years ago. But it 12 hasn't been around in a while. So I'm real hesitant 13 about answering that question.</p> <p>14 One other thing I would like to point 15 out. You're talking about members of the democratic 16 party, members of the republican party, right? 17 That's who you're asking me about.</p> <p>18 Well, I don't attend any of the 19 democratic party meetings. Now, I know a lot of 20 democrats that are in the legislature. So I'm more 21 likely to have a feeling for a democratic rather 22 than a member of the democratic party. Do you 23 understand what I'm saying?</p> <p>24 Q. So let me ask you this: In your 19 25 years serving in the -- in the Alabama legislature,</p> <p style="text-align: right;">Page 107</p>
<p>1 Q. My question was do the members of the 2 democratic party, generally do their views generally 3 -- I should start over.</p> <p>4 Do the views of the members of the 5 democratic party generally differ from the views of 6 the members of the republican party in Alabama 7 generally when it comes to removal of confederate 8 monuments in public spaces?</p> <p>9 A. I think I can agree with that.</p> <p>10 Q. You think you can agree? Can you give 11 me a yes or no answer on that question?</p> <p>12 MR. DAVIS: Objection, asked and 13 answered.</p> <p>14 THE WITNESS: So objection, what does 15 that mean for me?</p> <p>16 MR. WALKER: That means you don't 17 answer.</p> <p>18 Q. Well, it doesn't mean you don't answer. 19 I believe that's a form objection.</p> <p>20 MR. WALKER: Excuse me. Forgive me.</p> <p>21 You're right. Sorry, Dan.</p> <p>22 MR. OSHER: That's okay.</p> <p>23 Q. Senator, if you wouldn't mind answering 24 the question.</p> <p>25 A. Yes.</p> <p style="text-align: right;">Page 106</p>	<p>1 have you worked with your democratic party -- your 2 democratic party colleagues on issues related to 3 pending legislation?</p> <p>4 A. Yes.</p> <p>5 Q. And have you worked with republican 6 members of the Alabama legislature on pending 7 legislation and other issues?</p> <p>8 A. Yes.</p> <p>9 Q. And in that time, have you gained a 10 general view of what the democratic party in Alabama 11 supports and what the republican party in Alabama 12 supports?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. So you -- in terms of affirmative 15 action, let's define affirmative action as giving 16 preference to individual -- considering individual 17 race when making certain decisions about admission 18 to programs or access to benefits.</p> <p>19 Using that definition, based on your 20 experience in the legislature, do the views of the 21 democratic party in Alabama generally differ from 22 the members -- the views of the members of the 23 republican party in Alabama?</p> <p>24 A. I really don't have an opinion on that. 25 And the reason is the issue simply has not come up,</p> <p style="text-align: right;">Page 108</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 it's not in front of me, and I have no experience 2 with members of the democrats or the republicans on 3 that issue. So I can't speak for something that 4 hasn't happened.</p> <p>5 Q. Sure.</p> <p>6 Based of your experience in the Alabama 7 legislature, do the views of members of the 8 democratic party in Alabama generally differ from 9 the members of the republican party in Alabama when 10 it comes to criminal justice reform?</p> <p>11 A. Okay. And your question is they have 12 disparate or different views? Republicans have 13 different views from democrats on criminal justice 14 reform? That's your question, correct?</p> <p>15 Q. As a general matter, correct.</p> <p>16 A. As a general matter, I agree with that 17 statement.</p> <p>18 Q. And based on your experience in the 19 legislature, do the views of the members of the 20 democratic party in Alabama differ from the views of 21 the members of the republican party in Alabama when 22 it comes to whether there is a significant amount of 23 discrimination against black residents of the state 24 today?</p> <p>25 A. Once again, I need to take a party Page 109</p>	<p>1 MR. DAVIS: Any questions from the 2 Singleton plaintiffs?</p> <p>3 I've got just a couple.</p> <p>4 EXAMINATION BY MR. DAVIS:</p> <p>5 Q. Hello, Senator.</p> <p>6 A. Hello.</p> <p>7 Q. Jim Davis representing Secretary 8 Merrill.</p> <p>9 Senator, how many members are there of 10 the Alabama senate?</p> <p>11 A. 35.</p> <p>12 Q. And do they all have a vote on 13 legislation?</p> <p>14 A. Yes, they do.</p> <p>15 Q. Does that include redistricting 16 litigation?</p> <p>17 A. That is correct.</p> <p>18 Q. Excuse me. I said "litigation." I 19 meant legislation.</p> <p>20 A. Legislation.</p> <p>21 Q. Do all senators' votes count the same?</p> <p>22 A. Yes.</p> <p>23 Q. Do you know why any other member of the 24 Alabama senate voted for or against a redistricting 25 plan? Page 111</p>
<p>1 business out. I see the party as these two 2 organizations. These people I know claim to be 3 democrats. Some of them claim to be republicans. 4 Whether they belong to -- are active in a party or 5 not, I have no idea.</p> <p>6 Now let's go back to the heart of your 7 question, and I'll try to answer it. With that in 8 mind, ask me your -- ask me your question. What is 9 the topic here?</p> <p>10 Q. The fourth topic that I'm asking if the 11 members -- if the views of the members of the 12 democratic party generally differ from the views of 13 the members of the republican party generally.</p> <p>14 Based on your experience working in the 15 legislature with members of both parties, do their 16 views generally differ when it comes to the issue of 17 whether there is a significant amount of 18 discrimination against black residents of Alabama 19 today?</p> <p>20 A. Yes.</p> <p>21 MR. OSHER: Thank you very much. That's 22 all I have for you. Thank you for your time, 23 Senator.</p> <p>24 A. You're very welcome.</p> <p>25 MR. WALKER: Are we done? Page 110</p>	<p>1 A. No. That's an individual decision.</p> <p>2 Q. And how many members are there of the 3 Alabama house of representatives?</p> <p>4 A. 105.</p> <p>5 Q. And they all have votes on legislation?</p> <p>6 A. They certainly do.</p> <p>7 Q. Including redistricting legislation?</p> <p>8 A. Correct.</p> <p>9 Q. And their votes all count the same as 10 one anothers?</p> <p>11 A. That's correct.</p> <p>12 Q. Do you know why any member of the 13 Alabama house of representatives voted for or 14 against any plan, any redistricting plan?</p> <p>15 A. No. That's an individual decision.</p> <p>16 Q. Did you instruct Randy Hinaman to be 17 sure to include a majority black district in an 18 Alabama congressional plan draft?</p> <p>19 A. I did not.</p> <p>20 Q. Did you decide ahead of time that 21 Alabama's plan must include a majority black 22 district?</p> <p>23 A. I did not.</p> <p>24 Q. Was your understanding that those 25 districts, when drafted, would be done so without Page 112</p>

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p>1 consideration of race?</p> <p>2 <b>A. That is correct.</b></p> <p>3 Q. To the best of your knowledge, was that,</p> <p>4 in fact, how it was done?</p> <p>5 <b>A. That is exactly how it was done.</b></p> <p>6 MR. DAVIS: Thank you, Senator.</p> <p>7 <b>A. You're welcome.</b></p> <p>8 MR. WALKER: Do we have anything</p> <p>9 further?</p> <p>10 MS. SADASIVAN: Nothing from the</p> <p>11 Milligan plaintiffs. Thank you, Senator, for your</p> <p>12 time and sitting for the deposition. I appreciate</p> <p>13 it.</p> <p>14 MR. OSHER: Nothing from the Caster</p> <p>15 plaintiffs. Thank you all.</p> <p>16 MR. WALKER: Kathryn, I need to get to</p> <p>17 you, in addition to my privilege log, the final</p> <p>18 statement of -- you know, the sheet where I state</p> <p>19 the request for production and then I state</p> <p>20 underneath the documents. Can I get that to you on</p> <p>21 Monday? You've got all the documents. I just need</p> <p>22 to give you the sheet that says which ones refer to</p> <p>23 which of your requests.</p> <p>24 THE REPORTER: Are we on the record?</p> <p>25 MS. WELBORN: Can we go off the record</p> <p style="text-align: right;">Page 113</p>	<p>1 STATE OF ALABAMA )</p> <p>2 JEFFERSON COUNTY )</p> <p>3</p> <p>4 I hereby certify that the above</p> <p>5 proceedings were taken down by me and transcribed by</p> <p>6 me using computer-aided transcription and that the</p> <p>7 above is a true and correct transcript of said</p> <p>8 proceedings taken down by me and transcribed by me.</p> <p>9 I further certify that I am neither of</p> <p>10 kin nor of counsel to any of the parties nor in</p> <p>11 anywise financially interested in the result of this</p> <p>12 case.</p> <p>13 I further certify that I am duly</p> <p>14 licensed by the Alabama Board of Court Reporting as</p> <p>15 a Certified Court Reporter as evidenced by the ACCR</p> <p>16 number following my name found below.</p> <p>17 So certified on December 17, 2021.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 <u>LeAnn Maroney, Commissioner</u> ACCR# 134, Expires 9/30/25 505 North 20th Street, Suite 1250 Birmingham, AL 35203</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 115</p>
<p>1 now?</p> <p>2 MR. WALKER: Yeah, sure.</p> <p>3 THE VIDEOGRAPHER: This ends the</p> <p>4 deposition of Jim McClendon. The time is now</p> <p>5 5:12 p.m.</p> <p>6</p> <p>7 (DEPOSITION ENDED AT 5:12 P.M.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 114</p>	

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<u>WORD INDEX</u>			
< 0 >	49:22 65:11, 14 66:20	<b>26th</b> 75:21, 23 78:19 83:23 86:19 90:17 92:4	<b>5:00</b> 98:15 99:2
<b>001929</b> 47:1	<b>2:04</b> 9:8		<b>5:12</b> 114:5, 7
<b>045697</b> 100:16	<b>2:2021-CV-01530-</b>		<b>50</b> 17:1 24:25
<b>045704</b> 100:12	<b>AMM</b> 1:8	<b>27</b> 95:4 96:17	26:1
<b>045712</b> 101:5, 7	<b>2:21-CV-01530-AMM</b>	<b>28</b> 98:13, 25	<b>501</b> 5:5
<b>045713</b> 102:13	7:14	<b>29th</b> 59:11	<b>505</b> 115:23
	<b>200</b> 5:14		<b>54</b> 80:9, 20, 21
< 1 >	<b>2000</b> 38:13	< 3 >	84:23 85:10,
<b>1</b> 6:9 19:15	<b>20002</b> 4:20	<b>3</b> 6:13, 22	20 86:7, 14, 25
21:7 35:8, 22	<b>20005</b> 3:22	39:23, 24, 25	87:9, 15 90:17,
37:24 70:22	<b>2001</b> 24:18	40:2 46:24	21 91:1
92:9 101:8	42:15, 20 43:6	47:9 51:19	<b>5th</b> 64:1
<b>1:57</b> 1:24 7:17	105:9	94:6 95:10	70:10 101:25
<b>1:59</b> 9:5	<b>2010</b> 33:12	<b>3:09</b> 51:14	
<b>10</b> 4:19 14:19	38:8	<b>3:22</b> 51:17	< 6 >
<b>100</b> 6:23	<b>2011</b> 6:12	<b>30</b> 60:8 71:9	<b>6</b> 6:19 76:15,
<b>10004</b> 4:5	28:5 30:12	<b>30th</b> 58:20	22 79:24, 25
<b>10006</b> 3:15	31:9 32:10, 16,	59:9 99:19	84:11 90:12
<b>104-111</b> 6:3	23 33:21 34:9	<b>32</b> 71:10	<b>600</b> 3:21 4:19
<b>105</b> 1:23 5:14	36:13, 20	<b>35</b> 6:9 111:11	<b>61</b> 6:15
112:4	37:15, 25	<b>35203</b> 115:24	<b>6179</b> 4:11
<b>11</b> 27:24	40:15, 21 42:7	<b>36</b> 6:11	<b>64</b> 6:17
<b>1-10-43</b> 14:18	43:3, 10, 13, 17	<b>361</b> 14:22	
<b>111-114</b> 6:4	45:4, 13, 17, 22	<b>36104</b> 1:24	< 7 >
<b>12</b> 101:3, 7	46:5 51:8	5:15	<b>7</b> 6:21 43:5
<b>125</b> 4:4	52:2, 15 84:2	<b>36106</b> 4:12	80:8 81:2
<b>1250</b> 115:23	<b>2014</b> 26:10, 15	<b>36130</b> 5:6	84:7, 15, 19
<b>134</b> 115:23	<b>2021</b> 1:24	<b>39</b> 95:21	85:9 86:23
<b>14</b> 26:10	6:18, 20, 22		87:9 90:15, 21,
<b>140</b> 79:20	7:7, 17 26:3	< 4 >	25 94:4, 5, 9,
<b>1400</b> 3:7	30:12 45:7	<b>4</b> 6:15 39:23,	13 100:5
<b>14th</b> 3:21	52:23 53:2	24, 25 40:2, 14	<b>700</b> 3:21
<b>17</b> 1:24 7:7,	57:6, 19 58:2	61:5, 12 63:18	<b>712</b> 101:6, 8
<b>17</b> 79:23 80:1	61:6 62:25	98:22	<b>76</b> 6:19
86:19 115:17	64:21 65:2	<b>4.88</b> 84:4	
<b>19</b> 84:12	70:10, 18	<b>4:26</b> 90:6	< 8 >
104:20, 21	74:13 76:13	<b>4:37</b> 90:9	<b>8</b> 6:23 100:10,
105:10 107:3,	77:8 84:2	<b>40</b> 3:14 95:24	22, 25
24	88:16, 22, 23	<b>41</b> 95:25	
<b>1943</b> 14:19	89:9, 16 92:18	<b>47</b> 6:13	< 9 >
<b>1965</b> 65:8	93:10, 14 94:6,		<b>9/30/25</b> 115:23
66:9, 12	23 95:10	< 5 >	<b>9:00</b> 98:15
<b>1999</b> 3:7	115:17	<b>5</b> 3:14 6:17	99:1
	<b>205)999-8096</b>	39:21 43:20,	<b>90067</b> 3:8
< 2 >	14:24	22 44:8, 12, 14,	<b>9-103</b> 6:2
<b>2</b> 6:11 35:6	<b>20th</b> 115:23	18, 23 45:1	<b>94</b> 6:21
36:2, 7, 24	<b>22</b> 33:16 63:1	64:3, 16 70:17,	
39:19, 23, 24,	<b>23</b> 40:14	18 79:23 84:3,	< A >
25 40:2 47:21	<b>26</b> 6:20 16:19	4	<b>a.m</b> 99:1
	76:13 77:8	<b>5,020,000</b> 84:5	<b>ability</b> 11:2, 6
	85:15		



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>able</b> 8:5	<b>adopting</b> 65:25	21 110:18	18
11:21 22:10	<b>adoption</b> 37:12	111:10, 24	<b>Anybody</b> 55:10
56:13 67:8	<b>advance</b> 19:18	112:3, 13, 18	<b>anywise</b> 115:11
78:11	<b>advised</b> 68:15	115:1, 14	<b>apologize</b> 39:24
<b>accept</b> 95:13	<b>affect</b> 11:2, 6	<b>Alabama's</b> 28:5	79:25
<b>Access</b> 40:7	<b>affirmative</b>	38:10 84:1	<b>apparently</b> 86:6
108:18	107:7, 9, 10	112:21	87:5
<b>accordance</b>	108:14, 15	<b>Ali</b> 5:20	<b>appear</b> 64:17
39:10 40:14	<b>afraid</b> 98:20	<b>allow</b> 11:19	84:15
<b>account</b> 15:9, 18	<b>afternoon</b> 9:10	12:10	<b>appears</b> 84:18,
<b>accounts</b> 15:16	<b>age</b> 43:13, 17	<b>alternative</b>	20 94:22 95:9
<b>ACCR</b> 115:15, 23	80:7, 10, 17, 20,	102:10	<b>applied</b> 44:18,
<b>accurate</b> 50:18	22 86:22 87:9,	<b>amended</b> 65:8	23
85:13, 16	21 90:14 96:15	<b>amendments</b> 40:16	<b>apply</b> 44:12, 14
94:22 95:9	<b>agenda</b> 75:20	<b>American</b> 4:3, 10	<b>appreciate</b>
<b>Act</b> 39:8, 18,	<b>ago</b> 10:6 27:6	<b>amount</b> 56:20,	35:14 107:1
21 43:21	107:11	22 109:22	113:12
47:25 50:11	<b>agree</b> 78:14	110:17	<b>approach</b> 27:22
65:7, 11, 14	96:15 105:17,	<b>analysis</b> 69:20	<b>approval</b> 34:14
66:9, 12, 21	20, 25 106:9,	77:12, 24 81:9,	<b>approve</b> 34:15
67:5, 8, 11, 14,	10 109:16	12, 19, 25	48:1
23 68:1, 3, 8,	<b>AGREED</b> 1:17	83:11, 23	<b>approving</b> 34:19
18 69:9, 14, 19,	2:1, 8 101:25	84:17 85:22,	<b>approximately</b>
24 77:20 82:7	<b>ahead</b> 57:9, 10	23 86:24	96:16, 18
91:16 97:21	62:23 66:23	90:16, 20, 25	<b>area</b> 72:10, 13
<b>acting</b> 7:3	85:5 112:20	91:4, 7, 10, 13	<b>arrive</b> 56:17
<b>action</b> 39:16	<b>al</b> 1:6, 10	92:8	<b>article</b> 47:16,
41:5, 7 107:7,	7:13, 14 115:24	<b>Angeles</b> 3:8	20 48:25 49:2
9, 10 108:15	<b>ALABAMA</b> 1:2, 23	<b>announce</b> 58:14,	51:21
<b>active</b> 110:4	4:10, 12 5:6,	17	<b>asked</b> 12:9
<b>activity</b> 27:19,	15 7:2, 3, 16,	<b>announced</b> 59:3	30:16 36:1
23	20 8:3 9:20	<b>another</b> 112:10	51:3 56:1
<b>actual</b> 27:25	14:22 15:7, 23,	<b>answer</b> 12:1, 20,	58:8 60:7
28:12, 17	25 17:4, 13, 14,	21 14:10 21:9	73:17 80:3
84:24 85:22	23 24:24 26:7,	26:16 31:10	81:11, 18, 24
<b>add</b> 58:15	9, 20 27:9	34:6 37:20	83:12 86:4
<b>added</b> 58:25	38:7 39:12	40:23 43:4, 7	95:7 96:9
99:20, 23	40:15 42:10	44:8 45:20	98:25 100:9
<b>addition</b> 102:14	44:12, 14, 19,	50:20 51:25	103:6 104:14
113:17	23 45:16 51:7	58:3 60:16, 22	106:12
<b>additional</b> 6:24	59:16, 19	69:11 83:1, 8	<b>asking</b> 30:21
12:7 56:2	71:20, 22 72:9	90:1 91:5	40:1 44:3, 6,
77:16 83:17	75:2 87:14	105:22 106:11,	22 48:11, 13
91:3, 7 99:25	89:16 92:18	17, 18 110:7	50:1 53:11
101:20	94:6 95:11	<b>answered</b> 26:15	54:9, 22 62:24
<b>address</b> 14:21	96:16 97:19	51:5 105:25	65:18, 21 67:3
<b>adjectives</b> 67:2	103:4 104:19	106:13	73:20 78:1
<b>admission</b> 108:17	105:12, 14	<b>answering</b> 12:2,	82:22 83:10
<b>adopt</b> 70:8	106:6 107:3, 5,	13 106:23	86:2 97:23
<b>adopted</b> 39:5	6, 25 108:6, 10,	107:13	107:17 110:10
64:19 74:11	11, 21, 23	<b>answers</b> 11:3, 7,	<b>asks</b> 84:22
	109:6, 8, 9, 20,		

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<p> <b>assign</b> 2:12  <b>assistance</b> 40:12  <b>Assistant</b> 5:3  <b>assume</b> 12:12  98:2 104:13  <b>assuming</b> 87:11  <b>astray</b> 29:22  <b>attempt</b> 42:22  <b>attempting</b> 73:18  <b>attend</b> 102:6  107:18  <b>attention</b> 23:6  <b>Attorney</b> 3:5,  12, 19 4:2, 9,  17 5:3, 4, 12  7:20 12:17, 21,  25 13:5 19:11  20:7 28:12, 24,  25 29:18, 25  30:19, 24 31:6,  12 37:22 41:8  42:2 53:7, 11,  14, 24 54:13,  19, 24 55:7, 12  56:6, 11 66:1  67:18 68:4, 11,  16 81:10, 11  82:6 92:14  102:21  <b>attorney-client</b>  53:12 90:23  <b>attorneys</b> 7:18  8:9 82:21  <b>attributed</b> 50:7  <b>audio</b> 8:5, 7  66:23  <b>available</b> 9:14  40:10 52:21  <b>Avenue</b> 3:7 5:5    <b>&lt; B &gt;</b>  <b>back</b> 9:7  19:11 22:12  44:8 51:16  56:4, 9 58:10  73:9 84:10  86:18 90:8  98:11, 17  101:1 105:3, 7  107:8 110:6  <b>background</b> 14:15  <b>bad</b> 86:14 </p>	<p> <b>Balch</b> 1:22  5:13 7:23  <b>Ballroom</b> 62:16  <b>based</b> 12:14  28:3 32:23  69:25 88:4  103:12 105:10  107:3 108:19  109:6, 18  110:14  <b>basically</b> 56:24  102:22  <b>basis</b> 69:22  81:2 90:22  <b>bat</b> 74:8  <b>Bates</b> 101:5  102:13  <b>began</b> 75:2  <b>beginning</b> 7:12  37:25 39:1  49:23 50:9  80:6, 25 95:4  <b>begins</b> 28:13  <b>behalf</b> 8:12  <b>belief</b> 40:24  <b>believe</b> 23:23  25:24 49:16  50:2, 8, 13  58:21 74:19,  23 75:7 84:3  95:19 100:4  104:7, 24  106:19  <b>believed</b> 48:17  <b>belong</b> 110:4  <b>belt</b> 72:9, 15,  18, 20, 24 73:3,  5  <b>benchmarks</b>  47:24 48:3  <b>benefit</b> 102:9  <b>benefits</b> 108:18  <b>best</b> 30:3  113:3  <b>bet</b> 87:13  <b>better</b> 14:16  52:11 72:25  <b>big</b> 28:21  <b>bigger</b> 28:2  <b>bill</b> 21:3, 11,  24 22:1, 16  40:4, 17 45:18, </p>	<p> 23 46:1, 2, 3  91:24 93:22  <b>bills</b> 21:17, 19,  25 45:22  63:15 75:25  94:24  <b>Bingham</b> 1:23  5:13 7:24  <b>Birmingham</b> 7:2  8:2 16:3, 9  115:24  <b>birth</b> 14:17  <b>bit</b> 14:16  52:9, 11 53:17  79:5 98:11  <b>black</b> 43:6, 13,  17 62:4 72:9,  15, 18, 20, 24  73:3, 5 80:7,  9, 14 81:5  86:22 87:8, 11,  12, 21 90:14  93:10, 13  96:15 109:23  110:18 112:17,  21  <b>blatant</b> 96:12  97:3  <b>board</b> 38:11, 15  56:23 115:14  <b>body</b> 20:9  <b>BOE</b> 46:1 71:4  93:3  <b>born</b> 15:22  <b>bottom</b> 100:11  101:5  <b>Box</b> 4:11  <b>break</b> 13:15  14:8, 11 49:7,  11 51:11  85:24 90:4  <b>breaking</b> 51:2  <b>Brian</b> 47:17  <b>Broad</b> 4:4  105:16  <b>brought</b> 46:8, 9,  11, 12 78:25  86:21  <b>bullet</b> 19:6  93:7  <b>Bureau</b> 38:9 </p>	<p> 54:11  <b>business</b> 110:1  <b>Buskey</b> 47:18,  22 48:18  <b>BVAP</b> 86:7, 25  88:4, 9, 14  90:17, 21 91:1    <b>&lt; C &gt;</b>  <b>California</b> 3:8  <b>call</b> 34:20  56:15 57:1  <b>called</b> 41:18  63:14 97:9  102:21  <b>candidate</b> 88:10  97:4, 6, 10  105:5  <b>candidates</b> 25:5  <b>capacity</b> 9:19  <b>care</b> 35:11  <b>career</b> 24:15  <b>carefully</b> 54:16  <b>carried</b> 49:24  <b>carry</b> 31:1, 2  <b>CASE</b> 1:7 7:14  9:13 17:24  18:5, 6 19:7  23:14, 22, 23  24:4, 9 46:21  47:17 77:15  92:7 98:3  115:12  <b>cases</b> 10:15  30:3 31:5  66:18 67:8  77:21  <b>CASTER</b> 4:15  8:15 103:19  113:14  <b>cause</b> 7:8  <b>cell</b> 13:14  <b>census</b> 32:23  33:12 38:8, 9,  13 40:8 54:11,  14, 18, 25  <b>Center</b> 62:16  <b>certain</b> 30:14  37:19 84:21  93:20 108:17 </p>
---	---	---	--

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>Certainly</b> 49:12 52:19 85:17 112:6	<b>close</b> 62:17 85:18 87:6	10, 12, 13, 14, 18, 21, 24 76:3, 13 77:9 79:1	<b>composed</b> 20:21 27:20
<b>certified</b> 76:12 115:15, 17	<b>clue</b> 85:12, 19 86:2	82:5, 24 85:15	<b>composition</b> 78:5
<b>certify</b> 7:4 115:4, 9, 13	<b>cochair</b> 9:19 28:24	86:20 90:18	<b>computer</b> 40:8
<b>chair</b> 26:25 27:6 29:10, 15 30:6, 13, 17 31:17, 23 32:4, 7, 9 53:3, 5, 7, 13 54:20, 23 56:5, 9 57:3 65:3, 20, 22 82:4, 23	<b>cochairs</b> 29:11	91:18, 22, 25 92:20 93:6 98:7, 10 101:25 102:6	<b>computer-aided</b> 115:6
<b>chairman</b> 10:10 28:7, 9	<b>colleagues</b> 108:2	<b>committees</b> 21:19 26:18 27:1, 4	<b>concerned</b> 79:9, 11, 12
<b>challenge</b> 24:10	<b>collection</b> 21:8	<b>common</b> 71:2, 6, 12	<b>concerning</b> 17:22
<b>challenged</b> 24:13	<b>college</b> 16:1, 3 55:19 62:8, 17, 20 103:14	<b>communicated</b> 60:6	<b>concerns</b> 79:13 102:19
<b>chance</b> 49:10 78:7	<b>colleges</b> 62:5, 10 103:15	<b>communication</b> 59:12	<b>condition</b> 11:5
<b>chancellor</b> 55:20 58:7	<b>come</b> 21:19 52:10 86:10 87:15 108:25	<b>communications</b> 58:23	<b>conduct</b> 33:6 81:18
<b>change</b> 21:9 54:13 78:5 84:1 103:11	<b>comes</b> 25:14 43:23 105:14 106:7 107:7 109:10, 22 110:16	<b>communities</b> 70:19 71:1, 10, 14, 19, 22 72:4 73:8	<b>conducted</b> 11:10 81:19 92:9, 10, 12
<b>changed</b> 28:16 54:25	<b>commencing</b> 1:24	<b>community</b> 55:19 60:4 62:17, 20 71:7, 17, 18, 21, 25 72:2, 7, 8 73:6 103:14, 15	<b>conducting</b> 13:12
<b>changes</b> 38:12	<b>commissioner</b> 7:3 115:22	<b>compare</b> 67:9, 12	<b>confederate</b> 105:15 106:7
<b>characteristics</b> 72:23	<b>committee</b> 9:20 20:14, 17, 21 21:12, 13, 15, 18, 20, 22 22:1, 10, 17, 19 26:22, 23, 24, 25 27:10, 13, 14, 20 28:2, 17 29:16 30:1, 7, 18, 21 31:14, 18, 23 32:3, 4, 6, 10 33:21 34:9, 13, 18 35:3 36:14 37:11 38:17, 19, 24 39:4, 5 40:6 42:7, 9 46:13 53:2 54:20, 23 55:15 56:5, 10 57:3, 23 58:24 59:21, 22 60:7, 10, 14 62:25 63:25 64:18 65:4, 21, 23 66:16 70:13 74:13, 20 75:6,	<b>complaint</b> 17:24	<b>confer</b> 53:7, 10 54:12 56:6, 11
<b>chat</b> 19:13 35:4 36:13, 15, 17 46:21 61:2 63:17 76:10 94:3 100:2	<b>chat</b> 19:13 35:4 36:13, 15, 17 46:21 61:2 63:17 76:10 94:3 100:2	<b>complete</b> 10:24	<b>confering</b> 53:13, 24 54:24
<b>child</b> 16:24, 25	<b>choice</b> 74:7	<b>completed</b> 17:23 99:19	<b>confident</b> 92:7
<b>choose</b> 102:8	<b>choose</b> 102:8	<b>completely</b> 10:19	<b>confirm</b> 94:21
<b>Chris</b> 18:19, 23	<b>cited</b> 85:21	<b>compliance</b> 2:4 30:4 31:4 39:12 65:7, 23 66:8, 11 70:21 77:20 91:20 97:20	<b>Congratulations</b> 16:20
<b>citing</b> 84:24 85:10	<b>cited</b> 85:21	<b>complied</b> 52:3, 13 66:6 69:9, 13	<b>congressional</b> 18:7 20:8 21:3 23:24 24:5 32:15, 20 33:2 34:10, 15 38:11, 15 42:5, 10, 13, 19 45:3, 16, 24 46:3 48:5 50:25 51:7 56:23 65:16 68:22, 24 69:1, 3, 6, 7, 13 70:4, 5 71:4 73:11, 20 76:2, 9 80:8 86:23 87:25 90:15 91:24 92:4, 9 93:13 95:1 96:6 112:18
<b>city</b> 71:25 72:3, 6	<b>city</b> 71:25 72:3, 6	<b>complies</b> 66:20 67:4	<b>Congresswoman</b> 86:15 87:3
<b>CIVIL</b> 1:7 4:3, 10 7:5, 14	<b>claim</b> 110:2, 3	<b>comply</b> 59:13 64:20, 24 65:1, 2, 10, 19 68:1 82:7	<b>conjunction</b> 60:3
<b>clarify</b> 12:10 51:19	<b>clarify</b> 12:10 51:19	<b>complying</b> 65:13	

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>conservative</b> 25:15, 16, 18, 20, 22	<b>Correct</b> 14:20 15:1, 19 16:15 18:25 23:12, 13 28:4 32:8	52:4, 14	<b>debate</b> 20:25 21:2, 11 94:6, 23 95:10
<b>conservatives</b> 25:24	33:13 44:24	<b>creating</b> 93:22	<b>December</b> 1:24 7:7, 16 115:17
<b>consider</b> 43:9 46:4, 14 56:16 60:17 62:4 71:19 73:5 85:22	46:10 54:2 75:4, 7 88:12 97:16 99:14 103:4 104:7, 10, 14, 15 109:14, 15 111:17 112:8, 11 113:2 115:7	<b>criminal</b> 109:10, 13 <b>criteria</b> 70:18 91:12, 14 97:19 <b>current</b> 32:21 <b>currently</b> 17:10, 12 26:5, 21 <b>cut</b> 26:13 37:6 <b>cutting</b> 26:14 <b>cycle</b> 23:11 84:6 88:22	<b>decennial</b> 38:8 <b>decide</b> 42:10 53:16 59:7 74:2 112:20 <b>decided</b> 81:15 82:9 <b>deciding</b> 32:22 <b>decipher</b> 48:21 <b>decision</b> 31:20 57:4 81:8 112:1, 15 <b>decision-making</b> 55:8 <b>decisions</b> 32:24 53:25 108:17 <b>decrease</b> 33:5 <b>DEFENDANT</b> 5:1 9:18 10:12 47:17 <b>Defendants</b> 1:12 5:9 <b>Defense</b> 3:13, 20 9:12 <b>define</b> 72:20 108:15 <b>Defined</b> 89:25 <b>definitely</b> 105:18 <b>definition</b> 71:7, 8, 10, 14 107:10 108:19 <b>degree</b> 16:2 <b>delay</b> 57:16, 17 <b>delegation</b> 33:2 34:15 42:13 45:17 56:23 60:13 69:3, 6, 8 <b>democratic</b> 105:12 106:2, 5 107:5, 15, 19, 21, 22 108:1, 2, 10, 21 109:8, 20 110:12 <b>democrats</b> 107:20 109:2, 13 110:3
<b>considerable</b> 77:11	<b>correcting</b> 29:7 <b>correctly</b> 96:5 <b>counsel</b> 1:18 2:10, 11 7:6 11:15 18:8, 10 115:10 <b>count</b> 111:21 112:9 <b>counted</b> 66:15 <b>counties</b> 72:14, 17, 18 73:8 <b>County</b> 17:7 72:7 102:2 104:25 115:2 <b>couple</b> 18:15 55:25 85:25 111:3 <b>course</b> 27:5 29:24 31:1 33:3 57:15 66:10 <b>courses</b> 16:8, 10, 13 <b>COURT</b> 1:1 2:5 7:1, 15 11:13, 19, 20 15:4 19:14 20:4 30:3 31:5 35:5 36:1 44:7 46:24 61:4 63:17 66:18 77:21 115:14, 15 <b>courtroom</b> 10:21 <b>courts</b> 30:5 31:5 86:9 <b>cover</b> 19:5 <b>created</b> 47:19	<b>&lt; D &gt;</b> <b>DAN</b> 4:16 8:15 106:21 <b>data</b> 32:23 33:3 35:2 38:8 40:9 53:18, 20 54:10, 14, 25 57:16 70:14 73:12, 21, 23, 24 74:1 77:16 89:6 <b>date</b> 7:4, 16 14:17 30:2 57:20 58:21 59:4 60:5 64:15 70:11 75:22 88:24 92:1, 21 105:7 <b>dates</b> 33:19 55:22 58:18 63:6 74:18 <b>DAVIS</b> 5:2 6:4 7:20 18:19, 24 22:22 36:15 51:2, 5 106:12 111:1, 4, 7 113:6 <b>day</b> 58:21 <b>days</b> 102:16 <b>DC</b> 3:22 4:20 <b>deadline</b> 59:7, 9, 10, 13, 21, 23, 25 <b>deal</b> 18:6 <b>dealing</b> 94:25	

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>demographer</b>	109:12, 13	<b>districts</b>	18:7	<b>drawer</b>	30:24
31:17 41:21	<b>diluting</b> 65:9	24:6, 10 38:12		33:1 42:2	
67:13	<b>dilution</b> 39:13	39:10 42:19,		53:8, 11, 14, 25	
<b>demographics</b>	<b>direct</b> 71:4	22 43:10 46:5,		54:13, 19, 25	
42:25 43:1, 2,	<b>disapprove</b> 34:16	15 47:19		55:6, 13 56:7,	
3	<b>disapproving</b>	50:24 51:7		12 66:2 67:18	
<b>department</b>	34:19	52:5, 15 65:6		68:6, 12, 16	
20:15, 18 45:2	<b>discrimination</b>	70:5, 19 73:10,		69:2 82:6	
47:24 48:3	77:18, 23 78:2	12, 19 88:10		88:5, 20 89:21	
50:11	109:23 110:18	91:2, 6, 9, 13		<b>drawing</b> 32:15	
<b>depend</b> 82:13	<b>discriminatory</b>	93:10, 23 97:8,		34:9 41:9	
<b>dependent</b> 66:1	48:6	9, 11 112:25		43:9 68:24, 25	
<b>deposed</b> 10:3	<b>discuss</b> 29:5	<b>doctorate</b> 16:4,		89:16	
23:16	30:25 56:12	6		<b>drawn</b> 24:11	
<b>DEPOSITION</b> 1:9,	60:9, 12, 14	<b>document</b> 19:14,		34:19 39:10	
19 2:2, 3, 13	69:19 81:13	17, 20, 25 20:5,		65:7 68:17	
7:12 9:15, 18	89:4 102:24	10, 12, 23 21:6		73:25 87:18,	
11:10, 14 13:2,	103:1	36:1, 8, 10, 21		19 91:3	
12 17:25	<b>discussed</b> 22:4	37:2, 5, 8, 13,		<b>draws</b> 28:13, 25	
18:13, 23	78:19, 22, 23	14, 19 47:2, 12		29:19 30:20	
19:18 22:5, 14,	83:14, 15 89:2,	61:5, 24, 25		<b>drew</b> 88:16	
21 90:11	6	64:6, 10 70:11		97:8	
104:9, 12	<b>discussing</b> 20:6	77:2 94:5, 7		<b>drop</b> 19:13	
113:12 114:4, 7	28:22 47:18	100:14, 15		61:1 63:16	
<b>depositions</b> 2:6	50:9 74:21	101:11		76:10 100:2	
<b>describe</b> 47:3	75:11 90:13	<b>documents</b> 13:17,		<b>dropped</b> 36:12	
<b>description</b>	<b>Discussion</b> 8:8	21, 22, 25 14:2,		<b>dropping</b> 35:4	
89:23, 24	30:14 95:5	3 19:1, 3		46:20 94:3	
<b>designate</b> 58:8	102:10 107:8	22:13, 15, 24		<b>dross@naacpldf.org</b>	
<b>determine</b> 38:10	<b>discussions</b>	23:2 113:20, 21		3:23	
54:21 59:15,	28:14	<b>doing</b> 62:7		<b>dues-paying</b>	
23 66:19 67:4	<b>disparate</b> 109:12	66:14 82:12		104:24	
91:15	<b>distances</b> 102:4	83:14, 25 84:19		<b>duly</b> 8:22	
<b>determined</b>	<b>DISTRICT</b> 1:1, 2	<b>DOJ</b> 47:25		115:13	
55:13 92:3	7:15, 16 24:23,	<b>DORMAN</b> 5:11		<b>duties</b> 31:2, 3	
<b>determining</b> 60:1	25 26:1 33:4	7:23 18:11		<b>dwalker@balch.com</b>	
<b>DEUEL</b> 3:18	42:25 43:5, 12,	35:14 49:14		5:16	
8:13	16 48:5 71:4	66:2 82:17			
<b>develop</b> 40:13	78:6, 7, 12	92:16		<b>&lt; E &gt;</b>	
<b>developed</b> 59:25	80:8 81:2, 6	<b>dosher@elias.law</b>		<b>earlier</b> 12:9	
<b>Dial</b> 32:11	84:7, 15, 19	4:21		23:10 73:9, 18	
<b>D-I-A-L</b> 32:13	85:9 86:17, 23	<b>Dowdy</b> 8:2		85:21 103:2	
<b>die</b> 86:8	87:9, 18, 19, 22	<b>dozen</b> 58:25		107:9	
<b>differ</b> 105:13	88:3, 8, 14	<b>draft</b> 37:14		<b>early</b> 99:18, 21	
106:5 107:5	90:15, 16, 21,	112:18		<b>easiest</b> 96:12	
108:21 109:8,	25 92:9 93:13	<b>drafted</b> 37:13,		<b>easily</b> 36:17	
20 110:12, 16	96:3, 7, 14	15, 17, 19, 21		<b>east</b> 72:11	
<b>difference</b>	97:5, 7 112:17,	40:18 112:25		<b>EBENSTEIN</b> 4:1	
20:16 27:17	22	<b>drafting</b> 42:18		8:17	
<b>different</b> 27:4	<b>districting</b>	<b>Drake</b> 61:20			
70:1, 2 71:17	39:16 52:3	<b>draw</b> 74:5			
		75:11			

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>education</b> 16:12 26:23, 24 38:12, 16 56:23 <b>Educational</b> 3:13, 20 9:12 <b>effect</b> 2:4 65:9 <b>effective</b> 48:8 50:5 <b>Eight</b> 100:6, 7 <b>either</b> 97:10 <b>electability</b> 86:17 <b>elected</b> 20:21 24:16, 19, 20, 22 26:8 30:1 32:4, 5 70:15 87:4 105:5 <b>election</b> 78:12 <b>elections</b> 43:24 <b>electoral</b> 48:8 50:5 <b>Elias</b> 4:18 <b>email</b> 15:9, 12, 13 58:22 100:1 101:17, 23 103:12 <b>employed</b> 17:10, 12 <b>employees</b> 20:20 <b>endeavor</b> 64:20 <b>ENDED</b> 114:7 <b>endorsed</b> 25:5 <b>ends</b> 114:3 <b>England</b> 79:4, 8 83:11 84:14 86:4, 6, 21 <b>ensure</b> 66:6, 11 82:5 88:9, 13 <b>ensuring</b> 65:23 69:8, 12 97:21 <b>entail</b> 53:14 <b>error</b> 80:18 <b>errors</b> 85:17 <b>essentially</b> 28:10 <b>established</b> 38:16, 23 39:20 <b>et</b> 1:6, 10 7:13, 14 <b>ethnic</b> 39:14	<b>evaluated</b> 79:20 <b>evaluation</b> 77:16 <b>EVAN</b> 1:6 7:13 8:1 <b>events</b> 53:8, 22 <b>everybody</b> 41:17 63:11 103:17 <b>evidence</b> 2:14 <b>evidenced</b> 115:15 <b>exact</b> 33:23, 24 88:24 <b>exactly</b> 19:25 27:11 33:22 41:18 78:14 83:25 107:10 113:5 <b>examination</b> 7:8 9:9 104:1 111:4 <b>examined</b> 8:22 <b>example</b> 28:14 44:3 70:6 82:7 <b>exception</b> 99:4 <b>exceptions</b> 105:19 <b>Excuse</b> 106:20 111:18 <b>exercise</b> 48:8 50:5 83:19 <b>exercised</b> 83:6, 7 <b>exercising</b> 83:8 <b>Exhibit</b> 6:9, 11, 13, 15, 17, 19, 21, 23 19:15 35:5, 7, 22 36:2, 5, 7, 24 46:24, 25 47:9 49:22 51:19 61:5, 12 63:17, 18 64:3 70:17 76:15, 22 79:23, 24, 25 84:11 90:12 94:4, 5, 13, 16 98:19 100:5, 10, 22, 25 101:3 <b>exhibiting</b> 73:19 <b>exhibits</b> 74:24 <b>existing</b> 32:17,	19 73:11 <b>expect</b> 18:16 <b>experience</b> 82:14, 15 108:20 109:1, 6, 18 110:14 <b>experienced</b> 89:12 <b>experts</b> 66:15 <b>Expires</b> 115:23 <b>explaining</b> 41:21, 22 <b>express</b> 44:10 79:13 <b>expression</b> 83:21 <b>extent</b> 70:21 <b>extra</b> 77:18 <b>eye</b> 41:12, 13  < F > <b>Facebook</b> 15:17, 18 <b>fact</b> 21:12 37:10 73:23, 24 74:14 77:19 113:4 <b>factor</b> 96:19 <b>failure</b> 50:12 <b>fair</b> 44:10 <b>fairly</b> 85:16 <b>familiar</b> 37:4 48:10 64:9 66:17 67:7 77:4, 6 <b>far</b> 36:16 50:11 68:2 70:5 <b>fast</b> 73:14, 16 <b>feasible</b> 102:6 <b>Federal</b> 7:4 38:8 97:20 98:3 <b>feel</b> 60:5 <b>feeling</b> 107:21 <b>felt</b> 83:19 92:7 <b>figure</b> 57:14 100:18 <b>file</b> 15:4 <b>filed</b> 7:15 <b>final</b> 59:4	61:7 113:17 <b>finalize</b> 99:15 <b>Finally</b> 14:8 <b>financially</b> 115:11 <b>find</b> 38:25 <b>finish</b> 12:1, 2 49:9 <b>firm</b> 35:16 <b>first</b> 10:1 24:16 25:14 26:8 37:6 55:25 57:11, 13, 18 63:7 67:7 78:3 81:20 85:25 88:21 93:2, 4 95:7 99:18 100:18 103:22 <b>fiscally</b> 25:16 <b>fishing</b> 72:21 <b>five</b> 63:21, 22 <b>five-minute</b> 49:6 90:4 <b>FL</b> 3:14 <b>flag</b> 78:9 <b>floor</b> 19:7 20:24 21:1, 11, 21 93:6, 21, 24 94:2, 6, 23 95:10, 14 <b>focused</b> 62:19 <b>follow</b> 66:17 <b>followed</b> 40:21, 25 41:6, 8, 24 <b>following</b> 7:9 33:9, 11 38:14 40:17 41:1, 10 90:12 92:19 102:12 115:16 <b>follows</b> 8:23 <b>force</b> 2:4 <b>foregoing</b> 7:5 <b>Forgive</b> 106:20 <b>form</b> 2:10 9:1 40:22 50:19 105:24 106:19 <b>format</b> 20:1 <b>forward</b> 47:18 56:20 101:22 <b>found</b> 72:12
---	---	---	---

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

85:17 115:16	<b>give</b> 10:23	69:10 70:25	<b>happened</b> 21:23
<b>Foundation</b> 4:3	14:3 49:1	79:5 86:14	86:12 109:4
<b>four</b> 18:21	56:13 61:10	<b>Gosh</b> 100:7	<b>happens</b> 98:6
<b>fourth</b> 110:10	64:8 70:6	<b>gotten</b> 21:12	104:5
<b>four-year</b> 26:2, 4	74:7 77:22	<b>governing</b> 59:18	<b>happy</b> 35:17
<b>frame</b> 55:18	83:17 85:24, 25	103:3	86:15
<b>franchise</b> 48:9	103:24	<b>governor</b> 56:15	<b>hard</b> 52:7
50:6	106:10 113:22	57:1	61:18
<b>Friday</b> 100:8	<b>given</b> 20:3, 23	<b>Greater</b> 8:2	<b>Hatcher</b> 95:17, 20
<b>front</b> 36:2, 8	34:21, 24	<b>grounds</b> 2:12	<b>Hatcher's</b> 96:3, 10, 20
60:23 67:9	<b>giving</b> 23:8	<b>Group</b> 4:18	97:12
101:12 109:1	108:15	44:9 104:25	<b>health</b> 26:22, 25
<b>full</b> 2:4	<b>glanced</b> 77:5	<b>guess</b> 12:12	<b>hear</b> 12:17, 24, 25
28:17 102:9	<b>go</b> 15:24 16:1	30:9, 10 44:15, 20	68:10 96:8
<b>full-service</b>	21:20 29:22	78:3 88:23	104:2, 3
35:15	32:22 34:18	89:5 95:3	<b>heard</b> 68:9, 11
<b>Fund</b> 3:13, 20	38:20 39:7	99:3 101:9, 19	69:23 104:13
9:12 21:23, 24	41:1 62:23	<b>guessing</b> 34:6	<b>hearing</b> 6:16
26:22, 23	65:13, 23	<b>guidance</b> 34:21, 24	8:4 99:7, 13
<b>FURTHER</b> 2:1, 8	66:14, 23	<b>guidelines</b> 6:12, 18	101:25 102:7, 9, 15
9:23 81:15	68:19 70:5	28:15	<b>hearings</b> 33:7, 14, 17
113:9 115:9, 13	84:10 85:4	36:14, 20	55:14, 18, 21, 23
<b>futile</b> 57:15	86:11 89:7	37:11, 12	56:7, 21
<b>futility</b> 83:19	98:11, 17	38:14, 23 39:5, 6, 15	40:20, 21, 25
<b>fuzzy</b> 34:4	103:22 110:6	41:2, 3, 6, 15, 17, 18, 20, 21, 24	42:3
< G >	113:25	44:25 52:4, 14	58:6, 12, 18
<b>gained</b> 108:9	<b>goal</b> 24:9	64:1, 17 65:20	59:8, 16, 19, 23
<b>gathered</b> 81:16	42:18, 24 43:5	66:1, 4, 7, 17	60:2, 9, 15, 18
<b>General</b> 5:3, 4	75:24	70:8, 13 77:21	61:7 62:1, 6
21:23, 24	<b>goals</b> 42:21		98:11, 21 99:1, 6, 9, 10, 12, 16, 25
26:22 65:21	66:8		102:8, 15, 20
105:19 108:10	<b>goes</b> 27:23		103:3, 7, 9, 12
109:15, 16	50:12 84:18		<b>heart</b> 110:6
<b>generally</b> 53:12	105:3	< H >	<b>held</b> 8:8
94:22 95:9	<b>going</b> 8:5	<b>half</b> 57:9	60:19 63:13
105:12, 17, 20, 25	9:23 14:11, 15	58:25	98:12 99:6
107:5 108:21	19:13 20:24	<b>Hall</b> 6:24	102:15
109:8 110:12, 13, 16	21:1, 11 22:12, 16	58:15 59:5	<b>Hello</b> 111:5, 6
<b>General's</b> 7:21	27:19	80:3, 12, 25	<b>help</b> 28:16
<b>generated</b> 87:17, 19	36:15 37:11	83:12 99:24	29:25 36:18
<b>generically</b>	40:19 46:20, 23	101:19, 24	52:9 53:8
30:11	49:4 53:9, 18, 19	102:14 103:6	55:20 62:12
<b>geographic</b> 72:10	57:14 61:1	<b>Hall's</b> 102:19	<b>helpful</b> 46:21
<b>Gerald</b> 32:11, 12	63:16, 18 73:9	<b>hand</b> 93:5	<b>helps</b> 48:13
<b>gestures</b> 11:21	76:10, 20 82:3	<b>handed</b> 101:4	<b>hereinafter</b>
<b>getting</b> 28:2	84:10 86:18	<b>handle</b> 102:22	38:18
	89:6 100:2	<b>handled</b> 93:2, 3	<b>hesitant</b> 107:12
	102:5 104:16	<b>handling</b> 21:24	<b>high</b> 15:24
	<b>Good</b> 9:10	<b>Hang</b> 21:5	88:14
	37:18 52:25	<b>happen</b> 81:12	<b>highly</b> 83:13



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>Hinaman</b> 88:17, 21, 25 89:9, 14 112:16	<b>important</b> 11:18, 24 29:25 41:20 97:18, 24	<b>interested</b> 102:3 115:11	24 49:23 50:9 103:22 111:7 114:4
<b>Hinaman's</b> 88:18	<b>inaccurate</b> 49:17 50:2, 13	<b>interests</b> 71:6	<b>jim.davis@alabamaa</b>
<b>historically</b> 62:4	<b>inappropriate</b> 98:5	<b>interim</b> 21:18, 19 27:18	<b>g.gov</b> 5:7
<b>Hogan</b> 3:6 8:11	<b>inaudible</b> 24:23 33:9 74:25	<b>interpreted</b> 30:5	<b>jim.mcclendon@alse</b>
<b>hold</b> 33:21 62:25	<b>include</b> 111:15 112:17, 21	<b>interviewed</b> 51:20 88:6	<b>nate.gov</b> 15:14
<b>home</b> 19:11	<b>including</b> 39:12 112:7	<b>introduce</b> 42:11 45:15, 21 48:20	<b>jimmcc@windstream.</b>
<b>hopefully</b> 20:4	<b>income</b> 73:2	<b>introduced</b> 45:25 48:18	<b>net</b> 15:13
<b>host</b> 62:20	<b>increase</b> 33:5	75:25 92:5 93:20, 23 94:1, 2 95:16 102:11	<b>job</b> 41:25 55:4 66:11 68:20 81:16 89:22, 23, 24
<b>hour</b> 49:5	<b>increased</b> 84:3	<b>introducing</b> 91:21	<b>jobs</b> 66:10
<b>hours</b> 18:15, 24 98:14 99:1	<b>incumbent</b> 78:4 96:6	<b>introduction</b> 34:16 40:4, 17	<b>JOHN</b> 1:10 5:1 7:13, 21
<b>house</b> 10:10 15:7 20:15 22:2 24:5, 10, 24 26:1, 6 27:3, 6, 21 28:7, 9 29:10, 15 30:6, 17 31:17, 23, 24 32:3, 4, 6, 7 45:19, 25 46:1 49:24 53:6 57:3 60:20 64:12 71:4 99:5 112:3, 13	<b>incumbents</b> 96:13 97:13, 21 98:7	<b>introductions</b> 8:10	<b>joint</b> 38:17 40:15
<b>Houston</b> 16:4, 5	<b>individual</b> 108:16 112:1, 15	<b>involved</b> 10:14 55:7 57:4 68:24, 25 70:7 103:17	<b>Jones</b> 14:22
<b>hundred</b> 37:19 79:5	<b>individuals</b> 82:6	<b>involvement</b> 31:11 45:1	<b>judge</b> 10:20
<b>hypothetical</b> 82:2, 3, 13	<b>information</b> 12:8 15:3 34:25 40:4 53:12 56:18 81:15 83:17 86:16 93:4	<b>issue</b> 20:8 23:24 78:1, 2, 10 81:14 86:5 105:14 107:7 108:25 109:3 110:16	<b>judicial</b> 45:7, 12
< I >	<b>initially</b> 53:23 95:3	<b>Issues</b> 21:7 30:25 70:2 108:2, 7	<b>JULIE</b> 4:1 8:17
<b>idea</b> 37:18 56:14 62:9 78:15 110:5	<b>injustice</b> 43:23	<b>items</b> 28:21	<b>July</b> 99:17, 18, 22
<b>identification</b> 35:23 36:25 47:10 61:13 64:4 76:16 94:14 100:23	<b>input</b> 55:17 102:17	<b>its</b> 40:4	<b>jump</b> 81:17
<b>II</b> 65:6 70:16	<b>inside</b> 66:4	< J >	<b>June</b> 58:20 59:9, 11 60:8 99:19
<b>III</b> 39:8 70:17	<b>insist</b> 82:11, 23	<b>Jackson</b> 8:2	<b>justice</b> 45:2 47:25 48:3 50:11 109:10, 13
<b>imagine</b> 37:22	<b>instruct</b> 29:4 112:16	<b>JAMES</b> 1:10, 20 5:9 7:7 8:21 9:25	< K >
<b>immediately</b> 74:15	<b>instructed</b> 12:21 13:5	<b>J-A-M-E-S</b> 10:2	<b>KAITLIN</b> 4:8
<b>implemented</b> 48:2	<b>instruction</b> 29:20	<b>January</b> 14:19	<b>Katherine</b> 9:2
<b>importance</b> 41:16	<b>instructions</b> 89:8	<b>jebenstein@aclu.or</b>	<b>KATHRYN</b> 3:11 7:25 9:11 15:2 21:5 23:4 35:7 36:11 49:4 65:16 100:13 113:16
	<b>interest</b> 70:20 71:1, 2, 7, 11, 13, 14, 17, 18, 20, 22, 23 72:1, 2, 5, 7, 8 73:6	<b>g</b> 4:6	<b>keep</b> 13:14 30:2 42:21, 24 43:1, 5 70:25 71:2, 3
		<b>Jefferson</b> 17:7 115:2	<b>kids</b> 16:21
		<b>JIM</b> 5:2 7:12, 20, 24 18:19,	<b>kin</b> 115:10
			<b>kind</b> 57:23 76:21

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>knew</b> 33:4	<b>law</b> 1:22 3:5,	<b>Letetia</b> 8:2	15 87:2 94:17,
89:21	12, 19 4:2, 9,	<b>letter</b> 58:22	20 95:8
<b>know</b> 12:6, 9,	17, 18 5:12	<b>letting</b> 77:3	100:17 101:3,
14 14:9, 16	24:12 25:24	<b>level</b> 73:2	13
17:19 18:5	29:9 30:1, 4	<b>liaison</b> 62:12	<b>looked</b> 19:5
19:24 27:17	31:5 35:15	103:14	22:15, 23
29:12 30:1	59:16, 18	<b>Liberties</b> 4:3,	41:12, 13 58:13
31:10, 20	66:18 97:18,	10	<b>looking</b> 36:22
33:22 37:13,	20 98:3 103:4	<b>license</b> 16:13	52:20 64:14
15, 17 40:20	<b>laws</b> 2:5 39:11	<b>licensed</b> 115:14	101:11, 18, 23
42:1, 4 43:3,	<b>lawsuit</b> 17:22	<b>Likewise</b> 11:24	<b>looks</b> 19:24
4, 7, 19 44:15,	23:4, 7, 8, 11	<b>line</b> 67:19	37:4 47:2
17, 18, 21, 22	<b>lead</b> 47:22	68:7, 17, 19	61:17 64:9
45:19 46:21	<b>leadership</b> 28:11	71:9	77:4, 5 100:19
48:17 57:20,	<b>leading</b> 2:11	<b>lines</b> 32:18, 19,	<b>Los</b> 3:8
21 58:3, 19	<b>LeAnn</b> 1:21	20, 23 66:3	<b>losers</b> 98:8
59:3 60:16, 22,	7:1 115:22	73:25	<b>lost</b> 48:21
24 61:2 63:4,	<b>led</b> 48:19	<b>list</b> 52:21	<b>lot</b> 53:19
11 69:10, 22,	<b>left</b> 61:21	<b>listen</b> 54:16	71:17 86:16
24 72:14, 21,	<b>Legal</b> 3:13, 20	<b>listening</b> 73:14,	107:19
24 74:6, 8, 9	9:11 67:6	16	<b>loud</b> 38:4
77:3 78:3	82:13 103:8	<b>litigation</b> 10:9	<b>Lovells</b> 3:6
79:17 82:2	<b>legislation</b>	20:3 111:16, 18	8:12
83:1, 3, 5, 8	108:3, 7	<b>little</b> 14:16	<b>low</b> 88:11
88:2 90:1	111:13, 19, 20	27:17 52:9, 10	<b>lower</b> 73:2
91:12, 14 92:8,	112:5, 7	53:17 84:4	<b>Lyman</b> 47:17
10, 12, 13 96:5	<b>legislative</b>	98:11	< M >
98:16 100:14	9:20 23:23	<b>living</b> 17:2	<b>ma'am</b> 29:7
105:16 107:19	26:18 27:9	<b>LLP</b> 3:6	40:24 45:10
110:2 111:23	36:13 38:11,	<b>loaned</b> 55:20	<b>main</b> 22:9
112:12 113:18	15, 17 40:5, 7	<b>local</b> 103:15	54:4, 5, 9 73:4
<b>knowledge</b> 12:14	45:22 56:15	<b>location</b> 60:1	<b>maintain</b> 16:13
46:6 59:20, 24	60:13 61:6	102:3	73:19
67:10 68:23	63:8 75:2	<b>locations</b> 55:22	<b>maintaining</b>
86:9 88:15	92:17 94:24	58:11, 18	73:10, 11, 18
103:5, 10 113:3	<b>Legislators</b>	102:1 103:16	<b>majority</b> 43:13,
<b>known</b> 41:24	39:24 40:12	<b>log</b> 113:17	17 46:5, 15
79:11	56:22	<b>logical</b> 84:19	47:19 50:24
<b>ksadasivan@naacpld</b>	<b>legislature</b>	<b>long</b> 16:18	51:6 52:4, 15
<b>f.org</b> 3:16	17:23 26:20	25:25 26:19	93:9, 13, 23
<b>kwelborn@aclualaba</b>	33:6 34:17	77:2 86:1	96:3 97:4, 7,
<b>ma.org</b> 4:13	38:7 40:10, 15	104:18 105:3,	10 112:17, 21
< L >	46:16 76:1	5, 7	<b>making</b> 9:14
<b>landed</b> 101:10	97:20 104:19	<b>longer</b> 78:7, 11	31:4 50:15, 21
<b>language</b> 14:7	105:11 107:4,	<b>look</b> 13:24	108:17
<b>Large</b> 1:22	20, 25 108:6,	14:2 22:14	<b>manner</b> 55:5
7:3 62:19	20 109:7, 19	23:2 29:9	60:1 103:3
<b>largely</b> 13:2	110:15	35:1 47:5	<b>map</b> 20:8 29:1,
<b>larger</b> 28:2	<b>legislature's</b>	49:2, 10 61:18,	19 30:20 33:1
<b>Laura</b> 59:5	38:17	25 64:8, 14, 15	34:9, 13, 16, 19
80:3	<b>lest</b> 40:20	67:20 74:2	35:1, 2 41:9
		79:18 84:13,	

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

42:2, 10, 12, 16	8:21 9:10, 25	92:4, 20 99:5	<b>MILLIGAN</b> 1:6
45:7 46:15	19:20 35:5, 25	101:25	3:3 7:13 8:1,
48:18 53:7, 11,	36:2 37:3	<b>meetings</b> 6:24	12, 13, 18 9:13,
14, 25 54:13,	46:24 47:13	29:2, 3, 6, 18	18 113:11
19, 24 55:6, 13	49:9, 23, 25	30:8, 23 33:20	<b>million</b> 84:5
56:7, 11 66:2,	50:10 51:18	34:2, 5 55:15	<b>mind</b> 23:8
20 67:4, 18	58:1 61:5, 9	56:2 62:10, 21,	25:15 29:7
68:6, 12, 16, 22,	63:18 64:7	22, 24 63:2, 3,	49:6, 8 77:3
24 69:1, 2, 8,	65:19, 22	4, 6 74:15, 25	79:22 84:11
13 73:20	70:17 79:23	75:9, 17 93:8	90:3 106:23
75:11 76:6, 7,	80:6 82:19	101:21 107:19	110:8
9 82:6 84:20	84:10 90:10,	<b>meets</b> 28:12	<b>Ministries</b> 8:3
87:25 88:5, 20	12 94:4, 18	<b>member</b> 26:5, 7	<b>minority</b> 39:14
89:21 92:4, 5	95:5, 8, 23	104:21, 24	46:5, 15 47:19,
93:3 95:16	98:19 100:4,	105:2, 4	23 48:4, 7
96:5, 20, 23	10 101:11	107:22 111:23	50:24 51:7
97:3, 12, 19	104:2 114:4	112:12	52:4, 15 65:10
102:3	<b>M-c-C-L-E-N-D-O-N</b>	<b>members</b> 20:13	78:4, 8, 11
<b>map-drawing</b>	9:25	22:10 27:21	87:3, 10 88:10
41:2 66:6	<b>mean</b> 13:24	30:1 32:3, 6	93:23 96:3
67:17	24:7 25:13, 18	33:2 34:21	97:4, 6, 9
<b>map-making</b> 64:19	27:9, 11, 14	40:10 42:12	<b>minus</b> 64:16
<b>maps</b> 28:13	29:16 38:24	57:2 58:24	<b>minute</b> 78:20
32:16 34:10	67:22 76:7	60:6, 13 69:5,	94:17, 20
40:9 74:5	78:17 81:16	7 76:3 79:1	<b>minutes</b> 49:1
75:25 76:2	87:1 97:7	91:22 96:6	<b>missed</b> 78:20
88:16 89:16	106:15, 18	101:25 102:6,	<b>mobile</b> 14:25
93:9 102:10	<b>Meaning</b> 8:25	8 105:12, 13	15:23
<b>mark</b> 19:14	11:14	106:1, 4, 6	<b>moment</b> 103:24
35:5 36:1	<b>means</b> 39:4	107:4, 6, 15, 16	<b>Monday</b> 113:21
46:24 61:5	106:16	108:6, 22	<b>money</b> 83:20
63:18 76:21	<b>meant</b> 22:12	109:2, 7, 9, 19,	<b>Montgomery</b> 1:23
94:4 100:4, 10	30:22 44:6	21 110:11, 13,	4:12 5:6, 15
<b>marked</b> 35:23	87:2 111:19	15 111:9 112:2	60:18 62:2
36:25 47:10	<b>media</b> 15:15	<b>memory</b> 48:14,	72:2, 3 99:5
61:13 64:4	<b>medication</b> 11:1	15 75:6	<b>Montgomeryadvertis</b>
76:16, 24	<b>meet</b> 18:23	<b>mention</b> 44:25	<b>er.com</b> 6:14
94:14 100:23	28:12, 23, 24,	<b>mentioned</b> 22:22	<b>monuments</b>
101:4	25 30:19	71:12	105:15 106:8
<b>marks</b> 7:11	56:22 88:21, 25	<b>MERRILL</b> 1:10	<b>motion</b> 95:19
50:4	<b>meeting</b> 21:13,	5:1 7:14, 22	<b>move</b> 8:6 48:7
<b>Maroney</b> 1:21	15 22:19	9:13, 19 111:8	52:23 68:6
7:1 115:22	28:17 30:20	<b>met</b> 18:14	74:25
<b>married</b> 16:16,	35:3 57:18, 23,	22:22 33:1	<b>moved</b> 67:19
18	25 63:12	69:2 75:1	95:23
<b>materials</b> 13:18,	70:12 74:12,	92:1	<b>multiple</b> 73:8
20 89:15	20 75:5, 13, 21,	<b>MICHAEL</b> 3:4	74:7
<b>matter</b> 7:13	23 76:13 77:8,	8:11	
98:4 109:15, 16	11 78:19, 21	<b>michael.turrill@ho</b>	<b>&lt; N &gt;</b>
<b>McCLENDON</b> 1:10,	83:15, 23	<b>ganlovells.com</b>	<b>N.W</b> 3:21
20 5:9, 10	85:14, 15	3:9	<b>NAACP</b> 3:13, 20
7:7, 12, 24	86:20 90:18	<b>middle</b> 72:11	8:3 9:11

Evan Milligan,et al v. John H.Merrill, et al.

Jim McClendon

12/17/2021

<b>name</b> 9:10, 24	40:14 47:1	<b>Okay</b> 8:9 13:6	<b>overlapped</b> 99:10
10:1 72:16, 17	75:23 85:20	19:23 25:25	<b>overseeing</b> 66:5
92:16 115:16	86:7, 10, 13	27:12 29:21,	
<b>names</b> 7:19	87:15 98:22	23 35:10	< P >
<b>nature</b> 25:20, 22	101:5 102:13	36:18 38:25	<b>p.m</b> 1:24 7:17
<b>nay</b> 97:1, 2	115:16	45:9 47:6	9:5, 8 51:14,
<b>NE</b> 4:19	<b>numbers</b> 15:5	51:10 52:6	17 90:6, 9
<b>necessarily</b>	33:4 54:18	58:3 61:23	99:2 114:5, 7
68:12 73:7	87:17	64:1 77:7	<b>P.O</b> 4:11
<b>necessary</b> 2:9	<b>numeral</b> 39:8, 25	78:25 85:24	<b>PAGE</b> 6:8
38:10		88:3, 8 93:18	37:24 39:7, 22
<b>need</b> 9:1 14:8	< O >	94:9 95:22	40:2 47:21
28:15 31:2	<b>oath</b> 10:17	96:1 98:24	49:22 79:22
43:18 49:5	<b>object</b> 12:18,	100:20, 25	80:1 84:12, 14
56:20, 21	25 24:9 90:22	101:6 103:24	86:19 95:4, 18,
67:20 81:6, 22	<b>Objection</b> 40:22	105:10 106:22	20, 24, 25
82:18 84:16	50:19 105:24	108:14 109:11	100:18 101:1,
89:19, 20	106:12, 14, 19	<b>old</b> 16:25	3, 6, 7, 8, 9, 10
102:23 109:25	<b>objections</b> 2:9,	<b>once</b> 33:3	102:12, 13
113:16, 21	12 9:1 12:19	54:25 66:3, 22	<b>paid</b> 17:17
<b>needed</b> 22:9	13:2	82:12 88:6, 7	<b>Paige</b> 5:20
33:4 55:4	<b>objectively</b>	109:25	<b>paired</b> 97:14, 22
56:13 80:9	102:16	<b>ones</b> 113:22	<b>paper</b> 66:4
81:15 82:9	<b>objectives</b> 70:12	<b>opinion</b> 67:7	<b>paragraph</b> 37:25
83:18 86:24	<b>obtaining</b> 45:2	81:14, 22	38:22 39:23
90:15 91:3, 7	<b>occur</b> 33:17	82:14 108:24	47:21 50:9
<b>neighborhoods</b>	68:21	<b>opinions</b> 82:20	84:14
70:20	<b>occurred</b> 98:14	<b>opportunity</b>	<b>paragraphs</b> 39:9
<b>neither</b> 65:9	99:1, 12	44:10 46:14	49:25 50:7
115:9	<b>October</b> 6:20	50:24 93:12,	70:22
<b>never</b> 74:10	75:20, 23	16 96:22 97:9	<b>Pardon</b> 20:11
83:7 86:10, 12	76:12 77:8	102:17	68:14 89:3
104:4	78:19 83:23	<b>optometrist</b>	<b>part</b> 28:10
<b>New</b> 3:15 4:5	85:15 86:19	16:14 17:11	37:6 50:14
74:10	90:17 92:3	<b>Optometry</b> 16:7,	52:20 55:1
<b>news</b> 47:16	<b>offered</b> 2:14	13 17:9	67:16 71:13,
<b>nodding</b> 11:21	76:9 95:20	<b>oral</b> 7:8	16 91:19 99:21
<b>normally</b> 77:19	<b>Office</b> 5:4	<b>order</b> 21:21	<b>participate</b>
<b>North</b> 115:23	7:21 15:6	25:24 55:3, 4	102:4
<b>NORTHERN</b> 1:2	20:19 24:17	59:13	<b>particular</b>
7:16	26:3 40:8, 11,	<b>ordered</b> 83:18	22:18 65:24
<b>Notary</b> 1:21	18 101:21	<b>organizations</b>	67:19 68:17
7:2	<b>offices</b> 1:22	110:2	70:12
<b>notes</b> 19:6	<b>official</b> 9:19	<b>original</b> 62:9	<b>particularly</b>
<b>notice</b> 9:17	105:6	<b>OSHER</b> 4:16	71:2
96:12	<b>officials</b> 70:15	6:3 8:15	<b>parties</b> 1:18
<b>November</b> 6:22	<b>Oh</b> 13:24	103:21 104:1	2:11 102:3
94:6 95:10	35:13 47:6	106:22 110:21	110:15 115:10
<b>Number</b> 7:14	63:3 71:15	113:14	<b>parts</b> 72:6
14:23, 25 15:8	78:25 94:9	<b>outside</b> 45:24	<b>party</b> 23:11
22:15 33:23,	104:4	75:10 81:16	25:2, 4 104:22
24 39:19			105:2, 5, 12, 13

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

106:2, 5, 6	<b>Plaintiffs</b> 1:8	<b>polarization</b>	<b>PRESENT</b> 5:19
107:5, 6, 16, 19,	3:3 4:15 8:1,	69:20 77:12,	7:18 18:21
22 108:1, 2, 10,	12, 14, 16, 18	14, 24 80:14,	93:5
11, 21, 23	9:13 103:20	15 81:25	<b>presentation</b>
109:8, 9, 20, 21,	111:2 113:11,	84:25 85:11,	40:5
25 110:1, 4, 12,	15	23 90:20, 24	<b>pretty</b> 16:10
13	<b>Plaintiff's</b> 6:9,	<b>polarized</b> 78:17	28:19 36:16
<b>pay</b> 23:5	11, 13, 15, 17,	79:9, 14 80:4	53:6 72:10
<b>PDF</b> 101:7	19, 21, 23	82:10, 24	87:13
<b>pending</b> 14:10	35:22 36:24	<b>policies</b> 25:19	<b>previously-</b>
108:3, 6	47:9 61:12	64:21, 24 65:2	<b>approved</b> 48:5
<b>people</b> 110:2	64:3 76:15	<b>policy</b> 25:21	<b>primary</b> 25:3
<b>percent</b> 37:19	94:13 100:22	26:24 39:16	42:24 43:5
64:16 79:5	<b>plan</b> 40:3	65:24 70:16, 24	<b>principles</b> 52:3
80:9 84:3, 23	45:3 46:4	<b>political</b> 25:2	<b>Pringle</b> 18:20,
85:10, 20 86:7,	47:18, 22 48:1,	70:20 71:2, 6,	23 22:23 55:9,
11, 12, 25 87:9,	2 49:24 50:10,	12	13 57:4 104:8
15 90:17, 21	25 51:7 52:2,	<b>polls</b> 44:11	<b>prior</b> 2:14
91:1 96:17	13 58:10 65:8,	<b>population</b> 33:3,	20:24 21:1, 11,
<b>percentage</b> 84:21	17 91:15 95:1	5 38:12 40:9	12 22:18
<b>percents</b> 86:14	96:4, 10	43:6, 13, 17	26:11 54:10
<b>perception</b> 73:1	111:25 112:14,	47:24 48:4	63:13 64:19
<b>period</b> 27:23	18, 21	80:8, 10 84:1	74:16 91:17
28:3 30:15	<b>planning</b> 57:6	86:23 87:9, 21	92:2
<b>permanent</b> 9:20	<b>plans</b> 39:19, 23	90:14 96:16	<b>privilege</b> 90:23
27:9, 14, 20	40:17 42:6	<b>portion</b> 77:11	113:17
38:17	45:16 93:13	<b>possible</b> 10:20	<b>probable</b> 83:13
<b>permit</b> 39:16	<b>play</b> 35:17	70:25 71:5	<b>probably</b> 29:24
<b>permitting</b> 46:4	58:5	<b>potential</b> 69:18,	46:22 57:8
<b>person</b> 28:13,	<b>please</b> 7:18	24 84:24 85:22	61:23, 24 63:8
25 29:19	9:23 10:1	<b>power</b> 82:4, 23	66:25 67:1, 15
30:20 41:9	12:1, 6, 9, 12	<b>practicable</b>	73:3, 4 85:18
42:2 58:1	13:14, 17 14:2,	70:21	86:16 89:6
69:4 78:4	9 37:24 38:2	<b>precedent</b> 97:24	101:16
88:7, 8	39:7 45:10	<b>preclearance</b>	<b>problem</b> 44:1, 2,
<b>personable</b> 82:20	47:4 80:16, 23	39:20 44:25	5 49:12 67:20,
<b>personal</b> 12:14	81:4 84:11	45:3, 7, 12	21, 22 68:7
15:3, 12, 15	85:6 91:5	<b>preference</b>	97:3
<b>personally</b> 57:13	94:18 100:4	108:16	<b>problems</b> 43:23
<b>personnel</b> 55:20	<b>plus</b> 64:15	<b>premed-type</b>	<b>Procedure</b> 7:5
<b>phone</b> 8:7	<b>point</b> 12:7	16:10	<b>proceedings</b> 7:9
13:14 14:25	24:4 32:14, 15,	<b>preparation</b>	115:5, 8
15:5, 6	17 42:15 54:4,	18:17, 22 93:7	<b>process</b> 22:16
<b>phrase</b> 29:8	6, 8, 9 56:25	<b>preparations</b>	27:25 28:6, 12
<b>pick</b> 102:8	86:18 107:14	28:11	33:7 34:9
<b>picking</b> 98:8	<b>points</b> 6:10	<b>preparatory</b> 14:7	37:12 39:20
<b>picks</b> 86:13	19:6, 23 20:7	<b>prepare</b> 18:12	40:5 41:2
<b>pit</b> 98:6	21:7, 8 22:3,	22:14 57:12	45:12 52:24
<b>pitted</b> 96:6	7, 8, 9, 13	92:22, 25	53:17 57:7, 12
<b>place</b> 8:6	23:1 35:8	<b>prepared</b> 56:14	64:19, 23 65:3
70:14 77:17	93:7	<b>preparing</b> 58:17	66:3, 6 67:17
93:4			

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

70:7 88:19	<b>pursuant</b> 7:4		38:18, 19 39:5
89:15 91:19	37:25 38:5	<b>&lt; R &gt;</b>	40:6, 8, 11, 18
<b>produce</b> 74:3	<b>put</b> 34:14	<b>race</b> 43:9	42:6, 9 53:2
84:20	35:2 47:18	44:10 108:17	54:20, 23
<b>produced</b> 20:2	52:21 58:13	113:1	55:15, 16 56:5,
39:23 47:16	63:10 96:6, 13	<b>races</b> 79:21	10 57:3 60:10,
67:9, 13 100:16	<b>putting</b> 66:3	<b>racial</b> 39:14	14 61:6 62:25
<b>production</b>		42:25 43:2, 3,	63:25 64:18
113:19	<b>&lt; Q &gt;</b>	22, 23 44:1, 2,	65:4, 22 74:13,
<b>programs</b> 108:18	<b>question</b> 9:2	5 69:19 73:12,	20 75:6, 10, 21
<b>projected</b> 56:19	12:2, 5, 8, 18,	21, 23, 24 74:1	76:3, 13 77:9
<b>proposals</b> 40:13	20 13:1, 4	77:11, 13, 17,	82:5, 24 85:15
<b>proposed</b> 40:3	14:10, 11	23 78:2, 10	86:20 90:18
45:3, 15 68:19	26:16 34:7, 24	81:25 84:25	91:25 98:10
96:23 97:19	37:20 40:23	85:10, 23	<b>reason</b> 10:23
102:2, 7	43:8, 15 44:4	90:19, 24	49:16 50:1, 8,
<b>proposing</b> 45:6,	45:20 49:9, 20	<b>racially</b> 78:17	12 74:19
11	51:4 54:7, 15	79:9, 14 80:3,	108:25
<b>protections</b>	58:4 64:25	14 82:10, 24	<b>recall</b> 12:7
39:12	69:10, 11	<b>ran</b> 25:6	37:11 42:8
<b>proved</b> 42:13	72:22, 25 83:2	<b>Randy</b> 88:17, 18	45:18 48:24,
57:15	86:1, 3 92:11	112:16	25 50:15, 21,
<b>provide</b> 11:3, 7	95:3 97:25	<b>RC</b> 100:11, 15	23 51:6, 9
40:11 89:8, 14	98:24 105:22	101:5 102:13	62:15 96:5
<b>provided</b> 20:7	106:1, 11, 24	<b>reach</b> 53:25	<b>received</b> 54:14,
38:9	107:13 109:11,	<b>read</b> 17:24	25 58:23
<b>provides</b> 43:24	14 110:7, 8	18:2, 3, 4	59:12 95:12
48:15	<b>questioning</b>	19:12, 22	101:16
<b>providing</b> 102:17	10:18	37:24 38:2, 22	<b>receiving</b> 54:10
<b>Public</b> 1:21	<b>questions</b> 2:10,	39:7, 8, 22	57:16
6:16 7:2	11 11:2, 3, 6,	41:3 44:7	<b>Recess</b> 9:6
24:16, 17 33:6,	7 14:16 49:3	48:23 50:15	51:15 90:7
13 40:4 55:14,	85:25 103:19,	80:5, 11, 16, 24	<b>recognizable</b>
17, 21, 23 56:7,	20, 21 104:6,	81:4 85:3, 6,	42:22
21 58:6, 12, 18	14, 17 111:1	7 86:4	<b>recognize</b> 36:8
59:8, 15, 18, 23	<b>quick</b> 67:18	<b>reading</b> 2:2	37:2, 5, 8, 9,
60:1, 9, 14, 18,	<b>quickly</b> 40:19	<b>ready</b> 49:15	10 47:12
19 61:6 62:1,	46:25 51:19	56:25 58:14	64:13 94:7
6 98:11, 21, 25	67:1 73:15	<b>real</b> 107:12	101:9, 10
99:6, 7, 9, 10,	77:1	<b>really</b> 19:22	<b>record</b> 8:8
12, 13, 16	<b>quite</b> 18:1	23:4, 5 45:8	9:5, 8, 24
102:7, 9, 17, 19	34:23 44:3	48:21 51:19	11:20, 21
103:3, 7, 9, 12	53:15 77:1	69:5 77:6	12:10, 19 13:3
105:15 106:8	<b>quotation</b> 50:3	108:24	51:14, 17 90:6,
<b>pull</b> 36:19	<b>quote</b> 48:22	<b>reapportionment</b>	9 113:24, 25
63:18	49:17, 19, 20	6:12, 18 9:21	<b>Rector</b> 3:14
<b>pulled</b> 94:16	50:2, 7 68:3	27:10, 13, 15	<b>red</b> 78:9
<b>purpose</b> 22:7	90:13	30:7, 18, 21	<b>redacted</b> 15:3
48:7 65:9	<b>quoted</b> 47:20	31:14, 18, 23	<b>redistrict</b> 38:10
<b>purposes</b> 10:18	50:1	32:6, 10 33:21	<b>redistricting</b>
70:12	<b>quotes</b> 50:14	34:8, 12 36:14	10:7, 10 17:22
		37:10, 16	20:14, 15, 17,

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon

12/17/2021

19, 20 21:17, 25 22:17 23:11, 14 27:5, 7, 8, 12, 19, 20, 23 28:6, 9, 17 29:16 30:13 33:7 38:16 39:19 40:3, 9, 16 42:5 45:12, 16, 21, 23 46:13 48:1, 2 52:14, 23 56:16 57:7, 12, 19, 22 58:2, 6, 24 59:19 60:7 63:15, 25 64:18, 21 65:3, 8, 20 70:18 75:3 84:6 88:19, 22 91:18, 24 92:5, 18, 20 94:23 98:7, 12 111:15, 24 112:7, 14 <b>reduce</b> 48:7 <b>reducing</b> 48:4 <b>reelection</b> 87:7 <b>refer</b> 13:17, 20 113:22 <b>referred</b> 38:18 <b>referring</b> 19:21 84:16 86:24 <b>reflection</b> 50:18 <b>reform</b> 109:10, 14 <b>refresh</b> 48:13 <b>regarding</b> 69:18 <b>regular</b> 63:9 75:13 <b>related</b> 87:8 108:2 <b>relating</b> 2:5 <b>relationship</b> 84:23 85:1, 9, 11, 20 <b>rely</b> 82:20 <b>remained</b> 42:19 <b>remedy</b> 43:25 <b>remember</b> 19:10 21:4 23:5 24:12 33:18,	19, 23 34:7 46:1, 2, 19 48:16 51:20, 23 52:1 58:20 76:8 77:10 79:15, 21 83:25 88:24 89:1 92:21 107:11 <b>remotely</b> 13:13 <b>removal</b> 106:7 <b>removing</b> 105:14 <b>Rep</b> 49:23 50:9 <b>repeat</b> 91:5 <b>rephrase</b> 12:6 <b>Reporter</b> 7:1 8:24 11:13, 19, 20 19:14 20:4 32:12 35:5 36:1 43:14 44:7, 13 46:24 52:8 61:4 63:17 113:24 115:15 <b>Reporting</b> 115:14 <b>represent</b> 7:19 9:12 20:2 47:15 76:11 77:7 95:11 <b>representation</b> 85:14 <b>Representative</b> 18:20 48:18 55:9, 12 58:15 59:5 60:4 69:3 78:8, 11 79:3, 8 80:3, 12, 25 83:11, 12 84:14 86:3, 6, 21 87:12, 20, 24 88:2, 6 99:24 101:19, 24 102:14, 18 103:6 104:8 <b>representatives</b> 20:22 24:24 26:6 56:1 112:3, 13 <b>represented</b> 18:8 <b>representing</b> 88:10 111:7	<b>republican</b> 25:4, 5, 6, 8, 9, 12, 13 104:22, 23, 25 105:2, 4, 13 106:6 107:6, 16 108:5, 11, 23 109:9, 21 110:13 <b>republicans</b> 109:2, 12 110:3 <b>request</b> 6:24 40:11 59:14 85:8 99:25 101:20 113:19 <b>requested</b> 58:15 91:4, 8 99:24 <b>requesting</b> 58:25 <b>requests</b> 113:23 <b>require</b> 39:15 73:12 77:23 102:1, 3 <b>required</b> 12:20 13:4 16:13 38:7 66:19 67:3 68:1 91:10, 13 <b>requirement</b> 67:10 <b>requirements</b> 67:13 <b>requires</b> 70:24 73:21 102:7 <b>residents</b> 109:23 110:18 <b>respect</b> 29:17 54:19, 24 68:21 70:19 86:3 90:16 97:12 <b>respective</b> 1:18 <b>respond</b> 13:4 102:18 <b>response</b> 80:12, 16 81:4 85:3, 6, 12 96:11 <b>responsibilities</b> 28:8, 18 30:17 53:4, 13 54:12, 18, 22 56:6, 11 69:16 <b>responsibility</b> 29:17 82:8	<b>responsible</b> 69:8, 12 <b>responsive</b> 12:8 <b>result</b> 115:11 <b>results</b> 84:24 85:23 <b>retired</b> 17:9 <b>retreat</b> 47:23 <b>retreats</b> 48:2 <b>retrogression</b> 39:13 47:23 48:19 50:4 51:24 <b>review</b> 19:1 22:6, 18 28:14 38:8 58:11 93:9 <b>reviewed</b> 19:5, 17 22:3 <b>revisions</b> 40:16 <b>rich</b> 72:12 <b>right</b> 51:21 70:9 71:8 74:8 80:2, 19 101:24 106:21 107:16 <b>Rights</b> 39:8, 18, 21 43:20 47:25 50:11 65:7, 11, 14 66:9, 12, 20 67:5, 7, 11, 14, 22 68:1, 3, 8, 18 69:9, 14, 18, 24 77:20 82:7 91:16 97:21 <b>rise</b> 77:22 <b>risk</b> 87:4 <b>Road</b> 14:22 <b>role</b> 10:8 28:5 29:2, 25 30:8, 9, 22, 23 31:16 34:8, 12 35:18 45:6, 11 53:1 56:4, 9 58:5 66:5 88:18 <b>roll</b> 34:20 <b>Roman</b> 39:25 <b>room</b> 13:13 104:8 <b>ROSS</b> 3:18 8:13
---	--	---	--



Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon

12/17/2021

<b>Roughly</b> 10:6	60:23 62:12	22:2 24:5, 10	<b>set</b> 47:24
42:19 78:13	98:20 102:7	26:7, 9, 21	53:8 55:22
<b>RPV</b> 78:16, 17,	<b>scheduling</b>	27:21 29:10	56:24 59:10, 16
18 81:9, 12, 19	28:16 62:5	32:9 45:19	<b>setting</b> 55:2
83:10, 23	<b>school</b> 15:24	53:3, 5, 13	58:5 59:22
84:17 85:22	17:3	54:20, 23 56:5,	<b>Sewell</b> 86:15
86:24 90:16	<b>scrapped</b> 59:13	9 65:3, 20, 22	87:20, 24 88:3,
92:8	<b>screen</b> 19:15,	82:4, 23 93:3,	6
<b>R-Springville</b>	19 46:25 61:3	6, 21, 24 94:1,	<b>Shalela</b> 8:1
49:24	63:19, 24	2, 6, 22 95:10,	<b>share</b> 19:18
<b>Rule</b> 40:14	76:11 94:8	11, 14 111:10,	46:25 61:3
59:22	100:3	24	63:19 76:11
<b>rules</b> 2:5 7:5	<b>Scroll</b> 19:23	<b>Senator</b> 7:24	100:3
21:21 40:15	95:2 100:13	17:13, 14, 15	<b>shared</b> 22:9
41:10	<b>scrolling</b> 100:11	19:20 35:25	49:22 53:20
<b>rulings</b> 66:18	<b>second</b> 47:21	37:2 47:12	54:17
<b>run</b> 25:1, 8, 9	49:6 61:10	49:9, 25 51:18	<b>sheet</b> 113:18, 22
104:23	64:8 74:12	58:1 61:8	<b>show</b> 19:15
	75:5 84:13	64:7 65:19, 21	46:23 48:6
<b>&lt; S &gt;</b>	102:12	80:5 82:19	53:21
<b>SADASIVAN</b> 3:11	<b>secret</b> 29:12, 14	90:10 94:17	<b>showing</b> 61:16
6:2 7:25 8:1	<b>Secretary</b> 7:21	95:5, 7, 16, 20,	100:9
9:3, 9, 11	35:11 47:16	23 96:3, 10, 20,	<b>side</b> 70:4
31:9 35:9, 13	111:7	23 97:12	<b>signature</b> 2:2
36:12, 18, 21	<b>Section</b> 39:21	103:24 104:2	<b>significant</b>
49:8, 13 51:3,	43:20, 22 44:8,	106:23 110:23	102:4 109:22
11 52:10 61:1	12, 14, 18, 23	111:5, 9 113:6,	110:17
63:16, 22	45:1 65:6, 11,	11	<b>similar</b> 19:24
65:18 76:20,	14 66:20 70:16	<b>senators</b> 20:21	61:18
25 90:3 93:17	<b>see</b> 19:22, 23	111:21	<b>simply</b> 70:6
94:11 100:7,	28:15 32:5	<b>sense</b> 21:14	108:25
15, 19 103:18	36:19 38:1	28:1 82:18	<b>single</b> 29:24
113:10	39:3 50:6, 24	<b>sent</b> 101:21	70:6
<b>safe</b> 87:13	61:2 62:1, 3	<b>sentence</b> 39:1	<b>Singleton</b> 95:6,
<b>satisfied</b> 42:14	63:20, 24 74:1,	85:7	16 103:19, 22
<b>saw</b> 62:14	9, 16 76:18	<b>September</b> 55:25	111:2
<b>saying</b> 47:21,	77:10, 19 80:2	56:3	<b>Singleton's</b>
22 48:24	83:6 89:6	<b>sequence</b> 53:22	96:23
51:23 56:20	94:8 95:9, 25	<b>serve</b> 25:25	<b>sir</b> 25:11
80:13 107:23	103:16 110:1	31:22 32:7	35:9 61:22
<b>says</b> 30:4	<b>seeing</b> 51:6	<b>served</b> 9:17	76:25 78:24
41:4 61:6	55:2 95:4	26:2, 19 27:2,	94:11 98:1, 23
70:19 80:5	<b>seen</b> 64:6, 10	3, 5	100:2 103:24
86:10, 14	101:14, 15	<b>service</b> 24:16	<b>sitting</b> 17:25
100:11, 15	<b>select</b> 75:22,	<b>serving</b> 104:18	90:11 113:12
101:24 102:5,	24 76:6 103:8	105:10 107:25	<b>situation</b> 98:5
14 113:22	<b>selected</b> 31:6,	<b>session</b> 45:22	<b>six</b> 99:20, 23
<b>scan</b> 40:19	22 32:2	56:15, 16 57:1	<b>slow</b> 52:8, 12
77:1, 2	<b>selection</b> 31:12,	63:8, 9, 14	73:13
<b>schedule</b> 6:16	16	74:17 75:2	<b>smaller</b> 28:2
31:1 53:8	<b>senate</b> 15:13	92:2, 17, 23	<b>Smitherman</b> 80:1
55:2 58:6, 10	19:8 20:9	93:1 94:24	<b>social</b> 15:15

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>socially</b> 25:16, 17	<b>staff</b> 20:13 40:11 55:16, 17 58:9, 23 60:3 62:8 88:8 101:21 103:13	<b>steps</b> 57:11 88:13	<b>sure</b> 12:13, 23 15:7 28:20 30:10 31:4 37:23 41:5, 7, 9, 15 42:18 44:9 45:25 54:15 60:25 79:5 84:8 91:20 93:21 107:10 109:5 112:17 114:2
<b>socioeconomic</b> 73:2	<b>staffed</b> 20:20	<b>STIPULATED</b> 1:17 2:1, 8	<b>surprise</b> 104:4
<b>software</b> 74:3, 4, 5, 6 87:18	<b>standing</b> 21:13, 15, 20, 22 22:1, 10, 19 93:5	<b>stipulation</b> 7:6	<b>surprised</b> 60:24 74:23
<b>soil</b> 72:12, 19	<b>Stars</b> 3:7	<b>stipulations</b> 8:24	<b>suspect</b> 80:18
<b>solutions</b> 43:24	<b>start</b> 57:6 61:20 94:25 106:3	<b>stop</b> 29:21	<b>suspicious</b> 77:17, 22 78:10
<b>somebody</b> 86:13	<b>started</b> 45:18 46:2 53:16 54:5 57:8 62:9 66:3 70:14	<b>Street</b> 1:23 3:14, 21 4:4, 19 5:14 115:23	<b>swear</b> 8:19 76:5
<b>sooner</b> 20:25	<b>starting</b> 32:14, 15, 17 42:15	<b>strength</b> 39:14 65:10	<b>sworn</b> 8:22 10:17
<b>Sorry</b> 14:6 22:12 23:9, 19, 20 24:1, 2 26:13, 14, 17 34:3 35:8, 14 36:3 39:22 43:14 44:13 51:3 62:23 63:22 73:15 80:23 85:4 106:21	<b>State</b> 1:22 7:3, 19, 21 9:24 12:13 15:7 20:15, 20 38:6, 7, 11, 15 39:11 47:16 48:6 60:20 61:20 62:11 64:12 72:11 96:16, 17 98:3 99:5 109:23 113:18, 19 115:1	<b>strike</b> 56:8	<b>system</b> 17:7 36:16 40:8 55:19 58:8 60:4 62:20 74:10 103:15
<b>sort</b> 8:7 18:15 19:25 56:19 59:2, 12 86:7	<b>stated</b> 51:19 103:2	<b>studied</b> 16:11	<b>&lt; T &gt;</b>
<b>SOS</b> 47:1	<b>statement</b> 44:7 50:16, 22 105:18, 21 109:17 113:18	<b>study</b> 19:12 80:4, 15 81:3, 7 82:10, 25 84:25 85:8, 11	<b>tacked</b> 77:18 99:20
<b>sound</b> 48:10	<b>statements</b> 11:20	<b>subdivisions</b> 70:20	<b>take</b> 16:8 19:11 34:13 35:11 41:5, 7 49:11 51:11 79:18 88:13 90:4 94:17, 20 109:25
<b>Southern</b> 16:3, 9	<b>STATES</b> 1:1 7:15 38:6 39:11 65:6, 12	<b>subgroups</b> 44:10	<b>taken</b> 1:21 9:6 51:15 90:7 104:12 115:5, 8
<b>southerner</b> 67:1	<b>state's</b> 48:1	<b>subject</b> 39:20	<b>takes</b> 97:24
<b>spaces</b> 105:15 106:8	<b>stay</b> 30:10 31:4 41:4 66:4	<b>submit</b> 34:16 91:23	<b>Talk</b> 6:10 24:15 41:16, 23 67:1 87:20, 24
<b>speak</b> 11:25 109:3	<b>staying</b> 41:14	<b>submitted</b> 34:13	<b>talked</b> 18:15 33:1 41:19 42:1 53:23 58:7 67:15 83:24
<b>speaker</b> 31:24	<b>Ste</b> 3:7, 21 4:19 5:14	<b>submitting</b> 91:18	
<b>speaking</b> 73:15	<b>step</b> 49:5	<b>subsequent</b> 65:25 67:8	
<b>special</b> 56:16 57:1 63:13 74:17 75:2 92:2, 17, 23 93:1 94:24		<b>subsequently</b> 30:5	
<b>speculate</b> 43:18		<b>subset</b> 75:14, 16, 17	
<b>speculation</b> 53:20		<b>substitute</b> 76:8 95:20	
<b>spell</b> 9:24		<b>suddenly</b> 98:7	
<b>spent</b> 53:17, 19		<b>sufficient</b> 81:6	
<b>spilled</b> 56:2		<b>suggest</b> 87:5	
<b>spread</b> 35:19 62:11		<b>suggested</b> 79:20 88:3	
<b>spring</b> 88:23 89:9		<b>suggestions</b> 60:7, 8	
<b>Springville</b> 14:22 15:25		<b>Suite</b> 115:23	
		<b>summarized</b> 22:20	
		<b>summarizes</b> 28:19, 21	
		<b>summary</b> 22:8 23:3, 7, 8	
		<b>supersedes</b> 98:3	
		<b>support</b> 25:1	
		<b>supports</b> 108:11, 12	

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>talking</b> 19:22	78:3 96:12	51:14, 17 52:7	<b>transcription</b>
20:7 21:6, 7,	107:14	53:15, 17, 19	115:6
8, 16 22:3, 7,	<b>things</b> 25:23	55:18 56:21,	<b>travel</b> 102:2, 4
8, 13 23:1	27:14 28:20,	22 57:9, 10	<b>trial</b> 2:13
30:11, 12, 14	22 30:19	59:15 60:1	23:18, 20
31:8 34:10	53:22 55:3, 4	67:15 68:12	<b>tried</b> 57:13
35:8 49:21	62:13 96:12	83:20 90:6, 9,	65:19 93:2
57:22, 24, 25	<b>think</b> 21:10	11 99:7, 13, 19	<b>Trojan</b> 62:16
65:16 70:9, 17	25:4 28:19, 21	103:2 104:5,	<b>trouble</b> 8:4
107:15	37:17, 21	22, 25 108:9	<b>Troy</b> 62:15
<b>Tallapoosa</b> 1:23	46:17 50:17	110:22 112:20	<b>true</b> 12:14
5:14	52:8 55:24	113:12 114:4	115:7
<b>target</b> 23:24	58:20 59:11	<b>timeline</b> 54:1,	<b>trust</b> 26:23
24:7 58:20	60:3 62:14	21 56:24 57:14	<b>truthful</b> 10:24
<b>targeted</b> 99:19	63:3, 21 67:15	<b>timelines</b> 56:12	<b>truthfully</b> 10:19
<b>targeting</b> 86:6	70:1 73:1	<b>timely</b> 55:5	<b>try</b> 19:13
<b>teacher</b> 17:3	76:4 77:25	<b>times</b> 55:23	41:4 53:8
<b>team</b> 28:11	78:9 79:4, 5,	68:5, 9, 15	64:24 66:24
<b>technical</b> 40:12	19, 24 80:21	70:1 99:15	110:7
<b>telephone</b> 14:23	81:20 82:17	103:7, 8, 11	<b>trying</b> 48:21
<b>tell</b> 33:22	83:10 84:4, 8	<b>timing</b> 53:21	53:16, 25
36:4, 7 61:18	85:16 87:6	102:14, 19	<b>Tuesday</b> 74:16
90:19 96:2	88:6 93:20, 22	<b>title</b> 64:15	75:1 92:1
<b>ten</b> 10:6 27:5	97:3, 8, 15	<b>today</b> 9:16	<b>turn</b> 24:3
<b>tenure</b> 26:19	98:17 102:21,	10:24 11:16	26:12 62:23
<b>term</b> 73:16	23 103:18	13:18, 21	<b>turned</b> 101:1
107:11	105:4, 16, 17,	17:19, 25 18:8,	<b>turning</b> 79:22
<b>terms</b> 26:2, 4	19 106:9, 10	13 19:18	84:11
27:4 97:17	<b>thinking</b> 57:8	22:14 73:14	<b>TURRILL</b> 3:4
108:14	63:7, 13	75:11 104:5	8:11
<b>test</b> 77:16, 18	<b>third</b> 56:3	109:24 110:19	<b>twice</b> 99:18
<b>testified</b> 8:22	63:5 70:16	<b>today's</b> 9:14	<b>Twitter</b> 15:20,
23:10 73:17	<b>thought</b> 50:18	11:9	21
<b>testify</b> 10:19	83:7, 16 85:4	<b>told</b> 29:5, 6	<b>two</b> 15:10
23:18, 20	<b>threat</b> 87:6	55:24 88:5	19:4 34:2, 5
<b>testimony</b> 10:24	<b>threatened</b> 78:13	90:24 91:2, 6,	39:7, 9 46:4,
73:9 102:10	<b>three</b> 26:2, 4	9	15 47:19
<b>Texas</b> 16:5	27:4, 20, 21	<b>topic</b> 110:9, 10	49:25 50:24
<b>Thank</b> 9:14	97:24	<b>topics</b> 64:16	51:6 52:4, 14
13:11 14:6, 14	<b>threshold</b> 85:21	<b>town</b> 63:11	57:9 63:3
26:17 35:13	86:8	<b>transcribed</b>	74:14, 21
38:4, 21 49:13	<b>Thursday</b> 74:17	115:5, 8	75:10, 23 85:1
51:10, 12	76:1 92:2, 19	<b>transcribing</b>	93:9, 13, 22
52:17 63:22	<b>time</b> 2:12, 13	11:14	96:3, 6, 13
76:25 90:10	7:17 9:5, 8	<b>Transcript</b> 6:20,	97:8, 13 98:6
98:23 104:5	10:7, 11 12:18,	22 76:12 77:8,	101:2 110:1
107:1 110:21,	24 13:1 14:9	10 79:18	<b>two-year</b> 58:8
22 113:6, 11, 15	17:16 27:23	80:18, 24	62:8, 10
<b>thereto</b> 2:14	28:3, 16 30:15	86:19 94:5, 21	
<b>thing</b> 31:3	31:1, 7 32:21	95:8, 12, 14, 15	<b>&lt; U &gt;</b>
33:10 54:5	37:23 41:23	115:7	<b>U.S</b> 38:9 39:17
57:13 73:4	45:9 50:18		<b>ultimately</b> 93:6

Evan Milligan, et al v. John H. Merrill, et al.

Jim McClendon  
12/17/2021

<b>undergraduate</b> 16:2	<b>Usual</b> 8:24	<b>Voting</b> 39:8, 14, 17, 21 43:13,	21 51:18
<b>underneath</b> 113:20	< V >	17, 20 47:25	102:22 103:22
<b>underpopulated</b> 84:7	<b>value</b> 83:16	50:11 65:7, 10,	<b>wanted</b> 22:11
<b>understand</b> 9:16	<b>VAP</b> 80:21 81:5	11, 14 66:9, 12,	55:24 87:4
10:18 11:2, 6,	<b>various</b> 94:23	20 67:4, 7, 11,	88:9 93:4
9, 13, 22 12:3,	<b>venues</b> 60:17	14, 22 68:1, 2,	<b>Washington</b> 3:22
5, 10, 22 13:3,	<b>verbal</b> 11:19	7, 17 69:9, 13,	4:20 5:5
7, 16 14:4, 12	<b>versus</b> 7:13	18, 24 77:14,	<b>waste</b> 83:20
18:1 23:19	9:13, 19	20 78:18 79:9,	<b>way</b> 24:10
34:23 44:4	<b>VIDEO</b> 1:9	14 80:4, 7, 10,	68:16, 19
54:15 78:21	95:12	17, 20, 21 82:7,	71:16 83:5
81:24 82:19	<b>videoconference</b>	10, 25 86:22	84:19 100:14
107:23	11:11	87:9, 21 90:14	105:4
<b>understanding</b>	<b>Videographer</b>	91:16 96:15	<b>ways</b> 71:18
45:9 67:25	5:20 7:11	97:21	<b>web</b> 11:10
70:23 77:13	8:9, 19 9:4, 7	<b>VRA</b> 45:1 92:6	<b>week</b> 56:3
78:16, 18 79:8,	51:13, 16 90:5,	<b>VS</b> 1:9	92:19
10 97:18	8 114:3		<b>weeks</b> 55:25
112:24	<b>view</b> 105:11	< W >	<b>WELBORN</b> 4:8
<b>understood</b>	108:10	<b>wait</b> 11:25	35:17 36:10
41:17 52:17	<b>viewed</b> 102:16	12:1 78:20	61:19 75:16
<b>undertake</b> 81:8,	<b>views</b> 105:11	<b>waived</b> 2:3	78:22 79:24
11, 25 82:11	106:2, 4, 5	<b>WALKER</b> 5:11	94:10 100:13,
83:4, 22	107:4 108:20,	7:23 8:25	17 113:25
<b>undertaken</b> 82:1,	22 109:7, 12,	12:17 13:24	<b>welcome</b> 103:23
25 83:12	13, 19, 20	15:2 18:11, 24	110:24 113:7
<b>unfold</b> 53:9	110:11, 12, 16	21:5 22:23	<b>well</b> 10:1
55:4	<b>violate</b> 68:17	29:4, 20, 23	15:6 17:15
<b>unfortunately</b>	91:16 92:5	31:7 35:7, 10,	19:16, 24
74:24	<b>violation</b> 69:24	15, 19 36:3, 6,	20:19, 24 21:9,
<b>Union</b> 4:3, 10	<b>violations</b> 69:18	20 40:22 47:3,	10, 25 22:6, 15
<b>UNITED</b> 1:1	<b>virtually</b> 69:4	6 48:11 49:4,	25:3 26:3, 21
7:15 38:6	88:7	12, 19 50:19	27:5 28:10, 19
39:11 65:11	<b>vote</b> 22:11	51:12 52:12	29:21 30:9
<b>universities</b>	34:20, 22, 25	61:10, 15 63:2,	35:2, 19 39:4
62:5	39:6 76:3, 7	21 65:15 66:2	41:3, 24 43:18
<b>University</b> 16:4	81:5 87:12	76:21, 23	46:21 48:15
<b>unnecessary</b>	93:12, 16	81:18, 21	50:3, 14 52:18
90:20, 25	95:15, 24	82:13 83:15,	53:15 55:1, 16
<b>unsatisfactory</b>	96:22, 25 97:2	22 90:19, 22	59:9 60:19
102:15	111:12	92:16 93:15,	62:3, 7 64:14
<b>unwarranted</b>	<b>voted</b> 52:5, 16	18, 25 94:4, 9	65:25 66:15
39:13	96:2, 9, 19	100:3, 6, 10, 16,	67:6 68:2
<b>update</b> 32:23	97:13 111:24	20 101:1, 4	70:1, 25 71:25
<b>updated</b> 28:15	112:13	102:24 105:24	73:1, 22 76:11
<b>upper</b> 61:21	<b>voters</b> 48:8	106:16, 20	77:5 78:25
<b>use</b> 41:18	78:6 87:10, 12	110:25 113:8,	80:17 82:8, 12
73:23, 24 81:2	97:10 98:9	16 114:2	83:21 86:14
	<b>votes</b> 95:24	<b>want</b> 8:19	87:10 89:21
	111:21 112:5, 9	24:21 44:7, 16,	91:17 92:24
			94:17 98:2, 16
			101:12 104:3,

Evan Milligan, et al v. John H. Merrill, et al.

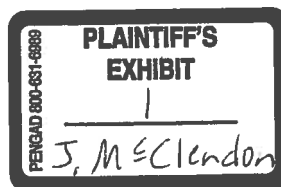
Jim McClendon  
12/17/2021

4, 23 105:3	49:20 62:15	
106:18 107:18	78:13, 15 96:1	
well-kept 29:11	98:18 114:2	
went 22:1	year 57:9	
26:2, 3 67:17	years 10:6	
84:4	16:19 27:6, 18	
we're 13:12, 13	57:9 82:15	
30:11 35:15	104:20, 21	
36:22 52:6	105:10 107:3,	
70:9, 17 74:21	11, 25	
75:11 84:19	Yep 80:1	
101:23	yesterday 18:14,	
west 72:11	24 22:22	
we've 45:23	100:16	
47:6 49:4	York 3:15 4:5	
79:17		
win 78:11	< Z >	
winners 98:8	Zero 99:8, 11	
wish 23:9	Zoom 3:18	
40:12	4:15 8:10	
witness 2:3		
7:7 8:7		
29:21 47:5		
61:17 106:14		
wondering 53:18,		
19 71:13		
word 25:14		
34:3 50:4		
78:14, 20, 23		
words 50:5		
99:9		
work 9:11		
17:8, 15 36:16		
40:9 55:3		
58:9 59:2		
89:7 103:16		
worked 58:9		
69:5 83:6		
108:1, 5		
working 17:14		
66:16 70:15		
102:16 110:14		
works 18:16		
81:23		
worth 28:22		
worthwhile 83:16		
writing 11:15		
wrong 98:20		
< Y >		
Yeah 26:10		
33:13 39:3		

### TALK POINTS FOR LIKELY ISSUES, No. 1

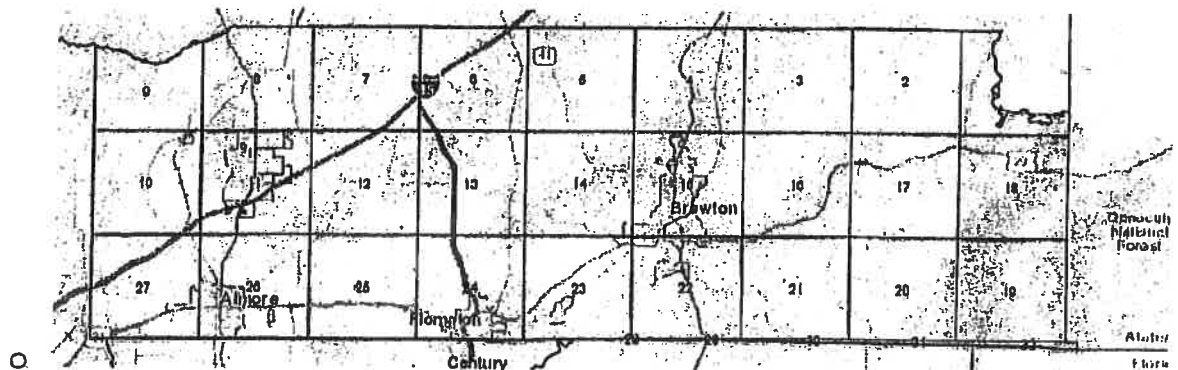
- The Barry Moore Congressional Plan

- Sen. Will Barfoot (SD25, Crenshaw, Elmore, and Montgomery) and Rep. Mike Holmes (HD31, Elmore) are sponsoring an alternative Congressional Plan for Congressman Barry Moore.
- This plan, called "The Preferred Congressional Plan for Alabama," originally differs from the Committee's plan in several respects, but Rep. Holmes will offer an improved version called the "Holmes Congressional Plan 1," that is identical to the Committee's plan *except* that takes a county split that the Committee's plan has in Moore's district, CD2, and transfers it to Terri Sewell's district, CD7.
- In the Committee's plan, Moore has a sliver of east Escambia County populated by 739 people. In Moore's plan, that county split is moved to Monroe County, where it gives Sewell an additional 739 voters.
- Under the Committee's plan, Moore has 2 county splits and Sewell has 3. Under Moore's plan, he has only 1 county split and Sewell has 4 – more than any other Member of Congress.
- Moore's only stated argument for relocating the split is that with Escambia County, his district has the most counties of all districts: 16. The unstated argument, of course, is that Sewell is a Democrat and too bad if she gets dumped on.
- The problem, of course, is that Sewell is not only a Democrat, she's Black, and this may look like race discrimination to a federal court. In fact, the number of splits in Terri Sewell's district was the first



objection brought up by Black Committee members when the Reapportionment Committee met Tuesday.

- Bill Harris, Moore's District Director explained why Moore did not want the Escambia County split: it's an additional county that Moore has to service and each additional county takes more work for Moore and his staff, and he already has 15 counties. But this same argument works for Sewell. Each new county split is more work for her, no less than Moore, and she already has 3 splits. No other Member has more than 2.
- Also, the part of Escambia County given to Moore has no incorporated cities, and a great deal of it is in the Conecuh National Forest:



- The burden of representing this sparsely populated, unorganized area of Escambia County is a light one. There is no civic group or city council, *etc.*, that has to be courted.
- There's no doubt that adding another county split to Sewell's district – especially if done in committee or on the floor – will be argued as racially discriminatory by plaintiffs attacking the Moore Plan if the Legislature adopts it in favor of the Committee Plan.



- o We can't say if that claim will be successful. It depends in large part on how skillfully it is argued, but clearly, if the Legislature adopts the Moore Plan instead of the Committee Plan, it puts an unnecessary lighting rod on CD7 that is sure to draw attention from the three-judge court or the Supreme Court, and will give them one more reason to see the plan as racially biased. Should that happen, we'll be having a special session to correct the plan, and possibly new elections.

### TALK POINTS FOR LIKELY ISSUES, No. 3

- The League of Women Voter's Plan
- The League of Women Voter's Plan is a whole-county plan. It does not split any county. But it has a lot of problems.
- The plan puts two incumbents in the same district, CD3. Rep. Mike Rogers lives in Calhoun County, and Rep. Gary Palmer lives in Shelby County. Both counties are in CD3. This violates section II(j)(i), which says: "Contest between incumbent shall be avoided whenever possible."
- Section 2 of the Voting Rights Act requires the Legislature to draw a majority-Black district when it's possible to do so, generally speaking, and the Reapportionment Committee's Congressional Plan demonstrates that it's possible to draw one. In the Committee's plan, CD7 is majority Black and has a strong Black Voting Age Population, or "BVAP" of 54.4%. The LWV's plan has no majority-Black district. Instead, it has only two districts – CD6 and CD7 - with high BVAPs compared to the other Congressional Districts. Thus the LWV Plan violates Section 2 of the Voting Rights Act.
- CD6 consists of 4 whole counties: Jefferson, Bibb, Hale, and Perry. Terri Sewell lives in this district. The BVAP for CD6 is 40.44%, which is well below a majority.
- CD7 is made up of 18 counties: Bullock, Butler, Choctaw, Clarke, Conecuh, Crenshaw, Dallas, Greene, Lowndes, Macon, Marengo, Monroe, Montgomery, Pickens, Sumter, Tuscaloosa, Washington, and Wilcox. Eighteen counties is far more than any other districts has.
  - CD1 has only 4,

- CD2 has 12,
  - CD3 has 11,
  - CD4 has 12,
  - CD 5 has 6, and , as I've mentioned,
  - CD 6 has only 4.
  - The BVAP for CD7 is only 45.82% - better than CD6 but still less than a majority. And unlike CD6, in which Representative Terri Sewell resides, there is no incumbent in CD7. It seems unlikely that a Black Democrat candidate without the strength of incumbency will carry a district that is only 45.82% BVAP. It seems more than likely that CD7 is not a Black district at all.
- CD7 violates the race-neutral criteria in the Reapportionment Committee's Redistricting Guidelines in several ways:
    - Guideline II(h) says: "Districts will be composed of contiguous and reasonably compact geography." CD7 is contiguous, but it is not reasonably compact. It starts in Tuscaloosa and executes a huge curve south and then east, ending in Macon and Bullock Counties, just short of the Georgia line.
    - Guideline II(j)(iv) says: "The Legislature shall try to minimize the number of counties in each district." It's apparent that no attempt was made to minimize the number of counties in CD7. To the contrary, the LWV *maximized* the number of counties in CD7 in order to get as many Black persons in the districts as possible.

- Guideline II(j)(iv) says: "The Legislature shall try to preserve the cores of existing districts." CD 7 as drawn by the LWV does not do that. Existing CD7 has 10 whole counties and 4 split counties. The LWV plan adds to CD7 7 completely new counties – Bullock, Butler, Conecuh, Crenshaw, Macon, Monroe, and Washington – and removes 3 counties – Hale, Jefferson, which is the population core of the existing CD7, and Perry. So, the LWV's CD7 does not preserve the core of the existing CD7.
- The LWV Plan does not preserve the core of existing CD2. At present, CD 2 has 14 whole counties and part of another, Montgomery. The whole counties are: Autauga, Barbour, Bullock, Butler, Crenshaw, Coffee, Conecuh, Covington, Dale, Elmore, Geneva, Henry, Houston, and Pike. The LWV's proposed CD2 loses 7 of these counties – Autauga, Bullock, Butler, Crenshaw, Conecuh, Elmore, and Montgomery. It retains only 7 of its current counties – Barbour, Covington, Coffee, Dale, Geneva, Henry, Houston, and Pike. And it picks up an additional 5 completely new counties – Chambers, Elmore, Lee, Russell, and Tallapoosa. The LWV's CD2 does not preserve the core of the existing district.
- The LWV plan also does not preserve the core of CD3. Presently, CD 3 has 11 whole counties – Calhoun, Chambers, Clay, Cleburne, Lee, Macon, Randolph, Russell, St. Clair, Talladega, and Tallapoosa – and parts of two other counties – Cherokee and Montgomery. But as drawn by the LVW, CD# has 11 whole counties, of which only 6 are in the present CD6. These are Calhoun, Cherokee, Clay, Cleburne, Randolph, and Talladega. CD 3 gains 5 entirely new counties – Autauga, Chilton, Coosa, Etowah, and Shelby, and loses 7 that it currently includes – Lee, Chambers, Macon, Montgomery, Russell,

St. Clair, and Tallapoosa. The LWV's CD3 does not preserve the core of the existing district.

o

- CD6 and CD7 are both racial gerrymanders. A district is racially gerrymandered when a substantial number of people have been included in it, or excluded from it, because of race. There is no way these districts were drawn race-blind. In fact, CD6 and CD7 are drawn as they are *because of race*. Not only that, but in order to draw these districts, as we've just seen the LWV trampled on or subordinated the Legislature's race-neutral criteria.
- Drawing districts to have a Black population majority might be OK if it were done in order to comply with Section 2 of the Voting Rights Act and there were a strong basis in evidence to support it. But the Voting Rights Act does not apply to districts like CD6 and CD7 that are below 50% BVAP. CD6 and CD7 are not majority-Black districts; they are what are called "influence districts," and the Voting Rights Act does not apply to them. It necessarily follow that CD6 and CD7 violate the Equal Protection Clause, because they classify voters by race without a compelling state interest in doing so.
- The LWV Plan violates the Guidelines, and the law, in another way. Guideline II(b) says: "Congressional districts shall have minimal population deviation." The Committee's plan complies with this requirement. Six of the Committee's Congressional Districts has the same population, and the other Congressional District has one additional person. But instead of minimal deviation, the LWV Plan has a total deviation of 2.47%. That would be OK if it were any type of plan *except* a Congressional plan, but Congressional plans must have zero deviation. 2.47% is well in excess of what the Guidelines and Supreme Court case law allow. This deviation will not pass muster in federal court.

- The LWV is aware of the problem caused by their plan's excessive total deviation. And they will make the argument that this excessive total deviation is allowed by a case the Supreme Court decided in 2012 called *Tennant v. Jefferson County [West Virginia] Commission*. The Tarrant case is very specific to the facts the Court was considering in that case, and that case does not apply to Alabama. The LWV argues in the complaint they filed in federal court that their plan's excessive total deviation "can be justified as a remedy of the racial gerrymander preserved in the 2011 plan and by Alabama's historic policy of preserving whole counties." This is just an argument, and it's one that have not been tested in federal court. We believe it's wrong, and that in Alabama, congressional plan must have minimal deviation.

#### **TALK POINTS FOR LIKELY ISSUES, No. 4**

- The Faulkner Congressional District Plan No. 1
  - The Faulkner Congressional Plan No. 1 changes the Committee's Plan in Jefferson County only.
  - The Faulkner Plan takes Homewood out of CD7, which is represented by Terri Sewell, and put it in CD6, represented by Gary Palmer.
  - If this plan is passed, it will be sued as violating the Voting Right Act. In response to such a lawsuit, the State might argue that taking Homewood from CD7 and putting it in CD6 is politically motivated, but there is a strong possibility that a court would the change view it as racially motivated. If so, it's a fair conclusion that the court would find that the reassignment of Homewood was a race-conscious change made without the necessary "strong basis in evidence." This would lead to a holding that the plan violates the Voting Rights Act and the Equal Protection Clause.
  - In addition, the Faulkner Plan increases CD7's BVAP from 54.22% to 57.58%. This increase in Black BVAP is likely to draw an allegation that more Black residents have been put into CD7 than are necessary, which is called "packing," and which violates the Voting Rights Act and the Equal Protection Clause.



### **The Jabo Waggoner Substitute Plan**

Q: Why was it OK to have Homewood in CD6 and the Centerpoint precincts in CD7 in 2010 but now it's not OK?

A: Two factors are involved. First, in three cases after the 2010 Census, the Supreme Court required that districts be drawn race-blind, and so the Congressional Plan was. Second, there was a need to add 53,000+ people to CD7, and most of them had to come from Jefferson County, given that many of the other counties in CD7 lost population under the 2020 Census. Together, these factors led to the inclusion of population-dense Homewood into CD7. In addition, it was necessary to give the CD7 incursion into Jefferson County more of an East-West shape, rather than a North South shape, in order to prevent claims that this part of Jefferson County was a racial gerrymander. This is a consequence of the fact that Section 5 is no longer enforceable, and explains why what was OK in 2010 and was approved by the Justice Department then is not OK in 2020, and would not be approved by the Justice Department today. Consequently, when these changes were made, the tip of the 2010 incursion – the Centerpoint Precincts – were not needed and were put into C6.

Q: Why can't they just be switched back?

A: The two Homewood Precincts are majority white. The four Centerpoint-area precincts are majority black. Switching black and white precincts at this point, after the plan was drawn race-blind, would be a race-conscious action that would violate Section 2 of the Voting Rights Act unless it were done in fulfillment of a "compelling state interest." Under the Voting Rights Act, the State has no compelling interest in making these race-conscious reassignments.

**Hassell Senate Plan No. 1 Compared  
with  
McClendon Senate Plan No. 1**

**Pairing Incumbents in the Same Districts**

The Hassell Plan pairs 8 incumbent Senators in 4 districts:

- 14 – Pairs Senators Chambless and Weaver
- 27 – Pairs Senators Price and Watley
- 17 – Pairs Senators Reed and Shellnut
- 8 – Pairs Senators Butler and Givhan

The McClendon Plan, which the Senate has passed, does not pair any incumbents.

**County and Precincts Splits**

The Hassell Plan splits 31 counties and 320 precincts.

The McClendon Plan splits 19 counties and 13 precincts.

The McClendon Plan does a much better job of respecting communities of interest and keeping counties whole.

**Significantly Changes Shapes of Senate Districts**

A cursory look at the Hassell Plan shows that it makes major changes to Senatorial Districts, from top to bottom of the State. Just a few examples:

McClendon's SDs 4, 5, and 6 are largely combined into Hassell SD 2.

The Jefferson County Districts are more or less redrawn

SD 34 goes from being part of Mobile County to including parts of Clarke, Choctaw, and Mobile Counties and all of Washington County

Many more changes are apparent merely by looking at the two maps. The McClendon Plan is based on repeated meetings with Senators over the past 2 and a half months; working with Senators to give them what they wanted or to work out compromises. There's no indication that Hassell met with anyone, or has Senatorial buy-in to his plan. If the House starts changing Senate Districts that Senators have agreed to, it can only expect that the Senate will do likewise to House Districts.

## Committee Draft Congressional Plan

### Talking Points

1. In developing this plan, all Congressional Representatives were met with in person and then subsequently over the phone or on Microsoft Teams until their concerns had been addressed. An exception is Representative Mo Brooks, who is running for another office. He did not want to meet in person and sent a staff member in his stead. All Representatives had input into this plan.
2. This plan meets our Committee Guidelines.
  - a. It complies with Section II of the Voting Rights Act and the Equal Protection Clause.
  - b. There is minimal population deviation between the districts. Six of the districts are at ideal population -- 717,754 and the 2<sup>nd</sup> District is one person over.
  - c. It respects counties to the extent possible given the requirement for equal population.
  - d. It does not require any incumbents to run against each other.
  - e. All districts are contiguous and reasonably compact.
  - f. It respects communities of interest.
  - g. It preserves the cores of existing districts.
3. It splits a minimum number of counties and VTDs (or precincts) -- 6 counties are split and 7 VTDs are split to get to zero deviation. An improvement over current law which splits 7 counties.

Splits are:

  - Lauderdale County between districts 4 and 5
  - Tuscaloosa County between districts 4 and 7
  - Jefferson County between districts 6 and 7
  - Chilton County between districts 3 and 6
  - Montgomery County between districts 2 and 7
  - Escambia County between districts 1 and 2
4. This plan contains one majority-black district with a BVAP of 54.22%.

### Hatcher Congressional Plan No. 1

- This plan purports to have two majority-Black districts. These are CDs 2 and 7. CD7 has a BVAP of 52.55%, but CD2's BVAP is only 50.05%. That means CD2 is a majority-Black district by only .05% . This is not a functional majority, and given the margin of error in the Census data, it may not even be a majority-Black district at all. By comparison, the Reapportionment Committee's plan, which the House has passed, has one majority-Black district with a strong BVAP of 54.22. So the Hatcher Congressional Plan reduces the BVAP of CD7 in order to draw a district, CD2, as only marginally majority-Black. Reducing the BVAP of CD7 to create a majority-Black district that may not in fact be majority-Black is likely to draw a "cracking" lawsuit in violation of the Voting Rights Act.

- The Hatcher Congressional Plan No. 1 splits 13 counties. The Reapportionment Committee's plan has only 6 county splits.

- The Hatcher Congressional Plan No. 1 puts two pairs of incumbents in the same district. CD1 contains the residences of both Rep. Carl and Rep. Moore. In addition, it puts Rep. Sewell and Rep. Palmer both in CD6.

**Walker, Dorman**

---

**From:** Walker, Dorman  
**Sent:** Monday, November 1, 2021 2:50 PM  
**To:** Donna Overton Loftin (donna.overton@alsenate.gov)  
**Cc:** Randolph Hinaman (sharh1@comcast.net)  
**Subject:** FW: Coleman plan

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Monday, November 1, 2021 2:33 PM  
**To:** Rep. Chris Pringle (chris.pringle@alhouse.gov) <chris.pringle@alhouse.gov>  
**Cc:** Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>  
**Subject:** Coleman plan

1. The finger into Jefferson County is a racial gerrymander. It's a lot like what was in the 2010 plan, which also was a racial gerrymander but was protected by the non-retrogression standard of Section 5. Section 5 is no longer in effect, it is necessary to correct the CD7-Jefferson County racial gerrymander. The Committee's plan does that. The Coleman plan does not do that, and I believe that there's a strong risk that a federal Court will look at CD7 in the Coleman plan and say redraw that district.
2. Congressional plans require minimal deviation from ideal population. So do the Guidelines. The Coleman plan does not meet minimum deviation: CD1 has +7 people, CD4 has +42, CD6 has -71, and CD7 has +22. These deviations from ideal population are not constitutional in a Congressional plan.
3. The Black Voting Age Population of CD7 is 61.07, which is more than it needs for that district to perform as a majority Black district. That level of BVCAAP will lead to a packing charge in federal court.

**BALCH**  
A B. BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: [dwalker@balch.com](mailto:dwalker@balch.com)  
[www.balch.com](http://www.balch.com)

---

**CONFIDENTIALITY:** This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.



## THE ALABAMA LEGISLATURE

### STATE OF ALABAMA

#### REAPPORTIONMENT COMMITTEE GUIDELINES

#### FOR CONGRESSIONAL, LEGISLATIVE, AND STATE BOARD OF EDUCATION REDISTRICTING

May 2011

Pursuant to the Constitution of the United States and the Constitution of the State of Alabama, the Alabama State Legislature is required to review 2010 Federal Decennial Census data provided by the U.S. Bureau of the Census to determine if it is necessary to redistrict Alabama's congressional, legislative, and State Board of Education districts because of population changes since the 2000 Census. Accordingly, the following guidelines for congressional, legislative, and State Board of Education redistricting have been established by the Legislature's Permanent Joint Legislative Committee on Reapportionment, (hereinafter referred to as the "Reapportionment Committee").

#### I. POPULATION

The total Alabama resident state population of 4,779,736 persons, and the population of defined subunits thereof, as reported by the 2010 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.

#### II. EQUAL POPULATION REQUIREMENT: ONE PERSON-ONE VOTE

The goal of redistricting is equality of population of congressional, legislative, and State Board of Education districts as defined below.

##### 1. Congressional Districts

The Apportionment Clause of Article I, Section 2, of the United States Constitution requires that the population of a state's congressional districts in a state be "as nearly equal in population as practicable." Accordingly, Congressional redistricting plans must be as mathematically equal in population as is possible.





## **2. Legislative And State Board of Education Districts**

In accordance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, legislative and State Board of Education districts will be drawn to achieve "substantial equality of population among the various districts."

a. Any redistricting plan considered by the Reapportionment Committee will comply with all relevant case law regarding the one person, one vote principle of the equal protection clause of the 14th Amendment of the United States Constitution, including but not limited to the cases of *Larios v. Cox*, 300 F. Supp. 2d 1320 (N.D. Ga. 2004) *aff'd sub nom Cox v. Larios*, 542 U.S. 947 (2004), and *White v. Regester*, 412 U.S. 755 (1973). When presenting plans to the Reapportionment Committee, proponents should justify deviations from the ideal district population either as a result of the limitations of census geography, or as a result of the promotion of a consistently applied rational state policy.

b. In keeping with subpart a, above, a high priority of every legislative and State Board of Education redistricting plan must be minimizing population deviations among districts. In order to ensure compliance with the most recent case law in this area and to eliminate the possibility of an invidious discriminatory effect caused by population deviations in a final legislative or State Board of Education redistricting plan, in every redistricting plan submitted to the Reapportionment Committee, individual district populations should not exceed a 2% overall range of population deviation. The Reapportionment Committee will not approve a redistricting plan that does not comply with this requirement.

## **III. VOTING RIGHTS ACT**

1. Districts shall be drawn in accordance with the laws of the United States and the State of Alabama, including compliance with protections against the unwarranted retrogression or dilution of racial or ethnic minority voting strength. Nothing in these guidelines shall be construed to require or permit any districting policy or action that is contrary to the United States Constitution or the Voting Rights Act of 1965.

2. Redistricting plans are subject to the preclearance process established in Section 5 of the Voting Rights Act.

## **IV. CRITERIA FOR CONGRESSIONAL, LEGISLATIVE, AND STATE BOARD OF EDUCATION DISTRICTS**

1. All congressional, legislative, and State Board of Education districts will be single-member districts that comply with the population-equality standards discussed above.

2. A redistricting plan will not have either the purpose or the effect of diluting minority voting strength, shall not be retrogressive, and shall otherwise comply with Sections 2 and 5 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments to the Constitution.

3. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations that stereotype voters on the basis of race, color, or membership in a language-minority group.

4. All legislative and congressional districts will be composed of contiguous and reasonably compact geography.

5. The following legislative redistricting requirements prescribed by the Alabama Constitution shall be complied with:

a. Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.

b. House and Senate districts shall be drawn on the basis of total population.

c. The number of Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.

d. The number of Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.

e. The number of House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.

f. The number of House districts shall not be less than 67.

6. The following redistricting policies contained in the Alabama Constitution shall be observed to the extent that they do not violate or conflict with requirements prescribed by the Constitution and laws of the United States:

a. Each House and Senate district should be composed of as few counties as practicable.

b. Every part of every district shall be contiguous with every other part of the district. Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.

c. Every district should be compact.

7. The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:

a. Contests between incumbent members of Congress, the Legislature, and the State Board of Education will be avoided when ever possible.

b. The integrity of communities of interest shall be respected. For purposes of these Guidelines, a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic

interests; county, municipal, or voting precinct boundaries; and commonality of communications. Public comment will be received by the Reapportionment Committee regarding the existence and importance of various communities of interest. The Reapportionment Committee will attempt to accommodate communities of interest identified by people in a specific location. It is inevitable, however, that some interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.

c. Local community and political leaders and organizations and the entire citizenry shall be consulted about new district lines.

d. In establishing congressional and legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling state interests requiring equality of population among districts and the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.

## **V. PLANS PRODUCED BY LEGISLATORS**

1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.

2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.

3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.

4. In accordance with Rule 23 of the Joint Rules of the Alabama Legislature (2011) all amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office.

5. Drafts of all redistricting plans which are presented for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, must be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data Bank.

## **VI. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS**

1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.

2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.
3. Transcripts of all public hearings shall be made and maintained as part of the public record, and shall be available to the public.
4. The Reapportionment Committee will hold public hearings at different locations throughout the State in order to actively seek public participation and public input.
5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding congressional, legislative, and State Board of Education redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.
6. Notices of all Reapportionment Committee meetings will be posted on the fifth, sixth, seventh, and eighth floors of the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.

## **VII. PUBLIC ACCESS**

1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.
2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.
3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.
4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented for consideration by the Reapportionment Committee must:
  - a. Be clearly depicted on maps which follow 2010 Census geographic boundaries;
  - b. Be accompanied by a statistical sheet listing total population and minority

population for each district and listing the census geography making up each proposed district;

c. Stand as a complete statewide plan for redistricting, or, if presenting a partial plan, fit back into the plan which is being modified, so that the proposal can be evaluated in the context of a statewide plan (i.e., all places of geography must be accounted for in some district);

d. Comply with the guidelines adopted by the Reapportionment Committee.

#### 5. Electronic Submissions

a. Electronic submissions of redistricting plans will be accepted by the Reapportionment Committee.

b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.

c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.

#### 6. Census Data And Redistricting Materials

a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.

b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.

c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the legislature.

### Appendix.

#### **ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA**

The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be on either a flash drive or CD ROM. The software used by the Reapportionment Office is the Esri Redistricting Online (RO) Solution.

The electronic file should be in DOJ format (Block, district # or district #, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. The Esri RO Solution has an automated plan import that creates a new plan from the block/district assignment list.



Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank RO Solution plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in the RO Solution.

In order for plans to be analyzed with our attribute data, to be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.

Example (DOJ FORMAT BLOCK, DISTRICT #)

SSCCCTTTTTTBBBB,D

SS is the 2 digit state FIPS code

CCC is the 3 digit county FIPS code

TTTTTT is the 6 digit census tract code

BBBB is the 4 digit census block code

, a comma goes before the district number

DDDD is the district number

(The above format is also acceptable with a blank space in place of the comma).

**Contact Information:**

Legislative Reapportionment Office  
Room 811, State House  
11 South Union Street  
Montgomery, Alabama 36130  
(334) 242-7941

**For questions relating to reapportionment and redistricting, please contact:**

Ms. Bonnie Shanholtzer  
Supervisor  
Legislative Reapportionment Office  
[district@al-legislature.gov](mailto:district@al-legislature.gov)

Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information contained on their Member pages of the Official Website of the Alabama Legislature.





# montgomeryadvertiser.com

## House approves congressional redistricting plan



Written by

**Brian Lyman**

2:10 AM, Jun. 2, 2011

The Alabama House of Representatives approved a congressional redistricting plan Wednesday despite protests from the Montgomery County delegation over the map splitting the county among three congressional districts.

The map divides Montgomery County between the 2nd, 3rd and 7th districts. The county is currently split between the 2nd and 3rd districts.

The House approved the map 65-37. The Senate approved a similar plan last week, but a conference committee replaced that version with an older map; the Senate must concur in the changes.

Reps. Joe Hubbard, D-Montgomery; John Knight, D-Montgomery; and Jay Love, R-Montgomery all voted against the proposal. Rep. Greg Wren, R-Montgomery, did not vote.

Members of the Montgomery delegation in the House and Senate have complained

that that dividing the county between three districts would dilute Montgomery's voice in Congress.

"You deal with three different people who are unlikely to agree on different things," said Hubbard.

Wren voiced similar sentiments.

"You wouldn't want to see your county cut into three districts, but that's what's happened here," he said.

Montgomery representatives offered several alternatives that would have split Montgomery County between two districts, but were voted down. Rep. James Buskey, D-Mobile, offered another alternative that, he said, does not "crack" Montgomery and would increase minority representation in the 2nd Congressional District. Under the approved plan, the 7th Congressional District would be about 63 percent black, which Buskey objected to.

"That's stacking," he said. "That's stacking

Advertisement

### Protect Your Home with ADT!



[Click Here  
to Learn More!](#)

Print Powered By FormatDynamics™

# montgomeryadvertiser.com

blacks in a congressional district, (and) there's no need to do so."

Rep. Jim McClendon, R-Springville, who carried the plan in the House, said the Buskey plan would lead to "retrogression," or a retreat from minority population benchmarks set by the Justice Department.

Under the Voting Rights Act, the DOJ must approve the state's redistricting plan before it can be implemented. If the redistricting plan retreats from Justice Department benchmarks -- such as reducing minority population in a previously-approved congressional district -- the state must show that it had no discriminatory purpose in the move and did not reduce minority voters' "effective exercise of the electoral franchise."

"This plan, as far as the Justice Department and Voting Rights Act goes, it's a failure," McClendon said.

The Senate plan passed last Thursday was changed late in the day by Senate Rules Chairman Scott Beason, who made alterations to a map sponsored by Rep. Micky Hammon, R-Decatur. Beason's work altered the boundaries of the 6th Congressional District, where he lives.

A conference committee removed Beason's changes this week, restoring Hammon's version.

Members of the Legislature from other locations have also raised objections to the map. Shoals-area officials are concerned about splitting Lauderdale and Colbert

County in two congressional districts. Tuscaloosa representatives have attempted to adjust the congressional boundaries embracing their county.

Advertisement

**Protect Your Home  
with ADT!**



Print Powered By FormatDynamics™

College/Other Location:	Campus Location	Address	Date/Time	Link to Meeting
Drake State	Lecture Hall and Cafetorium	3421 Meridian St North Huntsville, AL 35811	Wednesday, September 1st - 9 AM	<a href="#">Drake State Meeting</a>
Northwest-Shoals	Hospitality House Shoals campus	800 George Wallace Blvd Muscle Shoals, AL 35662	Wednesday, September 1st - 11 AM	<a href="#">Northwest-Shoals Meeting</a>
Calhoun	Health Sciences Building - Room 109 Main Campus	6250 Highway 31 North Tanner, AL 35671	Wednesday, September 1st - 2 PM	<a href="#">Calhoun-Ayers Campus Meeting</a>
Northeast Alabama	Theater Auditorium	138 Alabama Highway 35 Rainsville, AL 35986	Wednesday, September 1st - 4 PM	<a href="#">Northeast Alabama Meeting</a>
Snead State	Fielder Auditorium - Administration Building	102 Elder Street Boaz, AL 35957	Thursday, September 2nd - 9 AM	<a href="#">Snead State Meeting</a>
Wallace-Dothan	Cherry Hall Benceze Theater - Main campus	1141 Wallace Dr Dothan, AL 36303	Thursday, September 2nd - 11 AM	<a href="#">Wallace-Dothan Meeting</a>
Bevill State	Earl McDonald Auditorium, Bevill Center Fayette campus	2631 Temple Ave N Fayette, AL 35555	Thursday, September 2nd - 2 PM	<a href="#">Bevill State Meeting</a>
Lawson State	Alabama Center for Advanced Technology and Training - Birmingham campus	3060 Wilson Road SW Birmingham, AL 35221	Thursday, September 2nd - 4 PM	<a href="#">Lawson State Meeting</a>
Shelton State	Bean-Brown Theater Martin campus	9500 Old Greensboro Rd Tuscaloosa, AL 35405	Tuesday, September 7th - 9 AM	<a href="#">Shelton State Meeting</a>
Jefferson State	Performing Arts Center Auditorium Chilton Campus	1850 Lay Dam Road Clanton, AL 35045	Tuesday, September 7th - 11 AM	<a href="#">Jefferson State Meeting</a>

PENGAD 800-631-6888

PLAINTIFF'S  
EXHIBIT

4

J. McClendon

	Judy Merritt Health Sciences Building, Room 129 A-D (Multipurpose Room) - Shelby-Hoover Campus	4600 Valleydale Road Hoover, AL 35242	Tuesday, September 7th - 2 PM	<u>Jefferson State Meeting</u>
Jefferson State	Hank Sanders Conference Room	3000 Earl Goodwin Pkwy Selma, AL 36702	Tuesday, September 7th - 4 PM	<u>Wallace State-Selma Meeting</u>
Wallace State-Selma	Delchamps Auditorium - Main Campus	351 North Broad St Mobile, AL 36603	Wednesday, September 8th - 9 AM	<u>Bishop State Meeting</u>
Bishop State	Nettles Auditorium - Monroeville campus	2800 South Alabama Ave Monroeville, AL 36460	Wednesday, September 8th - 11 AM	<u>Coastal Alabama Meeting</u>
Coastal Alabama	Civic Center	501 N Commissioners Ave Demopolis, AL 36732	Wednesday, September 8th - 1 PM	<u>Demopolis Civic Center Meeting</u>
Demopolis Civic Center	Trojan Center Ballroom	321 Veterans Memorial Dr Troy, AL	Wednesday, September 8th - 3 PM	<u>Troy University Meeting</u>
Troy University	Alabama Statehouse Room 200	11 S Union Street Montgomery, AL	Wednesday, September 8th - 6 PM	<u>Alabama State House Meeting</u>
Alabama State House	Cheaha Lecture Hall Room 111 Ayers Campus	1801 Coleman Road Anniston, AL 36202	Thursday, September 9th - 9 AM	<u>Gadsden State Ayers Meeting</u>
Gadsden State	Wendell Mitchell Conference Center - Greenville Campus	750 Greenville Bypass Greenville, AL 36037	Thursday, September 9th - 11 AM	<u>Lurleen B Wallace Meeting</u>
Lurleen B. Wallace	Woodfin Patterson Auditorium Brewton campus	220 Alco Dr Brewton, AL 36426	Thursday, September 9th - 2 PM	<u>Coastal Alabama Meeting</u>
Coastal Alabama	Southern Room Opelika campus	301 Lake Condry Road Opelika, AL 36801	Thursday, September 9th - 4 PM	<u>Southern Union Meeting</u>
Southern Union	AL Tombigbee Room Thomasville campus	30755 US Highway 43 Thomasville, AL 36784	Wednesday, September 15th - 9 AM	<u>Coastal Alabama Meeting</u>
Coastal Alabama				

<b>Wallace-Hanceville</b>	Auditorium, main campus	801 Main Street NW Hanceville, AL 35077	Wednesday, September 15th - 11 AM	<u>Wallace-Hanceville Meeting</u>
<b>Gadsden State</b>	New Science Building Auditorium, Main campus	101 George Wallace Dr Gadsden, AL 35902	Wednesday, September 15th - 2 PM	<u>Gadsden State Meeting</u>
<b>National Guard Armory</b>	Richard Stone Building	21578 US Hwy 82 Union Springs, AL 36089	Wednesday, September 15th - 4 PM	<u>National Guard Meeting</u>
<b>University of West Alabama</b>	Webb Hall Room 239 President's Conference Rm	25 Webb Circle Livingston, AL 36376	Thursday, September 16th - 11am	<u>Univ of West Alabama Meeting</u>
<b>Coastal Alabama</b>	Centennial Hall Fairhope campus	440 Fairhope Ave Fairhope, AL 36532	Thursday, September 16th - 2 PM	<u>Coastal Alabama Meeting</u>
<b>Southern Union</b>	Lake Room Wadley campus	750 Roberts Street Wadley, AL 36276	Thursday, September 16th - 4 PM	<u>Southern Union Meeting</u>

**REAPPORTIONMENT COMMITTEE REDISTRICTING GUIDELINES**

May 5, 2021

**I. POPULATION**

The total Alabama state population, and the population of defined subunits thereof, as reported by the 2020 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.

**II. CRITERIA FOR REDISTRICTING**

a. Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

b. Congressional districts shall have minimal population deviation.

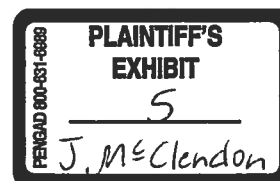
c. Legislative and state board of education districts shall be drawn to achieve substantial equality of population among the districts and shall not exceed an overall population deviation range of  $\pm 5\%$ .

d. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.

e. The Reapportionment Committee shall not approve a redistricting plan that does not comply with these population requirements.

f. Districts shall be drawn in compliance with the Voting Rights Act of 1965, as amended. A redistricting plan shall have neither the purpose nor the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.

g. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations of race, color, or membership in a language-minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.





1 h. Districts will be composed of contiguous and reasonably compact  
2 geography.

3 i. The following requirements of the Alabama Constitution shall be complied  
4 with:

5 (i) Sovereignty resides in the people of Alabama, and all districts should be  
6 drawn to reflect the democratic will of all the people concerning how their  
7 governments should be restructured.

8 (ii) Districts shall be drawn on the basis of total population, except that voting  
9 age population may be considered, as necessary to comply with Section 2 of the  
10 Voting Rights Act or other federal or state law.

11 (iii) The number of Alabama Senate districts is set by statute at 35 and, under  
12 the Alabama Constitution, may not exceed 35.

13 (iv) The number of Alabama Senate districts shall be not less than one-fourth or  
14 more than one-third of the number of House districts.

15 (v) The number of Alabama House districts is set by statute at 105 and, under  
16 the Alabama Constitution, may not exceed 106.

17 (vi) The number of Alabama House districts shall not be less than 67.

18 (vii) All districts will be single-member districts.

19 (viii) Every part of every district shall be contiguous with every other part of the  
20 district.

21 j. The following redistricting policies are embedded in the political values,  
22 traditions, customs, and usages of the State of Alabama and shall be observed to  
23 the extent that they do not violate or subordinate the foregoing policies prescribed  
24 by the Constitution and laws of the United States and of the State of Alabama:

25 (i) Contests between incumbents will be avoided whenever possible.

26 (ii) Contiguity by water is allowed, but point-to-point contiguity and long-lasso  
27 contiguity is not.

28 (iii) Districts shall respect communities of interest, neighborhoods, and political  
29 subdivisions to the extent practicable and in compliance with paragraphs a  
30 through i. A community of interest is defined as an area with recognized  
31 similarities of interests, including but not limited to ethnic, racial, economic, tribal,  
32 social, geographic, or historical identities. The term communities of interest may,  
33 in certain circumstances, include political subdivisions such as counties, voting



precincts, municipalities, tribal lands and reservations, or school districts. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.

(iv) The Legislature shall try to minimize the number of counties in each district.

(v) The Legislature shall try to preserve the cores of existing districts.

(vi) In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.

g. The criteria identified in paragraphs j(i)-(vi) are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.

### **III. PLANS PRODUCED BY LEGISLATORS**

1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.

2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.

3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.

4. In accordance with Rule 23 of the Joint Rules of the Alabama Legislature "[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office." Amendments or revisions must be part of a whole plan. Partial plans are not allowed.

5. In accordance with Rule 24 of the Joint Rules of the Alabama Legislature, "[d]rafts of all redistricting plans which are for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."

1 **IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC**  
2 **HEARINGS**

3 1. All meetings of the Reapportionment Committee and its sub-committees  
4 will be open to the public and all plans presented at committee meetings will be  
5 made available to the public.

6 2. Minutes of all Reapportionment Committee meetings shall be taken and  
7 maintained as part of the public record. Copies of all minutes shall be made  
8 available to the public.

9 3. Transcripts of any public hearings shall be made and maintained as part of  
10 the public record, and shall be available to the public.

11 4. All interested persons are encouraged to appear before the  
12 Reapportionment Committee and to give their comments and input regarding  
13 legislative redistricting. Reasonable opportunity will be given to such persons,  
14 consistent with the criteria herein established, to present plans or amendments  
15 redistricting plans to the Reapportionment Committee, if desired, unless such  
16 plans or amendments fail to meet the minimal criteria herein established.

17 5. Notice of all Reapportionment Committee meetings will be posted on  
18 monitors throughout the Alabama State House, the Reapportionment Committee's  
19 website, and on the Secretary of State's website. Individual notice of  
20 Reapportionment Committee meetings will be sent by email to any citizen or  
21 organization who requests individual notice and provides the necessary  
22 information to the Reapportionment Committee staff. Persons or organizations  
23 who want to receive this information should contact the Reapportionment Office.

24 **V. PUBLIC ACCESS**

25 1. The Reapportionment Committee seeks active and informed public  
26 participation in all activities of the Committee and the widest range of public  
27 information and citizen input into its deliberations. Public access to the  
28 Reapportionment Office computer system is available every Friday from 8:30 a.m.  
29 to 4:30 p.m. Please contact the Reapportionment Office to schedule an  
30 appointment.

31 2. A redistricting plan may be presented to the Reapportionment Committee  
32 by any individual citizen or organization by written presentation at a public  
33 meeting or by submission in writing to the Committee. All plans submitted to the  
34 Reapportionment Committee will be made part of the public record and made  
35 available in the same manner as other public records of the Committee.

1 3. Any proposed redistricting plan drafted into legislation must be offered by a  
2 member of the Legislature for introduction into the legislative process.

3 4. A redistricting plan developed outside the Legislature or a redistricting plan  
4 developed without Reapportionment Office assistance which is to be presented for  
5 consideration by the Reapportionment Committee must:

6 a. Be clearly depicted on maps which follow 2020 Census geographic  
7 boundaries;

8 b. Be accompanied by a statistical sheet listing total population for each district  
9 and listing the census geography making up each proposed district;

10 c. Stand as a complete statewide plan for redistricting.

11 d. Comply with the guidelines adopted by the Reapportionment Committee.

12 5. Electronic Submissions

13 a. Electronic submissions of redistricting plans will be accepted by the  
14 Reapportionment Committee.

15 b. Plans submitted electronically must also be accompanied by the paper  
16 materials referenced in this section.

17 c. See the Appendix for the technical documentation for the electronic  
18 submission of redistricting plans.

19 6. Census Data and Redistricting Materials

20 a. Census population data and census maps will be made available through the  
21 Reapportionment Office at a cost determined by the Permanent Legislative  
22 Committee on Reapportionment.

23 b. Summary population data at the precinct level and a statewide work maps  
24 will be made available to the public through the Reapportionment Office at a cost  
25 determined by the Permanent Legislative Committee on Reapportionment.

26 c. All such fees shall be deposited in the state treasury to the credit of the  
27 general fund and shall be used to cover the expenses of the Legislature.

28 **Appendix.**

29 **ELECTRONIC SUBMISSION OF REDISTRICTING PLANS**

30 **REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA**

1

2       The Legislative Reapportionment Computer System supports the electronic  
3 submission of redistricting plans. The electronic submission of these plans must  
4 be via email or a flash drive. The software used by the Reapportionment Office is  
5 Maptitude.

6       The electronic file should be in DOJ format (Block, district # or district #,  
7 Block). This should be a two column, comma delimited file containing the FIPS  
8 code for each block, and the district number. Maptitude has an automated plan  
9 import that creates a new plan from the block/district assignment list.

10       Web services that can be accessed directly with a URL and ArcView  
11 Shapefiles can be viewed as overlays. A new plan would have to be built using this  
12 overlay as a guide to assign units into a blank Maptitude plan. In order to analyze  
13 the plans with our attribute data, edit, and report on, a new plan will have to be  
14 built in Maptitude.

15       In order for plans to be analyzed with our attribute data, to be able to edit,  
16 report on, and produce maps in the most efficient, accurate and time saving  
17 procedure, electronic submissions are REQUIRED to be in DOJ format.

18       Example: (DOJ FORMAT BLOCK, DISTRICT #)

19       SSCCCTTTTTTBBBBDDDD

20       SS           is the 2 digit state FIPS code

21       CCC        is the 3 digit county FIPS code

22       TTTTTT    is the 6 digit census tract code

23       BBBB       is the 4 digit census block code

24       DDDD           is the district number, right adjusted

25       **Contact Information:**

26       Legislative Reapportionment Office

27       Room 317, State House

28       11 South Union Street

29       Montgomery, Alabama 36130

30       (334) 261-0706

1 For questions relating to reapportionment and redistricting, please contact:

2 Donna Overton Loftin, Supervisor

3 Legislative Reapportionment Office

4 donna.overton@alsenate.gov

5 Please Note: The above e-mail address is to be used only for the purposes of  
6 obtaining information regarding redistricting. Political messages, including those  
7 relative to specific legislation or other political matters, cannot be answered or  
8 disseminated via this email to members of the Legislature. Members of the  
9 Permanent Legislative Committee on Reapportionment may be contacted through  
10 information contained on their Member pages of the Official Website of the  
11 Alabama Legislature, [legislature.state.al.us/aliswww/default.aspx](http://legislature.state.al.us/aliswww/default.aspx).

**FILED**

2021 Dec-15 PM 10:37  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

**TRANSCRIPT OF  
REAPPORTIONMENT COMMITTEE  
MEETING  
OCTOBER 26, 2021**



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Senator Allen? Senator Holley?

**SENATOR HOLLEY:** Yes

**FEMALE 1:** Senator Livingston?

**SENATOR LIVINGSTON:** Here.

**FEMALE 1:** Senator McClendon?

**SENATOR MCCLENDON:** Here.

**FEMALE 1:** Senator Melson?

**SENATOR MELSON:** Here.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Here.

**FEMALE 1:** Senator Roberts?

**SENATOR ROBERTS:** Here.

**FEMALE 1:** Senator Scofield?

**SENATOR SCOFIELD:** Here.

**FEMALE 1:** Senator Singleton?

**SENATOR SINGLETON:** Here.

**FEMALE 1:** Ms. Smitherman? Senator Williams?

**SENATOR WILLIAMS:** Here.

**FEMALE 1:** Representative Boyd?

**REPRESENTATIVE BOYD:** Here.

**FEMALE 1:** Representative Clouse? Representative Ellis?

**REPRESENTATIVE ELLIS:** Here.

**FEMALE 1:** Representative England?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** Here.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Here.

**FEMALE 1:** Representative Hall?

**REPRESENTATIVE HALL:** Here.

**FEMALE 1:** Representative Jones?

**REPRESENTATIVE JONES:** Here.

**FEMALE 1:** Representative Lovvorn?

**MALE 1:** He's on his way. He's in traffic.

**FEMALE 1:** Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Here.

**FEMALE 1:** Representative South? Representative Wood?

**REPRESENTATIVE WOOD:** Here.

**FEMALE 1:** We have 19 present. We have a quorum.

**MALE 2:** Thank you, members, if you would, please, you will see a copy of the Minutes from the last meeting, May 5th of this year. I would ask you to quickly look over those. We have a motion to approve and let's have a roll call on that please.

**FEMALE 1:** Senator Allen? Senator Holley?

**SENATOR HOLLEY:** Aye.

**FEMALE 1:** Senator Livingston?

**SENATOR LIVINGSTON:** Aye.

**FEMALE 1:** Senator McClendon?

**SENATOR MCCLENDON:** Aye.

**FEMALE 1:** Senator Melson?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator Roberts?

**SENATOR ROBERTS:** Aye.

**FEMALE 1:** Senator Scofield?

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator Singleton?

**SENATOR SINGLETON:** Aye.

**FEMALE 1:** Senator Smitherman? Senator Williams?

**SENATOR WILLIAMS:** Aye.

**FEMALE 1:** Representative Boyd?

**REPRESENTATIVE BOYD:** Aye.

**FEMALE 1:** Representative Clouse? Representative Ellis?

**REPRESENTATIVE ELLIS:** Aye.

**FEMALE 1:** Representative England?

**REPRESENTATIVE ENGLAND:** Aye.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall? Representative Jones?

**REPRESENTATIVE JONES:** Aye.

**FEMALE 1:** Representative Lovvorn? Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Representative South? Representative Wood?

**REPRESENTATIVE WOOD:** Aye.

**FEMALE 1:** We have 17 yes. The motion passed.

**MR. CHAIRMAN:** Thank you. I'd like to make just a preliminary statement about the workings of this committee. This time around has been rather unique because of the compactness of the time. Federal Law requires Census Bureau to provide the states with the data no later than March and the year after Census is conducted. In 2011, we received it in mid-February, about six weeks before their deadline. This time, the Census Bureau seriously lied. Instead of getting the data in February or March, we did not receive the data until August 12, actually became usable to us closer to the 17th or 18th of August. It took some amount of time to convert that data to match up our software. August 17 was the first time this committee and our staff, who I'm forever grateful for, for all their hard work was the first time that we actually hadn't data that we could work with and dealing with the Congressional plan, State Board plan, the Senate plan and the House plan.

[00:05:06]

Since that time, since August 17, we have met with seven Congressional Representatives, our staff, eight Board of Education members and all the members of the Senate and the House that are running for reelection. In most cases, there was not just one meeting with any particular office holder. There were repeated meetings with individual officeholders and often with groups of officeholders, these meetings continued right up to the close of business last Friday. It took an enormous effort to prepare these plans in the short amount of time available. And unlike after the 2010 census, when we were able to split the redistricting over a two-year period, we did Congressional and State Board in 2011, and then we did the two legislative plans in 2012. This time, not only did we get the data late, but we had to prepare all four plans at the same time. And I will -- you those of us who worked in this room in this office have seen the dedication of our redistricting staff, of our attorney advising us, of our demographer drawing the maps, they have literally worked day and night and over the weekends in order to reach this point. And I think you'll soon see that they have done a heroic job. I am very grateful to their dedication. At this point, we are going to now go into consideration of these four maps I mentioned. We'll do them in this order for committee members. You'll see, you have an agenda in front of you that shows the order. We'll do this and we're going to start off with congressional districts. Representative Pringle will handle that in the House. Then we'll go to State Board districts. I'll handle that for introduction into the Senate. Then we'll go to the state Senate districts that will first be introduced into the Senate. And once it comes out of this committee, and finally, we'll do the committee plan for the State House, which Representative Pringle, of course, will handle and will introduce on Thursday into the House of Representatives. Let me recognize the House Chair for Redistricting Representative Chris Pringle turn your mic go.

**REPRESENTATIVE CHRIS PRINGLE:** Thank you, Senator. Again, I am Chris Pringle, State Representative from House District 1 of Automobile. The members of the committee

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

would go to the congressional plan and open your folder. You'll see the proposed map that we're going to discuss here from this committee. You'll have it. If you'll note, this is a zero-deviation plan with a minimum number of split counties. There's a one-person difference between all seven districts. Some the deviations on this plan are zero. In developing this plan, all Congressional Representatives were met with in person and then subsequently over the phone our Microsoft teams until their concerns have been addressed. An exception in the Representative Mo Brooks was running for another office. He did not want to meet in person instead of staff member instead. All representatives have had input into this plan. This plan meets the Committee guidelines. It complies a Section 2 the Voting Rights Act and Equal Protection Clause. There's a minimal population deviation between the District 6.

[00:09:59]

Between the District 6 are districts who had ideal population of 717,754 and the second district is one person over. In respects to counties that extend possibly given the requirement for equal population. I'll repeat, it respects counties to the extent possible given the requirements for equal population. It does not require any incumbents to run against each other. All districts are contiguous and reasonably compact. It respects communities of interests. It preserves the cores of existing districts. It splits a minimum number of counties and precincts. Six counties are split and seven are split to get to zero deviation an improvement over the current law which splits seven counties. Splits are, Lauderdale County is split between District 4 and 5. Tuscaloosa County is split between Districts 4 and 7. Jefferson County, between Districts 6 and 7. Chilton County between Districts 3 and 6. Montgomery County between Districts 2 and 7. Escambia County between Districts 1 and 2. This plan contains one majority black district with a black voting age population of 54.22%, thank you.

**MALE 2:** Motion to adopt.

**MALE 3:** Mr. Chairman, I'd like to speak to the motion.

**REPRESENTATIVE ENGLAND:** I would too.

**MR. CHAIRMAN:** Mr. England.

**REPRESENTATIVE ENGLAND:** First of, thank you for recognition. I'm pretty sure Ms. Overton probably would doesn't like me very much right now because I harassed her for days on end. Because as a member of this committee, I did not see these maps until yesterday. I think we're undertaking a pretty massive task to be told to come in here with the amount of information presented to us to come here and say, "I need you to vote today." Personally, I may be just speaking for myself, but I think this is doing a disservice to the process and also to the people that we represent because they haven't seen this map either, unless you were following me on Twitter. So, I think it needs to be said that this process itself, there's got to be a better way to do this. I think it's flawed and I don't really think this is the best way for us to walk into this process without any information and to come in here today look at it and say, "I want you to approve it." With that being said, I'm not diminishing the fact this was probably a very difficult task. It's a lot of information to process, but I think it probably would have been better for all of

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

us have we all seen the whole entire map and not be drawn into short meetings individually where we can only see our district? For me, that's how the process worked. I was only told I could see the district. My district game me immediate area around my district, and I think it would have been better for the public and all of us to digest the information in front of us by just seeing the whole map so we could see how our district worked relative to the districts around us. And with that being said in your initial statement, you mentioned that this map complies with the Voting Rights Act. Several questions that I have about that. First, I'd like to know who drew the map. Was it drawn in-house or did somebody else draw it? Also, I'd like to know how it complies with the Voting Rights Act. Was there a racial polarization study done to figure out exactly how we comply with the Voting Rights Act? And I'd also like to know since I wasn't afforded an opportunity to see the entire map, I would like to know if anybody else was, whether it be staff, whether it be other members, or whether it be someone hired as a consultant to take a look at these maps. Those are my three initial questions. One, who drew it? Two, can you explain to all of us how it satisfies the Voting Rights Act and how this map was drawn? So, I just like to start there, thank you.

**MR. CHAIRMAN:** Senator Singleton?

**SENATOR SINGLETON:** You're not going to answer those question?

**MR. CHAIRMAN:** I've done listened to it, and we're going to get back with him, okay.

**FEMALE 1:** Oh Jesus.

[00:14:59]

**REPRESENTATIVE ENGLAND:** Point of order, so we're not answering questions today?

**MR. CHAIRMAN:** I'm going to answer your questions. We're just trying to get all the questions asked.

**MALE 4:** Ms. Chairman, point of order. The point is that I think that we opened ourselves up for confusion of responses and questions and confusions of focusing in on the specific points. So, we're going to take all these varying questions. And then after we take all the various questions, I think that the questions' point of order are to be in relationship to the questions. The answer should be in relationship to the questions as answered and they should be addressed. Questions that [INDISCERNIBLE 00:15:45] may have over there, I saw his hand, and I have is may be totally relevant, but maybe totally different at the same time in parts. So, I think in order to understand that -- and I'm going to make a special request that we put these maps on the board. We have a big old board up there, put the whole maps. Each one of these things we talk, it relates to a map. It needs to be sitting up there in large, of the map.

[OVERLAY]

**FEMALE 2:** --so we can it.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MALE 4:** Yeah, we can see it. Not the small one where we don't know what it's touching and what it's doing, but actually a large one that deals which shows the precincts.

**MR. CHAIRMAN:** The map is on the board, ladies and gentlemen, I'm hoping the people online can see it. Can they see the map online?

**MALE 5:** Yes.

**MR. CHAIRMAN:** These maps are drawn in this room using the staff here and our lawyer that we've hired has done redistricting for 25 years, has worked with us and told us that he thinks these maps comply with section to the Voting Rights Act and the Fourteenth Amendment to the Constitution.

**REPRESENTATIVE ENGLAND:** Can you explain it now?

**MR. CHAIRMAN:** I'm not the attorney, but Dorman Walker sat here and went through every one of this our attorney. You know Dorman, he's done this for 25 years.

[OVERLAY]

**REPRESENTATIVE ENGLAND:** Again, can I say that I was appointed to this committee.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** You stated that it complies with the Voting Rights Act. You also stated that it complies with the Fourteenth Amendment Equal Protection, so I'm asking you how. I just want to make this -- that's obviously --

[OVERLAY]

**MR. CHAIRMAN:** Okay, representative. That's fine, let's do this.

**REPRESENTATIVE ENGLAND:** That's a very component of this.

**MR. CHAIRMAN:** I understand that and I see where you're going and let's do this. You tell me where it doesn't, how's that?

**REPRESENTATIVE ENGLAND:** First and foremost, if we didn't do a racial polarization study you don't know how it applies. I'll ask you this question, you and the attorney that you consulted, have you all done a racial polarization study?

**MR. CHAIRMAN:** Yeah, the guy in Georgia did one. It was sent to him Friday and he came back.

**REPRESENTATIVE ENGLAND:** So, who's the guy in Georgia? Can we see the results of that study?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** The attorney has hired a consultant out of Georgia and he's looked at it.

**REPRESENTATIVE ENGLAND:** Can we—

**MR. CHAIRMAN:** There's nothing that's going to be hidden. We're getting it to you as fast as we have it of course.

**REPRESENTATIVE ENGLAND:** Okay.

**MR. CHAIRMAN:** We don't have it. You understand, I had to do 28 public hearings. I had to meet with 105 house members, 35 senators, seven members of congress and eight members of the schoolboard and many of these people we met with multiple, multiple times to try and work this out, all in a very short period of time. We didn't have the luxury they had a couple of years ago, having two years to do this. We had about three months.

**REPRESENTATIVE ENGLAND:** I could understand your frustration, but as the Chair, you're in charge with the responsibility of answering these questions.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** So, I sympathize with the smaller shortened timeframe, but I do still get as a response -- as part of my responsibility as being a member of this committee is to ask these questions and to get answers because I'm not just asking for me. Because remember, the entire State of Alabama, the first time they lay my eyes on this map was yesterday. I think it's pretty legitimate for us to have these questions since we could not get access to this information before. One of the ways --

[OVERLAY]

**MR. CHAIRMAN:** The first time I saw it was yesterday too.

**REPRESENTATIVE ENGLAND:** That makes me feel worse, but to be quite honest with you. So, you ask me, I'll point out just that one thing. I need you to help me understand if a racial polarization study was done. I need to know who did it. I need to know what the results are, so I can tell you if I believe that one that matches up with the standards that have been set by federal courts in the Supreme Court, because very recently we had issues with the Supreme Court. We just lost the lawsuit behind some of this stuff, so I need to have something so I can draw some comparative analysis between the two. So, on record, you're telling me that a racial polarization study has been done?

**MR. CHAIRMAN:** Our attorney looked at it and assured us that we are in compliance with Section 2 of the Voting Rights Act.

**REPRESENTATIVE ENGLAND:** The question I asked you, you're assuring me right now that a racial polarization study has been done?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** According to my attorney, yes.

**REPRESENTATIVE ENGLAND:** Okay.

**MR. CHAIRMAN:** According to the committee's attorney.

[00:20:00]

It's the attorney that's done reapportionment for 25 years.

**REPRESENTATIVE ENGLAND:** Okay. And you can provide that information to us so we can draw an analysis between the maps, the numbers and the study?

**MR. CHAIRMAN:** I have no problem when you look at all of our reports.

**REPRESENTATIVE ENGLAND:** All right. You said also that this map was prepared here in-house?

**MR. CHAIRMAN:** Yeah, it was drawn right here in this room.

**REPRESENTATIVE ENGLAND:** All right.

**MR. CHAIRMAN:** I mean, you sat here with us, and I know several times why we drew these maps.

**REPRESENTATIVE ENGLAND:** No. Actually, I've only seen my district up until yesterday when I got the maps.

**MR. CHAIRMAN:** No. I sat here when you're on a call.

**REPRESENTATIVE ENGLAND:** No. On that call, we looked at my district.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** Period. I haven't seen a map. This is the first time I've actually seen a physical copy of the map since yesterday. Now, that I've answered your question, can you answer mine? What other ways does this map --

**MR. CHAIRMAN:** Let me report. On district seven, there was not a functional analysis done on it simply because it was drawn blind, the race was turned off on the drawing, and after the district was drawn and we looked at the black voting age population, it was determined there was no reason to do an analysis on it.

**REPRESENTATIVE ENGLAND:** So, you have not done analysis on that?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** I just found out seven because of the BVAP, no analysis was deemed necessary.

**REPRESENTATIVE ENGLAND:** So, we don't know if it complies with the Voting Rights Act just based on an attorney's opinion?

**MR. CHAIRMAN:** Yeah. I mean, it complies.

**REPRESENTATIVE ENGLAND:** We don't know that.

**MR. CHAIRMAN:** Well, the attorney that his committee hired says it does.

**REPRESENTATIVE ENGLAND:** But he also didn't do what's necessary to figure that out. Interestingly enough, the only district –

**MR. CHAIRMAN:** The BVAP of that district is 54.2%.

**REPRESENTATIVE ENGLAND:** But again, the study demonstrates how much of that actual percentage is a voting percentage. So, there's a difference between just throwing out a percentage and actually knowing if that's functional or not. And also, interestingly enough, the Seventh Congressional District is the only district that splits counties. Is there a particular reason for that?

**MR. CHAIRMAN:** That's not true. I just told you, I just run off of the county to split.

**REPRESENTATIVE ENGLAND:** There's one in District One, you have one in the Escambia County?

**MR. CHAIRMAN:** No. Lauderdale is split between four and five, Tuscaloosa is split between four and seven, Jefferson is split between six and seven, Chilton is split between three and six, Montgomery is split between two and seven, Escambia is split between one and two.

**REPRESENTATIVE ENGLAND:** I'm sorry.

**MR. CHAIRMAN:** Every district has at least one split.

**REPRESENTATIVE ENGLAND:** I'll rephrase. Seven has the most splits. That correct?

**MR. CHAIRMAN:** One, two, three. Yes, sir.

**REPRESENTATIVE ENGLAND:** All right. Is there any particular reason why seven has the most splits?

**MR. CHAIRMAN:** No. Because four has got two, two has two, three has one, and one has one.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** Is there any particular reason why seven has the most split districts? Including in Jefferson --

**MR. CHAIRMAN:** Trying to get the zero deviation, I'm assuming. We tried to respect -- we had to get to zero deviation.

**REPRESENTATIVE ENGLAND:** Do you think it has anything to do with making sure that each split holds a particular percentage of African-Americans into it?

**MR. CHAIRMAN:** I have no knowledge of that now.

**REPRESENTATIVE ENGLAND:** Okay.

**MALE 3:** Senator, I was hoping that we wouldn't be so contentious in here today, and I think I've been here with you gentlemen over the period of time trying to ask that we can get to this point. We sit around this table and I know that this is probably one of the most contentious sessions that we can have because everybody's for themselves. Everybody's looking out for what they got and it's all about territory. But I just wanted to ask a question about the map, and I guess go down the same line that Chris was representing England in terms of District Seven. In the last redistributing, we saw and heard from the United States Supreme Court that basically said that District Seven was the most gerrymandered district in the State of Alabama, and when you look at that, it almost looks like a salamander and the way it shaped, I see where you tried to come into your county boundaries to do that this time. But however, the Supreme Court has basically already ruled that, and so I just want this body to know that I will be introducing another map because when you look at the State School Board, it is representative of 26% of the African-American community giving it two districts. The house and the Senate also. The congressional district is the only district, the only map that we would draw as a body that does not represent the 26% of African-Americans. It only represents 13% of those African-American population. We believe that based on whole county, and what you can draw based on zero percentage, we can get two majority districts out of this, and I think that this body or the chairman has not tried to do that, just stay with what they were used to doing, and it's like we just drew over the same lines and didn't even try to come up with anything else different.

[00:25:08]

And that's what you get when you don't get input from everybody else, and when everything is kind of hidden and indoor. And so, with that, I know this is not the proper time to introduce the map, but I would do it officially when we have the next meeting, I will introduce a map even if it gets voted down and we will introduce them again on the floor. It will be on the map to concept, and I just want to let you know that I think that we can get two districts out of here that will show favorably for African-Americans across the state outside of just gerrymandering in this district with the unnecessary splits that we've gotten. Thank you very much.

**MR. CHAIRMAN:** Thank you, Senator. Did you say you have a map that has two majority black districts in it?

**MALE 3:** Yes.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Okay. All right. Senator Smithman.

**SENATOR SMITHMAN:** Thank you very much Mr. Chairman. Chairman's, let me say this first, I noticed the Senator mentioned a level of frustration, a level of uncomfortableness or whatever words you want to use is coming from our leader. Let me say this, that's what you get paid the big bucks for. You asked to be chairman, you asked. Now, you accepted it. So, get all that comes with it, so, relax and take a deep breath because it's coming. Questions coming, they're coming, they're coming. So, just relax and I understand, but you're the leader, so, that what comes with the territory. Let me piggyback first on starting with this map. In whether or not, -- let me just say this; I asked for a map that shows the precincts, I know we got them. And the reason I'm saying that to everybody in here to do that, yes. It's going to take more time. It's going to be detailed, because you're asking questions about this or that. But as a committee, and thank you for putting me on the committee. Whoever appointed me, I know who did; so thank you. But as a committee, we have to go through this mundane process if members have the question. We are in a committee meeting now; and in here, any of those questions that we have. the means of being able to provide, we have a right to get that information. Let's not vote it all up and down by memos, each member has that right to get that particular information. So, with that in mind, that's the first thing because I like to see what Senator was saying about the drawing to see what it brings in and what it doesn't. I can't tell a lick about Jefferson County, where the line cut off from this map. I don't know if it cut off on south side, if it cut off on far apart. I don't know if it cut off above Fire Park above Center Point. I don't know where it cuts off by looking at this, and along with being here, I'm a citizen in that particular district as well. So, I would like to see that number one. Number two, I think if that information is available that the representative requested, I think that it should be provided immediately if we operated off of it and didn't have the actual information here, then I think that needs to be known. But I think that any information in this meeting not a week later, not two days, not a month later, but should be provided in here. If it's on a computer, push a button, push print, print it out, and then give it to whoever else have requested it. So, I said that to say that it may not happen, but to count all these things right here, you might want to pipe in dinner[PH 00:29:00] because we need to go through these and to ask questions, is going to seem whatever you want to call it, but that's why I say get the frustration down because we have questions, I have questions, and I like to get answers as a committee member. Nobody else may not be concerned about these things, and I understand. But if one member is, we need to address that. The other thing I want to say is this is that there's two other things, and I'll move near the mic. Number one is that the Senator mentioned correctly about the 26% African-Americans. But we we're actually talking about 30 something percent of minorities. One third of them as it relates to minority population itself should be represented. We're talking about that it should be two as it relates to African-American population as a minority because it's a super population of minorities.

[00:30:00]

But there are other minorities, Asians, there are Latinos, there are all these people in this State and men of my registered voters that make that percentage goes up to 30 something percent. The third thing is that I've had opportunities to see the map that Senator Singleton is talking about, and that map does not split one count, one county, the congressional map that he's talking about.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

It keeps every county whole for all the congressional districts that exist on that map. So, I would think that as a committee, whether the committee ultimately votes it up that as he said, I think that as a committee, that we should consider any of those plans in this meeting if it made those 10 days, I think the requirement that you made that that would be submitted. If they were submitted there in the committee, should take those up -- that was committee rules, that's committee adopted and last, but not least, I'll say this is that I think that the process itself has not addressed the area of compromise, and I'm not talking about somebody's individual districts. I'm talking about the issues that's before you it relates to minorities. I know nobody sat down and talked about the concerns that I split and when we get to that area in the [INDISCERNIBLE 00:31:28] plans, I expressed that I had a concern about that area and no other conversation has been had about it. So, that kind of disappoints me because it's kind of saying that "I don't give a heck what you think or say. So, take me to court." That's what it says to me. I don't give a rip what you think, I don't want to talk to you. I don't want to compromise; this is what I'm going to do. So, take me, so I hope that isn't what it's saying, because I'm not saying anything but anything. I think past involvement says that that has happened. So, I would hope if we are trying to get around and work together in this situation, that we'll find some way to compromise with both sides. I know you've been working hard on your side because I've talked to some of my colleagues and I know some of those concerns, but I'm talking about all of us as a whole. Thank you very much.

**CHAIRMAN:** Thank you, Senator. Ms. Hall?

**REPRESENTATIVE HALL:** Thank you, Mr. Chairman and Chairman. I want to reiterate the comment that was made earlier in terms of the response when questions are raised. That we are all in here because we want to do what is right. So, I would hope that we would be considerate of that in light of the fact of the response that I've heard with the comments that have been made up to this point, I'd like to make a motion. I am going to make a motion. My motion is that we postpone the votes on these proposed maps until members of this committee and the public has had adequate time to review and consider the details as well as provide the ratio polarization data study that you said was done.

**FEMALE 2:** Mr. Chairman, I second the motion.

**MALE 2:** Mr. Chairman, I think that motion is inappropriate. We have business to tend to at this meeting. Everyone knows it and if it would be --

[OVERLAY]

**MALE 2:** Would you mind if I get to my comment, please without interrupting? I have not interrupted you and I don't want to be interrupted.

**FEMALE 2:** I appreciate that, but when you make a comment like that, I'm sorry. I should have held my --

**MR. CHAIRMAN:** Move to table. We have a motion to table. All in favor. Say, aye.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MALE 2:** Aye.

**FEMALE 2:** I oppose.

[OVERLAY]

**FEMALE 2:** Roll call. I will ask that each vote just as you did on the minutes that you would have the roll call vote on each action, thank you. And I would ask that you reconsider at this time.

**MR. CHAIRMAN:** So, you have a motion to reconsider?

**FEMALE 2:** Yes, sir.

**MALE 3:** Second.

**MALE 2:** I second it.

**MR. CHAIRMAN:** All in favor, say, aye.

[OVERLAY]

**MR. CHAIRMAN:** Nay?

[OVERLAY]

**FEMALE 2:** I did request a roll call on each motion hereon and that you didn't.

[OVERLAY]

**FEMALE 2:** No, you didn't, because you'd reconsider.

**MR. CHAIRMAN:** Oh, now we have a motion to give this plan a favorable report in a second.

**MALE 4:** Mr. Chairman.

**MR. CHAIRMAN:** Roll call, please.

**MALE 4:** Mr. Chairman?

**CHAIRMAN:** Yes, sir?

**MALE 4:** I'm ready. I'd like to be recognized.

**CHAIRMAN:** Okay, sure.

**MALE 4:** So, are we saying that, it doesn't matter what we think at all?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

[00:35:00]

We just come in here to go through the functions. We're not going to consider anything whatsoever that if we have a concern or anything, you're saying it don't matter that we're in here because that's what we're saying. I didn't say what the final vote after we go through the process of consideration. But we're not going to consider anything that we got to say?

**MR. CHAIRMAN:** No.

**MALE 4:** I mean, is this a segregated movement or something? Because you haven't considered nothing we're saying over here. So, I'm just asking you as a chairman, is that where we're going with this?

**MR. CHAIRMAN:** And I'm allowing each of you to speak. Ms. Boyd.

**REPRESENTATIVE BOYD:** Thank you so much, Mr. Chairman. We've sat around this table many times. It's disgusting when you walk into a room for me and somebody approach me. "May I help you?" That was the first thing; but being as old as I am, and I haven't taught school 45 years and 6 months I've been here, I've learned a lot. At our very first meeting, I asked, "Is this one going to be better than any of those in the past that we do it fairly and collectively?" We know the process, we know who has the vote, all we want, Mr. Chairmans, is the opportunity to be heard fairly and from the way we are starting off here, it doesn't seem that way. Only God Almighty can change hearts. We can sit here forever and look at each other and do what we're told to do when it comes to voting. I would hope not. But we're speaking, I have people at home who are very much concerned about the senatorial. What is shown and as it relates to congressional seats. If that shoe was on the other foot, that's all I'm going to ask you to do when I close. Just think about if the shoe was on the other foot and you were sitting in my seat and my place, oh, our places here, would you act in the same manner? Thank you so much for the opportunity.

**MALE 2:** Roll call?

**MR. CHAIRMAN:** Another roll call vote on approving the congressional plan. Mr. Jones,  
[INDISCERNIBLE 00:38:05]

**REPRESENTATIVE JONES:** Thank you for the recognition, Mr. Chairman. I think on my visit here last week, I mentioned that this would be the way this process would turn out. It is not logical to think that we can digest the data that's here in the period of time that we received it. Nor is it logical to think that we would vote on something that we actually have no knowledge about and can't even talk to anyone in our district about because we don't know. How do you vote and then go back home and explain when someone asks, "Well, why did you vote for this?" and start asking the questions that's being asked here? What do we do with that? I understand the time. I understand how hard people have worked. I've been up here a couple of times, and I've seen the work that's taking place up here, and that's admirable. I've seen a lot of people working hard. The bottom line, though, we cannot disregard transparency based on urgency, especially in



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

this process. I know that there are some time periods we have to meet. To me, the questions that's been asked are logical questions. If someone is really interested in what they're doing and the people they represent, they are logical questions. Now maybe because this is my first time in this process, someone told, I think the attorney mentioned to me, "Well, they've been doing it like this a long time" and let me respond to what I told him. "That does not mean that that's right or fair regardless of whether Democrats did it or Republicans did it, the right way is the right way regardless to who's doing it."

[00:40:00]

And I just think that we ought to give some concern for some of the questions that's being asked here, because those same questions are going to be asked to me as soon as I get back to mobile account and I have no answers. You give me a lot of data here, but it probably takes me a few days to read through it, but it's over then. I've already voted. So that's really my statement and I just want you to consider some of those things as I go forward.

**SENATOR MCCLENDON:** Ladies and gentlemen, let me point out. What we have before today is simply a recommendation. It will be put in Bill Form. It will be introduced into both chambers of the house. It will be assigned to committee in both chambers, and then it will be debated fully on the floor of both chambers. We're just trying to get to the point where we've been called into extraordinary session. That deadline is set. We have to have something to put into a bill by 04:00 Thursday afternoon, and we need to get something out of here so LSA can put it into Bill Form so we can give it to everybody because it's not in Bill Form until it comes out of here. You will have the time in both the House Standing Committee and the Senate Standing Committee and the floor of the house and the floor of the senate to fully vet and look at these bills. But there's not a bill yet. I don't have a bill because I can't say anything to LSA until I get something from this committee. This is simply a recommendation to send to LSA for us to begin the full-scale debate on the floor. Senator Smitherman.

**SENATOR SMITHERMAN:** Are you saying, I said you go to the chairman and you're speaking. Are you saying that we can't vet it here wherein the committee itself that we denied the opportunity to vet it? I'm just asking a question. I didn't say you said it or not. You answer, we answer that. Are you telling me that what you just see, all that's going to happen out there -- are you saying that we -- but however, in this committee, we are denied that opportunity to do the same thing in our committee work on reapportionment?

**SENATOR MCCLENDON:** No.

**SENATOR SMITHERMAN:** Well, if we did that like for it to be done. That's all I'm at right now. I like this [INDISCERNIBLE 00:42:09].

**SENATOR MCCLENDON:** You got the populations, the deviations of black age voting population in every different. You have all the information that I have.

**SENATOR SMITHERMAN:** And I like to vet it in here. Me vet in at, we leave out here means nothing because the vote is going to be taken.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR MCCLENDON:** I don't have a bill before you because I can't get a bill draft until after it comes out to LSA, and I can't see anything to LSA until it comes out of here.

**SENATOR SMITHERMAN:** Unless I'm going to be on what -- we vote now. Whether we vote now today. I would like for it to be vetted the same way that you said that it could be vetted in those committees. Why? One of the main reasons we are supposed to have the experts in here. Our reapportionment director will not be on the floor. If it's not a public hearing, she cannot come on the senate floor. This lawyer cannot come on the senate floor itself. This is where the work has to be done to answer those questions in this committee. Not out there. You all know the rules. I don't have to even speak them. The people can't come out there. They are going to be out there. It's going to be somebody at the mic going to be saying the same thing. Well, they did it. And the answer is goes they did it. I would like to know how you came about it. Whatever the process to get to what you said that they say, "Okay to." And this is the place that it should be done right in here, and that's all that I'm asking. The exposure of the process and information be brought out in here so questions and follow up questions can be addressed to that information.

**SENATOR MCCLENDON:** Yes, Ms. Hall.

**REPRESENTATIVE HALL:** I needed to go back to make sure I have the correct information as relates to what you said about the racially polarized voting study that was done. Did you say it was done?

**SENATOR MCCLENDON:** Because of the black age voting population in Congressional District 7, there was not one needed because it was over 54% black voting age population.

**REPRESENTATIVE HALL:** So you're saying that we don't have a black, we don't have a polarization, racially polarization study?

**SENATOR MCCLENDON:** None. Because the voting age is 54. What is it? I got it right here.

**REPRESENTATIVE HALL:** And you use District 7 as the basis for not having such a study done?

**SENATOR MCCLENDON:** The black voting age population of the district is sufficient enough to where you don't need a study done on it.

**REPRESENTATIVE HALL:** Are you saying that would not be a part or should not have been a part of this process?

**SENATOR MCCLENDON:** Once we drew the process, once we drew the plan with no race on the computer --

[00:45:00]

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

-- then after the plan was drawn, we turned on the race and we looked at District 7 and saw that it had a black voting age population that was sufficient enough to not require an analysis. And we put any more African-Americans on the race. We're afraid we'd be sued for packing.

**REPRESENTATIVE HALL:** So that was just District 7. What about the other districts? If we did those on these, I really would like -- I was trying to get that information. I'd like to have that information. I'm requesting that information.

**SENATOR MCCLENDON:** The demographics of the district. Yeah. It's right here, it's in your folder.

**REPRESENTATIVE HALL:** So you're saying the data that we have makes of the --?

**SENATOR MCCLENDON:** Yeah. Here's the data right here. It's in your folder. It shows you the percentage of African-Americans of whites, the 18 plus populations, everything. It tells you to give you all that information.

**REPRESENTATIVE HALL:** I just want to make sure what you're saying that the data that we're receiving here today on each one of the districts provides us the data that we would have received or that would be received as a part of a racial polarization voting study.

**SENATOR MCCLENDON:** I'm being told that at 54 plus percent of the African-American vote, it was high enough not to warrant a polarization study. It was a majority-minority district.

**REPRESENTATIVE HALL:** And that came from our attorney or the committee's attorney?

**SENATOR MCCLENDON:** Yes. That came from the committee's attorney. Yes, ma'am.

**REPRESENTATIVE HALL:** And so, at this point, we do not have that.

**SENATOR MCCLENDON:** Not on District 7. No, ma'am. Yes. Chris. The representative of England, I'm sorry.

**REPRESENTATIVE ENGLAND:** All right. You're referring to that -- as if the District 7 was the only district that you did not do that on. So did you do that on other districts?

**SENATOR MCCLENDON:** We have the breakdown of black and white population.

**REPRESENTATIVE ENGLAND:** No, not that. I'm talking about you mentioning that racial - that you didn't do the study on seven. Did you do it on any other district?

**SENATOR MCCLENDON:** Can I ask something? The question you're asking, the answer is our attorney, mine and your attorney set that data off for districts that it looked like there might possibly be a racial issue. And we did that on all of these maps that we've done today. So he received the information on those districts where it looked like it could possibly be questionable, and wherever it was questionable, if necessary, we made adjustments. So the answer to your

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

question would be a general statement that in any districts where it looked like it possibly was an issue, we had those districts analyzed. And if necessary to make changes in those districts to try to stay in compliance with the Voting Rights Act, then we made those moves. So you can ask that question about any one district and I will answer that by saying any district that looked like it needed to be done, we did it.

**REPRESENTATIVE ENGLAND:** It would appear that District 7 would look like that would need to be done if the methodology that you said you used was, we didn't think about race and then we drew the map, and then we said, "Okay, well, this is a result." So it appears to me that if we're doing this in the logical way, that District 7 just -- as it appears on a map, would produce a certain percentage. Now, according to what you've been telling me, that the percentage is not the decision that you made looking at it on the paper and saying that 54% is enough, you actually consulted with an attorney to make sure. So it would appear to me that if you're applying the logic that you just gave me that if we just looked at the district to see if it was in compliance, we would actually do District 7 before we did the others. So I would like to request that study be done on District 7. And what is the relationship between the 54% that you're citing and the actual results or potential results of a racial polarization study? What is the relationship between those two?

[00:50:00]

**SENATOR MCCLENDON:** I got no clue.

**REPRESENTATIVE ENGLAND:** And that's the point.

**SENATOR MCCLENDON:** That's, that's the reason why we have the expert.

**REPRESENTATIVE ENGLAND:** Again, but hold on. That's point. If you can't explain to me why the 54% that you're telling us satisfies the threshold that you have not created or satisfied yet, that would probably make it necessary for you to conduct a study to see if that 54% actually represent, which represents what you think it does. So for -- I would like to request as a member of the committee that that study be done on the Congressional District 7. I would also like to request because the way you keep describing the map itself, is that Districts 1 through 6 may have caused the question or may not have caused to question so there is a situation where that same study may have been done on the other districts. I would also like to see that information as well. Can I get that? First, can I get the study done on Congressional District 7 to make sure that the 54% represents what you think you're saying? And then also, can I get this, the results of the studies that they've been done on other district? Because Senator McClendon, you represented that they had been. So I would like to see that data as well. Is that possible?

**SENATOR MCCLENDON:** Is there a particular percentage you'd be interested in seeing in District 7?

**REPRESENTATIVE ENGLAND:** That's the whole point. I want the study done so I'll know. I'm not going to -- I can't just blindly tell you what are percentage I would need in an area to make sure that it complies with the Voting Rights Act, one, but two, it is a -- I guess what you



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

would consider a safe majority-minority district. That's the whole point of the study. So I would like the study to be done on Congressional District 7 and I would also like for you to give me the results of the other studies on the other districts that you mentioned may or may not have caused to you some consternation.

**SENATOR MCLENDON:** Okay, Mr. England, here's what I'll do. I'll request a study on District 7 for you, and I'll request the study be done on Senator Singleton's bill that he introduced also. How's that?

**REPRESENTATIVE ENGLAND:** Yes.

**SENATOR MCLENDON:** It's possible to do it. I mean, we're going to talk about it. Okay. I'll do on both of them.

**REPRESENTATIVE ENGLAND:** To also kind of take a step back, this process isn't result-oriented. Meaning, that we're not collected here to go over the data and the maps just to meet the deadline. We are actually supposed to do some qualitative work on the information that you provided us so we don't send maps or information to LRS to be drawn up into something that can't pass. I mean, and I get it. I mean, we work with deadlines all the time, but this committee structure was set up especially for this component because it's actually a joint committee for the house and the senate that goes over all four maps. So we can actually take a deep dive in that information, in the data and actually produce a map that actually satisfies all the things that you've been mentioning since the very beginning about keeping counties whole, about not splitting precincts, about making sure that equal protection is valid and making sure that the Voting Right Act is complied with. That's what this process is for, is to vet the information that we're getting. Because we may go through this process and discover that some of the is corrupted and it's not reliable or, we may actually if we had done a racial polarization study, we may actually find out that that 54% that you're talking about doesn't actually represent the information that you're giving us, and that you have made an assumption that could jeopardize an entire map. So again, not trying to diminish the effort, the herculean effort that you had to undertake to get us to this point, the point here isn't just to get it done so we can get a bill prepared. The point here is to actually vet the information so we know what we're actually doing in this process.

**SENATOR MCLENDON:** I understand, and I tell you we're going to spend a lot of time on this differential privacy, and that's going to come up sooner or later. Senator Smitherman?

**SENATOR SMITHERMAN:** I would just -- if you all, I would like to know first on any of the congressional districts, did you all receive a written report regarding the study that he is requesting on 7? We say it that on some of them, it was done. All right. So whatever ones that were done, do we have a written report from that attorney, from whoever it is that we had to do it. We are saying that it was done on A B, C, or D. Do we have anything in writing that was sent to this committee to you all or sent to the community itself that would suggest that that is actually a fact? That's the first question. Do we have anything?

[00:55:13]

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR MCCLENDON:** When we saw that 54% plus in the Seventh District majority-minority, we didn't think it needed a racial polarization analyzation and a lot to be analyzed and we didn't request racial voting polarization study on the majority of white districts.

**SENATOR SMITHERMAN:** Okay. So we don't have that, that's the correct answer. We don't have anything in writing that's been sent to you all regarding that you should --

**SENATOR MCCLENDON:** I have not seen anything.

**SENATOR SMITHERMAN:** Okay. All right. So we can't hold out then that that has been done. Okay. So that's the first thing. The second thing is this. We have an attorney that as you say very capable of being able to do what's necessary. I cannot understand the most important, the most important and really the only opportunity we as a committee member while we are going through these maps. I cannot understand for the love of life why he is not even sitting over there or he is not on Zoom. That doesn't make any sense. We are asking questions and we can't, you all cannot give the detail. I didn't say it to generalization, but you cannot give the detailed answer -- we keep telling them whether attorney need, an attorney and that's fine. Because if that's the answer. But then, that attorney need to be over there to answer what you just said that he did. I mean, that's an attorney for the committee and that is the most important meeting that he could ever be at being able to get him on there to give those responses as to the things that you all don't have first of all, documentation and secondly, that he in fact was the person who created, who suggested it and it was adopted to present to us by you all. So I'm asking to get him on here. I don't care if the phone.

**SENATOR MCCLENDON:** [INDISCERNIBLE 00:57:18]

**SENATOR SMITHERMAN:** Yeah. I don't care if you get the phone or we can't Zoom, we deserve to have those people in here where we can ask those questions to get answers. Thank you.

**SENATOR MCCLENDON:** Yes, Ms. Hall?

**REPRESENTATIVE HALL:** Thank you. You indicated in your report about meeting with all of the members of congress, except for one. Are you able to tell me that once the maps were drawn, did they have an opportunity to view this map? And, what was their impression?

**SENATOR MCCLENDON:** They all saw. The one that we didn't meet was Mo Brooks because he's no longer running. But they've all had the opportunity to look at them and make suggestions, make requests in what they would like to see in their district, yes.

**REPRESENTATIVE HALL:** And did they indicate that they felt that what you've presented is fair and --?

**SENATOR MCCLENDON:** To the best of my knowledge, yes. I was not in the meetings.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE HALL:** Thank you.

**MALE 1:** Mr. Chairman, our renewed motion for roll call vote.

**M SENATOR MCCLENDON:** We have a motion before us to adopt the congressional plan. Clerk, recall the roll.

**CLERK:** Senator Holley?

**SENATOR HOLLEY:** Aye.

**CLERK:** Senator Allen?

**SENATOR ALLEN:** Aye.

**CLERK:** Senator Levison?

**SENATOR LEVISON:** Aye.

**CLERK:** Senator McClendon?

**SENATOR MCCLENDON:** Aye.

**CLERK:** Senator Melson?

**SENATOR MELSON:** Aye.

**CLERK:** Senator Orr?

**SENATOR ORR:** Aye.

**CLERK:** Senator Roberts?

**SENATOR ROBERTS:** Aye.

**CLERK:** Senator Scofield?

**SENATOR SCOFIELD:** Aye.

**CLERK:** Senator Singleton?

**SENATOR SINGLETON:** No.

**CLERK:** Senator Smitherman?

**SENATOR SMITHERMAN:** No.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**CLERK:** Senator Williams?

**SENATOR SMITHERMAN:** Yeah.

**CLERK:** Representative Boyd?

**REPRESENTATIVE BOYD:** No.

**CLERK:** Representative Clouse?

**REPRESENTATIVE CLOUSE:** Aye.

**CLERK:** Representative Ellis?

**REPRESENTATIVE ELLIS:** Aye.

**CLERK:** Representative England?

**REPRESENTATIVE ENGLAND:** No.

**CLERK:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**CLERK:** Representative Hall?

**REPRESENTATIVE HALL:** No.

**CLERK:** Representative Jones?

**REPRESENTATIVE JONES:** No.

**CLERK:** Representative Lovvorn?

**REPRESENTATIVE LOVVORN:** Aye.

**CLERK:** Representative Pringle?

**REPRESENTATIVE PRINGLE:** Aye.

**CLERK:** Representative South?

**REPRESENTATIVE SOUTH:** Aye.

**CLERK:** Representative Wood?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE WOOD:** Aye.

**CLERK:** Fifteen yeses, six nos. The motion passed.

**SENATOR MCCLENDON:** Thank you committee members. Coming forth now is the State Board of Education in development of this plan. All state board members were met with in person or by phone, follow up meetings were held, sometimes by phone, some on Microsoft Team until all of their concerns were addressed. All board members had inputs. This plan meets our committee guidelines, complies with Section 2 of the Voting Rights Act and Equal Protection clause. There is a minimum population deviation between the districts, all population state board is 628,035 plus or minus five.

[01:00:10]

Respects counties to the extent possible of taking into consideration requirements for equal population does not require incumbents to run against each other. District continuous and reasonably compact, respects communities of interest, preserves the course of existing districts, the precinct splits, five counties are splits, five counties with zero splits. It's an improvement over the current law with 12 versus 5 splits. Tuscaloosa County, Jefferson, Talladega, Montgomery and Mobile each have our split. Contains two majority-black, Districts 4 and 5. The BVAP for 4 is 51.2 1%. BVAP for 5 is 51.2 7% and the functionality studies that we've talked about indicate that Section 2 requires no further adjustment to these BVAPs in order to fulfill our obligation under the Voting Rights Act. With that introduction, I move adoption of the plan as you have received. I have a second on that, a motion and adoption and I recognize my good friend Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you Senator. I can't speak for anybody that's in here, but I have no knowledge of which changes had to be made in here. Is that I would like to go through the changes in each district adjustments. What is the adjustment that you had to make in drawing some out? We can start with warning going all the way to the last one there.

**SENATOR MCCLENDON:** The changes are detailed. You've got a folder Senator.

**SENATOR SMITHERMAN:** I would have to read.

**SENATOR MCCLENDON:** That's the changes in it and from -- let me tell you this.

**SENATOR SMITHERMAN:** Mr. Chairman, do you want me to -- if you recognize me, I'll take this folder and then read them out. But tell me, I got, so Smitherman is that last vote. I don't like them. I am not even seen none of these until I just walked in at one o'clock. So I don't understand. But I'm requesting either that we go over or I'm requesting the opportunity to -- if I got to read it, let me read it out loud and everybody sit here and we read and then we have discussions about it. I don't mind doing whatever you tell me to do. But I do want to go over these. I mean just to ram them down my throat, that is not right. If I can't go over them, then you're ramming it down my throat because I just got this. I mean, I came down here and you

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

meet you and nobody said nothing about change, anything, it was about this. Nobody gave me anything. I am not saying nothing until I got this right now. So I'm asking, please tell me whether we change in one? What we change in two, that's reasonable.

**SENATOR MCCLENDON:** Would you like a little five-minute break to read over that thing Senator?

**SENATOR SMITHERMAN:** It'd take more than five minutes to read because I still got questions. Reading don't eliminate the questions because I need a big old map up there. I need a map, I need the overlay. Since you all know what I need, I will need to overlay and then I could see where that is and I could say, "Well, what area is that and then what's the result of that? What impact did it have on initial?" So that I've been asking for the maps and I know that they have it because I saw overlay when I came in here. So I know we have the capability and that's all I'm asking.

**SENATOR MCCLENDON:** I wish you'd let us know ahead of time. Well Senator, if you want to talk about this, this is your opportunity to go ahead and do that. Now, I will tell you as far as asking me a lot of details on the BOA map, I was not involved and I was involved peripherally but not in detail. So if there's things you would like to discuss and ask and talk about on this thing that you have the floor and you're just welcome to do so.

**SENATOR SMITHERMAN:** I could do a decent job of that if I got the map up there, well I can ask. That doesn't tell me anything. I'm looking at the one, it didn't tell me anything. It just tell me that these are the new lines. They didn't tell me what's the overlay, what we're taking out, what we had to add in anything like that in terms of the precincts.

[01:05:05]

**SENATOR MCCLENDON:** So do you have specific questions about parts of the map and I'll see what I can find out.

**SENATOR SMITHERMAN:** Yes sir.

**SENATOR MCCLENDON:** I narrow it down and help me out here and I'll see what I can do.

**SENATOR SMITHERMAN:** The basic question I like to overlay, like to see the comparison and contrast, either way that it's set up that you got to set up in the machine -- presently and what changes this.

**SENATOR MCCLENDON:** Okay I'll see what you want. I don't know if we're capable of doing that but why don't you talk about any parts of this that catches your attention and I'll check and see what our IT folks can do as far as complying with your request. We might be able to put them side-by-side with the new one. We might be able to do that. I don't know, but I'll be glad to check on that and see what we can do.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Well specific questions, I can't give them to you because I don't know the overlay. That's why I got to have it. I mean, this is the finished product and I'm asking about the contrast between old product and the finished and I don't even have that before me in this where I can do that sitting in, you can think of anything. I don't have it. That's why I'm asking for it and I know we got it because like I said, I was here and I saw that we have overlaying capabilities.

**SENATOR MCCLENDON:** We did have, and I think we put online. I'm not sure, but I think we put online today old map, new map. We'll see.

**SENATOR SMITHERMAN:** I did the first time, I've seen this.

**SENATOR MCCLENDON:** While he makes that request, is anybody else. We'll get back to you Senator.

**REPRESENTATIVE ENGLAND:** I have questions.

**SENATOR MCCLENDON:** Under the current map that we're looking at now, was this drawn based on the 5% deviation plus-minus?

**REPRESENTATIVE ENGLAND:** Yes, sir.

**SENATOR MCCLENDON:** Could you tell me in District 4 and District 5 what was the population gain or population loss for you to be able to -- because in order for you to do the 5% deviation, you had to look at the gain or loss in that. So therefore, you had to move around in precincts.

**REPRESENTATIVE ENGLAND:** I don't have a -- it's 27,686 people under that deal. It's 228,659 whites, 319,828 blacks.

**SENATOR MCCLENDON:** So there's about 27,000 population loss in that district?

**REPRESENTATIVE ENGLAND:** It's under population idea by 27, has a deviation of minus 4.61%. It's 38.9% white, 53.27% black.

**SENATOR MCCLENDON:** Where would you have made that part pull more citizens black there in Jefferson County to make up that deviation?

**REPRESENTATIVE ENGLAND:** I'm not sure where it came from Senator. I'm sorry.

**SENATOR MCCLENDON:** See, that's the kind of stuff we would need to know in order to be able to approve maps when you start making these kinds of adjustments. I definitely would like to know that because it's not detailed on these maps where your adjustments came in terms of making adjustment to make up that. If you look at the next one and which covers most of the black built, I'm certainly there was some loss there.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** District 5?

**SENATOR MCCLENDON:** Yes.

**REPRESENTATIVE ENGLAND:** Which is 621,817 people which is a 6,218.

**SENATOR MCCLENDON:** How many?

**REPRESENTATIVE ENGLAND:** 6,218.

**SENATOR MCCLENDON:** Okay.

**REPRESENTATIVE ENGLAND:** 252,012 whites, 326,931 blacks. That's 40.53% white, 52.58 blacks. In fact, voting age population is 51.27%.

**SENATOR MCCLENDON:** Okay. And again, you can't tell me where the makeup of that population, which direction you went to get the makeup in that population in your precincts?

**REPRESENTATIVE ENGLAND:** I can't tell you right off the top of my head, no sir.

[01:10:00]

**SENATOR MCCLENDON:** Thank you.

**MR. CHAIRMAN:** Senator Smitherman rest assured. We're over here chasing some electrons around trying to.

**SENATOR SMITHERMAN:** Thank you Mr. Chairman.

**MR. CHAIRMAN:** Representative Hall, did you have something to say in the event?

**REPRESENTATIVE HALL:** I do. I'd like to ask a question that I asked earlier as it relates to the school board plan. Did we do the ratio polarization polarized voting study on these districts?

**MR. CHAIRMAN:** Okay. My answer would be the same as it was before. Any time there was any suspicion that there might be a racial issue, we did submit these to a political scientist to give us an analysis.

**MALE 1:** Mr. Chairman.

**MR. CHAIRMAN:** Just a minute.

**MALE 1:** Okay.

**MR. CHAIRMAN:** You're still up.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE HALL:** Okay. Yeah. So you're saying that when you felt that was not a given, that was not part of the process of drawing the maps. So I'm going to get the same response on each one of the --

**MR. CHAIRMAN:** Yes, ma'am we didn't. I'm sorry, I didn't mean to interrupt you, Ms. Hall. We didn't automatically do every district on every map. We only sent the district's offer analysis where it looked like there might be an issue. If there's any suspicion of an issue, we had them analyzed, and then using that data, we tried to make them -- that wouldn't be an issue where we comply with the voting rights there. Does that answer your question?

**REPRESENTATIVE HALL:** Yeah. I'm just trying to make sure I was understanding correctly. So, we didn't do that for congressional and we didn't do it for school boards. I've done it for any of the others.

**MR. CHAIRMAN:** All right. I'm going back if you'll hang on just a minute. Senator Smitherman, have we got the map up done? Okay. There you go.

**SENATOR SMITHERMAN:** Now, what's the overlay? I'm okay side by side or whatever you want to call it.

**MR. CHAIRMAN:** According to my expert, the blue lines are the old and the colors are the new.

**SENATOR SMITHERMAN:** Okay.

**MR. CHAIRMAN:** So he said there's been a good bit of rearranging. But there always is when you have the population changes like we've had in Alabama this past decade.

**SENATOR SMITHERMAN:** My first question would be, why is Jefferson County split three different ways? I mean, we just split Chow for every one of these maps we got. Why come into our county and split it three different ways?

**MR. CHAIRMAN:** You know, these maps were created pretty much in the same style that the senate maps which you participated in and house maps, and that we worked with each of the existing board members, and so many times these changes were made in consultation with the existing board members. Just like you had input into your senate map, they had input into this map.

**SENATOR SMITHERMAN:** I appreciate you giving them input but I will say this, after the input and everything is done. They don't vote for this. We do.

**MR. CHAIRMAN:** Right.

**SENATOR SMITHERMAN:** So, the input all right, but the input are not like ours, because we don't want going to vote. And so that's why it's important for us to understand. They may like something. I got constituents that don't like it. I got a lot of them that don't like the fact that we



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

split up three ways in here. I'm talking about seriously. They don't want to be split up like that. That's why I said what I said in that regard. What about the other ones? What was the rationalization for the other changes that exist in the other ones? And this one, too. What was the rationalization? Why was it split three ways?

**MR. CHAIRMAN:** That was probably the biggest part of it is dealing with the existing members. That's where the most input came from.

**SENATOR SMITHERMAN:** Okay. So, we took in consideration what individual people won't, and I'm not saying you didn't take it at all but it seems to me that, and you correct me if it's not right. I don't mind being corrected. Well, we seem that we were focusing more on what they wanted than what the citizens wanted or what the better way to draw that map without splitting those counties.

[01:15:02]

Because I'm telling you what citizens are concerned about, they telling you what individual they want and don't want and that takes us out of the game, because we're represent those same citizens and we vote. So I would ask that you all go back and look at where you don't have to split Jefferson County like that, and then provide a map that does not do that. But now what's the other deviations and the changes? In the other deviations, what did you all have to pick up and what did you lose?

**MR. CHAIRMAN:** Well, the deviations of course are in compliance with the guidelines that this committee adopted and every district within plus or minus 5% of the target. So we've stayed -- this map is inside the deviations that we established really is our own guidelines to how to do this and how to do it in a sense of fairness.

**SENATOR SMITHERMAN:** Okay. In regards to follow up on Senator Sings question, I know he mentioned something about one of those districts. It was 26% population. Can you tell us what population each one of those? On each one of them.

**MR. CHAIRMAN:** I think you've got that data.

**SENATOR SMITHERMAN:** I don't have it all in one though. I got what you say it is in the new district.

**MR. CHAIRMAN:** Well, because we know what the target. So we got that in this folder? Okay. It's in the back of your folder. You got it in writing.

**SENATOR SMITHERMAN:** The old and under?

**MR. CHAIRMAN:** Well, you may have to add or subtract from the target to see what the difference is.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Well in that case, I move a 30 minutes recess. I got to do some math. [INDISCERNIBLE 1:17:03] some math. Give me time to do. The figure is all over that low. I mean, I know they are. You all could tell me about my own district. You know about every district in every plan it is.

**MR. CHAIRMAN:** All right. I'm looking at the data that you've got in your folder, and I'm looking at district five. It gives the ideal population, gives the actual population then it gives the deviation. So, you've got all of that information in writing in your folder?

**SENATOR SMITHERMAN:** What's the ideal population? The actual population?

**MR. CHAIRMAN:** It's at the very back of your

**SENATOR SMITHERMAN:** I see that part what you're saying right. I see it. Now, the other question there, where did we make of those numbers from? What precincts?

**MR. CHAIRMAN:** I was moved around to create the district.

**SENATOR SMITHERMAN:** Yeah.

**MR. CHAIRMAN:** I don't know the answer to that. Oh, no.

**SENATOR SMITHERMAN:** Do we have the answer in this room?

**MR. CHAIRMAN:** A lot of precincts. Well, it doesn't matter. What you know is what the old district is and now, before you, you have what the new district is. So now where some people came from, that is the overlay.

**SENATOR SMITHERMAN:** You said it don't matter, it does to me. I just wanted to say that it may not to nobody else, but it does. That's why I'm asking the question. I wouldn't ask the question being dealing --

**MR. CHAIRMAN:** Are you asking me and listen Senator Smitherman, I'm trying to get what you want here, but you want to know where people came from or where they went. That's what your overlay map shows us, where the changes were made, which precincts were in a district before and which ones are in our district now. Does that answer your question?

**SENATOR SMITHERMAN:** It answers 50%.

**MR. CHAIRMAN:** Okay.

**SENATOR SMITHERMAN:** But the other part is that it does not talk about what area. [INDISCERNIBLE 1:18:56] and put it over here. That's what I'm saying. We don't have any writing up there. I wouldn't have to ask, and we do have maps that is that detail. You all know that. I know you do, because you all the chairman's. You know we do, and that's what I was asking. I mean, do we have capabilities of doing that? Yes. And that's all I'm asking. In every

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

one of these things, we're going to do -- I would like to see that. So that at the, we can make a better understanding of what we vote on and taking places from people, because people ask us especially up in mayor. They don't want to be over here. They want the county to be whole. And so when you make the moves, and that tells me what people will move and what people will left and that has a basis too of the way I feel about this plan because all of us, we are here to represent the people in our district, and these are concerns of people in the district. Is there any way to know that?

[01:20:02]

**MALE 1:** No, sir.

**SENATOR SMITHERMAN:** It's not? You sure now? I mean, I was here when we did it, when we provided it.

**MALE 1:** Well, it could be that.

**SENATOR SMITHERMAN:** So even in man, I saw precincts. You remember you were in here when I came. I saw precincts. So I'm not making up some, you was in there with me when we saw those precincts.

**SENATOR MCCLENDON:** Now we can bring that down and we can get that to you but as far as it's coming before this committee, what we have presented and this is what we've got before us today.

**SENATOR SMITHERMAN:** And I have no problem with you presented and that's what before us. I just want some answers of what's before us. That's all I'm asking.

**MALE 1:** All right, sir.

**SENATOR SMITHERMAN:** So, can we get that information? Can we break it down? Let me just say this, I understand that we can, all we have to do, even out there is take number one and then put the details in and put it across there. That's all we got to do and then we'll see where it comes from. We should put that old, that blue line or whatever that line over there and that's like it is right there. The old and new and put the detail in there and it's over there in that computer right there. That's all we got to do. It's right there. I ain't asking for the man who ain't that available lawyer we got. I'm asking him about that computer right there.

**SENATOR MCCLENDON:** Okay, where we're examining on the capability of this system that we have now to the extent that we can.

**SENATOR SMITHERMAN:** Okay. There we go. That's what I'm talking about. That's I'm saying pop up there.

**SENATOR MCCLENDON:** Is there any particular area that you would like to look at?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** I like to --

**SENATOR MCCLENDON:** Do you want to look at your area and --

**SENATOR SMITHERMAN:** First all [INDISCERNIBLE 01:22:03], I like to look at the one above and I think that's six or whatever that is above that, every part, me particularly every one of those districts that Jefferson County, I like to see that part, that district that touches. It's three of them and I like to be told what I'm looking at, so I'll be sure of what I see. Yeah, you getting it. I was looking over that Tarrant and I'm looking at Inglenook, Brownsville. I'm looking at those.

**SENATOR MCCLENDON:** Senator Smitherman.

**SENATOR SMITHERMAN:** Yes, sir.

**SENATOR MCCLENDON:** We're going to spend, if you want to spend, we're going to spend about 10 minutes with you.

**SENATOR SMITHERMAN:** That's fine, I'll take it here.

**SENATOR MCCLENDON:** [INDISCERNIBLE 01:23:10] on this and then we're going to get you back on business.

**SENATOR SMITHERMAN:** 10 is better than zero. Take the 10.

**SENATOR MCCLENDON:** You're always a 10 Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you, Senator. Sun Valley, so that the blue is the new, right?

**MALE 1:** That's right.

**SENATOR SMITHERMAN:** The blue is old. Blue is old and the colors are new. Okay. What district is that green? What number district? Four? It's number four? Blue, that y'all call it blue. Okay. All right. So, it's the color is a change? Let me see. And it's four, four is the C5 and what six is the majority of the districts, five and; no, five and what? What number Mr. Chairman? I was just trying to speed up the process. Which one is five and what's the other one you say is a majority? African-American district, [INDISCERNIBLE 01:24:42] voting population? It's five and it's four and five?

**MALE 2:** Five, four is 51.2. Five is 51. [INDISCERNIBLE 01:24:57].

[01:25:00]

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** How can we tighten it up that you don't have already splits in that county? Did y 'all look at that? Did you play with the map and look at it and see what it looked like?

**SENATOR MCCLENDON:** We played with a map and you certainly will have an opportunity if you've got a better plan for us. You'll have an opportunity to like that proposal to the legislator when we meet.

**SENATOR SMITHERMAN:** So, that's four, that all the four right there? I see some more at the bottom, is that part of four? And above four is what, seven? That's at the top of Jefferson County?

**MALE 2:** Yes, sir.

**SENATOR SMITHERMAN:** What percentage of seven is in Jefferson County? Anybody can tell me that? So we got three in Jefferson County and we got four and we got seven. Now, those are three at [INDISCERNIBLE 01:26:13] Jefferson County?

**MALE 2:** Yes.

**SENATOR SMITHERMAN:** Three, four and seven. It's seven, four and three. So in four, we went straight up. We did like the old seven in congressional. We went straight up in the Jefferson County to pull those people out, is that correct? Why we could not make Jefferson County whole or Tuscaloosa whole and keep those whole and satisfy that population? Did y 'all try to do that? And if you did - -

**SENATOR MCCLENDON:** I'm sure that was looked at and considered.

**SENATOR SMITHERMAN:** But you're not sure though. Okay, I was going to ask why. I'm not going to put you on the spot if you don't know, you know. Okay. All right, Mr. Chair, I see what's been done and I know what the people want. Thank you very much on that.

**SENATOR MCCLENDON:** Senator Smitherman, thank you for your participation and your comments. As always, a pleasure. Call a question. Roll call vote. There's no more discussion and let me see, Senator Singleton, do you have a question before we call roll? Call roll, please.

**FEMALE 1:** Senator Allen?

**SENATOR ALLEN:** Aye.

**FEMALE 1:** Senator Holly?

**SENATOR HOLLY:** [INDISCERNIBLE 01:27:59].

**FEMALE 1:** Senator Livingston?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR LIVINGSTON:** Aye.

**FEMALE 1:** Senator McCLENDON?

**SENATOR MCLENDON:** Aye.

**FEMALE 1:** Senator MELSON?

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator ORR?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator ROBERTS?

**SENATOR ROBERTS:** Aye.

**FEMALE 1:** Senator SCOFIELD?

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator SINGLETON?

**SENATOR SINGLETON:** No.

**FEMALE 1:** Senator SMITHERMAN?

**SENATOR SMITHERMAN:** No.

**FEMALE 1:** Senator WILLIAMS?

**SENATOR WILLIAMS:** [INDISCERNIBLE 01:28:20].

**FEMALE 1:** Representative BOYTE?

**REPRESENTATIVE BOYTE:** No.

**FEMALE 1:** Representative CLOUSE?

**REPRESENTATIVE CLOUSE:** Aye.

**FEMALE 1:** Representative ELLIS?

**REPRESENTATIVE ELLIS:** Aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Representative England?

**REPRESENTATIVE ENGLAND:** No.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall?

**REPRESENTATIVE HALL:** No.

**FEMALE 1:** Representative Jones?

**REPRESENTATIVE JONES:** No.

**FEMALE 1:** Representative Lovvorn?

**REPRESENTATIVE I:** Aye.

**FEMALE 1:** Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**FEMALE 1:** Representative South?

**REPRESENTATIVE SOUTH:** Aye.

**FEMALE 1:** Representative Woollett?

**REPRESENTATIVE WOOLETT:** Aye.

**FEMALE 1:** 16 yes, 6 no. It's passed.

**SENATOR MCCLENDON:** BOE, bill to favorable report by this committee. We are now moving into the Senate bill. I'm going to take that bill. All senators were met with multiple times. Most of them wanted to. Sometimes we met on the phone, sometimes in person, sometime over Microsoft Team when there was a group. Senator Don, who is not running for re-election. We met with her representative speaking on her behalf. All senators had input into the plan. This plan follows our guidelines, compliance with Section 2. Minimal population deviation. Ideal pop is 143,551. All of the districts that are on this map that you have in your folder and which will get displayed are within plus or minus 5%.

[01:30:00]



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

We respect County Lowndes to the extent possible, given the requirement of equal population. We are not requiring any incumbents to run against each other; districts are continuous and they're not reasonably compact. We try to respect calamities of interest and we preserve the cores of the existing district. The existing plan, the one we're under right now splits 26 counties under the plan that is being proposed that you have on the Board now. We are split 19 counties. This plan contains eight majority black districts. These districts fulfill the state's obligation under the Voting Rights Act. I have a Motion for a favorable report and a second Senator Melson, are there any -- Senator Smitherman, it's about time you chimed in. Got involved in this.

**SENATOR SMITHERMAN:** This is one that goes even deeper than that what I've been talking about. I got serious concerns about the fact -- let me say this first.

**MR. CHAIRMAN:** Yes sir.

**SENATOR SMITHERMAN:** I'm going to make a personal comment; and then I'm going to get into this. I enjoy very much working with my delegation, let me make sure you understand that. We've done a lot of good things together; so by no means that I have any problem with any individual in my district, I mean, in my delegation. But let me say this to you, there's no reason under the earth why Jefferson County is split among seven senators. We have a population of 670,000 people. When you do the math, just divide it into that, that's 4.7 senators. That's what we should have in terms of our county. Whole county, keeping the county whole. Number one, let me say this; and I think -- that's why I wish the lawyer was here because he wouldn't have a choice but to say you were right. The Constitution in Section 199 and Section 200 states and I state that the counties are to be maintained to be kept whole in terms of drawing these districts. The only deviation that it talks about is simply this; is that where you have to provide a minority district; then you go outside of the counties to succeed to do that. In Jefferson County, that does not apply. All three minority districts are inside of the county. So, as a result of that, there is no reason that that county should have those splits, based on the constitution, not based on an opinion or how I feel. I've mentioned that when I was in here, I mentioned that my concern, when I was asked the question that you satisfied, not the word satisfied, but that's with the district, and my comment is that I was concerned about whole counties, and I say that even if the Supreme Court ruled that way that I had to have this district then I will live with it, that's what my comment so I don't want to be misconstrued or what I say it in there. I'm saying it officially here. But in terms of Jefferson County, there's no reason why we should be split seven ways and I mentioned that to it made that known, no effort was made to deal with that issue. No effort was made to deal with that issue based on the constitution. So, I want to make that known that I put it out there, nothing was done about it, so, that is my concern. If you remember, that last time that we went to the Supreme Court, they took up the house issue and they addressed it in the house and said that the house should be a certain way because of dealing with this issue. Now, we're looking at the senate district that the committee has made no changes whatsoever and as a result of that, as I said, we have seven senators who represent one county. So, I'm asking the committee to go back to address section 199 and section 200 of the constitution that talks about whole counties and has laid out the proper legal basis of why we should do that especially as it relates to Jefferson County where all three minority districts encompass inside of the county.

[01:35:00]



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Okay, anyone else? Seeing no other discussion, I call for the roll call vote. Representative England, I missed you over there, hold that roll call vote. Representative England, you are recognized sir.

**REPRESENTATIVE ENGLAND:** I'm just trying to figure out almost the same lines that Senator Smitherman identified that's Lucy County for whatever reason has three senators and it is carved up. It's going to be 200,000 people total and it has three senators that come from -- don't really represent the same sort of communities of interest and Senator Singleton is my friend. He is my senator, but his district goes from Tuscaloosa County all the way down to Choctaw. Senator Reed who is also a friend, his district goes from Tuscaloosa County all the way to the northern tip of Walker all the way to Lamar. These are not communities of interest. The City of Tuscaloosa proper only has average three-member senate delegation; only one of the senators live actually inside of Tuscaloosa County. So, the people in Tuscaloosa County, there are people who have more influence or just as much influence of his own city in county business that live outside the county as members that who do. Now, we're not talking about the house delegation yet, but the house delegation is worse. So, I am just as many other senators and representatives, where you have a major city, it is often sacrificed in order to make up population for other districts. As a result, it sacrifices the amount of representation that we have. So, I just want to go on record once again to state that Tuscaloosa County is possible to draw a map without splitting it into three different districts, thank you.

**MR. CHAIRMAN:** Thank you Representative England for your remarks. Senator Smitherman, back to you.

**SENATOR SMITHERMAN:** At the proper time, I have a substitute motion.

**MR. CHAIRMAN:** Let's see, anyone else have anything else to say? Yes, sir, Mr. [PH 01:37:24] Myer. Did you want to get in on this?

**MR. MYER:** I'm just concerned about, I guess the Senate District 33 is now in Baldwin County but it's traditionally all in Mobile County and then some of the Baldwin County senators are now in Mobile County; I didn't quite understand that. The Baldwin County is the largest grove county around the state. How did we get a senator from Baldwin County in Mobile and then the senators from Mobile in Baldwin? Who are they coming to cross path like that?

**MR. CHAIRMAN:** Is that a question?

**MR. MYER:** Yes, it is.

**MR. CHAIRMAN:** You know, the answer is pretty easy, isn't it? Just like in the house districts, we had to sit down and work with each of the incumbents to resolve their issues and that appears to be the resolution. Senator Smitherman, are you back?

**SENATOR SMITHERMAN:** Yes sir, I'm back.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yes sir, I recognize you. You're okay?

**MALE 1:** No, I'm not okay but -- Senator Smitherman.

**MR. CHAIRMAN:** Yes sir, Senator Smitherman, you're recognized.

**SENATOR SMITHERMAN:** Thank you, Mr. Chairman. I like to make a substitute motion that we carry over this plan and the motion ask the committee to go back and to look at making the basis for drawing this plan to perseverance of this provision of the constitution which is Section 199, 200 deals with whole counties and that in particular, the counties who have an excess amount of representation as it relates to the population in reference I'm talking to primarily Jefferson County, but all other counties that we would not go forward with this until that issue is addressed and corrected to reflect out of the 678 -- 70 something thousand people that the proper number of representation in the senate honoring whole counties would be five senators, 4.7 or 5 senators, thank you.

**MR. CHAIRMAN:** Thank you Senator Smitherman. Now, my commotion to table, I would ask that you all vote aye all in favor, say aye.

[01:40:00]

**SENATOR SMITHERMAN:** That's a rollcall, remember --

[OVERLAY]

**MR. CHAIRMAN:** Senator Smitherman, you're recognized.

**SENATOR SMITHERMAN:** A request was made for rollcall on all the votes from --

[OVERLAY]

**MR. CHAIRMAN:** Yes, sir, the chairman decided to make that a voice vote.

**SENATOR SMITHERMAN:** So you're not honoring her request for -- she made a formal request.

**MR. CHAIRMAN:** That's okay.

**SENATOR SMITHERMAN:** Okay, what's the rule does a committee regarding? I know on the floor what you had two or three hands up. Is there any rules that we can -- as a committee be recognize so that we can have a roll call vote?

**MR. CHAIRMAN:** That's a discretion of the chairman.

**SENATOR SMITHERMAN:** So they go back to what I say. Okay. All right, thank you.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Senator Singleton, did you decide you want to join in?

**SENATOR SINGLETON:** Obviously not now.

**SENATOR SMITHERMAN:** You have time later, don't worry, you have time later. You have some time.

**MR. CHAIRMAN:** Do you want the floor Senator Singleton?

**SENATOR SINGLETON:** No sir.

**MR. CHAIRMAN:** Okay. Thank you. Let's roll call vote. Please call the room.

**FEMALE 1:** [PH 01:41:10] Barry Allen.

**MALE 1:** Let's make it a voice vote.

**[BACKGROUND CONVERSATION]**

**FEMALE 1:** Senator Allen.

**SENATOR ALLEN:** Aye.

**FEMALE 1:** Senator Holley.

**SENATOR HOLLEY:** Aye.

**FEMALE 1:** Senator Livingston.

**SENATOR LIVINGSTON:** Aye.

**FEMALE:** Senator McClendon.

**SENATOR MCCLENDON:** Aye.

**FEMALE 1:** Senator Melson.

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator Roberts?

**SENATOR MELSON:** Aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Senator Scofield.

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator Singleton.

**SENATOR SINGLETON:** No.

**FEMALE 1:** Senator Smitherman

**SENATOR SMITHERMAN:** No.

**FEMALE 1:** Senator Williams.

**SENATOR WILLIAMS:** Aye.

**FEMALE 1:** Representative Boyte.

**REPRESENTATIVE BOYTE:** No.

**FEMALE 1:** Representative [PH 01:41:45] Clouse.

**REPRESENTATIVE CLOUSE:** Aye

**FEMALE 1:** Representative Ellis.

**REPRESENTATIVE ELLIS:** Aye

**FEMALE 1:** Representative England.

**REPRESENTATIVE ENGLAND:** No.

**FEMALE 1:** Representative Greer.

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall.

**REPRESENTATIVE HALL:** No.

**FEMALE 1:** Representative Jones.

**REPRESENTATIVE JONES:** No.

**FEMALE 1:** Representative Lovvorn.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE LOVVORN:** Aye.

**FEMALE 1:** Representative Pringle.

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**FEMALE 1:** Representative South

**REPRESENTATIVE SOUTH:** Aye.

**FEMALE 1:** Representative Wood.

**REPRESENTATIVE WOOD:** Aye.

**FEMALE 1:** 16 yeses, 6 nos. It's passed.

**MALE 1:** Thank you, senator. Ladies and gentlemen, now we move to the House of Representatives plan. In developing this plan, house members were met with in person. And subsequently over the phone on Microsoft teams and told many of their concerns have been addressed. All representatives had input into this plan. The exceptions are a handful of members who are not running for re-election and who chose not to meet with us. This plan meets our committee guidelines. It complies of section two of the Voting Rights Act and the Equal Protection Clause for the Constitution. There is a minimal population deviation between the districts, ideal population for house district is 47,850. All districts are within plus or minus 5% of ideal population. It respects counties to the extent possible, given the requirements for population on the 14th Amendment of the Constitution. It is not required incumbents to run against each other however there are a few members who are not running who are in other districts. All districts are continuous and reasonably compact under the Gingles test. It respects communities of interest and preserves the course of existing districts. It splits a minimum number of counties in voting precincts, 39 counties for split and 57 voting precincts for split to get the deviation. This is improvement of the current law which split 46 counties. This plan contains 27 majority minority black districts including the creation of a new majority black district in Montgomery which is House District 74. In addition, House District 53 held by minority leader Daniels has a black voting population of 48.15% which he said he was comfortable having. Well that ladies and gentlemen, are there any questions?

**MALE 2:** Motion to adopt.

**REPRESENTATIVE ENGLAND:** I have a question.

**MR. CHAIRMAN:** Okay, Representative England.

**REPRESENTATIVE ENGLAND:** Its seems like the whole county constitutional requirement applies everywhere but Tuscaloosa County. Again, there are 200% people inside the Tuscaloosa County and as it stands, there are seven members in that delegation. Of the seven, only four live

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

within the county. You mentioned in your discussions, you said we try to keep communities of interest together, representative Ralph Howards, district now draws all the way into Tuscaloosa - - not only Tuscaloosa County but in the city limits. He goes into the west side of Tuscaloosa which is majority minority.

[01:45:08]

**MR. CHAIRMAN:** And he is very happy with that by the way because he told me how excited he was.

**REPRESENTATIVE ENGLAND:** I appreciate you offering editorial for me. Secondly, District 71 goes into downtown or to the west side of Tuscaloosa. It also encompasses Pickens, Sumter and Marengo counties. It also goes into the west of Tuscaloosa and it captures the other half of the black population on the west side of Tuscaloosa. I don't think that's by accident. As it stands, the City of Tuscaloosa also now has a seven-member delegation of which three do not live anywhere near the county. The minority majority area of the city is represented by representatives that live an hour and hour and a half away. It is carved up in the City of Tuscaloosa to the point where it is very difficult to say for us to suggest that people that live in the county that the people that live outside the county don't have as much influence on what we do as the people who live inside of the county, especially the city limits. You also mentioned that it [PH 01:46:35] complies with the Voting Rights Act. I would also like to request the same information that I have requested all day long. I would like the same results from the same studies that we're conducting and that there has not been a study done on my District, District 70, 71, 72 or any district within the city of Tuscaloosa, I would like to have the results of those studies but not only that, I would like to also know who conducted the study and I would like to see the results. As far as across the state, I get the whole concept of try to keep counties whole and whatnot. But it does not appear that that was a guiding principle whenever you got to areas that where districts were minority. It seems like you dove into cities just to capture the black population and to pack them into districts to re-establish a population but to make sure that their influence does not spread outside to potentially impact an election in what would be a traditionally white or republican district specifically, in Tuscaloosa. So as I said, I would love to see -- I'm requesting the same information I have requested about the congressional districts and also, if there's any districts out where there are racial polarization studies were done, I would also like to see those as well.

**MR. CHAIRMAN:** Thank you and duly noted, we will get back to you. [PH 01:48:06] Senator Smitherman.

**SENATOR SMITHERMAN:** Two questions, one statement one question. I would request the same thing for all senator districts, okay. That study that they are trying to get, I would like for all senator districts. So I wanted to say that, I'm not saying you would but don't make a judgment [INDISCERNIBLE 01:48:28]. As a member, I am entitled to and I would ask for that. If we don't have it, spend the money and why we [PH 01:48:36] appropriate it. So any savings of money, either is about getting the necessary stuff that we need to get. The other question I would ask because I kind of heard you. Un your statement you said, you went on like you spoke to in your statement but I would like to know how many districts have been combined to where you



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

have now someone who is either waiting for a position that's open, that's obviously right now or who is -- or has been placed where two incumbents are now having to run against each other?

**MR. CHAIRMAN:** In the house plan, there is zero.

**SENATOR SMITHERMAN:** What about that [INDISCERNIBLE 01:49:20]?

**MR. CHAIRMAN:** No.

**SENATOR SMITHERMAN:** There is not?

**MR. CHAIRMAN:** No.

**SENATOR SMITHERMAN:** Okay. So he is not in the district with -- what's the other [PH 01:49:27] sister that's in Montgomery?

**MR. CHAIRMAN:** He passed away but the candidate -- there are no two candidates that I know off. I don't know if he is going to run but no.

**SENATOR SMITHERMAN:** Can she run? Ms. [PH 01:49:40] Morris and that's --

**MR. CHAIRMAN:** I don't know the name of anybody.

**SENATOR SMITHERMAN:** No, I was just saying Ms. Morris, that's [INDISCERNIBLE 01:49:49] putting Ms. Morris' district. Not understanding. Is that right? Am I wrong or right? Correct me if I'm wrong because I try to make statements that's right.

[01:50:00]

**MALE 2:** Yeah, couple of house district.

**SENATOR SMITHERMAN:** Right. So, you know, what are we going to do to correct that? And I'll stop when you said it, I want to make a comment. All I want to say is this and the records speak for itself and if Senator [INDISCERNIBLE 01:50:16] was in here, he would, I think vouch for that. We made sure that no districts when we were in the majority ever, to republicans or to democrats that they had to run against each other. That's traditionally what we've done in here. All the time that I've been had the blessings and opportunity to be on Reapportionment and that since 1994. So now why are we doing that? And why are we doing it in a minority district? I mean, we got 105 seats out there now, why are we picking these minority district? They have two of them run against each other.

**MR. CHAIRMAN:** Not that I'm aware of in Montgomery County. And I know when I ran in 94, I defeated -- two incumbents were put in the same district and I beat two of them. Not to get two incumbents.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** There was a 94 run. Remember I said I've been here since 1994, it hasn't happened. He will vouch how much I folded in my [INDISCERNIBLE 01:51:10] and make sure that wouldn't happen.

**MR. CHAIRMAN:** We did not place any incumbents together.

**MALE 2:** Mr. Chairman, why you may say you didn't have any incumbents together, but you did have a candidate that was out there running in 76. That are currently running in 76. You have candidates that are currently running and 76 who would now not be in 76 because if they wanted them, they would not represent 76.

**MR. CHAIRMAN:** I don't believe that's the best the case anymore.

**MALE 2:** That is the case.

**MR. CHAIRMAN:** I don't believe it is anymore.

**MALE 2:** Explain the new district 74 if Represented [INDISCERNIBLE 01:51:50] was living today.

**MR. CHAIRMAN:** He would be in another district but--

**MALE 2:** It will be in another district, so he wouldn't be in 76.

**MR. CHAIRMAN:** Yeah but the person running his district is in that district.

**MALE 2:** In what district in the new district?

**MR. CHAIRMAN:** [INDISCERNIBLE 01:52:01].

[BACKGROUND CONVERSATION]

**MALE 2:** No but now, they are tagged with another incumbent, who lives in that area now.

**MR. CHAIRMAN:** I'm aware of what you believe, but I promise you the plan has been changed.

**MALE 2:** The plan has been changed?

**MALE 1:** Can you show us a change?

**MALE 2:** Could you explain the changes?

[OVERLAY]

**MALE 1:** We can't see it. It doesn't clearly show here. Yeah, help me out with that.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**[BACKGROUND CONVERSATION]**

**MALE 1:** 76 is the new 74 that's been fixed.

**[BACKGROUND CONVERSATION]**

**MR. CHAIRMAN:** While we're doing that, Mr. Clouse is there anything you would like to say? We are going to pull that.

**MALE 2:** Yeah, well you can be seen.

**MR. CLOUSE:** I just want to make a clarification on my friend Senator Smitherman. It might have been after 2000 census when the democrats were in the majority there were no republicans put together in the Senate.

**SENATOR SMITHERMAN:** That's what I'm talking about.

**MR. CLOUSE:** Right. But in the house, there were two districts, where two republican incumbents were put together.

**SENATOR SMITHERMAN:** Yeah well let me come down and I'll [PH 01:53:45] refer it.

**MR. CLOUSE:** Yeah okay.

**SENATOR SMITHERMAN:** Republican Senate did that they won. See, we'll be fair about this thing. That's what I'm talking about. They'll tell you, I'll hide them for them. There isn't anybody allowing for them right now, but us.

**[BACKGROUND CONVERSATION]**

**SENATOR SMITHERMAN:** Is that a new district now?

**MR. CHAIRMAN:** That's a new district.

**SENATOR SMITHERMAN:** That district?

**MR. CHAIRMAN:** That is.

**SENATOR SMITHERMAN:** That has been in the county though but that is?

**MR. CHAIRMAN:** That is. That's whole precincts. So are there any more questions? Now we have a motion? Move to have a final approval to this.

**FEMALE 1:** Question.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yeah, I have done that once. Call roll.

**SENATOR SMITHERMAN:** She had a question.

**MR. CHAIRMAN:** All right, let Ms. Hall ask her question.

**REPRESENTATIVE HALL:** I was just trying to follow up with what you were saying in terms of the counties. Are we clear and what you're saying in reference to the county that Singleton and Smitherman mentioned as it relates to the candidates, whether the candidate is alive or not does that --

[01:55:00]

**MR. CHAIRMAN:** Where is perfectly thought.

**REPRESENTATIVE HALL:** All right, and so the -- this is the last activity that we are doing, right?

**MR. CHAIRMAN:** Yes, ma'am.

**REPRESENTATIVE HALL:** I would also like to request precincts for each one of these proposals that you provided today. I'd like to have that.

**MR. CHAIRMAN:** I will be more than happy to give you all breakdowns with all this stuff.

**REPRESENTATIVE HALL:** And then as we look at the rules, it says a legislator shall try to minimize the number of counties in each district. It seems like we're being a bit confused here with what we've heard today. We use the word "shall," it says that you must follow, trial indicates that you might not. And so, would you tell me based on what we have today and what instant would you not minimize the number of counties or the process that you've used here today?

**MR. CHAIRMAN:** Ma'am we did our very best to respect voting precincts and county lines and keep as many counties hold as possible but the overriding principle of reapportionment is one man one vote. When we went by whole counties in the State of Alabama -- in 1947 the United Supreme Court said the redistricting was a judicial ticket in which the court should not weighed and declared it non-despicable. Until the State of Alabama came and rentals [PH 01:56:37] via sims and our whole our whole county plan where they ruled that it was so egregious that denied people their constitutional right to fair representation. And that's the lawsuit just started all redistricting and the Fourteenth Amendment requires one man one vote and we respect county lines as much as we could but the overriding principle is to draw districts that each person in this room represents the [PH 01:56:59] apportionment the same number of people as every other person.

**REPRESENTATIVE HALL:** So it still appears that we've still dividing counties and it's just -  
- and so you're saying that process was necessary.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** We split counties and precincts solely for the purpose of population deviations.

**MALE 3:** Mr. Chairman?

**REPRESENTATIVE HALL:** But we did not do the population study on all of these counties?

**MR. CHAIRMAN:** No, well, we're going to do the voting studies on the ones we think are necessary, but you don't need a voting study on my district. It's just not needed.

**REPRESENTATIVE HALL:** But I'm saying if we're being fair, when you do a study, you study all you don't study what you think.

**MR. CHAIRMAN:** No reason.

**REPRESENTATIVE HALL:** So help me to understand what the standard is.

**MR. CHAIRMAN:** Why would you study racial polarized voting in my district?

**REPRESENTATIVE HALL:** I don't know.

**MR. CHAIRMAN:** I mean, you just --

**REPRESENTATIVE HALL:** Other than in fact you want a process --

[OVERLAY]

**MR. CHAIRMAN:** I mean the reason we do this to ensure we don't run up against a regression on law suit and violate section two of the Voting Rights Act.

**REPRESENTATIVE HALL:** I shouldn't have said I don't know. I would think you don't do it because you would --

**MR. CHAIRMAN:** We were doing everything we can to prevent a regression problem and violate section two of the Voting Rights Act. I mean we're trying to follow the law and we don't have a retrogression issue and violate section two.

**REPRESENTATIVE HALL:** So would you violate the law if you did all of this information --

[OVERLAY]

**MR. CHAIRMAN:** We asked for polarized voting analysis on districts that we were concerned about whether we whether intentionally or unintentionally diminish the ability of a protected class of minority citizens from electing or defeating the candidate of their choice. That's what

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

we're looking at. We are making sure a protected class minor and compact and cohesive but minority class is able to elect to defeat the candidates of their choosing.

**REPRESENTATIVE HALL:** And I want to make sure that the record is clear. I'm not asking you to violate the law but I would ask you to be consistent and fair and across the board in the process.

**MR. CHAIRMAN:** We have met with every member trying to make him happy. Yes, senator?

**SENATOR SMITHERMAN:** I would just add that you quoted [INDISCERNIBLE 01:59:12] but if you go further it addresses what I see it. You did say what you said but you see what I see it after they said all that bizarre stuff they said however, counties should be made whole where there's possibility except one of the criteria was when you were trying to create a minority district. Unless you're getting ready to give up four in Jefferson County instead of three then we got out inside the county and that does not apply.

**MR. CHAIRMAN:** I'm a humble contractor and you're a scholarly attorney. Well, that we had a question before us, I believe we have a roll call vote, clerk call the roll.

**FEMALE 1:** Senator Allen

**SENATOR ALLEN:** Aye.

**FEMALE:** Senator Holley.

**SENATOR HOLLEY:** Aye.

**FEMALE:** Senator Livingston

**SENATOR LEVISTON:** Aye.

[02:00:00]



I, Anders Nelson, hereby certify that the document "Reapportionment committee 10.26.21" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

Anders  
Nelson

---

Anders Nelson  
Project Manager

Digitally signed by Anders  
Nelson  
Date: 2021.12.14 15:46:45  
-05'00'

December 14, 2021

**TRANSCRIPT OF  
SENATE FLOOR DEBATE  
NOVEMBER 3, 2021**





Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

[00:10:00]

[00:11:09]

**SENATOR SINGLETON:** Mr. Chairman.

**MR. PRESIDENT:** Senator Singleton.

**SENATOR SINGLETON:** While we're waiting on here, can I just get a [INDISCERNIBLE 00:11:16].

**MR. PRESIDENT:** You're recognized.

**SENATOR SINGLETON:** I just want the body to know and I'm going to turn this back over, is that we here today on this congressional plan are going to present a couple of plans today and we just ask for your patience. This is not going to be a lockdown filibuster or anything. We just want to be able to ask pertinent questions about this, be able to take our time to walk through the process. I know I have a map or two that I want to introduce. Senator Smitherman has a map that he's going to introduce. I think also Senator Wagner may even have a map that he's going to introduce. So, we're just going to take our time to go through this process. There's no need to cloture anyone. We're not here to lock down anything. We just want to be able to ask pertinent questions and deal with the Chairman, who has done a great job at this point. So, thank you, Mr. President, for that point of personal privileges.

**MR. PRESIDENT:** Thank you, Senator Singleton.

**CHAIRMAN MCCLENDON:** Mr. President.

**MR. PRESIDENT:** Senator McClendon.

**CHAIRMAN MCCLENDON:** The house plan we have before us today is the plan that came out of the Redistricting Committee earlier last week and it is also the plan as it came out from the House of Representatives. The members were met with in person and sometimes on Microsoft Teams, sometimes on the phone. All their issues have been addressed. We've been made aware of their problems. Everyone that had an interest had input into the plan. There are exceptions for a handful of members who, in fact, are not running again, who chose not to meet with us. The committee guidelines have been met on all aspects of this plan. It complies with Section 2 of the Voting Rights Act and the Equal Protection Clause. There is a minimum population deviation between the districts. Ideal population for a house district is 47,850. All districts are within plus or minus 5% of the ideal. It respects counties to the extent possible, given the requirements for equal population. It does not require incumbents to run against each other. However, there are a few members who are not running, who would be in a different district from the one that they currently represent. All the districts are contiguous and reasonably compact, attempting to respect communities of interest and to try to preserve cores of existing districts. Copies of Pringle House Plan 4 are available to you. This plan splits a minimum number of counties and

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

precincts. Thirty-nine counties are split under this proposed map and compare that to the 46 counties that are split under the existing maps.

[00:15:12]

Precinct 57 are split in order to get the deviation. This plan contains 27 majority black districts including the creation of a new majority black district in Montgomery County, which would be House District 74. In addition, House District 53 held by Minority Leader Daniels has a BVAP of 48.15% with which he said, he was comfortable. With that being said, if you would like to look over these and see the details, the breakdown of the splits and the population; again, these districts were drawn with race blindness that committed data was removed from the screen when they were created as we're charged to do. You will see that the House Districts all fall within the deviation. The population summaries are attached to the maps that you have with a mean deviation of 3.18 and standard deviation of 1,682.66. The range on the districts on population size went from a low of 45,466 to 50,225. All of that information is presented up here. I will talk about historically how this has worked with the House considering senate maps and the Senate considering house Maps, which is where we are today on this fifth day of our legislative session, special session that in the past the Senate has been essentially hands off of the house maps accepting what is produced by the House and their efforts. And the expectation is the same that the Senate will leave the house maps, House will leave the Senate maps alone. At least that's how we hope it will work. Now, I see my friend Senator Singleton, you have some discussion on these maps, Senator, I would welcome the input.

**MR. PRESIDENT:** All right, Senator McClendon, do you yield the mic?

**CHAIRMAN MCCLENDON:** I yield the mic.

**MR. PRESIDENT:** Okay. Senator Singleton, you're up in the house.

**SENATOR SINGLETON:** Thank you, Mr. President. When I look at this plan, it says Pringle House Plan number 4. Is this a substitute plan that he made down? Because I don't remember a plan number 4 before the committee that we adopted out of the committee.

**CHAIRMAN MCCLENDON:** Yes, it is a substitute plan.

**SENATOR SINGLETON:** Okay. So this is not the committee plan. So this is a substitute plan?

**CHAIRMAN MCCLENDON:** Correct.

**SENATOR SINGLETON:** Okay. I heard you say the committee plan. Because I don't remember seeing a plan number 2 or 3. You know? Now we here, we are looking at a plan 4. What is the difference between the plan that we adopted and this plan?

**CHAIRMAN MCCLENDON:** There was input from the members. As, you know, that's when you got to get their votes and some changes were made. I don't think any of them were drastic

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

changes, but I was not involved in the drafting process of this map. Since it is a house map, House members were involved in it and Representative Pringle managed that and I was basically hands off that map.

**SENATOR SINGLETON:** I understand. So what you're telling me is that Representative Pringle went back and made changes to get the Bill passed, not necessarily an illegal bounds to make sure that something was legally done to meet the voters' right and to make sure that communities of interest, all of those things that we do to make sure under the legal status of being able to get a map drawn and get it constitutionally passe.

[00:20:15]

Those things was -- those changes wasn't there. He changed this specifically to make sure that get some votes. That's what I'm hearing you say.

**CHAIRMAN MCCLELLAN:** No, that's not what I said. What I said was I was not involved in that process.

**SENATOR SINGLETON:** I understand. But you mentioned that he had to get some votes.

**CHAIRMAN MCCLELLAN:** No. What I said was or intended to say was that he worked with members of the House to make changes. Now, what was involved in that whether involved votes or --

**SENATOR SINGLETON:** Do you know whether or not he had met with any African-American members to make any changes or memos of the minority party?

**CHAIRMAN MCCLELLAN:** No, I was not involved in that process so I can't really give you the details of how Representative Pringle and the House came up with the plan.

**SENATOR SINGLETON:** I understand. When I look at this map, I see a lot of splits in less whole counties that we sent out as a committee to try to do as much as whole counties as we possibly could. And when I look at this map and I understand you got 105 members and you got to work through the process so you may not have as many whole counties, and the map would look a little different at the senate and the School Board and Congress that then it does with the House because of 105 members have to be divided within six to seven counties. I understand you're going to get some splits, but in terms of unnecessary splits that are related, I looked at -- there's a district in Haysville which is a minority district that only has about 38% Black. How do you justify maintaining the voter's right with a 38% African-American district in the Haysville area that has been held by a minority already?

**CHAIRMAN MCCLELLAN:** Are you referring to House District 74?

**SENATOR SINGLETON:** I think that's what it is, I think.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**CHAIRMAN MCCLELLAN:** The BVA paying for that district is 48.15 and the current holder of that district was okay with that. He did not have a problem with it.

**SENATOR SINGLETON:** Well, I'm sure he did not suggest because of the fact to see exactly what it is that you're going to do with it. Let me ask you this question then. Had he had problems, would you think that Mr. Pringle would have made those adjustments or the demographer would have made the adjustment as you've done with the majority members to get all the way down to a plan forward to make the adjustments that they want to make?

**CHAIRMAN MCCLELLAN:** Your question is would Representative Pringle worked with the House member?

**SENATOR SINGLETON:** And had made those changes to get him a higher number if he possibly could?

**CHAIRMAN MCCLELLAN:** I'm certain he would work with him. He had input and the representative from 74 was placed with this district, assets drawn, assets presented to us today.

**SENATOR SINGLETON:** Well, I'm not certain. When I talked to him, I'm not certain about how pleased he is. He thought that that's all he could get based on what was offered to him and that's the difference in being you got to be just pleased with based on what people say that they - that's all they can give you which you offer. So, you're pleased, you walk away okay with it, okay? And with the splits that you have gone in the Jefferson County area, again, and I think that you find that the people from Jefferson over my side would still talk about the unnecessary splits and splitting up Jefferson and how Jefferson is being split up and that's the argument we've already made, and I think that argument is consistent with all of the maps, okay? So, we're going to have to continue to beat that horse down the road in terms of the splits in Jefferson. Also, on the whole county provision, it is very few whole counties that you could see in this map. I see Randolph was left whole. Barber was probably left whole, Bulloch was left whole, Butler and after that, when you go across the map just about every other county is split. Were those splits necessary to maintain and to achieve the necessary parameters that we looked at in terms of not gerrymandering, making sure that we have communities of interest, making sure -- because we're supposed to be dealing on a whole county perspective and those were the rules that we adopted in the committee.

[00:24:59]

And when I look at this map, I see less whole counties as -- that possibly could've had some more unnecessary splits and that's what bothers me is that we are way down to a Pringle 4 and you don't understand and know where exactly what Mr. Pringle did to get the Pringle 4 and it is hard for me to ask you those questions, and it's unfair almost for me to stand here to ask you those questions because you may not understand exactly what he did to get down to a Pringle 4. And that's what's troubling is that the committee adopted a plan and then we get here and there's been a two, three and now has changed to a four and so that just kind of puzzling here today.

[OVERLAY]

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SINGLETON:** I'm sorry, Mr. President, for the silence. I apologize.

**CHAIRMAN MCCLELLAN:** No need to apologize.

**SENATOR SINGLETON:** But that's where I am, Mr. Chairman, and then I noticed that, you know, again, you let the House handle the House and that's what kind of disturbing to me again is that we are down to a plan number 4 that as members of the committee we had never seen before. I'm sure you probably had even vetted this map that much to have seen a plan number 4, you know, and that's why you're standing here trying to do your best and struggle through some answers and the only thing that you can do is based on the information that you give currently in terms of your introduction whether or not you met the standards or not, you know, and that's what you can give. You can't explain to me exactly what the Chairman down there did in terms of his splits and why he made those splits because you have been able to do it on plan number 1 because you're always around each other doing it. But this is a plan number 4. A plan number 4 that we've gone all the way to a 4 that none of the committee members, Republican or Democrats in this body, has ever seen this. Somebody's member don't know -- what the House district even looked like now. They don't know. But as everybody is sitting back all cool and calm and collected, some of these folks problems have been running against them because they probably got what they wanted in the House District to run against them in the Senate Districts. But everybody happy, because everybody's just binding to it but this is a Pringle 4 that nobody knows what's in this Pringle 4. The map is so vague that we can't hardly look into to see exactly what it is that we are looking at in terms of real numbers and split because you can't see everything on these maps, and that bring polls for us to stand here and talk about it and then for you not to be able to answer any questions is even more disturbing, is even more disturbing. So, you know, I'm just as appalled that we went down this road with the House. And let me say to you, Mr. Chairman, I appreciate your steadfastness and at least stand on top of it in maintaining your map to do what you did, okay? I'm going to had to vote against it, I may not like everything, but at least you stood strong and you didn't go through a whole lot of changes based on what we had already seen. But this is a plan 4, that's disturbing to me. That mean you have gone through out the one that we drafted -- we will adopt it in the committee on last week, Tuesday I think it was. He has come along and drafted three more plans that we hadn't seen. Now, if that was going to be the plan, you know, I don't know what all the trickery going on here, you know, and we can keep saying that because he went back and met with folks, yeah I already met these folks already prior to this. So, what's the difference between plan 1 and plan 4 that he had to satisfy somebody about? Because that's all it was about. He wanted by into the legal reasons that we changed because something might have been unconstitutional, we didn't follow an x-trail or map or water or -- you know, we went over here and we took some VIP for someone else that we need to bring it back and bag out over there, none of those reasons that I understand this morning but here we are with a Plan No. 4.

[00:30:02]

And I don't know why we're at a Plan No. 4 and that's pretty disturbing to me as a member of the Permanent Reapportionment Committee that we have to stand up here and see something different than what we drafted. It almost looked like a backdoor job to me, Mr. Chairman and



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

I'm sorry and it is not at you but this is at the chairman on the house side. This is disturbing that he had to go and change it. I don't know what the minimum change or what it is, major changes I don't know because you weren't in there so you can answer those questions for me. Because I don't know and then plus, I can't see this map as clear to be able to know whether or not there is some major gerrymandering going on or whether he packed or he stacked in folks in areas and that's the problem that I have here today. So, I'm not going to prolong it, Senator Smitherman, do you have any questions on this map that you have to ask. Mr. President, I would like to yield if the gentleman will allow me to yield to Senator Smitherman to ask some questions about this house plan.

**MR. CHAIRMAN:** Senator Singleton, you got the mic. If you want to yield, that's your choice.

**SENATOR SINGLETON:** I want to yield.

**MR. CHAIRMAN:** All right, yeah. All right, Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you, Mr. President, may I be recognized?

**MR. PRESIDENT:** You're recognized.

**SENATOR SMITHERMAN:** Thank you. Hey, my friend, how you doing?

**SENATOR MCCLENDON:** Senator Smitherman, I recognize you as well.

**SENATOR SMITHERMAN:** Thank you. I appreciate you.

**SENATOR MCCLENDON:** I'm glad to have you --

**SENATOR SMITHERMAN:** Senator [INDISCERNIBLE 00:31:30] was absolutely right. As he stated, what lack of better word, is I appreciate the opportunity to have to dialogue and to be able to discuss the different plans that will be before us. I just want to tell you that because that clearly will allow each person to see and make a determination what they feel would be the advantages or disadvantages for either one of the plans. So, thank you very much. And I did tell what he said about you being steadfast and being strong and set in and in the spirit of which we operate up here and that is we are very open and straightforward with each other and so having said that this -- I noticed in the meetings having the opportunity to be a member of the Reapportionment Committee, I noticed in the meetings that there seem to be some kind of, lack of a better word, friction among the house members themselves being in the meeting and it seems to me that the Chairman from the house kind of got a little irritated about fundamental procedures that were taking place and I think you know what I'm probably making reference to that situation. I said that because I'm concerned that the motivation to alter the plan to Plan No. 4 could have been driven by that friction of animosity. I don't know that and will make sure you understand that I don't have any clue to that effect, nobody came and told me. They're just only from my observation of the situation. I wish he could have provided for the committee because if I had to say it for the Senate, he would have said, "Well, we don't have to provide for the Senate so I will say it at the committee." that he co-chairs members. The updated information as it

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

relates to this -- this is plan on House Plan 4 as it relates to this plan because as it's been previously stated, the first time I actually heard that there were plans for was here in the debate. I mean, in the -- it's not debate. Here in the dialogue that's taking place regarding the plan. So, I am totally taken by the fact that this is truly the first eyes that I have laid up on Plan 4. Now, did he share any notes with you, talking points about their plan that you can share about any changes that may have --

[00:35:07]

I'm not even asking you to go get the map and show me only land, where it is or anything. It's just maybe you can share that with me in a conversation that would in such a manner that it will allow me to kind of get an idea as to why we are in a Plan 4.

**SENATOR MCCLENDON:** The most definitive information I have is the information that I provided with this body when this plan was first brought up when I talked about compliance with the Voting Rights Act and the equal protection clause and thank you for the opportunity. I mentioned earlier, I talked about a mislabeled district in North Alabama held by the minority leader. That district is 53. I called it by the wrong number, 74. So let me make that correction that I just called a wrong number out but that District 53 held by the minority leader is the one that had the 48.15% [INDISCERNIBLE 00:36:24] and in fact, the current office holder who is a minority member was okay with that. He didn't have a problem with it. But other than that, as far as the information that I have before me here pertains to the map we have before me. What I don't have is what we used to have in House District 1 and where those changes occurred. I've just got the information that we have before us and that, hopefully, eventually, we'll have a vote on and treat the House with the respect. We hope they will treat us and we'll leave the House map unscathed as it came out of the House the way they would like to have their districts drawn and of course, we expect that we get the same treatment in the House. They will have the senate map today. They may have it now. I don't know what their calendar looks like but of course our hope is that the map that this body approved and sent to the lower chamber that they will proceed to accept that and not get involved really in what's our business and my hope is that we don't get involved in their business.

**SENATOR SMITHERMAN:** Well, I understand what you're saying and I understand that that is a courtesy that you are saying that you hope that they provide for us and as such, that is an approach you would like to take in relationship to how we address what they have sent up here to us. The approach is not in question as to what you know or prefer. What's in question is that what are they asking us to defer on? I mean, at least tell us what deal we are deferring so that at least we can have an understanding of what's before us. That's all that -- I don't mean you personally but I'm just saying the House should have sent that -- the chairman should have had a talking point sheet for everybody in here. It should be 35, let's see, 36, it should 36 because the lieutenant governor should get one as well. It's actually, they have 36 of those talking points and so that we could go -- and 36 of these little maps so that we could go and then at least question that aspect of it. What I've heard from some of the house members is that the same thing took place with them, is that when they got it, they didn't get the information. Instead of getting some responses, they at least understand it. They were put in a position that you know, [INDISCERNIBLE 00:39:42] made a vote and yet to this moment, they still don't know the



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

answers to these situations so I would think in reference to the point that you shared with me that even if you take that position, if the body takes that position,

[00:40:01]

we should at least return or defer action on this until they get us the information. That's all I'm saying. Yeah, you know. Yes, [INDISCERNIBLE 00:40:16] call the Chair, anything like that to the -- at least until they get the information to us, you know all that, you know, if they trying to get it that if you don't want to carry it over then let's just continue the dialogue. Well, we need to do it. It's not a filibuster but like something essentially saying it's no objected to filibuster. Let me just clear you up again on that aspect, but I'm talking about to get the information. If they could get it to us in 15 minutes, that's fine. If they could get it to us in 5, then it wouldn't be necessary what I'm talking about. If they get it [INDISCERNIBLE 00:40:53] we all got -- we don't have -- we're going to need time to get it. I'm willing to work with them on that time. I just think that it's important that they get us the information so that leaves, as I said earlier, you know, we can understand. You know, what kind of substitute changes are -- changes in general that is in this Plan 4. Do you think that you could [INDISCERNIBLE 00:41:17]. I don't know if y'all got a bat phone. That's what they call them. Yeah, my whole little bat phone. Can you get the bat phone and when you see that thing beep, beep, beep, beep, then you know who called you and then you just shared with him. You know, as I was spokesman from the Senate that there are senators here, who -- you know, can you provide us some information regarding just those subsequent, even if you don't want to get a little [INDISCERNIBLE 00:41:48], the subsequent adjustment and changes, that's caused us to have a Plan 4. I know you shared a few of them with me and I appreciate that but the other ones, you know, like you were just saying moving in and moving out just because it's obvious that would you share with us. And I see you because you our Chair here in the Senate. What you share with us only committed when there was adjustments, then the numbers change, you know how to debate number change. Yeah, and that's all, -- and he should have that. If you want to hold map, you got to know what's in that district and we're not -- that comes out just like that. I said it because I have it here. I have some numbers myself from the house on the other plan, so that's why all about. I don't have this because I didn't get that. So, can you call or say no more, you don't have to, [INDISCERNIBLE 00:42:47]. I know you got staff and stuff, but can you make the hook up for us to get down there so they can get that information up here to us?

**SENATOR MCCLENDON:** You know, I can certainly check with Representative [PH 00:43:01] Pringle to see if he has any summary or notes. I don't have a problem doing that. If I get a --

**SENATOR SMITHERMAN:** What about a reapportionment offer? They may have it too. The numbers, I mean. We don't have to draw them out, nothing stuff like that.

**SENATOR MCCLENDON:** Now, we do have attached to what you've been provided. The numbers that are associated with this map, you have in front of you and that's really -- of course that's really what the issue is. I know we did take a senate map and did an overlay at the redistricting meeting which was interesting but the fact is what we're voting on today are -- let's hope we vote on today, is the plan we have before. So, we've got all the details of the plan

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

you've been presented. And the truth of the matter is, we do have maps and proposals that come before this body that nobody has seen before except maybe one person or two people. They come up with not a lot of details behind it. We may in fact, according to Senator Singleton. There may be maps offered today that nobody in this body has seen before except perhaps the sponsor of the bill or maybe someone who is behind them and supporting them out that come up at essentially the last minute and Senator Smitherman. Let's hope it's not only the last minute, but let's hope it's the last day for what we're doing --

[00:45:05]

-- but if I get a chance, I will communicate with my counterpart in the House and see if he's got any information prepared. I don't think that our redistricting office as a comparison sheet [INDISCERNIBLE 00:45:25] have time to put it together. They were here last night, late last night trying to help some legislators with some changes that they might want to propose to this body and maybe to the house. I don't know. So, that information may be available. But I'd be surprised if it's to the extent that you're looking for and would make [INDISCERNIBLE 00:45:58]. What we do have in front of us is what the details on each of these 105 districts. We've got that attached to the document before you and available to anyone in this House that would like to or anyone in this body that would like to go over those details.

**SENATOR SMITHERMAN:** Well, Mr. Chair, I think that you spoke accurate when you said that that would be maps that we presented before the body, that some of the maps that it may be the first time that they have a chance to see those maps. But now, let me share you the difference and what we are requesting in the relationship to the map they're putting the House Plan 4 versus the maps that are going to be presented in here. The maps that are going to be presented in here, the people who are presenting the maps right here to where the same questions that I'm asking that they can answer them verbatim to every person in this body. So that means that 34 people have the opportunity to literally go to a mic and ask any question they want to. And if any person represents the map as the knowledge, then they get answer on the spot any of those questions that may come before them. In this case, we don't have that luxury because he's not here. Do you see what I mean? That's why we are asking as the only difference. That's why we are asking that. Now, if that's not a situation that can be expedited, then I think it will be nice if we had a brief recess. Well, it's 30 minutes, just 30 minutes. Do you see what I mean? I mean, the lazed, I have to say that because some people may think that. No, it's just 30 minutes to get -- they're not doing nothing. How's not doing anything right now?

**SENATOR MCCLENDON:** Are they not in?

**SENATOR SMITHERMAN:** Are they in? I don't think, they're coming in about 1.

**MR. CHAIR:** I think 1 o'clock is when the House [INDISCERNIBLE 00:48:32].

**SENATOR SMITHERMAN:** 1 o'clock. So, if, but he's here. I mean, because -- where is this district?

**SENATOR MCCLENDON:** Right in those mobile?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Oh, yeah. He can go back in the mobile yesterday and come back [INDISCERNIBLE 00:48:45] 1 o'clock. So, he's here. I can go back to that bat phone. Remember I said a bat phone? Hit that [INDISCERNIBLE 00:48:51]. Ask him, do you want to [INDISCERNIBLE 00:48:55] with anything they're doing in the House because as we said, they don't go until 1:00 and then we can recess for 30 minutes and go to Star Wars. I just said Star Wars, you know, it could be anywhere the majority want to go, okay? 200. If y'all got a little extra food in there, you can bring us [INDISCERNIBLE 00:49:15] room. It doesn't make any difference but just get him there so that he could just explain it. Okay? That's all, for 30 minutes, that will be wonderful because then we at least have a clear understanding and really it's the same 30 minutes that we will be trying to struggle through to get out. So, you know what I mean?

**SENATOR MCCLENDON:** Yeah.

**SENATOR SMITHERMAN:** Yeah. Right now, so, it wouldn't be a dilatory use of time or anything like that. So, at least think about it and see if you think that's something that might be feasible. I appreciate that you've given it the attention and I know you will because you did the other day. So, I don't question whether you get it, you know, at least give us some consideration. I do want to talk a little bit about this [PH 00:50:06] Jone plan as a whole that has been presented. But before I go there, I want to take a look at this map and this is the Pringle Plan 4. And I think that that's yeah. Look at Pringle Plan 4 and look at Winston County when you get a chance.

**SENATOR MCCLENDON:** All right. I already found it.

**SENATOR SMITHERMAN:** Okay. Just tell me when you found it.

**SENATOR MCCLENDON:** Tell me where it is.

**SENATOR SMITHERMAN:** A little bit there. Going toward the top on the left hand side, not all the way to the corner. And it's kind of light, what we would call --

**SENATOR MCCLENDON:** Yeah, okay. Is that the free State of Winston that I've heard so much about?

**SENATOR SMITHERMAN:** Yeah. Look. That's why I want you to look at it.

**SENATOR MCCLENDON:** I see it.

**SENATOR SMITHERMAN:** Do you see how that district is -- Winston County, it comes around and then it goes around the county under it and then it comes up underneath and then it goes straight in the Jefferson County. You see that? You see how bizarre and gerrymandering and snake look that this district is. Taken, I mean, I'm not exaggerating by using certain words. You need to look at anybody that think that is exaggerating. Look at this map.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR MCCLENDON:** Are you talking about 14?

**SENATOR SMITHERMAN:** Yeah. I think that's it, 14. You see how it hoops around and comes around and circle around and it's come back onto and it comes straight down. Then it sneaks into Jefferson County and pick up some people right there. You know what? That one district alone, that district and when you get a chance, when you get a chance of reapportionment, ask them to send you a copy to your office of the very first district that the course out of North Carolina, I think it was a congressional district that the court ruled that it was bizarre and that it wasn't a good district. It looked just like this one.

**SENATOR MCCLENDON:** Are you talking about -- I believe it was in New Jersey when Governor Gary approved the plan that looked like a salamander?

**SENATOR SMITHERMAN:** Excuse me.

**SENATOR MCCLENDON:** I was asking if you were referring to the original source of the name gerrymandering.

**SENATOR SMITHERMAN:** Am I familiar with -- one more time.

**SENATOR MCCLENDON:** The source of the name gerrymandering.

**SENATOR SMITHERMAN:** Yeah.

**SENATOR MCCLENDON:** That's the district you're talking about now?

**SENATOR SMITHERMAN:** I think that's it. I think that's the one I'm talking about.

**SENATOR MCCLENDON:** I don't think the court threw that out. I just think the opponents pointed out that and in so doing created the new term gerrymandering because it looked like a claim that district -- like a salamander. I think that district survived.

**SENATOR SMITHERMAN:** Well, you know, the ruling, I think that they used it as a visual example of the county district they were talking about. There were no good districts.

**SENATOR MCCLENDON:** We've certainly heard about that district now. That was in the 1800s. So, we've been hearing about that district for a long time.

**SENATOR AIDEN:** Mr. President.

**MR. CHAIR:** Senator Aiden.

**SENATOR AIDEN:** Mr. President, I appreciate my colleague giving me the microphone and I want my members to hear this. We are not going to be comfortable with anyone in another chamber working on senate maps without any engagement from the members of this body. I'm asking for this bill be carried over to the call of the Chair.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. CHAIR:** All right. All those in favor, say "Aye."

**SENATOR MCCLENDON:** Aye.

**MR. CHAIR:** Any -- all right, bill is carried over. All right, secretary, call the next bill.

[00:55:00]

**SENATOR SMITHERMAN:** Mr. President.

**MR. CHAIR:** On Page 2 of the calendar. House Bill No. 1 by Representative Pringle relating to reapportionment. Senator McClendon?

**SENATOR MCCLENDON:** Thank you Mr. Chairman. Let's find the -- got everybody. Okay, here we go. I think we'll just put this house map to the side for now. The congressional plan that the Reapportionment Committee sent to the Alabama house was approved intact by the house members and in developing this plan, all of our congressional representatives were met with in person and then subsequently over the phone, our own Microsoft Teams until their current concerns had been addressed, one exception to this would be Congressman Mo Brooks who is running for another office. And he did not meet in person nor did he send a staff member. All representatives had input into the plan. The plan that you have before you now is in compliance with Section 2 of the Voting Rights Act and meets all obligations under the equal protection clause. There is a minimal population deviation between the districts. Six of the districts are ideal at 717,754 and the second congressional district is one over that.

**SENATOR COLEMAN-MADISON:** Senator McClendon, if you could maybe try to talk into the mic a little bit more. If not, we'll raise the volume, okay?

**SENATOR MCCLENDON:** Okay. Senator Coleman-Madison, is that any better? I'm talking. I do have some competition. The map that you have before you respects counties to the extent possible given the requirements for equal population. It does not require any incumbents to run against each other. I would remind all of you that this is one of the guidelines for the redistricting committee that we do not put two incumbents in the same district. The districts are contiguous and they are reasonable compact respecting communities of interest and we work at preserving the core. It splits a minimum of counties and precincts. Six counties are split and seven precincts are split to manage to get to the zero deviation. This is over the current law which splits seven counties. Those splits are located in Lauderdale, two splits; Tuscaloosa, two; Jefferson, two, Chilton, two; Montgomery, two. I would point out that's an improvement. Escambia between Districts 1 and 2. This district contains one majority black district or this plan contains one majority black district with a BVAP of 54.22%.

[01:00:00]

Now if there are any questions on this, I would be interested in -- in hearing what anyone has to say. Otherwise if you're ready to vote. Senator Singleton!



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SINGLETON:** Yes sir. Thank you Mr. President.

**MR. CHAIRMAN:** All right, hold on. So you yelled.

**MR. PRESIDENT:** I do you.

**MR. CHAIRMAN:** All right, Senator Singleton, you're recognized.

**SENATOR SINGLETON:** Thank you Mr. President. Thank you Mr. Chairman. On this Congressional map, you know, ever since the month of probably August, September, you all knew that the League of Women Voters were presenting a map and it was -- it was presented at all of our public hearings that was held around the state that someone was there from the -- from the League of Women Voters to present a map and as you know, in the month of September that myself and Senator Smitherman became plaintiffs, in that case with the League of Women Voters on their behalf to -- on the redistricting. We introduced maps and gave maps to the committee for consideration and I guess my question -- first question was being that that map was sent into reapportionment, it was in the system well, before the 10 days rule that we have and the fact that we got it in -- in time, the question is, was that map was set in by the League of Women Voters. It wasn't just a district, but it was a full Congressional map of the entire state of Alabama. I know as a committed member that it was never given any consideration. So, I guess the question I have is whether or not among the Chairmans and among the attorneys in the democratur was that map of the League of Women Voters given any consideration to be the official map in the state of Alabama?

**MR. CHAIRMAN:** Well, of course it was, it was I believe you have that map. In fact ---

**SENATOR SINGLETON:** I'm asking the question to you Mr. Hillman, Mr. Dorman Walker, Mr. Pringle whether or not you all looked at that map and whether or not you all ever considered that to bring it before the committee, to be -- to look at us an official map for the state of Alabama.

**MR. HILLMAN:** I'll speak for myself.

**SENATOR SINGLETON:** Okay.

**MR. HILLMAN:** And that -- that map had some serious flaws I thought compared with the other map, the one that you have before you now and as a result of those flaws, it was rejected.

**SENATOR SINGLETON:** Yeah. Do you have a copy of your Congressional map over there? Is -- do we have copies of it like we did the house frame?

**MALE 1:** You got it, I put I can tag it up on an evening.

**SENATOR SINGLETON:** Well --

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

[OVERLAY]

**MR. CHAIRMAN:** In case anybody is wondering what we're doing we -- we have two Pringle Congressional One Maps here that we have provided an enlargement and I think we've got some small versions. But anyway, yes, sir.

**SENATOR SINGLETON:** You know that scares me because it says Pringle Congressional One and I guess I don't want it to be like world has a map that Pringle whole is all that information that is here and you know because I do want to ask these questions, that's what scares me there.

[01:05:02]

And I guess when I want to go back to the question, you just answered the question about the legal women defense map based on that that you thought that there were flaws, when you said flaws, what kind of flaws were you speaking of? Are you talking about split counties, deviations, what kind of flaws are you -- are you basically speaking of?

**MR. CHAIRMAN:** Are you ready?

**SENATOR SINGLETON:** Sir?

**MR. CHAIRMAN:** Are you ready? Among other things, we have a really severe violation of the guideline to not hit incumbents and this plan puts representative Rogers and representative -- or I should say Congressman Rogers and Congressman Palmar have been placed in the same district.

**SENATOR SINGLETON:** Okay.

**MR. CHAIRMAN:** This is the issue this violates Section 2(j)(i), which says contest between incumbents will be avoided, whenever possible. So, excuse me just --

**MR. PRESIDENT:** No, please go ahead.

**MR. CHAIRMAN:** I'm getting [INDISCERNIBLE 01:06:24] to market. Now okay, senator, I'm back with you again. So right -- right off the bat this proposal, which came from -- this proposal that came from the League of Women Voters immediately violates the concept of taking two existing office holders and placing them in the same district.

**SENATOR SINGLETON:** Is that a legal argument though or is that just a rule?

**MR. CHAIRMAN:** Section 2(j)(i) --

**SENATOR SINGLETON:** That's of our rules but is there a legal argument?



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** It's the -- it's part of our own -- it would be a violation of the guidelines that we adopted.

**SENATOR SINGLETON:** Okay I got you.

**MR. CHAIRMAN:** So we would be the -- and you see the problem with that. That's, that's a problem. So Section 2 of the Voting Rights Act requires the legislature to draw majority black district when it can be done. Generally speaking and Reapportionment Committee's plan demonstrates that it is possible to do that. In the committee's plan, City 7 has a strong black voting-age population of BVAP of 54.22%.

**SENATOR SINGLETON:** Would you admit that that district is gerrymandered, no in order to keep that population?

**MR. CHAIRMAN:** No, gerrymandering, gerrymandering is in the eye of the beholder.

**SENATOR SINGLETON:** No, gerrymandering is legal, it is, that doesn't hold. There is a definition, there is a legal concept for gerrymandering, it's not in the eyes of the beholder. It is a legal concept that has been ruled on by the court. It's just not in the eyes of the beholder.

**MR. CHAIRMAN:** The League of Women Voters plan does not -- in fact, have a majority Black District. It has only two districts, 6 and 7, with a high BVAP compared to other districts. And therefore the League of Women Voters plan violates -- violates Section 2 of the Voting Rights Act. There is two -- two strikes against it right there, Senator but I could go on if you would like for me to.

**SENATOR SINGLETON:** Yeah. Well, I think that once the -- once you look at the whole County Provisions, the court has made different rulings based on whole counties that when you're looking at opportunity districts in terms of whether or not you are in violation of the Voters Right Act, I'm not going to get into the legal arguments about that. But I think that the court, I think that you will find that the court will be satisfactory that the Voters Rights Act would be satisfactory when you're looking at opportunity districts and based on whole county provisions, okay, and I think that that's one and I understand that maybe you got some direction from your attorney in that that was in violation of and at least you answered the question and I appreciate that. I have a couple more questions about -- about -- about this, this concept?

[01:10:04]

**MR. CHAIRMAN:** Which concept?

**SENATOR SINGLETON:** The whole map.

**MR. CHAIRMAN:** Okay. Got it.

**SENATOR SINGLETON:** Number one, do you know who really participated in the drawing of this map? Was it Mr. Randy Hillman who did this? Heineman I think that's his name.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Heinaman.

**SENATOR SINGLETON:** Hienaman. H-I-E-N-A-M-A-N Hienaman. Okay.

**MR. CHAIRMAN:** Hienaman, correct. Yes, he was the demographer, which he said, by the way, I thought that was the correct term for him, and he told me later that's not the correct term. I'm not sure what it is. Let's call him a map drawer.

**SENATOR SINGLETON:** Map drawer. So demographer is not the right term. I've been saying it all my time also.

**MR. CHAIRMAN:** Well, I just learned it, and I've been using it every day when I had a chance, but I found out. But anyway, the answer to your question is, yes. The map drawer drew the map.

**SENATOR SINGLETON:** Okay. Do you know how many sessions that they had with the United States Congresspeople on this map?

**MR. CHAIRMAN:** No, not a total. I'd say they had at least six because --

**SENATOR SINGLETON:** So they did them individually. And there was no -- because he's a session among them all.

**MR. CHAIRMAN:** I don't know. I think that is a correct statement that they didn't all get together at the same place and the same time.

**SENATOR SINGLETON:** I would assume that because this Pringle playing on the top of it, that Mr. Pringle was probably in the room when the drawing was done. Were you in that room when the drawing was done on the map?

**MR. CHAIRMAN:** I was not.

**SENATOR SINGLETON:** Okay. Do you know whether or not Mr. Walker was there?

**MR. CHAIRMAN:** Well, I wasn't there. So I'm just not sure about that. In fact, I think initially Mr. Hienaman went to DC to meet with the congressman or their representative. So I would kind of think that Mr. Walker probably did not accompany him, but I don't know the answer to that question.

**SENATOR SINGLETON:** Let me ask that question. Did we pay for his travel to go to DC to meet with Congresspeople to do this, something that he could possibly could have did over Zoom? Will we the state of Alabama have to pay for that? For his travel?

**MR. CHAIRMAN:** No. But we did pay him. And I don't know how that money. I don't know if it was a separate allocation.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SINGLETON:** I'm just asking that because he said I didn't that before.

**MR. CHAIRMAN:** I didn't. Yeah. He went up there. Well, they were in session, and he had to meet with them. That's why he went up there.

**SENATOR SINGLETON:** Okay. The other question I have. I understood that there was a statement made by Mr. Pringle in the committee meeting that there was a consulting team or someone that you all consulted in the state of Georgia on the Voters Right Act in terms of whether or not these plans actually was meeting the statutory bounds of the Voters Right Act. Do you know who that person was in the state of Georgia that they met with?

**MR. CHAIRMAN:** I've never met him. His first name is Trey, and I can't recall his last name. I never met him or talked to him but –

**SENATOR SINGLETON:** But we can get that for Mr. Walker.

**MR. CHAIRMAN:** Yeah, he would know him. Basically, any time it looked like there might be some racial issue in conflicts. Then he's an expert in that area, and he would do an analysis of that district. And, in fact, there were some instances where he advised us to make some changes to make it what we hope will be more acceptable to the courts.

**SENATOR SINGLETON:** So Mr. Walker consulted a Georgia firm to talk about the Voters Right Act, whether or not. And that would really be particularly on one district, which was going to be seven because that was the only one that's considered. Would you agree that Congressional District seven really only makes up about 13 point some percent of the African American community when we're represented by 26%?

**MR. CHAIRMAN:** Are you saying –

**SENATOR SINGLETON:** Total population of state?

**MR. CHAIRMAN:** Did one congressperson out of seven is 13% of the congressional delegation?

**SENATOR SINGLETON:** No other total population of black folk in the state?

**MR. CHAIRMAN:** Well, yes, I would say that's right. Because they have 1/7 of the population of Alabama.

[01:15:01]

An equal amount with every other district. And so I would say that if that's not right on that's pretty close.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SINGLETON:** When you look at the state school board, when you do home counties, you can come up with two, two African American districts out of that, okay? And they basically use just about the same population that a US congressman uses, correct?

**MR. CHAIRMAN:** Not correct. You have to divide the population of Alabama by eight.

**SENATOR SINGLETON:** I understand. But the numbers are almost congruently the same around 600,000.

**MR. CHAIRMAN:** They're in a ballpark there.

**SENATOR SINGLETON:** Yeah. So when we do that, we can come up with two dividing by eight. But we can only come up with one dividing it by seven.

**MR. CHAIRMAN:** There you go.

**SENATOR SINGLETON:** Okay. So that puzzles me, because if you can get two out of the eight, you could have gotten two out of the seven. And I think that that was not an attempt. I know, not by the committee, because we as a committee only met one time, to be able to approve map versus having any input as a committee member, I go on the record to say that. And secondly, when you look at that map, it is really one of the most gerrymandered maps, probably in the United States right now. And I think that the courts even looked at data at in the last real portion and talked about –

**MR. CHAIRMAN:** Which map are you talking about?

**SENATOR SINGLETON:** This salamander that you run around just to pick up black folk all over the places. That's what I'm talking about your map.

**MR. CHAIRMAN:** Right. And as I stated earlier, we do have an obligation. If we can draw a majority minority district, we're obligated to do so that's the result.

**SENATOR SINGLETON:** What we're going to do here in a minute. I'm not going to prolong this. This is your map. What we're going to do. I'm going to let Senator Smitham come on. And I think he's going to want to put a substitute on the table. We're going to show you where whole counties could have been drawn and where we could get two opportunity districts that doesn't violate the Voters Right Act, but still given opportunity for African Americans to be represented in Congress equally to the proportion of the population that we are in the state. And so Senator Smitham will come along now. And I guess when you started looking at whether they pitted folks or the deviations, and I have two other maps that are going to come back and show you down to a .7 deviation and also to a 0. deviation, still using whole counties with less splits and being able to show you how we can achieve this outside of just what you all did with this one district, and I know the body may not adopt it. All we ask for is up and down vote at the time that this up or down vote is needed. Thank you, Mr. Chairman. I really appreciate the work that you're doing. I'm basically about finished with the questions that I wanted to ask. And I'm going to allow Senator Smitham to come to offer his substitute at this time. Thank you.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**ALBRITTON:** Thanks, Senator Singleton.

**SENATOR SINGLETON:** Right.

**ALBRITTON:** All right, Senator Smithman.

**SMITHMAN:** Thank you, Mr. President. And thank you, Senator McClendon, for allowing me to come before the body to have a brief discussion regarding an alternative plan for consideration and explaining this particular plan to each and every person that's here with us.

[BACKGROUND CONVERSATION]

**ALBRITTON:** What's the question?

[BACKGROUND CONVERSATION]

**MR. CHAIRMAN:** Is that you over there, Senator?

[BACKGROUND CONVERSATION]

**ALBRITTON:** All right, Senator Smithman.

**SMITHMAN:** Thank you, Mr. President. First before at present the substitute and then out given the opportunity, I'll explain it, and then we'll move from that point.

[01:20:07]

We have -- let me see -- where is he? Let me see, wait a minute.

[BACKGROUND CONVERSATION]

**SMITHERMAN:** What I've done, I have put the plan that came out of the committee. This is the plan that we present to you initially when the Chair would gather up and welcome you before you. This is the map. This is the map in how that plan looks irregards to is make up, the counties that it takes into consideration, the counties that it goes up into and how it looks in terms of what you're asked to vote on. This particular plan is -- you can tell very obvious that it's [PH 01:21:21] Jared Manning and writing here in that is going up in the Jefferson County, but it's limited purpose to grab a whole to African-Americans, and really this is a big bulk of the population here. And yet you communities of interest, you turn around in this one, and this one has about 24% of African-Americans and you have Macon County right here and they don't bit more have a community of interest with people up here than the man in the Moon. And yet, they are place it over here in this particular area. This is the same concerns that I just mentioned about in that [INDISCERNIBLE 01:22:13] where you're a man then going back up in to a county. We all heard me up here talking about that Jefferson County is one of the most used counties to satisfy. We'll split it up so many different ways that the system that would prefer that that county



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

stayed whole. They've been asking, many are asking have to be whole. Not all of them -- I want to say that not all of them, but they are many of them who said that even if under a scenario [INDISCERNIBLE 01:22:57] that you're looking at coming up in here that day then make them all of just of this, but they want to be whole. Now, that's not the feeling of everybody because we have another plan. I'm just [INDISCERNIBLE 01:23:12] that it's going to come to this, this will move some people from one or the other because some of them want to stay they are, but vast majority of people I talked to, they [INDISCERNIBLE 01:23:23]. That can be done and that can be done on the plan that I'm going to talk to you all in regards to about. So, at this time Mr. Chairman, so that I can get on this plan, I want to offer the substitute so we can have conversation regarding it and it's comparison to the other plan. Mr. Chairman, [INDISCERNIBLE 01:24:00].

**MR. CHAIRMAN:** [INDISCERNIBLE 01:24:03], you may want to pull your mic back around.

**SMITHERMAN:** Thank you very much. Thank you. You know, you a good coach, I see why your sons and your kids are winning this ball game.

**MR. CHAIRMAN:** I had this game and watched you.

**SMITHERMAN:** You can. [INDISCERNIBLE 01:24:22] tomorrow night. Playing my first ball game of the season a bit.

**MR. CHAIRMAN:** What time?

**SMITHERMAN:** At 6:30.

**MR. CHAIRMAN:** Okay. I'm going to come and watch you.

**SMITHERMAN:** An then in Friday night, we come back again and play against Guntersville in the [INDISCERNIBLE 01:24:38] playoffs, so I'm hoping you to allowed me to [INDISCERNIBLE 01:24:40] as well.

**MR. CHAIRMAN:** Good deal.

**SMITHERMAN:** Mr. [PH 01:24:43] Brosman, I'd like to offer the substitute for consideration.

**MR. CHAIRMAN:** All right Senator [INDISCERNIBLE 01:24:48] received the substitute.

**SMITHERMAN:** And as to speak on it but --

**MR. CHAIRMAN:** Substitute for House Bill No. 1 by Senator Smitherman.

[01:25:00]

**SMITHERMAN:** Is it okay for them to read what that says on that?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yeah. Could you all I read the substrate please.

**MALE 1:** Substitute for House Bill 1 by Senator Smitherman. To repeal and reenact Section 17-14-70, Code of Alabama 1975. You want just the title read?

**SMITHERMAN:** No, I really wanted them to know what was in it, but I mean if it's some problem, it's not to be dilatory, it's to be informative. But if for some reason that it caused a problem --

**MR. CHAIRMAN:** We're good. Will have him read it.

**SMITHERMAN:** Okay.

**MALE 1:** Substitute for House Bill 1 by Senator Smitherman. To repeal and reenact Section 17-14-70, Code of Alabama 1975 to provide for the reapportionment and redistricting of the states. United States congressional districts based on the 2020 federal census be enacted by the Legislature of Alabama. Section 2 Section 17-14-70, Code of Alabama 1975 relating to the existing congressional districts is repealed. Section 2 Section 17-14-70 is added to the Code of Alabama 1975 to read as follows: Section 17-40-70, (a) The State of Alabama is divided into seven congressional districts as provided in subsection (b). (b) The numbers and boundaries of the districts are designated and established by the map prepared by the Permanent Legislative Committee on reapportionment and identified and labeled as Singleton Congressional Plan 1, including the corresponding boundary description provided by the census tracts, blocks and counties and are incorporated by reference as part of this section. (c) The legislature shall post for viewing on its public website the map referenced in subsection (b), including the corresponding boundary description provided by the census tracts, blocks and counties and any alternative map including the corresponding boundary description provided by the census track, blocks and counties introduced by any member of the legislature during the legislative session in which this section is added or amended. (d) Upon enactment of this act, adding the section and adapting the map identified in subsection (b), the clerk of the House of Representatives or the secretary of the Senate as appropriate shall transmit the map and the corresponding boundary description provided by the census tracts, blocks and counties identified in subsection (b) for certification and posting on the public website of the Secretary of State. (e) The boundary descriptions provided by the certified map reference in subsection (b) shall prevail over the boundary descriptions provided by the census tracts, blocks and counties generated for the map. Section 3, the provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains. Section 4, this act shall become effective immediately upon its passage and approval by the governor or upon its otherwise, becoming a law.

**MR. CHAIRMAN:** Thank you Mr. Secretary. Mr. Smitherman?

**SMITHERMAN:** [INDISCERNIBLE 01:28:05] be recognized to speak to the substitute.

**MR. CHAIRMAN:** Yeah, you're recognized.



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SMITHERMAN:** All right. Thank you very much. Now, I want to talk a little bit about the comparison of the maps and then I'll go to the maps [INDISCERNIBLE 01:28:25] give a visual. Then I was shipped back to you for any comments, anything that you would like to do. Okay Mr. Chairman?

**MR. CHAIRMAN:** I'm with you.

**SMITHERMAN:** Okay. I want everyone to look at the current Alabama congressional map. Well basically not the current, but look at that map and as because I call it current, but that's the map of [PH 01:28:50] fools. As you heard the senator in his presentation, it is looks like a salamander. This type of weird shape is part of where the words gerrymandering comes from. The Seventh District has a long arm reaching from Tuscaloosa into Birmingham, dropping down beyond [INDISCERNIBLE 01:29:13], and a finger reaching back to Montgomery. In other words, it's ugly. This weird shape gerrymandered districts, split seven Alabama counties and even divide Montgomery among three congressional districts. The undisputed purpose of these weird shape is race. District 7 not only had sufficient minorities to have a minority representative from Alabama intended to comply with the Voting Rights Act, but also packed as many minorities as possible into District 7 we can in minority voting influence throughout the state. The U.S. Supreme Court has made clear that under the U.S. constitution, any racial gerrymandering must be based on a compelling state interest and will be strictly scrutinized by the courts.

[01:30:08]

If any fairly drawn alternative exists for minority presentation, courts are highly likely to reject such gerrymandering districts based on race. District lines also must meet another constitutional principle. One person, one vote. In other words, district populations must come as close as practical ability to the same number of people. The current Alabama Congressional map is a modification of a racial gerrymandering first drawn in 19 92. It was adjusted only to meet one person, one vote every decade since then. And if this history is allowed to repeat itself, the congressional map drone with the 2020 C data will have the same ratio of gerrymandering. Now I want to point out about the new map. The whole County map. Look at the proposed Alabama Whole County map. I want you all to look at it. It uses county lines and only county lines for all seven congressional districts. Instead of district boundaries based on racial gerrymandering. The U.S. Supreme Court has said traditional boundaries should be used. Traditional boundaries are usually county, municipal or similar boundaries. We could also be rivers, highways, or whatever else has traditionally been used instead of racial gerrymandering. In Alabama, the traditional boundaries for congressional districts were county lines only. Before the Supreme Court announced that one person, one vote ruled in 1964, Alabama split no counties. From 1964 to 1880, Alabama split only Jefferson County because his population was too large for a single district. In 1981, Alabama split only Jefferson and St. Clair Counties. Since 1992, Alabama has split seven counties to racially gerrymandering Districts. When joining Alabama congressional districts, the issue of Voting Rights Act compliance remains. As to the Voting Rights Act compliance, the proposed Alabama whole County map and that's this map right here makes it easy for citizens to know which congressional district they live in and creates two districts, six and seven that provide black citizens an equal opportunity to elect candidates of their choice. The

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

U.S. Supreme Court has said that one person, one vote principal can be more flexible when using traditional boundaries. The proposed Alabama whole County map has a maximum population deviation of only 2.46. For Alabama, it has the lowest possible population deviation based on whole county districts. It eliminates the racial gerrymandering, and it better complies with the Voting Rights Act. For Alabama congressional districts, the whole county map is the best possible map. Now, I want to share that with each person and then I want to walk you through it again. This district here is district seven. It has a majority or minority population. This district keeping Jefferson County whole and connected to these two counties here provides a swing district. This district is right at about 42% African-American and 58% non-African-American. But this district basically reflects this general area of the state of these counties and of the population. This is a golden opportunity for us to be in compliance. Number one to eliminate gerrymandering. Number two, to be in compliance with the Section 199 of the Constitution, which require us to consider and provide whole counties in drawing our districts so that the citizens once again can have an opportunity to be represented.

[01:35:04]

**SMITHERMAN:** And you keep intact as well. communities of interest. Mr. Chairman, I will shift back to you at this moment.

**MR. CHAIRMAN:** Thank you, Senator. I appreciate that.

**MR. PRESIDENT:** Senator Smitherman, you have the mic.

**SMITHERMAN:** If you have any questions or comments or anything like that, I would.

**MR. PRESIDENT:** Okay.

**MR. CHAIRMAN:** All right. I will point out with this particular map from the legal women voters. There are really big problems here. Really big problems. You put two incumbents. It violates our rules. You eliminate a majority, minority district that violates the Voting Rights Act. And with that and I will make one correction. I believe you stated that the proposed map, the Pringle map splits Montgomery County three ways. It is currently split three ways. The new map that I have proposed splits it in two different. And with that, Mr. President, I moved to table.

**MR. PRESIDENT:** All right. All those in favor say.

[OVERLAY]

**MR. PRESIDENT:** The motion is non-debatable.

**MR. CHAIRMAN:** Mr. President, I said I year for any question or comment. I didn't hear for any motion. I was specific. I think I was.

**MR. PRESIDENT:** The Motion's up, so you can kill it. What do you want? No, you can't speak to the table of motion. There're three hands up. So, you all want to roll call vote?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yes, that's fine. And then I like to be recognized afterwards.

**MR. PRESIDENT:** Sir. Terry. All right. Call the role.

**MR. PRESIDENT:** Mr. Albritton?

**MR. ALBRITTON:** Yes.

**MR. PRESIDENT:** Mr. Allen. Mr. Barfoot. Mr. Beasley, Mr. Butler.

**MR. BUTLER:** Alright.

**MR. PRESIDENT:** Mr. Chambless. Mr. Chestein. Ms. Coleman Madison.

**MS. COLEMAN MADISON:** Yeah.

**MR. PRESIDENT:** Ms. Dunn. Mr. Elliot.

**MR. ELLIOT:** Alright.

**MR. PRESIDENT:** Ms. Figurs.

**MS. FIGURS:** No.

**MR. PRESIDENT:** Mr. Givanne.

**MR. GIVANNE:** Not.

**MR. PRESIDENT:** Mr. Gujar. Mr. Hatcher. Mr. Holly.

**MR. HOLLY:** Alright.

**MR. PRESIDENT:** Mr. Jones. Mr. Livingston. Mr. Marsh. Mr. McClendon.

**MR. MCCLENDON:** Hi.

**MR. PRESIDENT:** Mr. Milson. Mr. Oer. Mr. Price. Mr. Reed. Mr. Roberts. Ms. Sanders 48.

**MS. SANDERS 48:** Hey.

**MR. PRESIDENT:** Mr. Schofield. Mr. Sessions. Mr. Shellnut. Mr. Singleton.

**MR. SINGLETON:** No.

**MR. PRESIDENT:** Mr. Smitherman.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. SMITHERMAN:** No.

**MR. PRESIDENT:** Mr. Stutz Mr. Wagner. Ms. Weaver. Mr. Watley. Mr. Williams.

**MR. WILLIAMS:** Not.

**MR. PRESIDENT:** Twenty-three us, seven nays. The table in motion passes.

**MALE 1:** Mr. President, can I be recognized?

**MR. PRESIDENT:** You're recognized. Yes.

**MALE 1:** I didn't use at that moment for that purpose. I actually went through talking. I know the vote. Let me just finish. It's not about what the vote would have been. It's about the process to get to that ultimate vote. Now, I don't fault the desk at all because the motion they all right. The motion was made by you to do that, and it's non-debatable. I want them to understand that. But the proper thing for you to do, based on when you saw that I came up and said that because of the way that we are conducting ourselves in this process, which is really not adversarial about the issues, would be to withdraw your motion so that I could finish. And then when I made might give me the opportunity to make my motion. Then you come in with your table in motion, and we still would have voted, and it would have been down.

[01:40:11]

**MALE 1:** Okay. That's the second time that whatever reason that we've had these close scrimmages. Yesterday, when we came back, I heard no bail or nothing about one exact time that we supposed to be here. And some of you all didn't either, because you was running down the hall with me. So, I know that, now I'm up here and you kind of pull the trigger real fast, and that was necessary. That's not necessary because you're going to be up here for the rest of these that we're going through, that ain't necessary. You don't have to do that. That's why I gave a mic back to you. I wasn't trying to shield the mic from you doing something like that. You saw how this okay is back to you. I thought you might ask something you want to say. You did. You made some comments, and I thought I was clear. I said for the comments or whatever, because you still going to get your shot to bring your motion to table it. But as we go forward, please, because let me say this, we are in a scrimmages about this. But we're in a war about downstairs. Am I right? Okay. So that's all I'm saying. Don't make this a war up here. We didn't come trying to fight no war. You know, if we were, we will be fighting it. So, you know that. So that ain't a confusion. You know what, I'm being honest. So, all I was saying was just that, please, as we go forward, don't pull the trigger like that. That's all I'm asking you. There's a request.

**SMITHERMAN:** Let me respond.

**MALE 1:** Okay.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SMITHERMAN:** my clear intention is clear. Make sure I understand what your intentions are. I have a problem with you having your turn and more at the mic and expressing yourself.

**MALE 1:** And I know you don't.

**SMITHERMAN:** I have no problem with that.

**MALE 1:** I believe that.

**SMITHERMAN:** I think, in fact, that it's important that it'd be done. So, let's just make sure as we go through this process today and there's going to be more that we're real clear with each other what our intentions are.

**MALE 1:** Okay.

**SMITHERMAN:** And you all have been, I think, very cooperative in this process and very civil. And it is my intent to try to return that favor equally, if not more so. But I appreciate your comments, and I'll take them to heart.

**MALE 1:** Thank you very much. And I appreciate you, too, as well as saying that anyone else come up understand that we will be crystal clear. Okay. We're going to be crystal clear. We're going to respond to what you asked us to do. We're going to be crystal clear. And then I think by being that way, with you being focused on the concern that we may not have to even address anything like that again. Thank you, Senator.

**SMITHERMAN:** Yes, sir.

**MALE 1:** I appreciate the body allowing me to present the plan to show you the advantages of it. And at this time, I'll yield to Mr. Chairman [INDISCERNIBLE 01:43:35].

**MR. PRESIDENT:** Yeah. You got the mic. You can yield who you all right.

**MALE 1:** I'll yield Senator Singleton.

**MR. PRESIDENT:** Alright Senator Singleton.

**SENATOR SINGLETON:** Yes, Mr. President. I think the protein wants to come. And I think at this time, the protein wants to do a recess at this particular time, and then we'll come back because I have a substitute that I want to offer. And he wanted to break at, like, 11:30. I know 10 minutes won't do me. So, it'll be a good time to go on to do that recess now and then come back if we're going to do a time, Sir, North to call at a chair, see what we're going to do. And then we'll start back up with real push again.

**MR. PRESIDENT:** Thank you, Senator.

**MALE 2:** Mr. President.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. PRESIDENT:** [INDISCERNIBLE 01:44:15]

**MALE 2:** Yes, sir. We've had good debate this morning. I appreciate those that have already been engaged, a lot of good information being shared. Thank the chairman again for his constant diligence on listening to everybody and moving through this process. So, I will go ahead and have us in recess. I'm just trying to debate if we come back for, let's say 1:15 back time at 1:15.

**MR. PRESIDENT:** All right. You all heard the motion. All right, all those in favor say Aye.

**ALL:** Aye.

**MR. PRESIDENT:** Any opposed, we send in recess.

**MALE 2:** Thank you, Mr. President.

[01:45:20]

**CHAIRMAN MCCLENDON:** Senator Singleton, are you up here to brag on House Bill 1 and talk about what a good bill it is, or did you have something else in mind?

**SENATOR SINGLETON:** I am here to brag on House Bill 1 and just how bad a bill it is.

**CHAIRMAN MCCLENDON:** Senator!

**SENATOR SINGLETON:** But you know, I give you credit for doing what you thought was best, but I think that we could have done better and Mr. President, at a proper time, I'm going to be introducing a substitute, okay and I just want to buy, now I have two substitutes, and I'm not here to talk long on them, because they are basically off the same substitute that Senator Smitherman had. The substitute that Senator Smitherman had was based on a 2.64% deviation, and we know when we draw congressional districts that they wanted to be at basically a 0% deviation. And what -- what I'm going to prove here today is that we have two other maps that can lower those deviations to a 0.7% deviation and to a 0% deviation still utilizing less splits and Mr. McClendon, Mr. Chairman I just want you to know that I heard that your reason for not accepting Senator Smitherman's map plan number one. I just want you to know in 2019, the state of Alabama itself conceded in the current District 7 map was unconstitutional. The state of Alabama at the Supreme Court concluded and they conceded that the District 7 map was unconstitutional because of the way it was drawn. Okay? The defendant does not believe that the law will permit Alabama to draw that District today. I don't believe we can draw it today and if we drew it today, then it would be unconstitutional. And you look at a case called Chestnut v. Merrill, John Merrill, the Reapportionment Committee in 2021 Congressional player perpetuates the current ratio gerrymandering district. It continues that same old map that leaps around, stick a finger up in Birmingham, more of an elbow now because you got rid of the finger, and you put a little elbow up in the Birmingham now and you go in there and then you are coming back across the Black belt. And so with a lot of unnecessary splits there. To justify the ratio gerrymandered district, to reach a 50% Black voting-age population, a state must have a strong basis in evidence



**Senate Floor Debate**  
**November 3, 2021**  
**Transcript by TransPerfect**

that the Voter Right Bill has been -- requires -- that requires it. Here our congressional district plan does not violate the Voting Rights Act just because it does not have a district with a Black voting-age population of 50%. Your claim is that the reason you all drew the map was based on the fact that there was, you had to reach at least a 50% majority-Black age population and we're continuing that the court says that that does not happen. A congressional district redistricting plan does not violate the Voting Right Act just because it does not have a district with a Black voting-age population majority of 50%. The case in point is Cooper v. Harris in North Carolina. You've mentioned this North Carolina case earlier. North Carolina contended that to avoid a voting age -- the Voting Right Act violation, it had to increase to over 50% of Black voting-age population in the district where 48% and 43% Black voting-age population was. The Supreme Court rejected that argument and held that 50% Black voting-age population was unconstitutional race gerrymandering and because this was enough white -- that was enough white crossover votes in the 48% of the 43% Black voting-age population district to provide Black voters an equal opportunity to elect candidates of their choice and that's what we're doing here is providing opportunity district. The whole county plan eliminates the Alabama congressional ratio gerrymander district and keeps the county whole and that's where Senator Smitherman introduced here today and the two maps that I have here today is slight variations of Senator Smitherman and therefore, my presentations won't be very long, okay.

[00:04:56]

Therefore, what I'm here to say today is to you Senator is that the committee what we adopted based on Congressional District 7 is unconstitutional. Maintaining the ratio gerrymandering of District 7 cannot be justified by claiming it was necessary to draw new district with zero population deviation. Like I said, the first map that that Senator Smitherman brought up was a 2.64 deviation. I have two maps up here and the one I'm dealing with now, I'm going to be dealing with Plan #2 that basically have a .7% deviation and when you look at Plan #3, it still holds whole counties and show a 0% deviation. Hold on a second.

[OVERLAY]

**SENATOR SINGLETON:** This is what I am saying. Okay one at a time because I mean introduce two different bills, okay, and what I would like to do right now, Mr. President, is to introduce the Singleton's Plan #2, can I have a pen to sign this, please. All right.

**MR. PRESIDENT:** Substitute? All right, Secretary [INDISCERNIBLE 00:06:33] received the substitute.

**SECRETARY:** Substitute for House Bill 1 Singleton's Congressional Plan #2 by Senator Singleton.

**SENATOR SINGLETON:** Thank you.

**MR. PRESIDENT:** All right Senator Singleton.

**SECRETARY:** 2 is --

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SINGLETON:** I think everybody like my coloring you know, as a little boy, you know when you're in grade school, they tell you the color within your lines, so we didn't go all over the place, that's why you don't see a lot of splits, that's why they like it because we color within the lines which makes whole counties, okay. So we kept counties whole so therefore, that's why they're all attracted to this map. Okay, they want to see it and it kept communities of interest together. We were able to keep to meet the voters right of violations to where it's not unconstitutional with the voters right because we're already said to you that, we don't have to have a 50% deviation when we are 50% of voting age population, when we're dealing with whole counties. If the drafters contend as you are, that the 2.47% that Senator Smitherman introduced is too high of a deviation. The whole county plan that's modified to drop the maximum deviation below a 0.79%, which is my Plan 2 that I'm presenting today, which was approved by the Supreme Court in *Tennant v. Jefferson County*, West Virginia with only splitting three counties, and that's what we are achieving here today. And we want to be able to show that that is a modification of and we want to be able to show that it was reasonable and it could be done and it does not violate the Voters Right Act and we still can draw two opportunity districts that will allow African-Americans and/or democrats to be elected to a congressional seat that is proportional to the population here at the state of Alabama. And so Mr. President, that's basically all I have to say about my substitute. I'm willing to give it an up or down vote at this time on this one, unless he has something he wants to refute to what I said.

**MR. PRESIDENT:** Go have the mic.

**MALE 1:** Oh Senator Singleton, you got the mic, do you want to yield the mic to him?

**SENATOR SINGLETON:** Well I know you got to -- you got to vote to table it. I just want to up or down vote if you would, just let it be up down is the same as your table in motion and now there is no debate with it anyway, it's the same thing.

**MR. PRESIDENT:** Yeah, my preference is to table and -- and the reason for that preference Senator is I'd like to be consistent on how I handle these other documents that come through. So --

**SENATOR SINGLETON:** If you're going to do a table, if you're going to do a table in motion on me at this particular time, then I don't need and it's okay, because at the same thing it really doesn't matter, whether it's a table in motion or whether it's a motions for me to be able to allow up or down vote. It's still an up or down vote on your table in motion. But let me just talk about a little bit more before you table it, okay.

**MR. PRESIDENT:** Sure.

**SENATOR SINGLETON:** And I won't be very long.

**MR. PRESIDENT:** You go right ahead.

[00:09:58]

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR SINGLETON:** All right. So what I hear to say is that, you know, that, if you modify, we can show that our splits are less than what you have in your map. We can show the opportunity districts are there and that you don't have to draw based on any digression or anything that you don't have to draw a Black majority district to the extent that you all did in your map in terms of gerrymandering it. You don't have to do that. And that is the overall goal here today is to show you where there could be a different plan and that the consideration was not made by this -- by the body in terms of the permanent joint commission, a committee on reapportionment. I know as a member we never considered any other map besides what you did. I think that what you have said here today, if I'm correct that based on putting in commerce together number one, and based on the fact of the other deviation, number two, is the reason why you all didn't consider it. Because you thought it would violate the rules that have been set forth by the committee. I say again, that this does not violate the committee rules. Number one, we had it in before 10 days. Number two, it gives an opportunity district. You know, while we trying to protect incumbents, then the other part of the three is that none of us as the members of this committee was contacted by congressional districts prior to your drawing congressional districts, and we seeing them for the first time when we saw them last week. So at this time -- I'm sorry.

**[BACKGROUND CONVERSATION]**

**SENATOR SINGLETON:** Yes, and when you look at it on the congressional district, you know, I don't know -- could you tell me whether or not congressional members have a permanent residence to where they have to run from? Do they have to say that I live in this particular district just to run from it? Or do I have to live over in this area to be able to run from it? Is that something on the congressional level that has to happen as we do on the Senate school board in the house member level?

**MR. PRESIDENT:** You know, I think that they don't have that same requirement that we do.

**SENATOR SINGLETON:** Well, if they don't have that same requirement, then that refutes the argument of do we put in two people against each other. So therefore the argument that you make whether or not we put two incumbents against each other in the same district is null and void based on your answer. They don't have to be from the same. They don't have to run from the area that they're living in. It refutes your answer. So therefore what you all based you're not dealing with this, this without plan was because of the flaws that you said it had was based on the fact that it put two incumbents together is null and void. Two incumbents being together does not matter here in the State of Alabama on the congressional district. So therefore that was another void issue that you considered before you even looked at displaying. And I'm here to say to you today, that the plan that Senator Smitherman introduced earlier that you did a tabling motion on had been in the bosom of the reapportionment committee well before the 10 days that was required by the rules and therefore under the rules you only consider it based on the fact that they fitted two incumbents together and you thought that maybe the deviations were off. And I think that those are two basic reasoning that does not hold constitutional muster. They don't hold constitutional muster because your answer to my question at the end of the day, they don't have to live in the area by which they run and when you look at it, when you provided a whole county in the court has basically said when there is a whole kind of provision that's being provided that

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

the voting age population of 50% or above does not matter and it does not violate the Voter's Right Act. And all we are saying that these are two opportunity district. I'm not trying to say that they are minority-majority districts. No, they're not. I appreciate you want to make sure that they're at least was one minority-majority district. But what we're saying here is that we believe and we feel that we can have more representation in Washington based on the maps that we have and that this committee and this body did not make any consideration to that prior to bringing the solution to bringing the map before the permanent committee and before this body.

[00:15:17]

And so, we think that hopefully that this body would look at this and I would offer them to vote yes, on this particular map. Not yes, on your tabling motion, but yes, on this particular map to be able to say what is fair in the State of Alabama. What is fair, not just what is convenient. Because what you did was, you took what was already said again, in 2019 by the State's Attorneys that they believe that the Congressional District 7th was gerrymandered, okay? And the court agreed with them that it was a gerrymandered district even though that is she wasn't before them at that particular time but it was a gerrymandered district. And in other cases across the state, *Chestnut v. Merrill* basically said that also. So what we want to say is that let's get it right in 2021. We didn't have it right at '19. We didn't have it right in '12. Let's get it right in 2021 and adopt the map that we have before you. If you don't like Senator Smitherman where he has a 2.64 deviation, I have two other maps sitting up here. One has a 0.079% deviation and the other one which is plan 3 that I will introduce next has a 0% deviation with less splits and splits that are unnecessary, that this body could adopt today and call it fairness in the State of Alabama. And call it fairness in the State of Alabama. So I think that we didn't look close enough. We were doing what was expedient because all we did was took that finger that was up in Jefferson County and split Jefferson and put an elbow in it. Widen it out a little bit, picked up some populations, ran over the Black cost of Black belt, went to Montgomery, split Montgomery up to three ways and ran across the Black belt to say because you didn't move away from what was already there. And we already know that that was a gerrymandered district. And so, all we're asking today, and I ask you as a chairman, let's give this some consideration and allow this map to be what needs to be correct. We could do this without going to court and letting the court do it if we go on an adopted today. The State of Alabama will save a whole lot of money, whole lot of money, whole lot of money, you know, from because the Attorney General is not going to argue with himself. He's going to hire an outside firm to do it which we're going to have to pay. Okay? We will have to pay to defend it. Then you have to pay -- if we win, you got to pay our attorneys. From winning it. State of Alabama, will be on a whole lot of money when we could just go on and sell it right here, right now. Then be through with it and everybody would be happy. Governor signs it, we go on a run on it. Everybody be good. You know, the people in Washington, they won't get a vote here. But we gave them consideration to look at it, but they don't get a vote. You and I have that vote here today. You and I have that vote. That's why they give it to the states. If congress were to draw them, we probably wouldn't even have a district up there. But here in the State of Alabama, all I'm saying is that the one district that you did does not represent the full population of African-Americans in this state, school board it does, the Senate, it does. The House of Representative, it does also but at the end of the day, the Congress is the only body that does not represent the 26% of the population of African-American and/or the 30% of the minorities whether they're African-American, Asian, Hispanic, or whatever they



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

are in this state, Native Americans in this state that are minorities, ethnic minorities, that population is not represented under that one congressional district. And I would say that if we are about fairness and not just doing what is expedient and what we think we can get away with legally because what you're going to find is that you haven't won a Supreme Court case in a long time. We won them all. We even won in 2012. It just affected the way the court reverted it back to the states that you ended up drawing the way you did, you didn't win then, we won.

[00:20:01]

And we'll probably win again so, you're going to continue to pay attorneys whom we can go on and adapt these maps and let that be. We're not pitting people together. They may not like it but we're not pitting them together. They're going to run on whether they want to run from in the congressional district. What we are doing now is that if you don't like the 2.64%, if you think that does not meet the constitutional muster, then I'm okay with that. But I have two other maps going to get down to a 0.79% and the other one, plan 3 that I'm going to introduce in a minute goes to 0%, okay? Zero percent which meets all the criterias. All right? So, Mr. President, I'm not going to be labeled this unless one of my colleagues has something to say about this map but I'm not going to be labeled anymore. If you want to run a table motion to go on and do what you need to do to vote it down but I will suggest to this body let's do the right thing and let's do right before the State of Alabama and the minority population here in the State of Alabama, let's do the right thing. And I'll turn it over to you for your motions or anything else that you have at this point in time. I'm good with that.

**MR. PRESIDENT:** All right. Senator McClendon, you're recognized.

**CHAIRMAN MCCLENDON:** Thank you Senator Singleton for your comments. Mr. President, I move the table and I believe this is Singleton No. 2. Singleton No. 2 would be correct.

**SENATOR SINGLETON:** It will be Singleton No. 1. It will be legal women voting number two but it's Singleton No.1.

**MR. PRESIDENT:** You all want a roll call?

**SENATOR SINGLETON:** A roll call vote, yes please. Let's sustain it with roll call, yes.

**MR. PRESIDENT:** Yeah, all right. Secretary, call the roll on the table in motion.

**SECRETARY:** Mr. Albritton?

**SENATOR ALBRITTON:** Aye.

**SECRETARY:** Mr. Allen? Mr. Barfoot?

**SENATOR BARFOOT:** Aye.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SECRETARY:** Mr. Beasley?

**SENATOR BEASLEY:** I'll oblige.

**SECRETARY:** Mr. Butler?

**SENATOR BUTLER:** Aye.

**SECRETARY:** Mr. Chambliss? Mr. Chesteen?

**SENATOR CHESTEEN:** Aye.

**SECRETARY:** Ms. Coleman-Madison?

**SENATOR COLEMAN-MADISON:** No.

**SECRETARY:** Ms. Dunn? Mr. Elliott? Ms. Figures?

**SENATOR FIGURES:** No.

**SECRETARY:** Mr. Givan?

**SENATOR GIVAN:** Aye.

**SECRETARY:** Mr. Gudger?

**SENATOR GUDGER:** Aye.

**SECRETARY:** Mr. Hatcher?

**SENATOR HATCHER:** No.

**SECRETARY:** Mr. Holley?

**SENATOR HOLLEY:** Aye.

**SECRETARY:** Mr. Jones?

**SENATOR JONES:** Aye.

**SECRETARY:** Mr. Livingston?

**SENATOR LIVINGSTON:** Aye.

**SECRETARY:** Mr. Marsh? Mr. McClendon?



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**CHAIRMAN MCCLENDON:** Aye.

**SECRETARY:** Mr. Melson?

**SENATOR MELSON:** Aye.

**SECRETARY:** Mr. Orr?

**SENATOR ORR:** No.

**SECRETARY:** Mr. Price?

**SENATOR PRICE:** You've got it proxy.

**SECRETARY:** Mr. Reed? Mr. Roberts? Ms. Sanders-Fortier?

**SENATOR SANDERS-FORTIER:** No.

**SECRETARY:** Mr. Scofield?

**SENATOR SCOFIELD:** Aye.

**SECRETARY:** Mr. Sessions.

**SENATOR SESSIONS:** Aye.

**SECRETARY:** Mr. Shelnutt? Mr. Singleton?

**SENATOR SINGLETON:** No.

**SECRETARY:** Mr. Smitherman.

**SENATOR SMITHERMAN:** No.

**SECRETARY:** Mr. Stutts? Mr. Waggoner? Ms. Weaver?

**SENATOR WEAVER:** Aye.

**SECRETARY:** Mr. Whatley?

**SENATOR WHATLEY:** Aye.

**SECRETARY:** Mr. Williams?

**SENATOR WILLIAMS:** Aye.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SECRETARY:** Twenty-two ayes, seven nos. The table in motion passes.

**CHAIRMAN MCCLENDON:** Mr. President, I'll be glad to yield the mic to --.

**MR. PRESIDENT:** All right, Senator Singleton.

**SENATOR SINGLETON:** Yes, Mr. President. I would like to introduce Singleton 2 which will be my number three plan.

**MR. PRESIDENT:** All right. Secretary, read and receive the sub sheet.

**SECRETARY:** Substitute for House Bill 1 by Senator Singleton.

**MR. PRESIDENT:** All right, Senator Singleton?

**SENATOR SINGLETON:** Mr. President, I won't belay with this body a long time with this. My argument is basically the same. This map is just dealing with a 0% deviation based on whole counties. It only has a small split in Jefferson County and you have a couple of splits that may be down in the southern part of the region but Jefferson County only takes out about 3,500 people out of Jefferson County totally.

[00:25:03]

And you keep communities with interest together, if you look across the map, across the top of the map, the northern end, it maintains those communities of interest. I think there may be a split. It just had little split there, a little split, yeah on Coosa County. Coosa, Crenshaw and Jefferson and St. Clair which gives us maybe about six splits I think in this whole map. Yes, give us six splits in this whole map which is lower than what the plan is for the State of Alabama that's presented today. It provides whole counties, keep communities of interest together and what it does is a 0% deviation. And what we're here to show you is that we could draw two opportunity districts. Again, we made the argument that pitting two incumbents together is not an issue here and we show that we are able to get a small deviation in Jefferson County. We do a small variation of a split in Jefferson. There's a little split in Crenshaw, small split in St. Clair. The splits are missed out of the Voter Rights Act, there's no violations there. It gives us an opportunity to be able to give minorities an opportunity to have more than one representative in congress. Again, it is not a great deviation for the maps that are already there but we're here to show that we could do a 0% deviation and still achieve the same goal and being able to have opportunity district that this committee, this chairman, the lawyers, not a demographer, gave an opportunity for this to happen or even insisted on it being presented by the committee. As a member of the permanent committee, I was there at all 90% -- let me just say I wasn't there at all of them, but 90% of all the public hearings, I was there. And each and every one where the league of women voters presented a map on their behalf, I made it clear to the body, to the chairmans of both houses, to the attorneys that was in the room that I, Bobby Singleton, was going to be a plaintiff on behalf of the legal women voters to bringing this case. And I went to the chairman and asked them that whether or not we could work this out without having to go to court and hopefully that the map that we presented would have some consideration before the

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

body. And none of that happened. There was no map considered outside the plan and the chairman today has given us a reason why they did not consider the league of women voters' plan. Number one, because they thought they were pitting incumbents together and number two, they thought the flaws based on the deviation and that it violated the Voters Right Act by not giving a strong minority majority African-American district in the State of Alabama. We contend today once again that 50% of the voter age population in terms of Black voter aged population in the district does not violate the Voters Right Act. We also contend that the argument of whether or not we can make two incumbents together does not hold constitutional muster because incumbents does not have to live within the district that they are running. So, I say to you Mr. President, I'm willing to go on and not belaying the point because they're basically the same maps that only have a small deviation in it and members can see that. Again, we split Jefferson just a little and I would like at least to have an up-down vote on this particular map also.

**MR. PRESIDENT:** All right. Thanks Senator Singleton. Senator McClendon?

[00:30:00]

**CHAIRMAN MCCLENDON:** I don't have a prob -- let's do an up or down vote on this.

**MR. PRESIDENT:** Okay, so the motion --

**MALE 1:** Call role.

**MR. PRESIDENT:** All right. Secretary, call the long role.

**SECRETARY:** Mr. Albritton?

**SENATOR ALBRITTON:** It's a no.

**SECRETARY:** Mr. Allen?

**SENATOR ALLEN:** No.

**SECRETARY:** Mr. Barfoot?

**MR. BARFOOT:** No.

**SECRETARY:** Mr. Beasley?

**SENATOR BEASLEY:** Aye.

**SECRETARY:** Mr. Butler?

**SENATOR BUTLER:** No.

**SECRETARY:** Mr. Chambliss?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR CHAMBLISS:** No.

**SECRETARY:** Mr. Chesteen?

**SENATOR CHESTEEN:** No.

**SECRETARY:** Ms. Coleman-Madison?

**SENATOR COLEMAN-MADISON:** Aye.

**SECRETARY:** Ms. Dunn?

**SENATOR DUNN:** Aye.

**SECRETARY:** Mr. Elliott? Ms. Figures?

**SENATOR FIGURES:** Aye.

**SECRETARY:** Mr. Givan?

**SENATOR GIVAN:** No.

**SECRETARY:** Mr. Gudger? Mr. Hatcher?

**SENATOR HATCHER:** Aye.

**SECRETARY:** Mr. Holley?

**SENATOR HOLLEY:** No.

**SECRETARY:** Mr. Jones?

**SENATOR JONES:** No.

**SECRETARY:** Mr. Livingston? Mr. Marsh?

**MR. MARSH:** No.

**SECRETARY:** Mr. McClendon?

**CHAIRMAN MCCLENDON:** No.

**SECRETARY:** Mr. Melson? Mr. Orr?

**SENATOR ORR:** [INDISCERNIBLE 00:31:23].

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SECRETARY:** Mr. Price? Mr. Reed? Mr. Roberts? Ms. Sanders-Fortier?

**SENATOR SANDERS-FORTIER:** Aye.

**SECRETARY:** Mr. Scofield? Mr. Sessions?

**SENATOR SESSIONS:** No.

**SECRETARY:** Mr. Shelnutt? Mr. Singleton?

**SENATOR SINGLETON:** Aye.

**SECRETARY:** Mr. Smitherman?

**SENATOR SMITHERMAN:** Aye.

**SECRETARY:** Mr. Stutts? Mr. Waggoner?

**SENATOR WAGGONER:** No.

**SECRETARY:** Ms. Weaver?

**SENATOR WEAVER:** No.

**SECRETARY:** Mr. Whatley?

**SENATOR WHATLEY:** No.

**SECRETARY:** Mr. Williams?

**SENATOR WILLIAMS:** No.

**MR. PRESIDENT:** Seven ayes, 23 nays. The motion to adapt fails.

**SENATOR SINGLETON:** Mr. President?

**MR. PRESIDENT:** Senator Singleton?

**SENATOR SINGLETON:** Just a short [INDISCERNIBLE 00:32:31].

**MR. PRESIDENT:** You're recognized.

**SENATOR SINGLETON:** I would like to thank the body for indulging us in this. I thank you Mr. Chairman for answering the questions to the best of your ability on this. I think that we've missed an opportunity today to stay out of federal court. We may be spending a whole lot of

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

more money but I at least consider, that we considered to continue to gerrymander an African-American community where we can have two districts that will be opportunity districts. So again, I just want to thank this body for indulging us and I would like to turn it over to Senator Hatcher after my point of person of privilege who has another map that he would like to introduce to you today, Mr. President. Thank you, Mr. Chairman and I appreciate the work that you've done in this body, thank you.

**CHAIRMAN MCCLENDON:** Thank you, Senator Singleton.

**MR. PRESIDENT:** All right, Senator Hatcher.

**SENATOR HATCHER:** Thank you for the recognition, Mr. President. Thank you, Senator Singleton. Chairman McClendon, one of the things that I've learned in a very short span of time being in this body as that obviously this is my first opportunity with reapportionment and good God Almighty, it is complicated and tedious. And so, for those who have been here who've gone through this, my hat's off to you, all of you.

**CHAIRMAN MCCLENDON:** Thank you.

**SENATOR HATCHER:** I would like to offer this substitute in consideration from -- in support --.

**MR. PRESIDENT:** All right. Secretary, read and receive the substitute.

**SECRETARY:** Substitute for House Bill No. 1 by Senator Hatcher.

**[BACKGROUND CONVERSATION]**

**MR. PRESIDENT:** All right, Senator Hatcher.

**SENATOR HATCHER:** The only thing I would like to offer Chairman McClendon is to, obviously in keeping with the same spirit of Senators Singleton and Smitherman is we are offering this one as an example of a map that creates two majority minority opportunity districts here in Alabama and this one is strongly supported by the legal defense fund, ACLU and the greater Birmingham ministries.

**[00:35:11]**

Unless there are some discussions on it, I'd like to -- any questions or move for an up and down vote?

**MR. PRESIDENT:** All right. So, Senator McClendon, we have a motion for an up and down vote, did you want to discuss this?

**CHAIRMAN MCCLENDON:** No, but when the proper time comes, I'd move to table this map.



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. PRESIDENT:** Okay, so you still got the mic right now.

**SENATOR HATCHER:** Well, the one thing I would offer, thank you, Mr. President, is again, what its seeking to do is to make fair the representation that you've heard already. And in out of respect for the things that have been shared already, I do not wish to duplicate that but to simply say that all of us are seeking the best we can to represent all of the people of the State of Alabama. And I think you heard the statistic where it says that nearly 28% of Alabama's residents identified as either Black or multiracial identity. And the idea is to simply represent the interest of all of these different groups and there are clear reasons that I've already been outlined for why that is important to the community. One of the things I would share that is a part of what I want to put in consideration for that substitute, when I mention the fact that according to the 2021 census data, nearly 28% of Alabama's residents identify as Black, either alone or as part of a multiracial identity. It is fair, necessary and logical that all Black Alabamians have an opportunity to elect their preferred congressional representatives. Members of Congress make decisions and influence policies that impact every aspect of American life including but not limited to access to education, economic opportunity, housing, healthcare and the direct and collateral consequences of criminal legal systems. An additional majority minority opportunity district which Section 2 of our constitution likely requires and does would provide Black voters with representation to address the state's pervasive and ongoing record of inequality of opportunity in various aspects of life. And I want to take an opportunity to simply add this piece. As Senator Singleton pointed out just here in Montgomery, we are split in three different ways in this area. So, this is one way to offer some relief and remedy. So, with that being said, Mr. President, unless there are some questions from the Chairman, I would request an up and down vote.

**MR. PRESIDENT:** All right.

**CHAIRMAN MCCLENDON:** I concur. Up or down vote recognized.

**MR. PRESIDENT:** Okay. All right. Secretary, call the role.

**SECRETARY:** Mr. Albritton?

**SENATOR ALBRITTON:** No.

**SECRETARY:** Mr. Allen.

**SENATOR ALLEN:** [INDISCERNIBLE 00:38:21].

**SECRETARY:** Mr. Barfoot?

**SENATOR BARFOOT:** No.

**SECRETARY:** Mr. Beasley?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR BEASLEY:** Aye.

**SECRETARY:** Mr. Butler? Mr. Chambliss? Mr. Chesteen?

**SENATOR CHESTEEN:** No.

**SECRETARY:** Ms. Coleman-Madison?

**SENATOR COLEMAN-MADISON:** Aye.

**SECRETARY:** Ms. Dunn?

**SENATOR DUNN:** [INDISCERNIBLE 00:38:46].

**SECRETARY:** Mr. Elliott? Ms. Figures?

**SENATOR FIGURES:** Aye.

**SECRETARY:** Mr. Givan? Mr. Gudger? Mr. Hatcher? Mr. Holley?

**SENATOR HOLLEY:** No.

**SECRETARY:** Mr. Jones?

**SENATOR JONES:** No.

**SECRETARY:** Mr. Livingston?

**SENATOR LIVINGSTON:** No.

**SECRETARY:** Mr. Marsh?

**SENATOR MARSH:** No.

**SECRETARY:** Mr. McClendon?

**CHAIRMAN MCCLENDON:** No.

**SECRETARY:** Mr. Melson? Mr. Orr? Mr. Price? Mr. Reed?

**SENATOR REED:** No.

**SECRETARY:** Mr. Roberts? Ms. Sanders-Fortier? Mr. Scofield?

**SENATOR SCOFIELD:** [PH 00:39:34] No.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SECRETARY:** Mr. Sessions?

**SENATOR SESSIONS:** No.

**SECRETARY:** Mr. Shelnutt? Mr. Singleton? Mr. Smitherman?

**SENATOR SMITHERMAN:** [PH 00:39:59] No.

[00:40:00]

**SECRETARY:** Mr. Stutts? Mr. Waggoner? Ms. Weaver? Mr. Whatley? Mr. Williams?

**SENATOR WILLIAMS:** No.

**MR. PRESIDENT:** All right. Five ayes, 22 nays, the Senator Hatcher substitute fails. Thanks Senator Hatcher.

**SENATOR HATCHER:** Thank you Mr. President.

**CHAIRMAN MCCLENDON:** Thank you Senator Hatcher. I admire you coming forward first time around and getting into this [INDISCERNIBLE 00:40:38].

**MR. PRESIDENT:** All right. Senator McClendon?

**CHAIRMAN MCCLENDON:** I believe my good friend Senator Waggoner.

**MR. PRESIDENT:** All right, Senator Waggoner.

**SENATOR WAGGONER:** Mr. President, I have a substitute.

**MR. PRESIDENT:** All right. Secretary, read and receive the substitute.

**SECRETARY:** Substitute for House Bill 1 by Senator Waggoner.

**SENATOR WAGGONER:** Mr. President.

**MR. PRESIDENT:** Senator Waggoner.

**SENATOR WAGGONER:** Mr. President, this involves two areas in Jefferson County. One area is represented by Congressman Gary Palmer, the other one is represented by Congresswoman Sewell. There are two changes in the present proposal; one involves Center Point, East Lake and Roebuck and Northeast Jefferson County. Those areas are presently served by Congresswoman Sewell. Under this proposal, they would -- under the present proposal, they would be represented by Congressman Palmer. The other one is two areas in Homewood, Alabama. They're served by Congressman Palmer and this would swap those two areas. Ms. Sewell would take the area represented by Congressman Palmer in Homewood, Alabama. There

**Senate Floor Debate**  
**November 3, 2021**  
**Transcript by TransPerfect**

are two precincts involved. And Congressman Palmer would take over the Center Point, East Lake, and Roebuck area. Some of us from Jefferson County have problems with this area, this proposal. We would like for them to stay as they are. Congressman Palmer would stay in Homewood, Congresswoman Sewell would keep her Center Point, East Lake, Roebuck area. Demographically, Center Point, East Lake and Roebuck favor Ms. Sewell and demographically, Homewood favors Congressman Palmer. So, my substitute would keep Congressman Palmer in Homewood instead of changing him to Ms. Sewell's district. My proposal would keep Congresswoman Sewell in Center Point, East Lake and Roebuck. Under the proposal by Senator McClendon, it would swap those two areas. So, mine would keep them as is. I think it's important to know that these districts as they are today, they met all the requirements of the Voting Rights Act three years ago and received approval from the U.S. Justice Department. There's zero deviation in the proposal. So basically, that's what my substitute does. The mayor of Center Point wants it to stay as is with Ms. Sewell, Congresswoman Sewell remaining their congressman. The mayor of Homewood and a multitude of other people would like Representative Congressman Gary Palmer to remain in Homewood. So, Mr. President basically, that's what this substitute does. I know it's a very controversial issue, I know many of my colleagues have issues with it and I want them to feel very comfortable about what they want to do. This is an important vote, it's an important issue we're dealing with, and I want them to feel comfortable voting their conscience.

[00:45:06]

I know how I feel. I know that I would like my congressman to stay in place in Homewood. I like for Congresswoman to stay where she is in Center Point, East Lake and Roebuck. And I said demographically, their areas favor them as Congresswoman Sewell and Congressman Palmer. And with that, Mr. President, I'd be glad to entertain any questions.

**MR. PRESIDENT:** All right, thank you. Senator Roberts?

**SENATOR ROBERTS:** Mr. President.

**MR. PRESIDENT:** Yeah, Senator Roberts.

**SENATOR ROBERTS:** Senator Waggoner, I have the opportunity to share Homewood together and we have been reached out to non-stop since this became public. Our whole objective is communities of interest, keep them in together which was one of the things we were after and that is why we're very interested in seeing this come to fruition. Thank you.

**MR. PRESIDENT:** Thank you Senator Roberts. All right, Senator McClendon?

**CHAIRMAN MCCLENDON:** Thank you Mr. President. I would like to try to clear up. The first question is how did this district -- why did this change occur? What happened? Well, there were three cases following the 2010 census which is how it has been in the past and the court required that the districts be drawn race blind although our mapping equipment can display races, it changes. You can turn that off and that's exactly what we did. We turned it off. The second factor that was important was that Congressional District 7 was short by 53,000 people

**Senate Floor Debate**  
**November 3, 2021**  
**Transcript by TransPerfect**

and we had to go somewhere to get those people to get to our deviation. Homewood, adjacent to City 7, is a population-dense area. So, to add an east-west shape which is where we are today to add this shape or the increase to size east and west was far superior over moving in a north-south direction. The reason that was done was to prevent claims that this part of Jefferson County was a racial gerrymander. This is because Section 5 is no longer there and this explains why what could be done in 2010 and was approved by the justice department in 2010 is not okay in 2020. It will not be approved by the justice department today. Consequently, when these changes were made, the tip of the 2010 incursion, the Center Point precincts were not needed and were put into City 6. So, the next question is, so now we know how we got there. We got there because the courts told us what we had to do keeping in mind the whole time this is a racial issue. This is not about splitting counties, this is not about splitting precincts, this is about drawing maps based on race that's not good. The two Homewood precincts are majority White. The four Center Point area precincts are majority Black. Switching Black and White precincts at this point after the plan was drawn race blind would be a race conscious effort and that would violate Section 2 of the Voting Rights Act unless it were done in fulfillment of a compelling state interest. Under the Voting Rights Act, the state has no compelling interest in making the race conscious reassignments that has been proposed by Senator Waggoner.

[00:50:07]

So, the bottom line is the Waggoner, what are we calling this? The Waggoner sub? The Waggoner sub is clearly based on race, clearly, and it will in fact create a storm legally for all of us in this room. With that being said --.

**MR. PRESIDENT:** All right. Senator Smitherman.

**CHAIRMAN MCCLENDON:** Senator Smitherman, go ahead please.

**SENATOR SMITHERMAN:** Thank you Mr. Chairman. Mr. Chairman, I think that the process that everybody in here went through when you went downstairs, I think that that was an attempt for that process by the lawyer and what do they call it, the one that draw the maps?

**MALE 1:** Demographer.

**SENATOR SMITHERMAN:** Demographer to present areas of the district in the language about precincts. Once precincts will put in, then I think that the numbers whatever was in the precincts were reflected on when you got a total back in terms of the population. And I think if everybody win, I guarantee you two thirds of the people will be doing this if I asked them to be honest and say yes or no. I said that to say this is that, I haven't heard one time in any conversation that I had with Senator Waggoner regarding this issue in our county him say the first thing about those African-Americans that stay over there, those Black people that stay over or those White people stay over here. There has been no conversation related to race as it relates to the changing of these people. The only conversation that has come up with him and I'm sitting here because I'm on the juror and I want to see it, was dealing with the community of interest. And other than Senator Waggoner, when it comes to one of those communities, I don't think that anybody else would be aware or have a clear understanding of the concern for community of

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

interest simply because he and I split the area straight down in line. We represent the same people and so, I said that just to say that may be something that is being mentioned from your responses but it's nothing in the amendment that says that it's switching race. There's nothing I've ever heard of him so I'm sitting up here that that's the case and there's nothing I've heard in any conversation. The last thing I want to add is this, and I'm not trying to be funny when I say this but I'm trying to just speak what I think is a statement of fact. I wouldn't even be worried about the fact that it may change a little bit the way that the district is shaped here versus there because the whole district as I said earlier is bizarre. So that don't change bizarreness. It don't create any more or any less bizarreness. It's just if it's that plan because he goes up in there just because the corner up here is changing and anybody down here decide over here changing, this syllogist is bizarre and gerrymandering going up in there. So in conclusion, I just wanted to say that to the body that no, this doesn't violate any of that whatsoever in my opinion because that is not based on that, it's based on communities of interest. And I just really think that that's -- I know that's an opinion that you spoke but I can say that based on the facts that I have presented and as I know them that that opinion and theory is not applicable at this time. Thank you for allowing me to speak and thank you Mr. President.

**MR. PRESIDENT:** Thank you Senator Smitherman. Senator Del Marsh?

**SENATOR DEL MARSH:** Thank you Mr. President. First I want to say, Senator, I want to thank you as this whole body shared for the work you've done on this project. I mean, it's not an easy project to deal with a lot of personalities, a lot going on and same thing with President Pringle in the house.

[00:55:00]

You all worked through countless hours. What I want to try to do is make sure there's clarity here I think and I don't think you meant to do it in any way but the way I see this is, because I know I've had enough discussions with members of the body including Senator Singleton, Senator Waggoner and I truly believe their concerns are community of interest. I really believe that, we've talked about it and the fact that these previous districts were the way they want to go back to, I think Senator and I believe your comments is what you want to make sure happens here as we all do is that we send a plan that is upheld by the federal court, bottom line. And I think I want to bring the clarity in that. I do not think and I don't think you think that race was the issue with these two senators but it could be perceived in your opinion from the justice department that that is the issue and that's why I think it is very important. Now things has been made clear today that the community of interest issue is the issue to us in this chamber and what we would stand behind should this go to court in that form. But I support you for what you've done, I continue to support but I do think it's very critical to this those watching these proceedings understand that what someone may perceive of what reality and reality in this chamber as far as I'm concerned is community of interest. Thank you.

**CHAIRMAN MCCLENDON:** Thank you. Mr. President, I'd like to make a comment.

**MR. PRESIDENT:** Thanks Senator Del Marsh. All right.



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**CHAIRMAN MCCLENDON:** I want to talk just briefly about community of interest. Community of interest is a guideline that we have adopted here in drawing our lines. We said what we want to try to do is keep guidelines together. Our guidelines are trumped by the Voting Rights Act and the justice department. They're interested in race, they're not as interested in guidelines. I will assure you keeping a clarity of interest together is good but that is secondary or tertiary from the federal courts perspective. The racial aspect of this is absolutely primary. And while we drew these things race-blind, the fact is this proposal moves a majority of Black voters out of a white congressional district puts them in a Black congressional district moves a majority of Black voters that are in a white district and puts them in a Black district. And there's no way we don't know what's going on. So, I'm just saying Senator Singleton, I didn't mean to take up any of your time.

[OVERLAY]

**SENATOR SINGLETON:** Mr. Chairman, you can take as much time as you want because I like your explanation. It helps the case, okay? Because while you say community of interest is just a guideline, community interest is a legal concept. I keep telling you just like you said that gerrymandering was in the eyes of the beholder. It's not in the eyes of the beholder, it is a legal concept. Community of interest is a legal concept that the court has ruled on when you started looking at taking communities of interest. Now, it's just not something that we think of in the State of Alabama that we would own somebody who have thought of this and you're not dealing with racial gerrymandering when you're dealing with under the run versus him to where you can achieve the voting age population by going out and reaching and getting those Black population to create that but you already got a gerrymandering district anyway. So you're not going to hurt the district no more than what you're already doing by switching these people that they want. You're already gerrymandering. Okay? So on the run versus him, one man one vote, you can achieve what you want without saying that it is about race, okay? And what you've done here is that that population was over in that district before you all just went and switch. All you're doing is switching back to people that they already had. Thank you very much.

**MR. PRESIDENT:** Thanks Senator Singleton. All right. Senator Waggoner?

**SENATOR WAGGONER:** Mr. President, the bottom line is in this issue, the people in these two communities like it the way it is. They do not want to swap congressman.

[01:00:00]

People in Center Point like their congresswoman, people in Homewood like their congressmen and here, we're violating the wishes of the two congressmen. They like it the way it is. That's the way I like it because I live in one of those communities. I've heard from a number of people in both the communities and here we're swapping congressmen and congresswoman when the communities do not accept that, they do not like it, they do not want it. But we're violating the wishes of the people in those two communities and I don't understand it. And of course I'm going to vote for my substitute which allows these two communities to stay whole. Thank you Mr. President.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. PRESIDENT:** All right, so we're on your substitute.

**SENATOR WAGGONER:** With that, I move adoption of the substitute.

**MR. PRESIDENT:** All right, we got a motion for adoption of the substitute. You may want to talk on them this motion.

**CHAIRMAN MCCLENDON:** I wouldn't make a comment. Just to make a correction, I want everybody to know that we talked to Congressperson Sewell ahead of time and she was happy with this plan that we've had here. And we attempted to talk with Congressman Palmer and was unsuccessful in doing so. So as far as I'm concerned, are you ready to vote this up or down? What that your motion?

**MR. PRESIDENT:** That was the motion, yes.

**CHAIRMAN MCCLENDON:** I'm sorry. Now for the vote.

**MR. PRESIDENT:** All right. Secretary, call the role.

**SECRETARY:** Mr. Albritton?

**SENATOR ALBRITTON:** No.

**SECRETARY:** Mr. Allen.

**SENATOR ALLEN:** [INDISCERNIBLE 01:01:51].

**SECRETARY:** Mr. Barfoot?

**SENATOR BARFOOT:** Aye.

**SECRETARY:** Mr. Beasley?

**SENATOR BEASLEY:** Okay.

**SECRETARY:** Mr. Butler? Mr. Chambliss? Mr. Chesteen? Ms. Coleman-Madison? Ms. Dunn? Mr. Elliott? Ms. Figures?

**SENATOR FIGURES:** Aye.

**SECRETARY:** Mr. Givan?

**SENATOR GIVAN:** No.

**SECRETARY:** Mr. Gudger? Mr. Hatcher?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR HATCHER:** Aye.

**SECRETARY:** Mr. Holley?

**SENATOR HOLLEY:** No.

**SECRETARY:** Mr. Jones?

**SENATOR JONES:** No.

**SECRETARY:** Mr. Livingston?

**SENATOR LIVINGSTON:** No.

**SECRETARY:** Mr. Marsh? Mr. McClendon?

**CHAIRMAN MCCLENDON:** No.

**SECRETARY:** Mr. Melson?

**SENATOR NELSON:** No.

**SECRETARY:** Mr. Orr?

**SENATOR ORR:** No.

**SECRETARY:** Mr. Price?

**SENATOR PRICE:** No.

**SECRETARY:** Mr. Reed? Mr. Roberts?

**SENATOR ROBERTS:** Aye.

**SECRETARY:** Ms. Sanders-Fortier?

**SENATOR SANDERS-FORTIER:** Aye.

**SECRETARY:** Mr. Scofield? Mr. Sessions? Mr. Shelnutt? Mr. Singleton?

**SENATOR SINGLETON:** [INDISCERNIBLE 01:03:19].

**SECRETARY:** Mr. Smitherman?

**SENATOR SMITHERMAN:** Aye.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SECRETARY:** Mr. Stutts? Mr. Waggoner? Ms. Weaver? Mr. Whatley? Mr. Williams?

**SENATOR WILLIAMS:** No.

**SECRETARY:** Ten ayes, 18 nos, one abstention.

**MR. PRESIDENT:** Ten ayes, 18 nos, one abstention. The substitute fails. Thank you, Senator Waggoner.

**SENATOR BARFOOT:** Mr. President?

**MR. PRESIDENT:** All right. Senator Barfoot?

**SENATOR BARFOOT:** I could be recognized, I thank you. I also want to thank Senator McClendon, Representative Pringle for all the hard work that has gone into making overall what I think is a fairly accommodating map and work within the guidelines. I do have an amendment or a substitute, excuse me that I will offer to the body that makes --.

**MR. PRESIDENT:** All right. Secretary, read and receive the substitute, please.

**SECRETARY:** Substitute for House Bill 1 by Senator Barfoot.

**MR. PRESIDENT:** All right, Senator Barfoot?

**SENATOR BARFOOT:** Thank you Mr. President. The substitute that I am offering affects basically moves about 700 or so voters.

[01:05:00]

Excuse me, persons in the district. And so, with that being said, Escambia County currently under existing congressional plans is whole. It is whole in the first congressional district. The plan that the committee has brought before us has the second congressional district encroaching on Escambia County, a portion of the Escambia County. My plan simply in a nutshell makes Escambia County whole once again. It continues to keep Escambia County whole once again and allows the first congressional district to represent the entirety of Escambia County. It also moves those 700 or so individuals that the first congressional district loses into Montgomery so that the second congressional district would take in an extra 700 and some odd individuals. It furthermore takes the seventh congressional district into Monroe County to make up that 700 and so individuals. I believe that this plan, I know that this plan has a zero deviation. It also, when we talked about communities of interest, it keeps Escambia County whole and it is my understanding and belief that it falls within the guidelines as set forward as far as racial neutrality. With that, I believe -- if there's a question.

**MR. PRESIDENT:** All right, Senator McClendon.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**CHAIRMAN MCCLENDON:** Yes sir. This plan that came from representative from Congressman Moore and carried by my friend, Senator Barfoot, does involve 739 people. Under the committee's plan, the one we had before us, Moore had two split, Sewell had three. Under the Barfoot plan, Moore ends up with only one split, Sewell ends up with four which should be more than any other member of congress. The problem is, Congressperson Sewell is, she's not only a democrat, she's Black and a federal court could very well look at this and say that this has become a racial issue. Same, each new county split will be more work for her and less work for Congressman Moore. And the part of Escambia County that would go to Moore under this plan has no incorporated areas. In fact, most of it is the good part of is the Conecuh National Forest. And of course, when you put the underpopulated or zero populated area in there, it sure makes life easier and less work to do. This will be argued as racially discriminatory by the plaintiffs that are attacking the Moore plan and we can't say if the claim would be successful but it puts an unnecessary lightning rod on CD 7. That is sure to draw attention from the three-judge court or the Supreme Court if we end up there. And that'll give them more reason to say the plan is racially biased. Should that happen, well, we know what should happen if that happens. With that being said, that's my comment on this plan and at the appropriate time when everyone has had their say so, I would move to table. Mr. President.

**MR. PRESIDENT:** All right, Senator Albritton?

**SENATOR ALBRITTON:** Thank you for the recognition, sir. I come to stand. I'm not involved with how this was done or whatever. But I do come here with those counties that's been mentioned, the Escambia and Monroe Counties, that's currently within my district area. I come here to stand to say that this plan or the substitute has not been brought to me or discussed with me prior to today about this. I would suggest that the congressman from District 1 who is affected by this has not given me any direction or has talked to me about it.

[01:10:00]

I would suggest my purpose of being here is telling the body that this affects me and my district and I'm going to vote to either table or to vote no on it.

**MR. PRESIDENT:** All right. Thank you, Senator Albritton. Senator McClendon?

**CHAIRMAN MCCLENDON:** Senator Barfoot, I think I got the mic but do you have -- is there something else you would like to say before we make a decision?

**SENATOR BARFOOT:** There is.

**CHAIRMAN MCCLENDON:** I'll yield.

**SENATOR BARFOOT:** And something that I did not accurately or maybe I didn't articulate to the best of my ability. Escambia County has never to my knowledge been in the second congressional district. Your plan does put Escambia County into the second congressional district and this creates no more splits than what your plan has communities of interest are not split and counties are not split. So that, I'd ask the body to vote against your motion to table.

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**MR. PRESIDENT:** All right, Senator McClendon?

**CHAIRMAN MCCLENDON:** Move to table.

**MR. PRESIDENT:** All right.

**CHAIRMAN MCCLENDON:** Vote aye please.

**MR. PRESIDENT:** All those in favor, say aye.

**[OVERLAY]**

**MR. PRESIDENT:** Any oppose? Table in motion passes.

**CHAIRMAN MCCLENDON:** And we're back on the bill?

**MR. PRESIDENT:** We are.

**CHAIRMAN MCCLENDON:** There's no other discussion on the bill. I ask final passage of HB 1.

**MR. PRESIDENT:** All right. Secretary, call the long roll.

**SECRETARY:** Mr. Albritton?

**SENATOR ALBRITTON:** Aye.

**SECRETARY:** Mr. Allen? Mr. Barfoot? Mr. Beasley?

**SENATOR BEASLEY:** Allen's an aye.

**SECRETARY:** Mr. Butler? Mr. Chambliss? Mr. Chesteen? Ms. Coleman-Madison? Ms. Dunn? Mr. Elliott? Ms. Figures?

**SENATOR FIGURES:** No.

**SECRETARY:** Mr. Givan?

**SENATOR GIVAN:** Aye.

**SECRETARY:** Mr. Gudger?

**SENATOR GUDGER:** Chesteen's aye.

**SECRETARY:** Mr. Hatcher? Mr. Hawley? Mr. Jones?



Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR JONES:** Aye.

**SECRETARY:** Mr. Livingston?

**SENATOR LIVINGSTON:** Aye.

**SECRETARY:** Mr. Marsh?

**SENATOR MARSH:** Aye.

**SECRETARY:** Mr. McClendon?

**CHAIRMAN MCCLENDON:** Aye.

**SECRETARY:** Mr. Melson?

**SENATOR MELSON:** Aye.

**SECRETARY:** Mr. Orr? Mr. Price?

**SENATOR PRICE:** Aye.

**SECRETARY:** Mr. Reed? Mr. Roberts?

**SENATOR ROBERTS:** Aye.

**SECRETARY:** Ms. Sanders-Fortier.

**SENATOR SANDERS-FORTIER:** No.

**MALE 1:** Reed's aye.

**SECRETARY:** Mr. Scofield?

**SENATOR SCOFIELD:** Aye.

**SECRETARY:** Mr. Sessions?

**SENATOR SESSIONS:** Aye.

**SECRETARY:** Mr. Shelnutt? Mr. Singleton?

**SENATOR SINGLETON:** No.

**SECRETARY:** Mr. Smitherman? Mr. Stutts?

Senate Floor Debate  
November 3, 2021  
Transcript by TransPerfect

**SENATOR STUTTS:** No.

**SECRETARY:** Mr. Waggoner?

**SENATOR WAGGONER:** Aye.

**SECRETARY:** Ms. Weaver?

**MALE 1:** Orr is an aye.

**SECRETARY:** Mr. Whatley? Mr. Williams?

**[BACKGROUND CONVERSATION]**

**MR. PRESIDENT:** All right, 22 ayes, 7 nays. House Bill 1 passes. Thank you Senator McClendon.

**[01:14:09]**



I, Anders Nelson, hereby certify that the document "Pt. 1 Day 5\_11\_03\_ Senate Chamber" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

**Anders  
Nelson**

---

Anders Nelson  
Project Manager

Digitally signed by  
Anders Nelson  
Date: 2021.12.14  
15:45:50 -05'00'

December 14, 2021



I, Anders Nelson, hereby certify that the document "Pt. 2\_Day 5\_11\_03\_Senate Chambers" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

**Anders  
Nelson**

---

Anders Nelson  
Project Manager

Digitally signed by Anders  
Nelson  
Date: 2021.12.14 15:47:06  
-05'00'

December 14, 2021

Dorman

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Thursday, August 12, 2021 3:40 PM  
**To:** Sen. Jim McClendon <jim.mcclendon@alhouse.gov>; Rep. Chris Pringle (chris.pringle@alhouse.gov) <chris.pringle@alhouse.gov>; 'Steve Livingston' <steve.livingston@alhouse.gov>; Donna Overton Loftin (donna.overton@alhouse.gov) <donna.overton@alhouse.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>  
**Subject:** FW: Census redistricting data is released

Jim and Chris,

As you see below, the redistricting data has finally been released. Now, Maptitude will need about a week to load the data into the system – so say next Friday, Aug. 20 to load the data into the system, and then Donna and her staff will need two days or so to configure the data to Alabama districts and precincts – so assuming all goes well, it should be available by Wednesday, August 25.

Dorman

**BALCH**

& BINGHAM LLP

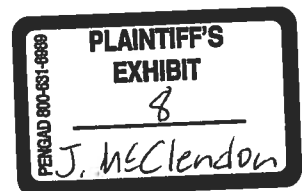
Dorman Walker, Partner, Balch & Bingham LLP

105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549

t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: [dwalker@balch.com](mailto:dwalker@balch.com)

[www.balch.com](http://www.balch.com)

**From:** Christi Zamarripa <christi.zamarripa@ncsl.org>  
**Sent:** Thursday, August 12, 2021 2:53 PM  
**To:** Walker, Dorman <DWALKER@balch.com>  
**Subject:** [redistrict-l] Census redistricting data is released



[External Email] Please use caution.

[If you would like to send information to this distribution list, please send your message to [Christi.Zamarripa@NCSL.org](mailto:Christi.Zamarripa@NCSL.org), [Ben.Williams@NCSL.org](mailto:Ben.Williams@NCSL.org) and [Wendy.Underhill@NCSL.org](mailto:Wendy.Underhill@NCSL.org) who can forward it to the list.]

---

Hello everyone.

The redistricting data is here! The Census Bureau released the Census 2020 P.L. 94-171 redistricting data in the legacy format. This is the format that state officials have received the last two decades.

Data users will be able to access the redistricting data by downloading the complete set of files for each state, the District of Columbia, and Puerto Rico, from the bureau's File Transfer Protocol (FTP) website. The data will be available for a range of geographies, including down to the census block level. Supporting resources for the release can be found at the Decennial Census P.L. 94-171 Redistricting Data Summary Files webpage, including a step-by-step "how-to" guide.

The release will provide the first look at the demographic characteristics of the nation by state, county, city, all the way down to the census block level, including:

- Race and ethnicity.
- Population 18 years and over.
- Occupied and vacant housing units.
- People living in group quarters, such as college dorms, nursing homes, prisons, and military barracks.

The same redistricting data will also be released by Sept. 30 through the Census Bureau's [data.census.gov](https://data.census.gov) online web tool. The September release will be in format that will make it easier to view and download the tables from the P.L. 94-171 data. Also, governors, state majority and minority legislative leaders, redistricting commissions, as well as state redistricting data program liaisons will all be mailed a DVD and flash drive with their state's data.

Here are some takeaways from today's data release:

- Fewer states, metro areas and counties had rapid population growth.
- Population decline was widespread across the nation, most counties lost population between 2010 and 2020.
- 312 of the 384 metro areas gained population this decade.
- The two or more races population had a 276% increase.
- The Hispanic or Latino population grew 23%, while the population that was not of Hispanic or Latino origin grew 4.3%.

The bureau also released data visualizations and a variety of America Counts stories on population change and distribution, group quarters, the adult population, housing changes, housing vacancy, race and ethnicity and the diversity index to help explain the new 2020 Census data.

In addition, the bureau released the sixth and final demonstration data set. This new set reflects the Disclosure Avoidance System settings used for the 2020 Census Redistricting Data (P.L. 94-171) Summary File. These microdata files apply statistical noise to produce differential privacy-protected metrics using 2010 data.

Lastly, here are three census and redistricting related articles from NCSL's State Legislatures News:

- How to Lower the Temperature During Redistricting by Lisa Ryckman
- Census Delivers Long-Awaited Data by Wendy Underhill
- Redistricting: A Look at State Court Actions and Party Control by Lisa Ryckman

If you have any questions, please feel free to reach out to me.

Thanks,  
Christi

Christi Zamarripa, Esq.  
National Conference of State Legislatures  
Policy Associate – Elections & Redistricting Program  
303-856-1419 (o) | 720-296-4352 (c)



**Walker, Dorman**

---

**From:** Walker, Dorman  
**Sent:** Sunday, August 15, 2021 5:49 PM  
**To:** Sen. Jim McClendon; Rep. Chris Pringle (chris.pringle@alhouse.gov); 'Steve Livingston'; Donna Overton Loftin (donna.overton@alsenate.gov); Randolph Hinaman (sharh1@comcast.net)  
**Subject:** Census information - maps  
**Attachments:** Ala. counties gains and losses 2010 to 2020(10560308.1).pdf

Jim and Chris,

This map shows population gains and losses on a county basis from 2010 to 2020. We can't calculate similar maps for legislative districts until the data are loaded into the Committee's system (because until then we won't have population by precincts). I think they will be available next week.

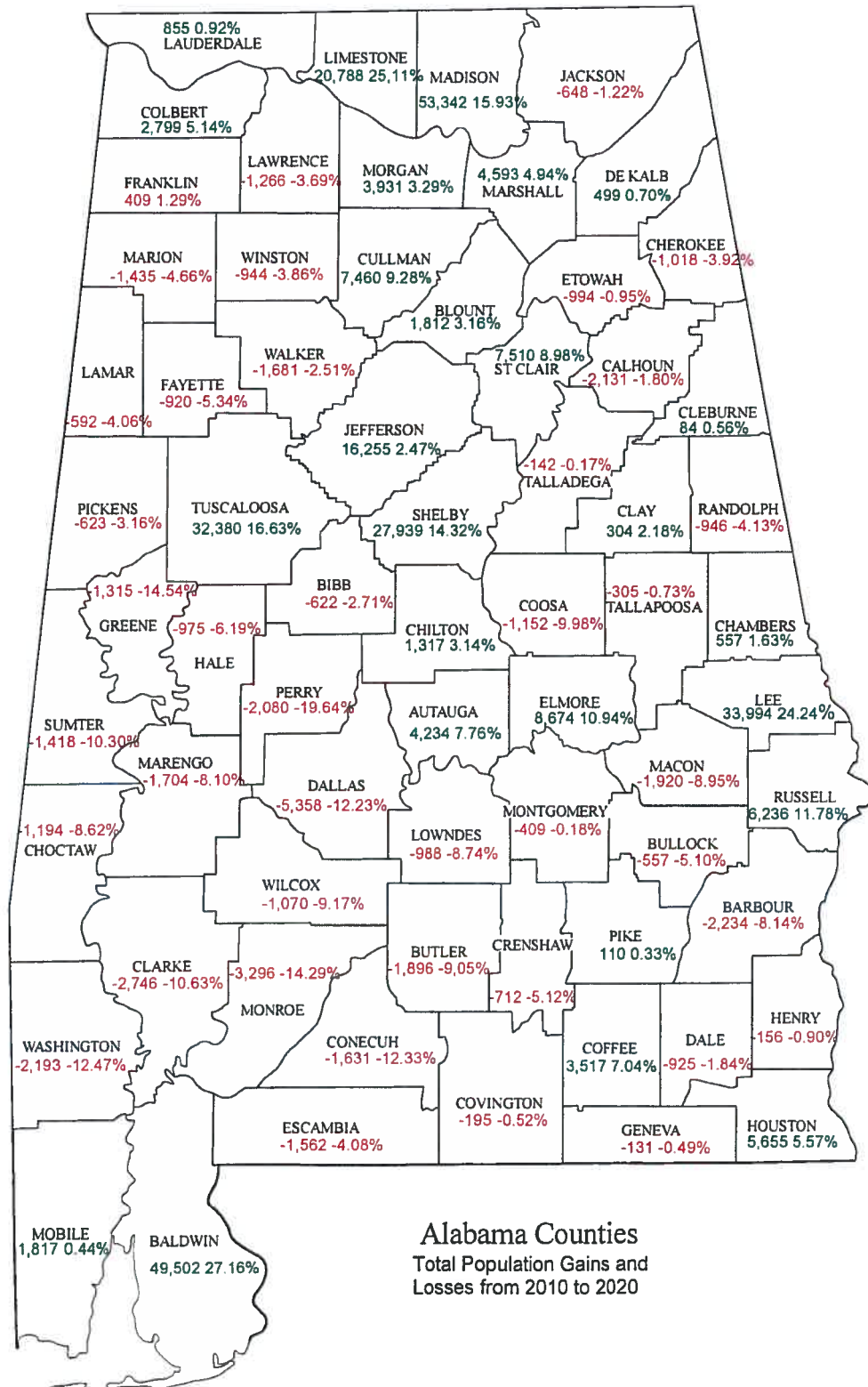
Dorman

**BALCH**  
B BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.



Produced by the Dept. of Geography  
College of Arts and Sciences  
The University of Alabama

RC 045702

**From:** Laura Hall <annahall19@gmail.com>  
**Sent:** Thursday, July 29, 2021 7:34 PM  
**To:** Donna Overton <donna.overton@alsenate.gov>  
**Cc:** Arthur Orr <arthur.orr@alsenate.gov>; Bill Poole <bill.poole@alhouse.gov>; Bobby Singleton <bobby.singleton@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Clay Scofield <clay.scofield@alsenate.gov>; Corley Ellis <corley.ellis@alhouse.gov>; Dan Roberts <dan.roberts@alsenate.gov>; Gerald Allen <gerald.allen@alsenate.gov>; Jack Williams <jack.williams@alsenate.gov>; Jim McClendon <jim.mcclendon@alsenate.gov>; Jimmy Holley <jimmy.holley@alsenate.gov>; Joe Lovvorn <joe.lovvorn@alhouse.gov>; Laura Hall <laura.hall@alhouse.gov>; Reapportionment Committee Meeting Notices <reappnotices@ALALeg.onmicrosoft.com>; Rodger Smitherman <roger.smitherman@alsenate.gov>; Sam Jones <sam.jones@alhouse.gov>; Steve Clouse <steve.clouse@alhouse.gov>; Steve Livingston <steve.livingston@alsenate.gov>; Tim Melson <tim.melson@alsenate.gov>; arthur@arthurorr.com <arthur@arthurorr.com>; bpoole@wplawllc.com <bpoole@wplawllc.com>; cjengland1@gmail.com <cjengland1@gmail.com>; clay\_scofield@earthlink.net <clay\_scofield@earthlink.net>; ghallen62@yahoo.com <ghallen62@yahoo.com>; jackwilliams55@icloud.com <jackwilliams55@icloud.com>; lynnngreer15@gmail.com <lynnngreer15@gmail.com>; repbarbaraboyd@gmail.com <repbarbaraboyd@gmail.com>; rwoods36@cableone.net <rwoods36@cableone.net>; senatorroberts15@gmail.com <senatorroberts15@gmail.com>; sljones@ballhealth.com <sljones@ballhealth.com>; smithermanlawoffice@gmail.com <smithermanlawoffice@gmail.com>; steve@troycable.net <steve@troycable.net>; tmelson672@aol.com <tmelson672@aol.com>  
**Subject:** Re: Public Hearing Schedule

On Thu, Jul 29, 2021 at 7:31 PM Laura Hall <annahall19@gmail.com> wrote:

Thanks, will the hearings be streamed and will the committee allow virtual questions and comments ?

On Thu, Jul 29, 2021 at 4:02 PM Donna Overton <donna.overton@alsenate.gov> wrote:

Good Afternoon!

I have attached the Committee's Public hearing schedule including the 6 new additional hearings that have been added. This brings the total number of hearings to 28.

I will getting with our IT department today to have it posted on the Legislative website.

**Donna Overton Loftin**  
Supervisor, Reapportionment Office  
11 S Union Street, Suite 317  
Montgomery, AL. 36130  
334.261.0395

Big new on the census litigation front. The three-judge panel in the U.S. District Court for the Middle District of Alabama rejected Alabama's request to move up the release of the 2020 census data and it will allow the Census Bureau to continue its use of differential privacy. If Alabama and the other plaintiffs wish, they can appeal the ruling straight to the U.S. Supreme Court.

The Bureau plans to release the redistricting data, also referred to as the P.L. 94-171 data, in the legacy format (no tables) by August 16 and the P.L. data in the more friendly format (with tables) is still expected to be released by Sept. 30.

We are still working our way through this opinion and will update you with more news as things progress.

Thanks,  
Christi

Christi Zamarripa  
National Conference of State Legislatures  
Policy Associate – Elections & Redistricting Program  
303-856-1419 (o) | 720-296-4352 (c)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

July 14-16, 2021 seminar in Salt Lake City, Utah! Register now<[https://www.ncslcommunities.org/engage/eventapi\\_router?event=a1U5G0000068dK1](https://www.ncslcommunities.org/engage/eventapi_router?event=a1U5G0000068dK1)>. Redistricting is right around the corner!<<https://www.ncsl.org/research/redistricting/ncsl-redistricting-seminar-salt-lake-city-utah-july-14-16-2021.aspx>> NCSL's redistricting seminar will prepare you for this once-a-decade task. Join us for the final redistricting seminar.

#### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast Ltd, an innovator in Software as a Service (SaaS) for business. Providing a safer and more useful place for your human generated data. Specializing in; Security, archiving and compliance. To find out more Click Here<<http://www.mimecast.com/products/>>.

---  
To unsubscribe or send questions about this email list, email the list administrator<<mailto:%20owner-redistrict-l@lists.ncsl.org>>.

**Walker, Dorman**

---

**From:** Walker, Dorman  
**Sent:** Friday, August 20, 2021 11:03 AM  
**To:** Sen. Jim McClendon; Rep. Chris Pringle (chris.pringle@alhouse.gov); 'Steve Livingston'; Donna Overton Loftin (donna.overton@alsenate.gov)  
**Subject:** Response to Rep. Hall  
**Attachments:** Document1.docx

Jim and Chris,

Please see the draft responses to Rep. Halls' most recent letter. If these are OK, please let Donna know, and she's get a signed letter to Rep. Hall.

Dorman



Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

Dear Representative Hall:

Thank you for your email of August 18 asking about procedures for the Redistricting Committee's public hearings, being conducted September 1-16, to which the responses are as follows:

**1. What is the planned meeting structure?**

Hearings are scheduled for three hours and will receive comments on all four plans being redistricted: Congressional, State Board of Education, Senate, and House. The Committee Chairs, the Hearing Officer, and Committee staff will participate from the Redistricting Committee office. ~~Other members of the Committee and other Legislators may participate from their offices.~~ Members of the Legislators, members of the public, and government officials from local governments may participate from the announced hearing site for that particular hearing, which in most cases is a community college, or may participate remotely via Team. Court reporters will in most cases appear remotely. Because 2021 will be the first time hearings have been conducted remotely, there may be a learning curve, and it's possible that the first several hearings will go less smoothly than later hearings.

**2. Is there an agenda?**

Each hearing will open with a statement of welcome and a request for Legislators and other elected officials to identify themselves. Participants will be reminded that the purpose of the hearing is to gather information that may be useful to Legislators' redistricting efforts, and in particular testimony about communities of interest is sought. For each of the districts under consideration at that hearing, there will be a short explanation of the ideal population, allowable deviation, and the amount by which the district is over or under populated. Maps of the districts and they not exist will be available. Participants will be asked how they would like their district boundaries to change.

**3. Do you have to register to speak at the public hearings? If yes, when and how?**

There will be sign-in sheets at every hearing. Persons who want to speak can so indicate on the sign-in sheet by ticking the appropriate block. Persons at the hearing site will be called up in order that they signed in, and then persons who have signed-in via Team will be given an opportunity to speak by raising their hands, and then anyone else will be given an opportunity to speak, *i.e.*, persons who did not originally indicate they wanted to speak, or persons who want to speak again. The hearing will be closed when there are no more speakers, or the two hours scheduled for the hearing have elapsed.

**4. Will the number of speakers be limited?**

No, except by the two-hour limit for hearings.

**5. Will each speaker be given a specific amount of time to speak?**



Yes, speakers will have a 3-minute limit.

**6. If the public has a suggested map will there be a way to display it at the hearing?**

Yes, the speaker can hold up the map to the camera. In addition, maps and other exhibits can be marked and sent to the court reporter for the hearing to be included in the record of that hearing.

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Wednesday, June 2, 2021 2:18 PM  
**To:** Jim McClendon <jim.mccclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Steve Livingston <steve.livingston@alsenate.gov>; Donna Overton <donna.overton@alsenate.gov>  
**Cc:** Jim Davis - Attorney General's Office (jim.davis@alabamaag.gov) <jim.davis@alabamaag.gov>  
**Subject:** 2021\_Legislative Reapportionment Meetings\_SEPT DATES.xlsx

Jim, Chris, and Steve,

Here is Donna's proposed schedule for the redistricting hearings. If this schedule is OK with you, we need to retain a court reporter, let members of the committee and all legislators know the schedule, and prepare public service announcements.

Dorman

**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

College/Other Location:	Campus Location	Address	Confirmed Date/Time	Contact Person/Info	County Location
Drake State	Lecture Hall and Cafetorium	3421 Meridian St North, Huntsville, AL 35811	Wednesday, September 1 - 9 AM	Bruce Bulluck (256) 551-5210 bruce.bulluck@drakestate.edu	Madison
Northwest-Shoals	Hospitality House, Shoals campus	800 George Wallace Blvd Muscle Shoals, AL 35662	Wednesday, September 1 - 11 AM	Brittney Humphres (256) 331-6207 bhumphres@nwscc.edu Belinda Noe (256) 306-2582 belinda.noe@calhoun.edu	Colbert
Calhoun	Health Sciences Building - Room 109, Main Campus	6250 Highway 31 North, Tanner, AL 35671	Wednesday, September 1 - 2 PM		Limestone/Morgan
Northeast Alabama	Theater Auditorium	138 Alabama Highway 35, Rainsville, AL 35986	Wednesday, September 1 - 4 PM	Chasley Bellomy Brown (256) 638-2448 bellomyc@nacc.edu	Jackson/DeKalb
Snead State	Fielder Auditorium - Administration Building	102 Elder Street, Boaz, AL 35957	Thursday, September 2 - 9 AM	Kelli Conley (256) 840-4101 kelli.conley@snead.edu	Marshall
Wallace-Dothan	Cherry Hall Bence Theater - main campus	1141 Wallace Dr Dothan, AL 36303	Thursday, September 2 - 11 AM	Greg Clemons (334) 556-2241 gclemons@wallace.edu	Dale/Houston
Bevill State	Earl McDonald Auditorium, Bevill Center - Fayette campus	2631 Temple Ave N, Fayette, AL 35555	Thursday, September 2 - 1 PM	Sherry Terry (205) 932-3221, Ext. 5103 sherry.terry@bscc.edu	Fayette
Lawson State	Alabama Center for Advanced Technology and Training - Birmingham campus	3060 Wilson Road SW Birmingham, AL 35221	Thursday, September 2 - 3 PM	Vernona Williams (205) 929-6472 vwilliams@lawsonstate.edu	Jefferson
Southern Union	Lake Room - Wadley campus	750 Roberts Street Wadley, AL 36276	Thursday, September 2 - 5 PM	Alison Osborn (334) 742-2972 aosborn@suscc.edu Ann Tinsley (205) 391-2251 atinsley@sheltonstate.edu	Randolph
Shelton State	Bean-Brown Theater - Martin campus	9500 Old Greensboro Rd Tuscaloosa, AL 35405	Tuesday, September 7 - 9 AM		Tuscaloosa
Jefferson State	Performing Arts Center Auditorium - Chilton Campus	1850 Lay Dam Road, Clanton, AL 35045	Tuesday, September 7 - 11 AM	Christine Brown (205) 280-8211 lbrown2@jeffersonstate.edu	Chilton
Jefferson State	Judy Merritt Health Sciences Building, Room 129 A-D (Multipurpose Room) - Shelby-Hoover Campus	4600 Valleydale Road, Hoover, AL 35242	Tuesday, September 7 - 2 PM	Debbie Jackson (205) 983-5214 chi@jeffersonstate.edu Virginia Glover (334) 876-9231 virginia.glover@wccs.edu	Shelby
Wallace State-Selma	Hank Sanders Conference Room	3000 Earl Goodwin Pkwy, Selma, AL 36702	Tuesday, September 7 - 4 PM		Dallas
Bishop State	Delchamps Auditorium - Main Campus	351 North Broad St, Mobile, AL 36603	Wednesday, September 8 - 9 AM	Gloria Sterling (251) 405-7084 gsterling@bishop.edu	Mobile
Coastal Alabama	Nettles Auditorium - Monroeville campus	2800 South Alabama Ave Monroeville, AL 36460	Wednesday, September 8 - 11 AM	Kay Lett (251) 575-8274 kay.lett@coastalalabama.edu	Monroe
Demopolis Civic Center	Civic Center	501 N Commissioners Ave, Demopolis, AL 36732	Wednesday, September 8 - 1 PM	Sam Gross (334) 289-0577 sam.gross@demopolis.gov	Marango
Troy University		Troy, AL	Wednesday, September 8 - 3 PM		Pike
Capitol Auditorium		Montgomery, AL	Wednesday, September 8 - 6 PM	Donna Overton Michele Conger (256) 835-5451 mconger@gadsdenstate.edu	Montgomery
Gadsden State	Cheaha Lecture Hall, Room 111 - Ayers Campus	1801 Coleman Road, Anniston, AL 36202	Thursday, September 9 - 9 AM		Calhoun
Lurleen B. Wallace	Wendell Mitchell Conference Center - Greenville Campus	750 Greenville Bypass, Greenville, AL 36037	Thursday, September 9 - 11 AM	Peige Josey (334) 881-2213 pjosey@lbwcc.edu Dennis Fuqua (251) 809-1532 dennis.fuqua@coastalalabama.edu	Butler
Coastal Alabama	Woodfin Patterson Auditorium - Brewton campus	220 Alco Dr, Brewton, AL 36426	Thursday, September 9 - 2 PM		Escambia
Southern Union	Southern Room, Opelika campus	301 Lake Condry Road Opelika, AL 36801	Thursday, September 9 - 4 PM	Alison Osborn (334) 742-2972 aosborn@suscc.edu	Lee

**From:** Laura Hall <annihall19@gmail.com>

**Sent:** Tuesday, June 29, 2021 9:05 PM

**To:** Donna Overton <donna.overton@alsenate.gov>; annihall19@gmail.com <annihall19@gmail.com>

**Cc:** Permanent Legislative Committee on Reapportionment <reapportionmentcommittee@ALALeg.onmicrosoft.com>; Reapportionment Committee Meeting Notices <reappnotices@ALALeg.onmicrosoft.com>; dwalker@balch.com <dwalker@balch.com>

**Subject:** Re: REAPPORTIONMENT...Adopted Guidelines and Public Hearing Schedule

On Tue, Jun 29, 2021 at 10:03 PM Laura Hall <annihall19@gmail.com> wrote:

**Please note that I sought input and the following information is provided as it relates to the Hearing Schedule.**

**Thanks,**

**Laura Hall**

**256.656.2301**

**Alabama Reapportionment Committee's Proposed Public Hearing Schedule**

The proposed public hearing locations are insufficient. While the city/county composition mirror those used in 2011, the proposed locations are not representative of the state's voting demographic and do not provide adequate opportunity for public input.

During the May 5<sup>th</sup> committee meeting, members agreed to hearing locations that would not require constituents to travel more than one county. However, the proposed location map will require interested parties to travel significant distances – at least an hour each way, in some instances – to participate.

The proposed schedule shows 4 or 5, consecutively scheduled, hearings each day over *four* calendar days. Many of these hearings are scheduled only two hours apart, leaving committee members who would like to attend multiple hearings in a region inadequate time to meaningfully participate in one hearing and then travel to the next. In 2011, the public hearings were spaced over *eight* calendar days, with 3 hearings at most, each day. While it may not be feasible for all committee members to attend every public hearing, the proposed schedule requires members to “pick and choose” hearings and will not have the full benefit of the public hearing testimony and discussion of any alternative maps introduced.

In addition, the timing of each hearing is unsatisfactory. Hearings held during working hours cannot be viewed objectively as providing the opportunity for public input. Only one hearing (Randolph County) is scheduled to begin at 5 pm. Whereas, seven of the 2011 hearings were scheduled at 6:30 p.m. (one at 6:45).

Three of the current Senate districts have no public hearing in any county within the district:

- SD4 (Gudger) – Lawrence, Marion, Winston, and Cullman
- SD10 (Jones) – Etowah and Cherokee
- SD28 (Beasley) – Macon, Russell, Bullock, Barbour, and Henry

Two of the current Senate districts have nominal coverage in the proposed locations:

- SD22 (Albritton) – Clarke, Washington, Baldwin (most), Escambia and Monroe (sliver)
  - ✦ The interests of constituents in Escambia County and the small portion of Monroe contained in this district -- where there are proposed hearings -- are distinctly different from those of constituents in Washington, Clarke, or Baldwin.
- SD24 (Singleton) – Pickens, Greene, Hale, Choctaw, and Marengo (portion)
  - ✦ This district covers half of Marengo, the only county in this district with a proposed hearing

Of the top 10 counties with the highest Black population, only two are covered in the proposed:

- Macon (80.7%)
- Greene (80.1%)
- Lowndes (72.5%)
- Sumter (71.8%)
- Wilcox (71.3%)
- Bullock (70.5%)
- **Dallas (70.5%)**
- Perry (67.9%)
- **Montgomery (59%)**
- Hale (51.4%)

Finally, the proposed public hearing locations raise a few accessibility concerns.

We commend the decision to use community colleges as the venue for redistricting public hearings. They are typically well known and welcoming community spaces that residents feel comfortable visiting in addition to being physically accessible to community members with disabilities. However, the desire to use community colleges should not override other important considerations when choosing locations for these hearings. If there is not a suitably located community college in a county, other spaces should be considered. Two examples:

Hoover was chosen as the Shelby County location – this is an affluent area in north Shelby County that is less than 30 minutes from the hearing location in Jefferson County but more than thirty miles from communities in the south of the county location in Calera (where this is

a community college) or Columbiana (the county seat) would be muchmore accessible to other parts of the county

The State House is identified for two public hearings in Montgomery. At least one location should be moved to a space more accessible to community residents.

On Fri, Jun 4, 2021 at 12:12 PM Donna Overton <[donna.overton@alsenate.gov](mailto:donna.overton@alsenate.gov)> wrote:

Good Morning All,

I have attached the guidelines that were adopted on our meeting May 5, 2021 and a copy of the Public Hearing dates and locations. The hearings will be held in person (at the listed community colleges) and virtually from the Statehouse in Conference room 317. Any member who wishes to attend the hearing either in person or virtually from the statehouse is welcome to do so.

Look over the schedule and if you would like to add to the list, please, let me know. I will be glad to work with you in setting that up. The plan is to publish the schedule the first of July 2021. I would need your request for any additional hearing locations and dates by June 28 so I can get them finalized.

Thanks and Have a Great Day!

**Donna Overton Loftin**  
Supervisor, Reapportionment Office  
11 S Union Street, Suite 317  
Montgomery, AL. 36130  
334.261.0395

You're receiving this message because you're a member of the Permanent Legislative Committee on Reapportionment group from ALALeg. To take part in this conversation, reply all to this message.

[View group files](#) | [Leave group](#) | [Learn more about Microsoft 365 Groups](#)



**From:** Jim McClendon <jimmcc@windstream.net>  
**Sent:** Monday, July 12, 2021 5:05 PM  
**To:** Jim McClendon <jim.mcclendon@alsenate.gov>  
**Subject:** Fwd: Meeting Changes/Additions

Senator Jim McClendon

Begin forwarded message:

**From:** Donna Overton <donna.overton@alsenate.gov>  
**Date:** July 12, 2021 at 4:35:48 PM CDT  
**To:** Jim McClendon <jimmcc@windstream.net>, chrispringle@southerntimberlands.com  
**Cc:** Dorman Walker <dwalker@balch.com>  
**Subject:** Fw: Meeting Changes/Additions

Here is the latest updated public hearing schedule. Take a look at it and see what you think. I also attached a statewide county map and highlighted the counties in which we will be having a public hearing.

I will be in Salt Lake the rest of this week at the NCSL redistricting conference. Call me on my cell if you need me.  
334 380-8799

---

**From:** Boone Kinard <boone.kinard@accs.edu>  
**Sent:** Monday, July 12, 2021 11:36 AM  
**To:** Donna Overton <donna.overton@alsenate.gov>  
**Subject:** RE: Meeting Changes/Additions

Updated to reflect name of location and appropriate contact person at Wallace-Hanceville CC. This should be the final information and confirmation for all colleges. Please let me know what the next steps are. I have told the colleges to be expecting follow-up from your office in the near future.

Thanks,  
Boone

**From:** Jim McClendon <jimmcc@windstream.net>  
**Sent:** Monday, July 12, 2021 5:18 PM  
**To:** Jim McClendon <jim.mcclendon@alsenate.gov>  
**Subject:** Fwd: Meeting Changes/Additions

Senator Jim McClendon

Begin forwarded message:

**From:** Jim McClendon <jimmcc@windstream.net>  
**Date:** July 12, 2021 at 5:17:18 PM CDT  
**To:** Donna Shanholtzer Overton Loftin <donna.overton@alsenate.gov>  
**Subject:** Re: Meeting Changes/Additions

Thanks Donna. Good work. I'm printing so can see details. If there's an issue I'll let you know, otherwise proceed.

Have a fun trip.

Senator Jim McClendon

On Jul 12, 2021, at 5:05 PM, Jim McClendon <jimmcc@windstream.net> wrote:

Senator Jim McClendon

Begin forwarded message:

**From:** Donna Overton <donna.overton@alsenate.gov>  
**Date:** July 12, 2021 at 4:35:48 PM CDT  
**To:** Jim McClendon <jimmcc@windstream.net>, chrispringle@southerntimberlands.com  
**Cc:** Dorman Walker <dwalker@balch.com>  
**Subject:** Fw: Meeting Changes/Additions

Here is the latest updated public hearing schedule. Take a look at it and see what you think. I also attached a statewide county map and highlighted the counties in which we will be having a public hearing.

I will be in Salt Lake the rest of this week at the NCSL redistricting conference. Call me on my cell if you need me.  
334 380-8799

---

**From:** Boone Kinard <[boone.kinard@accs.edu](mailto:boone.kinard@accs.edu)>  
**Sent:** Monday, July 12, 2021 11:36 AM  
**To:** Donna Overton <[donna.overton@alsenate.gov](mailto:donna.overton@alsenate.gov)>  
**Subject:** RE: Meeting Changes/Additions

Updated to reflect name of location and appropriate contact person at Wallace-Hanceville CC. This should be the final information and confirmation for all colleges. Please let me know what the next steps are. I have told the colleges to be expecting follow-up from your office in the near future.

Thanks,  
Boone

---

**From:** Boone Kinard  
**Sent:** Friday, July 9, 2021 5:08 PM  
**To:** Donna Overton <[donna.overton@alsenate.gov](mailto:donna.overton@alsenate.gov)>  
**Subject:** RE: Meeting Changes/Additions

Donna,

Hope you had a great week. I have confirmed all additional meetings with the appropriate community colleges. Updated spreadsheet is attached. You will need to make contact at Troy University and University of West Alabama to finalize those meetings, along with the Montgomery and Bullock Co. meetings. All others should be set! Let me know if you need anything else.

Thanks,  
Boone

---

**From:** Donna Overton <[donna.overton@alsenate.gov](mailto:donna.overton@alsenate.gov)>  
**Sent:** Friday, July 2, 2021 11:58 AM  
**To:** Boone Kinard <[boone.kinard@accs.edu](mailto:boone.kinard@accs.edu)>  
**Subject:** Re: Meeting Changes/Additions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
---

Yes! Thanks!! And you too!

Get Outlook for iOS

---

**From:** Boone Kinard <boone.kinard@accs.edu>  
**Sent:** Friday, July 2, 2021 11:23:27 AM  
**To:** Donna Overton <donna.overton@alsenate.gov>  
**Subject:** Meeting Changes/Additions

Based on our conversation, here are the changes I am proposing to the previous scheduling spreadsheet:

- Move Randolph County meeting at Southern Union-Wadley campus to September 16 at 4 PM.
- Change times for Calhoun Co (Gadsden State) and Jefferson Co (Lawson State) meetings on September 2 to 2 PM and 4 PM, respectively.
- Request additional meetings at various locations on September 15 and 16 below:

**Coastal Alabama**

Wednesday, September 15, 2021

**Wallace-Hanceville**

Wednesday, September 15, 2021  
AM

**Gadsden State**

Wednesday, September 15, 2021

**County Courthouse**

Wednesday, September 15, 2021

**University of West**

**Alabama**

Morning of September 16, 2021

**Coastal Alabama**

Thursday, September 16, 2021

	Lake Room -	750 Roberts	
<b>Southern Union</b>	Wadley campus	Street Wadley, AL 36276	Thursday, September 16, 2021

This allows anytime during the morning of September 16 for you to schedule the University of West Alabama meeting. I have requests out to all applicable community colleges for the proposed dates/times and will let you know once I have these meetings confirmed.

Have a Great 4<sup>th</sup>!

Thanks,  
Boone

Boone Kinard  
 Executive Director of External Affairs  
 Alabama Community College System  
 Office – (334) 293-4718  
 Cell – (334) 462-0665

<image001.png>

<Legislative Reapportionment Meetings.xlsx>

<County Map of Public Hearings.pdf>

**From:** Steve Livingston <steve.livingston@alsenate.gov>  
**Sent:** Friday, July 23, 2021 12:12 PM  
**To:** Donna Overton <donna.overton@alsenate.gov>; Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>  
**Subject:** RE: draft response letter to Sen Smitherman

Questions?

# 7 I assume the 28 meetings will be recorded ?

#11 – the Public allowed to submit maps, should we say complete maps not just there district ?

**From:** Donna Overton <donna.overton@alsenate.gov>  
**Sent:** Friday, July 23, 2021 11:36 AM  
**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Steve Livingston <steve.livingston@alsenate.gov>  
**Subject:** draft response letter to Sen Smitherman

Good Morning!

Here is the final draft response to Sen Smitherman's letter. Please, look it over and let me know if you would like to add or change anything.

Upon your approval, I will put it on letterhead and send it to his legislative office upstairs.

Thanks!

**Donna Overton Loftin**  
Supervisor, Reapportionment Office  
11 S Union Street, Suite 317  
Montgomery, AL. 36130  
334.261.0395



**From:** Laura Hall <annahall19@gmail.com>  
**Sent:** Tuesday, October 19, 2021 12:49 PM  
**To:** sljones@ballhealth.com <sljones@ballhealth.com>; Chris Pringle <chris.pringle@alhouse.gov>; chrispringle@southerntimberlands.com <chrispringle@southerntimberlands.com>; Jim McClendon <jim.mcclendon@alsenate.gov>; Jim McClendon <jimmcc@windstream.net>  
**Subject:** Re: FW: REAPPORTIONMENT COMMITTEE MEETING

Rep Jones, I agree, that we should receive the information in a timely manner in order to fully grasp the impact.

Laura Hall

On Tue, Oct 19, 2021 at 12:23 PM Samuel L. Jones <sljones@ballhealth.com> wrote:  
FYI

**From:** Samuel L. Jones  
**Sent:** Tuesday, October 19, 2021 12:18 PM  
**To:** 'Donna Overton' <donna.overton@alsenate.gov>; Permanent Legislative Committee on Reapportionment <reapportionmentcommittee@ALALeg.onmicrosoft.com>  
**Subject:** RE: REAPPORTIONMENT COMMITTEE MEETING

Is it possible for the committee members to view the material that is to be discussed at the meeting at least three days before the meeting? This material is critical to the people of the state and should not be handled in a short meeting without the opportunity properly assess the impact of the proposed changes on the states population from several prospectives.

**From:** Donna Overton <donna.overton@alsenate.gov>  
**Sent:** Monday, October 18, 2021 5:52 PM  
**To:** Permanent Legislative Committee on Reapportionment <reapportionmentcommittee@ALALeg.onmicrosoft.com>  
**Subject:** REAPPORTIONMENT COMMITTEE MEETING

The Permanent Legislative Committee on Reapportionment will be meeting on:

Date: Tuesday, October 26  
Time: 1:00 pm

Place: Conference Room 317

The Purpose of this meeting will be to discuss and adopt a committee plan for each of Congressional, State House and Senate, and State School Board District Plans.

Have a Great Evening!

Donna Overton Loftin  
Supervisor, Reapportionment Office  
11 S Union Street, Room 317  
Montgomery, Al 36130

You're receiving this message because you're a member of the Permanent Legislative Committee on Reapportionment group from ALALeg. To take part in this conversation, reply all to this message.

[View group files](#) | [Leave group](#) | [Learn more about Microsoft 365 Groups](#)

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission.

**From:** Walker, Dorman <DWALKER@balch.com>

**Sent:** Wednesday, October 20, 2021 9:23 AM

**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Donna Overton <donna.overton@alsenate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>

**Subject:** Letter to AL Reapportionment Committee 20211019-Final2

The attached letter from the NAACP, et al., includes a map of a Congressional plan with two majority-Black districts, for which data not now is provided, as follows:

	Black Only BVAP	Any Part Black BVAP
NAACP CD2	50.05%	51.19%
NAACP CD 7	52.55%	53.58%

Dorman

**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.



October 20, 2021

*Sent via email*

Legislative Reapportionment Office  
Room 303, State House  
11 South Union Street  
Montgomery, Alabama 36130  
district@al-legislature.gov  
cc: donna.overton@alsenate.gov

**Re: Duty to Comply with the U.S. Constitution and Voting Rights  
Act in Alabama's Redistricting Process**

Dear Legislative Reapportionment Committee Members:

The NAACP Legal Defense and Educational Fund, Inc. ("LDF")<sup>1</sup>, Alabama State Conference of the NAACP, American Civil Liberties Union ("ACLU"),<sup>2</sup> and ACLU of Alabama<sup>3</sup> write to remind you of your obligation to comply with the U.S. Constitution and Section 2 of the Voting Rights Act ("Section 2") during the post-2020 reapportionment and redistricting cycle. In particular, you must consider whether

---

<sup>1</sup> Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in political participation, education, economic justice, and criminal justice. Throughout its history, LDF has worked to enforce and promote laws and policies that increase access to the electoral process and prohibit voter discrimination, intimidation, and suppression. LDF has been fully separate from the National Association for the Advancement of Colored People ("NAACP") since 1957, though LDF was originally founded by the NAACP and shares its commitment to equal rights.

<sup>2</sup> The ACLU has worked to defend and preserve the individual rights and liberties guaranteed by the Constitution and laws of the United States for over 100 years. The ACLU established its Voting Rights Project in 1965 – the same year that the historic Voting Rights Act was enacted. Its mission is to build and defend an accessible, inclusive, and equitable democracy free from racial discrimination.

<sup>3</sup> The ACLU of Alabama is freedom's watchdog; working in the courts, legislatures and communities to defend the individual rights and personal freedoms guaranteed by the Constitution and the Bill of Rights.

RC 045728

Section 2 requires the Alabama legislature to enact a map with two opportunity districts each comprised of a majority of Black voters (“majority-minority opportunity district”). In so doing, you must conduct a localized analysis of racial bloc voting and effectiveness thresholds and you must avoid drawing congressional or state legislative districts in a manner that places voters of color in districts based on their race at higher thresholds than is necessary for them to elect their candidates of choice.

According to 2020 Census data, nearly 28% of Alabama’s residents identify as Black, either alone or as part of a multi-racial identity. It is fair, necessary, and logical that all Black Alabamians have an opportunity to elect their preferred Congressional representatives. Members of Congress make decisions and influence policies that impact every aspect of American life, including access to education, economic opportunity, housing, health care, and the direct and collateral consequences of the criminal legal system. An additional majority-minority opportunity district, which Section 2 likely requires, would provide Black voters with representation to address the state’s pervasive and ongoing record of inequality of opportunity in various aspects of life.

**I. The Reapportionment Committee Must Ensure Alabama’s Compliance with Section 2 of the Voting Rights Act and the U.S. Constitution.**

Under Alabama law, the Reapportionment Committee is responsible in the first instance for redrawing district maps for Alabama’s seven Congressional districts as well as for all of the state’s legislative districts, based on data from the 2020 census.<sup>4</sup> It is critical that the state legislature uses this opportunity to remedy long-standing dilution of Black voting strength in Alabama’s congressional map. Nearly 28% of Alabama residents identify as Black people, yet since Reconstruction, Alabama has never had more than one Black member of Congress in its delegation. This is a direct consequence of the configuration of Alabama’s congressional districts: Black voters are packed into District 7, the state’s only majority-minority opportunity district, and cracked among the state’s districts comprised of a majority of white voters (“majority-white districts”). Although District 7 has consistently elected Black candidates over the past 30 years, none of the majority-white districts have elected a Black Congressperson. The Reapportionment Committee must ensure that Black voters have an equal opportunity to elect candidates of their choice, as required by Section 2, while also complying with the Constitution’s “One Person, One Vote”

---

<sup>4</sup> See Ala. Code §§ 29–2–50, 29–2–51.

principle. Careful attention to these important constitutional and statutory constraints is particularly important in the upcoming legislative session because this is Alabama's first redistricting cycle without the full protection of Section 5 of the Voting Rights Act ("Section 5").

**A. Section 2 Likely requires the Development of a Second Majority-Black Congressional District.**

Section 2 demands that voters of color in Alabama have an equal opportunity "to participate in the political process and elect candidates of their choice."<sup>5</sup> Section 2 is particularly important in Alabama, a state with a well-documented history of racial discrimination in voting. Section 2 imposes an affirmative obligation on the Committee to carefully assess where it must draw districts to provide minority voters with an effective opportunity to elect their preferred candidates. Assessing minority voting opportunities entails attention not only to the demographic composition of districts, but also to other factors such as "participation rates and the degree of cohesion and crossover voting" among minority voters.<sup>6</sup> Our analysis suggests,<sup>7</sup> and other analysts have demonstrated,<sup>8</sup> that drawing two majority-minority Congressional districts in Alabama is possible and in line with constitutional limitations. Attached to this letter is an example of a map that creates two majority-minority opportunity districts in Alabama's U.S. Congressional map (Appendix One). The Legislature must therefore consider whether, in conducting the analysis required by Section 2, a Congressional map creating two majority-minority districts is now required.

In *Thornburg v. Gingles*, 478 U.S. 30 (1986), the U.S. Supreme Court set forth three pre-conditions indicating that a districting plan or voting system results in vote dilution. These preconditions, referred to as the "*Gingles* preconditions" are met when: (1) an alternative districting plan can be drawn that includes one or more single-member districts where a minority community is sufficiently large and geographically compact to make up the mathematical majority of the district; (2) the minority group is politically cohesive in its support for preferred candidates; and (3) in the absence of majority-minority districts, candidates preferred by the minority group would usually be defeated because of political cohesion in the voting patterns

<sup>5</sup> See *Thornburg v. Gingles*, 478 U.S. 30, 34 (1986).

<sup>6</sup> Bernard Grofman, Lisa Handley, David Lublin, *Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence*, 79 N.C. L. Rev. 1383, 1415 (2001).

<sup>7</sup> See *Infra* Appendix 1.

<sup>8</sup> E.g., @Redistrict, Twitter (Sept. 21, 2021, 5:41 PM), <https://twitter.com/Redistrict/status/1440431034114318342>.



of non-minority voters in support of different candidates.<sup>9</sup> Together, the second and third *Gingles* preconditions are commonly referred to as racial bloc voting or racially polarized voting.<sup>10</sup> Racially polarized voting “is the linchpin of a § 2 vote dilution claim.”<sup>11</sup>

If these three *Gingles* preconditions are met, a decisionmaker must then evaluate the “totality of circumstances” to determine whether minority voters “have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.”<sup>12</sup> Courts consider several factors—such as the jurisdiction’s history of voter discrimination—to determine whether the minority vote has been impermissibly diluted.<sup>13</sup> Importantly, it is “only the very unusual case” where “plaintiffs can establish the existence of the three *Gingles* factors” and fail “to establish a violation of § 2 under the totality of circumstances.”<sup>14</sup>

In Alabama, based on present demographics, voting patterns, and other conditions, a Congressional redistricting plan that includes only one majority-minority district likely violates the Voting Rights Act. Each of the three *Gingles* preconditions is likely satisfied in Alabama and there is ample evidence that, under the totality of the circumstances, Black voters have less opportunity than other

---

<sup>9</sup> *Gingles*, 478 U.S. at 50-51.

<sup>10</sup> Racially polarized voting occurs when different racial groups vote as a bloc for different candidates. In a racially polarized election, for example, Black people vote together for their preferred (frequently, though not always, Black) candidate, and most non-Black voters vote for the opposing (typically, though not always, white) candidate.

<sup>11</sup> *Ala. State Conf. of the NAACP v. Alabama*, No. 2:16-CV-731, 2020 WL 583803 (M.D. Ala. Feb. 5, 2020); *City of Carrollton Branch of the NAACP v. Stallings*, 829 F.2d 1547, 1550 (11th Cir. 1987) (“The court’s new three-part test establishes that racial bloc voting is the hallmark of a vote dilution claim”); see also *Gingles*, 478 U.S. at 48 n.15.

<sup>12</sup> 52 U.S.C. § 10301(b); *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 425 (2006).

<sup>13</sup> Courts examine the “totality of the circumstances” based on the so-called “Senate Factors,” named for the Senate Report accompanying the 1982 Voting Rights Act amendments in which they were first laid out. *Gingles*, 478 U.S. at 43-45. The Senate Factors are: (1) the extent of any history of discrimination related to voting; (2) the extent to which voting is racially polarized; (3) the extent to which the state or political subdivision uses voting practices that may enhance the opportunity for discrimination; (4) whether minority candidates have access to candidate slating processes; (5) the extent to which minority voters bear the effects of discrimination in areas of life like education, housing, and economic opportunity; (6) whether political campaigns have been characterized by overt or subtle racial appeals; (7) the extent to which minority people have been elected to public office; (8) whether elected officials are responsive to the needs of minority residents; and (9) whether the policy underlying the voting plan is tenuous. *Id.* at 36-37. However, “there is no requirement that any particular number of factors be proved, or that a majority of them point one way or the other.” *Id.* at 45.

<sup>14</sup> *Clark v. Calhoun Cty.*, 21 F.3d 92, 97 (5th Cir. 1994).



members of the electorate to participate in the political process and elect candidates of their choice.

*i. Gingles Precondition One: It is Possible to Draw Alabama's U.S. Congressional Map with Two Majority-Minority Opportunity Districts.*

It is possible to draw a second majority-minority opportunity district in Alabama's seven-district Congressional map. **Appendix One** provides one example of an Alabama Congressional district plan, based on 2020 Census data, in which two of the seven districts are comprised of a majority of Black voters.<sup>15</sup>

In the attached plan, the Black community, measured by the Black voting age population ("BVAP") within each of the majority-minority opportunity districts, are sufficiently large and geographically compact to satisfy the first *Gingles* precondition. The appended map includes one majority-minority opportunity district that contains the core of the current District 7 as well as a second majority-minority opportunity district where the BVAP is over 50%.<sup>16</sup>

Currently, District 7, with over 60% BVAP, is diluting the votes of Black Alabamians. As the state is aware from its experience in previous redistricting cycles, compliance with Section 2 of the Voting Rights Act provides a compelling reason to consider race in redistricting, but it does not provide license to draw districts in ways that apply racial targets without a localized effectiveness analysis over several election cycles. The U.S. Constitution protects against maps that intentionally "pack" Black voters into districts with unnecessarily high Black populations or "crack" them into districts with unnecessarily low ones—both stratagems that can illegitimately elevate race over other considerations and diminish the political power of Black people.<sup>17</sup> Similarly, "if a legislature uses race as a proxy for a legitimate districting

<sup>15</sup> While we believe that these maps are *sufficient* for compliance with Section 2, we make no representations as to whether the demographic percentages in any particular district in these draft maps are *necessary* for Section 2 compliance. An assessment of that question would require a more finely detailed analysis, including of racial polarization patterns, which we are unable to complete before an anticipated deadline for map submissions.

<sup>16</sup> See *infra* Appendix 1. The Supreme Court has held that a minority community is sufficiently large when it "make[s] up more than 50 percent of the voting-age population in the relevant geographical area." *Bartlett v. Strickland*, 556 U.S. 1, 18 (2009).

<sup>17</sup> See, e.g., *Ala. Leg. Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015); *Bethune-Hill v. Virginia State Bd. of Elections*, 326 F. Supp. 3d 128, 180 (E.D. Va. 2018) (three-judge court) (holding that 11 state legislative districts were unconstitutional racial gerrymanders because the legislature decided to make them all meet a 55% BVAP target for which there was no strong basis in evidence); *Smith v. Beasley*, 946 F. Supp. 1174, 1210 (D.S.C. 1996) (holding that districts for which a legislature imposes unnecessarily high BVAP targets will fail constitutional scrutiny, because

criterion . . . this consideration of race likewise is subject to strict scrutiny.”<sup>18</sup> To overcome that exacting scrutiny, this body would have to show it drew districts to comply with Section 2 – a burden our analysis reflects cannot be met.

**ii. Other state-wide elected bodies.**

Alabama’s current State Legislative maps likewise evidence unnecessary packing and cracking of Black voters, including in some of the same areas of the state that are of concern in the congressional plan. With respect to the House plan, Black voters appear to be packed into several districts in the Montgomery and Birmingham areas and other parts of the state in ways that do not respect communities of interest and are likely not necessary for Black voters to elect candidates of choice. This packing artificially dilutes the ability of Black voters to elect candidates of choice in additional districts in those regions. The Committee should also, in compliance with Section 2, determine whether additional majority-minority districts in those regions are required by the Voting Rights Act. Similarly, on preliminary investigation, it appears that Huntsville’s Senate districts, and potentially other Senate districts in the state including in the Montgomery area, are cracked in a way that could dilute Black political power, artificially limiting Black voters’ ability to elect candidates of choice. Our analysis indicates that ceasing these practices would allow Black voters to elect candidate of choice in at least two additional districts. The Committee must carefully consider whether the *Gingles* preconditions exist with respect to the State Legislative districts and draw its redistricting plans accordingly.

**iii. *Gingles* Preconditions Two & Three: Voting in Alabama is Racially Polarized.**

There is ample evidence to suggest that the second and third *Gingles* preconditions are satisfied in Alabama. Alabama has a well-documented history and ongoing pattern of racially polarized voting in elections across the state. Over the past three decades, numerous federal courts have found that racially polarized voting pervades Alabama’s statewide and local elections. In 2015, in *Alabama Legislative Black Caucus v. Alabama* the Supreme Court acknowledged that “voting ... in the

---

Section 2 “does not require super-safe majority-minority districts of at least 55% BVAP,” and explaining: “Such districts should be narrowly tailored so that each district is considered individually and lines are drawn so as to achieve a district where minority citizens have an equal chance of electing the candidate of their choice. Districts in which most minority citizens register and vote will not need 55% BVAP to elect a candidate of choice. To be narrowly tailored, such facts should be considered when district lines are drawn.”).

<sup>18</sup> *Bethune-Hill*, 326 F. Supp. 3d at 142.

State itself, is racially polarized.”<sup>19</sup> The Department of Justice (DOJ) has sued local jurisdictions under Section 2 multiple times; in each case, the DOJ identified racially polarized voting patterns within the county.<sup>20</sup>

Our preliminary analysis of election contests between 2016 and 2020 shows that this stark pattern of racially polarized voting across Alabama, continues. Our analysis indicates that majority-minority districts are likely required to ensure Black voters have an opportunity to elect their candidates of choice on an equal footing with non-Black voters. Our analysis does not, however, reveal a need to draw districts with the present BVAP levels extant in District 7 or in many state legislative districts. For example, our preliminary analysis reveals that BVAP percentages in excess of a bare majority (i.e., 50%+1) are unnecessary in many parts of the state for Black voters to elect their candidates of choice, although effectiveness thresholds vary by locality and require a localized analysis. We continue to conduct those key analyses, and the Committee is obligated to do so as well.

Because of Alabama’s stark patterns of voting along racial lines, Alabama’s Reapportionment Committee and legislature must be attuned to their obligations under Section 2, not merely as an afterthought after maps are drawn, but affirmatively in the drawing of all statewide electoral maps. As the Supreme Court recently instructed: a “legislature undertaking a redistricting must assess whether the new districts it contemplates (not the old ones it sheds) conform to the [Voting Rights Act]’s requirements.”<sup>21</sup> This Committee will not be able to fulfill its legal obligations in the redistricting process if it attempts to ignore patterns of voting along racial lines in the drawing of electoral maps.

***iv. Totality of Circumstances: Alabama’s Voters of Color Have Less Opportunity to Elect Candidates of their Choice.***

A consideration of the “totality of circumstances” surrounding voting in Alabama confirms that Black voters have “less opportunity than other members of the electorate to participate in the political process and to elect representatives of

---

<sup>19</sup> *Ala. Legis. Black Caucus v. Ala.*, 575 U.S. 254, 277 (2015); see also *Greater Birmingham Ministries v. Merrill*, 284 F. Supp. 3d 1253, 1258 (N.D. Ala. 2018) (“There was racially polarized voting in both the 2008 and 2010 [statewide] elections.”) *United States v. McGregor*, 824 F. Supp. 2d 1339, 1346 (M.D. Ala. 2011).

<sup>20</sup> See, e.g., *United States v. Dallas Cty. Comm’n*, 739 F.2d 1529, 1536 (11th Cir. 1984); *United States v. Tallapoosa County*, No. CV-93-D-1362-E (M.D. Ala. filed Nov. 12, 1993).

<sup>21</sup> *Cooper v. Harris*, 137 S. Ct. 1455, 1471 (2017).

their choice” in Alabama’s Congressional elections.<sup>22</sup> Several of the Senate Factors, which inform Section 2 liability, strongly indicate that vote dilution is occurring, including: the extent of the history of voting discrimination in Alabama (Factor 1); the extent of racially polarized voting in Alabama (Factor 2); the extent to which Alabama has used voting practices that may enhance the opportunity for discrimination against Black voters (Factor 3); the extent to which a candidate slating process has been used to deny Black voters in Alabama access to that process (Factor 4); the extent to which Black voters bear the effects of discrimination in a variety of areas of life (Factor 5); whether political campaigns in Alabama have been characterized by overt or subtle racial appeals (Factor 6); and the extent to which Black candidates have been elected to public office in Alabama (Factor 7). The following are just a few examples of circumstances impacting Black voters’ ability to participate equally in Alabama’s congressional elections:

- Alabama has a well-documented history of voting discrimination.<sup>23</sup> Among other violations, in 1985, the U.S. Supreme Court struck down Alabama’s intentionally discriminatory misdemeanor disfranchisement law.<sup>24</sup> In 1986, a federal district court found that, from the late 1800s to the 1980s, the State Legislature had purposefully manipulated the method of electing local governments as needed to prevent Black residents from electing their preferred candidates.<sup>25</sup> The court also found that the state laws requiring numbered posts for nearly every at-large voting system in Alabama had been intentionally enacted to dilute Black voting strength.<sup>26</sup>
- In 2010, as a part of a federal investigation into bribery, State Senators Scott Beason and Benjamin Lewis, and State Representative Barry Mask agreed to wear recording devices. At trial in 2011, these recordings became public and revealed that a cadre of prominent state legislators had plotted to stop a gambling-related referendum from appearing on the November 2010 ballot. These legislators were concerned that the referendum would increase Black voter turnout because, in general, Black Alabamians supported gambling.<sup>27</sup> While discussing their plot to suppress Black voter turnout, Senators Beason, Lewis, and other top legislators were recorded

<sup>22</sup> *Gingles*, 478 U.S. at 36-37 (quoting 42 U.S.C. § 10301(b)).

<sup>23</sup> See Deuel Ross et al., *Voting Rights in Alabama: 2006 to Present* (Aug. 2021) (on file with author).

<sup>24</sup> *Id.* *Hunter v. Underwood*, 471 U.S. 222 (1985).

<sup>25</sup> *Dillard v. Crenshaw Cty.*, 640 F. Supp. 1347, 1357 (M.D. Ala. 1986).

<sup>26</sup> *Id.* at 160.

<sup>27</sup> *McGregor*, 824 F. Supp. 2d at 1339.

deriding Black Alabamians. They called Black voters “Aborigines” and predicted that the referendum’s presence would lead “[e]very black, every illiterate” to be “bused [to the polls] on HUD financed buses.”<sup>28</sup>

- In fall 2015, just after the state implemented a restrictive photo-ID law for in person voting,<sup>29</sup> the Alabama Governor and Secretary of the Alabama Law Enforcement Agency (“ALEA”) announced the closure of 31 driver’s license-issuing offices.<sup>30</sup> Eight of the eleven counties that were expected to lose driver’s licensing offices were majority Black counties—which not only limited access to license-related services, but also reduced availability of one of the most convenient avenues for registering to vote. In December 2016, the U.S. Department of Transportation concluded that the Alabama driver’s license office closures and reductions in hours had a disparate impact on Black people in violation of the Civil Rights Act.<sup>31</sup>
- Although COVID-19 presented risks to the entire population, Black Alabamians were disproportionately more likely to die of COVID-19.<sup>32</sup>

\* \* \*

Compliance with the Voting Rights Act is a nuanced, fact-specific inquiry that requires an “intensely local appraisal” based “upon the facts of each case.”<sup>33</sup> While Alabama has made progress since 1965, the Reapportionment Committee must not fail to fulfill its affirmative obligations under Section 2 and the U.S. Constitution. As such, the Committee must proactively assess whether electoral lines dilute Black voters’ ability to elect candidates of their choice or otherwise intentionally assign Black voters to districts in a way that minimizes their political power.

---

<sup>28</sup> *Id.* at 1345.

<sup>29</sup> *Greater Birmingham Ministries v. Merrill*, 284 F.Supp.3d 1253 (N.D. Ala. 2018).

<sup>30</sup> Memorandum of Agreement Between the U.S. Dep’t of Transp. and the Alabama L. Enft Agency (Dec. 22, 2016), [https://www.transportation.gov/sites/dot.gov/files/docs/ALEA\\_US\\_DOT\\_Signed\\_MOA\\_0.PDF](https://www.transportation.gov/sites/dot.gov/files/docs/ALEA_US_DOT_Signed_MOA_0.PDF).

<sup>31</sup> *Id.*

<sup>32</sup> *People First of Ala. v. Merrill*, 467 F.Supp.3d 1179 (N.D. Ala. 2020); Ramsey Archibald, *Death Rate Due to Coronavirus Highest for Black Alabamians*, AL.com (Apr. 8, 2020), <https://www.al.com/news/2020/04/death-rate-due-to-coronavirus-highest-for-black-alabamians.html>

<sup>33</sup> *Gingles*, 478 U.S. at 79.



## **B. The U.S. Constitution Requires the Committee Ensure the “One Person, One Vote” Requirement.**

Article I, § 2 of the U.S. Constitution requires “equal representation for equal numbers of people” in the apportionment of Congressional districts.<sup>84</sup> This “One Person, One Vote” principle provides that Congressional maps that weaken the voting power and representation of residents of one Congressional district compared to other residents of another Congressional district in the state are unconstitutional.<sup>85</sup> The standard is ‘as nearly as practicable,’ to exact equality, which requires that each State make a good-faith effort to achieve precise mathematical equality.<sup>86</sup> “Unless population variances among congressional districts are shown to have resulted despite such [good-faith] effort, the State must justify each variance, no matter how small.”<sup>87</sup>

In drawing state legislative districts, population deviations within plus or minus 5% of the mathematical mean are presumptively constitutional.<sup>88</sup> Impermissible deviations from population equality among districts may elicit malapportionment lawsuits, requiring the Legislature to show that an adopted plan legitimately advances a rational state policy formulated “free from any taint of arbitrariness or discrimination.”<sup>89</sup>

## **II. The Reapportionment Committee Should Make All Phases of the Redistricting Process Transparent and Accessible to the Public.**

The maps the Reapportionment Committee will draw in the upcoming special legislative session will determine how Alabamians are represented in Congress, the

---

<sup>84</sup> *Wesberry v. Sanders*, 376 U.S. 1, 18 (1964).

<sup>85</sup> *See Reynolds v. Sims*, 377 U.S. 533, 567–68 (1964).

<sup>86</sup> *Id.* at 577.

<sup>87</sup> *Kirkpatrick v. Preisler*, 394 U.S. 526, 530-31 (1969) (Article I, § 2, “permits only the limited population variances which are unavoidable despite a good-faith effort to achieve absolute equality, or for which justification is shown.”).

<sup>88</sup> *See Reynolds*, 377 U.S. at 568 (“The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races.”); *see also Gaffney v. Cummings*, 412 U.S. 735, 744–45 (1973) (explaining that “minor deviations from mathematical equality among state legislative districts” are not constitutionally suspect, but “larger variations from substantial equality are too great to be justified by any state interest”); *Brown v. Thomson*, 462 U.S. 835, 842 (1983) (holding that apportionment plans with a maximum population deviation among districts of less than 10% are generally permissible, whereas disparities in excess of 10% most likely violate the “one person, one vote” principle).

<sup>89</sup> *Roman v. Sincock*, 377 U.S. 695, 710 (1964); *see Brown*, 462 U.S. at 847–48 (stating that “substantial deference” should be given to a state’s political decisions, provided that “there is no ‘taint of arbitrariness or discrimination’”); *see also Brown*, 462 U.S. at 852 (Brennan, J., dissenting) (“Acceptable reasons . . . must be ‘free from any taint of arbitrariness or discrimination . . . .’”).

state legislature, and the Board of Education for the remainder of the decade. These maps will be the foundation of access to electoral power and to the right to vote for candidates of choice for federal and state governing bodies. They will also be vital to municipalities and counties with respect to funding allocations and to their own local redistricting efforts. These maps will also significantly impact how responsive local legislative delegations will be to local concerns. Given Alabama's lack of home rule, whether state legislative maps unnecessarily split counties will heavily determine—far more than in most other states—the fates of county budgets, hospitals, schools, and other intensively local projects. The public should have significant input into whether the Committee's proposed maps allow (or do not allow) communities of interest to have a voice in the process of electing their representatives. Accordingly, the Reapportionment Committee should consider and propose only those maps that adequately represent the diversity of Alabama. We recommend prioritizing public involvement and transparency *throughout* the process so that all Alabamians have the chance to participate.

The public hearings held from September 1 to September 19 took only a first step toward fulfilling this body's obligations to create meaningful opportunities for public engagement in the redistricting process—they were limited in their effectiveness because the hearings occurred before the legislature had proposed electoral maps and most were held during normal working hours rather than in the evenings. The Reapportionment Committee must pledge to hold a second round of public hearings in tandem with the upcoming special legislative redistricting session to solicit and incorporate community feedback when the public has access to proposed maps by the legislature to provide feedback and insight on. In addition, the Reapportionment Committee should ensure that the next public hearings allow for even more robust online engagement given the ongoing COVID-19 pandemic and accommodate the schedules of working Alabamians. When collecting commentary on draft maps, the Committee should allow remote participants to share live testimony and to have their questions answered in real-time.

Without transparency and meaningful opportunities for public participation, informed involvement by all Alabamians is not possible. The upcoming special legislative redistricting session represents a crucial opportunity for the public to ensure that communities of interest in the state are kept intact and that the voting strength of protected minorities is not minimized or diluted. The Reapportionment Committee should also publicize all data used to inform state redistricting plans, publish answers to all questions received, and prohibit backroom negotiations.

\* \* \*



Ultimately, this body must ensure the efficacy and fairness of all state electoral maps. You have heard and will continue to hear that this is a paramount concern for your constituents. Communities of color in Alabama, and particularly Black Alabamians, are already underrepresented in the political life of the state and have been left behind from many of the economic opportunities of the past decade. The Alabama Permanent Legislative Committee on Reapportionment must make every effort to follow the mandates and spirit of Section 2 of the Voting Rights Act and the One Person, One Vote principal of the U.S. Constitution.

It is also critical that the Reapportionment Committee model best practices because redistricting by the Legislature sets the standard and tone for local redistricting in the state. As with state representative bodies, the Voting Rights Act requires that voters of color have equal opportunities to elect representatives of their choice to city and county councils, school boards, and other local elected bodies.

Please feel free to contact Kathryn Sadasivan at [ksadasivan@naacpldf.org](mailto:ksadasivan@naacpldf.org), Davin Rosborough at [drosborough@aclu.org](mailto:drosborough@aclu.org), or Tish Gotell Faulks at [tgfaulks@aclualabama.org](mailto:tgfaulks@aclualabama.org) with any questions or to discuss these issues in more detail. We also urge you to review ***Power on the Line(s): Making Redistricting Work for Us***,<sup>40</sup> a guide for community partners and policy makers who intend to engage in the redistricting process at all levels of government. The guide provides essential information about the redistricting process, such as examples of recent efforts to dilute the voting power of communities of color and considerations for avoiding such dilution.

Sincerely,

/s/ Kathryn Sadasivan

Kathryn Sadasivan

Leah Aden, Deputy Director of Litigation

Stuart Naifeh, Manager of the Redistricting Project

Steven Lance

Clarence Okoh

NAACP Legal Defense & Educational Fund, Inc.

40 Rector Street, 5th Fl.

New York, NY 10006

---

<sup>40</sup> See LDF, Mexican American Legal Defense and Educational Fund, and Asian Americans Advancing Justice | AAJC, *Power on the Line(s): Making Redistricting Work for Us*, (2021), <https://www.naacpldf.org/press-release/civil-rights-organizations-release-redistricting-guide-to-support-black-latino-and-aapi-communities-participation-in-crucial-process/>.

/s/ Davin Rosborough

Davin Rosborough

Julie Ebenstein

Ihaab Syed

American Civil Liberties Union Voting Rights Project

125 Broad Street

New York, NY 10004

/s/ Tish Gotell Faulks

Tish Gotell Faulks

Kaitlin Wellborn

American Civil Liberties Union of Alabama

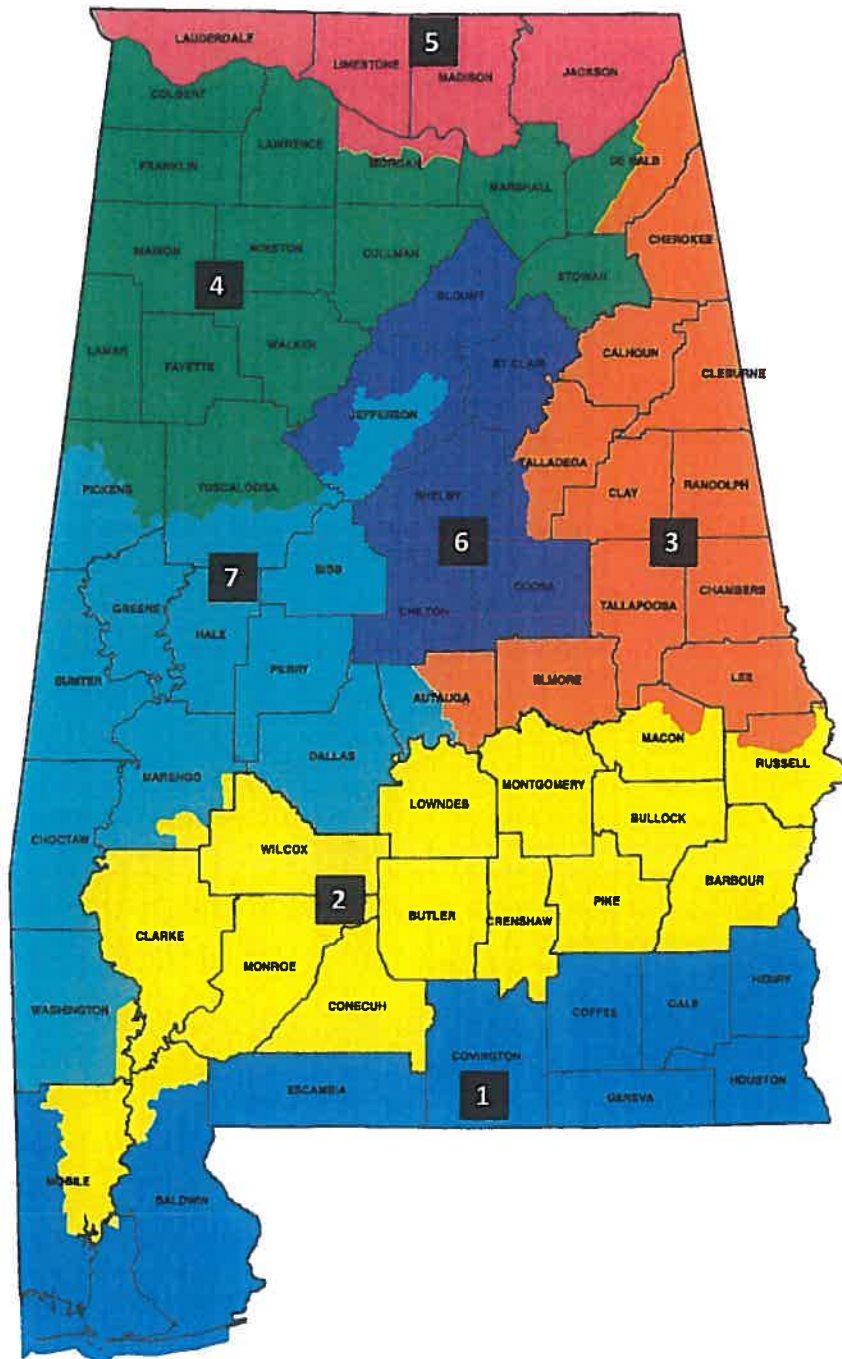
P.O. Box 6179

Montgomery, Alabama 36106-0179

cc: Rep. Artis J. McCampbell  
Chair, Alabama Legislative Black Caucus

## APPENDIX ONE

*Alabama Congressional Illustrative Map with Two Majority-Minority Opportunity Districts*



**APPENDIX TWO****Demographics**

District	Total Pop.	Total VAP	NH WVAP	%NH WVAP	HVAP	%HVAP	BVAP	%BVAP
1	717,754	556,317	419,994	75.50%	22,054	3.96%	81,856	14.71%
2	717,755	559,876	236,566	42.25%	16,035	2.86%	280,213	50.05%
3	717,753	563,228	395,193	70.17%	20,328	3.61%	118,142	20.98%
4	717,753	555,304	461,561	83.12%	28,517	5.14%	39,156	7.05%
5	717,755	562,504	394,164	70.07%	30,103	5.35%	100,311	17.83%
6	717,754	553,734	433,108	78.22%	26,211	4.73%	64,483	11.65%
7	717,755	566,203	223,958	39.55%	23,608	4.17%	297,562	52.55%

District	AP BVAP	%AP BVAP	AVAP	%AVAP	NA/AN-VAP	%NA/AN-VAP
1	86,013	15.46%	8,088	1.45%	4,597	0.83%
2	286,576	51.19%	10,235	1.83%	3,482	0.62%
3	122,240	21.70%	10,313	1.83%	2,798	0.50%
4	41,887	7.54%	3,406	0.61%	4,966	0.89%
5	105,967	18.84%	11,052	1.96%	4,052	0.72%
6	67,621	12.21%	10,677	1.93%	2,164	0.39%
7	303,347	53.58%	6,737	1.19%	2,493	0.44%

**From:** Walker, Dorman <DWALKER@balch.com>

**Sent:** Wednesday, October 20, 2021 1:58 PM

**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Donna Overton <donna.overton@alsenate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>

**Subject:** FYI

<https://www.virginiamercury.com/2021/10/08/va-redistricting-commission-implodes-as-republicans-reject-compromise-and-democrats-walk-out/>

**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP

105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549

t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com

[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

**From:** Walker, Dorman <DWALKER@balch.com>

**Sent:** Monday, October 25, 2021 9:59 AM

**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Donna Overton <donna.overton@alsenate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>

**Subject:** Reports

Jim and Chris,

Donna is sending to all Committee members today the population summary reports for total population and VAP population. Together, these two reports give each district's deviation and its population – total and VAP – by race (black and white only). She'll have a packet with more reports (e.g., precincts splits) tomorrow for Committee members. When she can, and probably after the Committee meeting, she'll send individual reports for each district to all Legislators. She also send the maps and reports to be posted on the web page after the Committee meeting.

Dorman  
**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP

105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549

t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com

[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.



**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Tuesday, October 26, 2021 12:00 PM  
**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>  
**Subject:**

Just to be certain you have this:

The activities and processes of the Committee are also governed by the Joint Rules of Order and Procedure of the Legislature of Alabama (the "Joint Rules"), specifically Rule 23, addressing amendments to redistricting plans after they are introduced as a bill, and Rule 24, addressing the submission of redistricting plans not prepared by the Reapportionment Office. The Guidelines specifically incorporate Rule 23 and Rule 24 of the Joint Rules. The full Joint Rules can be found at the following link: [http://www.legislature.state.al.us/aliswww/ISD/legislature/Joint\\_Rules.aspx](http://www.legislature.state.al.us/aliswww/ISD/legislature/Joint_Rules.aspx).

Other rules also impact the redistricting process. Rule 20 of the Senate General Rules of Order and Procedure (the "Senate Rules") provides two methods by which debate on any measure presented in the Senate must cease and a vote be taken on the measure: (1) by the reporting of a special rule by the Committee on Rules, or (2) by a petition signed by 21 or more senators. Generally, such report or petition must be approved by three-fifths of the Senate. However, when the report or petition relates only to a bill to redistrict the Alabama Legislature, State Board of Education Districts, and/or Alabama Congressional Districts, such report or petition must be approved by only 18 votes. The full Senate Rules can be found at the following link: [http://www.legislature.state.al.us/aliswww/ISD/Senate/Rules\\_General.aspx](http://www.legislature.state.al.us/aliswww/ISD/Senate/Rules_General.aspx) <[http://www.legislature.state.al.us/aliswww/ISD/Senate/Rules\\_General.aspx](http://www.legislature.state.al.us/aliswww/ISD/Senate/Rules_General.aspx)>.

Sent from my iPhone

[[image]]

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: [dwalker@balch.com](mailto:dwalker@balch.com)  
[www.balch.com](http://www.balch.com) <<http://www.balch.com>>

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected

against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Wednesday, October 27, 2021 5:27 PM  
**To:** Donna Overton <donna.overton@alsenate.gov>  
**Cc:** Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>; Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>  
**Subject:** TALK POINTS FOR LIKELY ISSUES, NO . 1(11386967.1)

Jim and Chris, Donna will have these and other talking points printed for you before Friday. Dorman

**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Thursday, November 4, 2021 4:59 PM  
**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>; Donna Overton <donna.overton@alsenate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>  
**Subject:** Singleton.15.Amended Complaint

Jim, Chris, Donna, and Randy,

And here's an amended version of *Singleton v. Merrill*. It adds to that complaint's racial-gerrymandering claim a new claim for race discrimination because the Legislature did not adopt SB10.

Dorman  
**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Tuesday, November 9, 2021 1:49 PM  
**To:** Jim McClendon <jim.mcclendon@alenate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>  
**Cc:** Chris Pringle <chris.pringle@alhouse.gov>  
**Subject:** Talking Points for Sen. McClendon 11-9-21(11800024.1)

Jim,

Here are the talking points you asked for. My apology that the version I sent last night had multiple typos, which Randy kindly pointed out. I've proofed and reproofed this version, and I think it has no typos, but honestly proofreading is my particular bete noir.

Randy, you were right: I thought I had sent these this morning before going to the scheduling conference, but thy got hung up in the system.

Dorman  
**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Thursday, November 18, 2021 4:28 PM  
**To:** Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>  
**Subject:** Quick talking points

Here are quick talking points on the pending Congressional lawsuits.



Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.



**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Thursday, November 19, 2020 4:10 PM  
**To:** Jim McClendon <jim.mcclendon@alstate.gov>; Chris Pringle <chris.pringle@alhouse.gov>  
**Cc:** Donna Overton <donna.overton@alstate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>  
**Subject:** Census Bureau delays

Jim and Chris,

The Census Bureau announced this afternoon that it is encountering processing problems, and that it cannot meet the Dec. 31 deadline for reporting reapportionment data to the President. According to the NYT, the new deadline is expected to be somewhere between Jan. 26 and mid-February. I'm guessing, and Randy concurs, that this delay probably tends to move the dial towards 6 congressional seats for Alabama, and will require slippage of the expected April 1 date for reporting redistricting data.

**Dorman**  
**BALCH**  
& BINGHAM LLP

Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

From: Walker, Dorman <DWALKER@balch.com>  
Sent: Friday, March 5, 2021 3:06 PM  
To: Jim McClendon <jim.mcclendon@alsenate.gov>; Chris Pringle <chris.pringle@alhouse.gov>  
Cc: Donna Overton <donna.overton@alsenate.gov>; Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>; Jim Davis - Attorney General's Office (jim.davis@alabamaag.gov) <jim.davis@alabamaag.gov>  
Subject: Message from the NCSL on H.R.1

Jim and Chris,

Below is the text of a message received today from the NCSL re H.R. 1, which passed the House this week. Please see the highlighted text.

Dorman

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

Hello all,

As you may know, this week the U.S. House of Representatives passed H.R. 1, also known as the For the People Act. While well-intended, if enacted, this bill would make sweeping reforms in many areas, including elections, campaign finance and redistricting.

**On redistricting, the bill would require states to establish state redistricting commissions to draw congressional districts and the redistricting provisions would apply to the current redistricting cycle.**

On behalf of the states, NCSL has sent a memorandum to the U.S. Senate Committee on Rules and Administration as it takes up the bill expressing concerns and comments about the current form of H.R. 1. The bill poses potential hurdles, such as:

- **The bill's timing provisions applying to the current redistricting cycle would be difficult, if not impossible, for compliance.**
- **Each state has its own redistricting criteria, and this bill would mandate that all state commissions be required to use uniform criteria requirements, including preserving communities of interest and a prohibition on the use of partisan data.**

July 29, 2021  
Page 3

indicated on the schedule. It may also be possible for members of the public to participate in hearings via the internet. Committee meetings will be scheduled in the Statehouse as needed, and are open to the public.

*7. Was the last meeting of the Reapportionment Committee available to the public via video link? Is there a saved version of the video? Will future meetings be broadcast?*

The last meeting held on May 5, 2021 was live streamed on the Legislative website for public viewing. The meeting was not video recorded internally. Anyone viewing the live stream has the option to record it on their personal device. Future meetings will be streamed live on the Legislative website.

*8. Can members of the public provide oral or written testimony at the meetings of the Reapportionment Committee[?]*

Yes. The Reapportionment Committee has scheduled 28 public hearings at locations across the State to receive comments and other information in preparation for preparing new district plans for the State's Congressional, Legislative, and State Board of Education Districts. Committee members, including yourself, received a draft schedule for hearings in June and were invited to propose additional locations, times, and dates for hearings. Initially 22 hearings were scheduled. In response to suggestions from Rep. Hall, a further 6 hearings were added, making a total of 28 hearings. A final hearing schedule will be published to the public by the end of the month.

*9. What is the Reapportionment Office's plan to ensure transparency and public input in the redistricting Process?*

The Reapportionment Committee has scheduled 28 public hearings at locations across the State to receive comments and other information in preparation for preparing new district plans for the State's Congressional, Legislative, and State Board of Education Districts. Committee members, including yourself, received a draft schedule for hearings in June and were invited to propose additional locations, times, and dates for hearings. Initially 22 hearings were scheduled. In response to suggestions from Rep. Hall, a further 6 hearings were added, making a total of 28 hearings. A final hearing schedule will be published to the public by the end of the month.

*10. How can the public participate in the redistricting process?*

The Reapportionment Committee has scheduled 28 public hearings at locations across the State to receive comments and other information in

July 29, 2021  
Page 4

preparation for preparing new district plans for the State's Congressional, Legislative, and State Board of Education Districts. Committee members, including yourself, received a draft schedule for hearings in June and were invited to propose additional locations, times, and dates for hearings. Initially 22 hearings were scheduled. In response to suggestions from Rep. Hall, a further 6 hearings were added, making a total of 28 hearings. A final hearing schedule will be published to the public by the end of the month.

*11. Can members of the public submit proposed maps?*

Yes, members of the public can submit proposed maps at the public hearings. Submitted maps must fit into a complete statewide plan following the guidelines adopted by the committee.

*12. How long will members of the public have to analyze a map proposed by the Office prior to a public hearing on the map?*

The Reapportionment Office does not itself propose redistricting plans. The Committee assists Legislators in the preparation of redistricting plans. Redistricting plans prepared by a Legislator are confidential until the author of a plan tells the Office to make it public, or until a plan is introduced as a bill. After the Legislature has passed new Congressional, Alabama Senate, Alabama House, and State Board of Education plans, the Office will be available to support local jurisdictions.

*13. What are the Reapportionment Office's deadlines to provide maps to the Legislature and to local governing bodies?*

The deadline for introducing maps will be determined by when the Governor calls a special session of the Legislature to address redistricting, and by the rules of the Legislature. Plans that are not prepared on the Reapportionment Committee's redistricting system must be submitted to the Office at least 10 days before being introduced as a bill. A Legislator who authors a redistricting plan determines when that plan is introduced as a bill. After the Legislature has passed new Congressional, Alabama Senate, Alabama House, and State Board of Education plans, the Office will be available to support local jurisdiction.

**Walker, Dorman**

---

**From:** Walker, Dorman  
**Sent:** Monday, November 1, 2021 2:41 PM  
**To:** Rep. Chris Pringle (chris.pringle@alhouse.gov)  
**Cc:** Randolph Hinaman (sharh1@comcast.net)  
**Subject:** TALK POINTS FOR LIKELY ISSUES NO. 4(11407205.1)  
**Attachments:** TALK POINTS FOR LIKELY ISSUES NO. 4(11407205.1).docx



Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: dwalker@balch.com  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

#### **TALK POINTS FOR LIKELY ISSUES, No. 4**

- The Faulkner Congressional District Plan No. 1
  - The Faulkner Congressional Plan No. 1 changes the Committee's Plan in Jefferson County only.
  - The Faulkner Plan takes Homewood out of CD7, which is represented by Terri Sewell, and put it in CD6, represented by Gary Palmer.
  - If this plan is passed, it will be sued as violating the Voting Right Act. In response to such a lawsuit, the State might argue that taking Homewood from CD7 and putting it in CD6 is politically motivated, but there is a strong possibility that a court would the change view it as racially motivated. If so, it's a fair conclusion that the court would find that the reassignment of Homewood was a race-conscious change made without the necessary "strong basis in evidence." This would lead to a holding that the plan violates the Voting Rights Act and the Equal Protection Clause.
  - In addition, the Faulkner Plan increases CD7's BVAP from 54.22% to 57.58%. This increase in Black BVAP is likely to draw an allegation that more Black residents have been put into CD7 than are necessary, which is called "packing," and which violates the Voting Rights Act and the Equal Protection Clause.

**Archived:** Wednesday, December 15, 2021 4:31:56 PM

**From:** [Representative Chris England](#)

**Mail received time:** Thu, 21 Oct 2021 17:18:55

**Sent:** Thu, 21 Oct 2021 12:18:46

**To:** [Donna Overton](#)

**Subject:** Questions concerning Reapportionment

**Importance:** Normal

**Sensitivity:** None

**Attachments:**

[Letter to Reapportionment .pdf](#)  [Redistricting Guidelines 5-5-21\\_FINAL.pdf](#) 

---

Good afternoon! I hope all is well. I want to thank you for all of the hard work you have put into this process. I know it hasn't been easy. I really appreciate you.

With that being said, I do have some questions. Please find attached to this email a letter with questions about Reapportionment. I have also attached a copy of the committee guidelines for reference purposes as well. Thank you for your prompt attention to this letter. I am looking forward to hearing back from you.

If you need any further clarification about the contents of the letter, please do not hesitate to call me. Also, please let me know when you receive this and if the attachments work.

Thank you!

Rep. Chris England

Sent from my iPhone

RC 045781



**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

**DECLARATION OF SCOTT DOUGLAS**

## **DECLARATION OF SCOTT DOUGLAS**

I, Scott Douglas, hereby declare as follows:

1. I am over the age of 21 and the testimony set forth in this Declaration is based on firsthand knowledge, information, and belief about which I could and would testify competently in open court if called upon to do so.

2. I am the Executive Director of Greater Birmingham Ministries (“GBM”).

3. GBM was founded in 1969 in response to the challenges posed by the mid-twentieth century Civil Rights movement and its transformative impact in Birmingham, Alabama, and across the United States. It seeks to address urgent human rights and social justice needs in the greater Birmingham area. GBM is a multi-faith, multi-racial, non-profit membership organization that provides emergency services to people in need and engages people to build a strong, supportive, engaged community and a more just society for all people.

4. GBM is dedicated to advancing social justice through political participation across Alabama. It actively opposes state laws, policies, and practices that result in the exclusion of vulnerable groups or individuals from the democratic process. Toward that end, GBM regularly communicates with its members and works to register, educate, and increase voter turnout and efficacy, particularly among Black, Latinx, and low-income people and people with disabilities.

5. GBM has around 5,000 individual members located primarily throughout the greater Birmingham, Alabama area, including Jefferson County and Shelby County. GBM also has members in other areas of Alabama including Mobile, Tuscaloosa, Montgomery, and Madison Counties. Most GBM members are Black registered voters.

6. Members of GBM include Black registered voters who would reside in a remedial second majority-Black district under any of the plans I understand have been proposed by Plaintiffs in this case.

7. GBM also has members who are registered voters who live and vote in congressional districts (“CD”) 1, 2, 3, and 7, which are being challenged in this case.

8. For example, Presdelane Harris is a GBM member who identifies as Black and resides in Montgomery County, Alabama. She is a U.S. citizen and is a lawfully registered voter who resides in CD 2. Under any of Plaintiffs’ remedial plans, Ms. Harris would reside in a second majority-Black district.

9. Alice Paris is a GBM member who identifies as Black and resides in Macon County, Alabama. She is a U.S. citizen and is a lawfully registered voter who resides in CD 3. Under any of Plaintiffs’ remedial plans, Ms. Paris would reside in a second majority-Black district.

10. Ronald Truss is a GBM member who identifies as Black and resides in Jefferson County, Alabama. He is a U.S. citizen and is a lawfully registered voter who resides in CD 7.

11. Frank Barragan is a GBM member who identifies as Latino and resides in Mobile County, Alabama. He is a U.S. citizen and is a lawfully registered voter who resides in CD 1.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 15, 2021, in Birmingham, Alabama.

A handwritten signature in black ink, appearing to read "Scott Douglas", written over a horizontal line.

Scott Douglas

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

**DECLARATION OF BENARD SIMELTON**

I, Benard Simelton, declare as follows based on my personal knowledge:

1. My name is Benard Simelton and I am the President of the Alabama State Conference of the NAACP (“Alabama NAACP”). The Alabama NAACP is a Plaintiff in this matter.

2. The Alabama NAACP is a non-profit and non-partisan organization and a state conference of the National Association for the Advancement of Colored People. The Alabama NAACP was founded in 1913 and is the oldest civil rights organizations in the State. The Alabama NAACP works to ensure the political, educational, social, and economic equality of African Americans, other minorities, and all residents of Alabama. We are committed to the removal of all discriminatory barriers to the democratic process, and the full enforcement of federal laws securing the right to vote.

3. The Alabama NAACP fulfills its mission by seeking to increase voter registration and voter turnout, engaging in voter registration and “get-out-the-vote” drives, and publicly advocating to address the adverse effects of racial discrimination in voting and to seek its elimination.

4. I have served as the President of the Alabama NAACP since October 2009. During my time as President, I have overseen the Alabama NAACP's voter registration, voter education and voter mobilization efforts.

5. As a non-profit organization, the Alabama NAACP raises money from private donors and membership fees. The Alabama NAACP has two paid staff member but relies primarily on the assistance of volunteers, such as myself, to meet its goals. As a result, the Alabama NAACP's monetary, personnel and time resources are very limited.

6. The Alabama NAACP has thousands of members in Jefferson County, the Black Belt and other counties across the state. Most of the members of the Alabama NAACP are Black registered voters. The Alabama NAACP's members include registered voters who reside and vote in CDs 1, 2, 3, and 7. Robert Clopton is a Black registered voter and President of the Mobile County NAACP Branch, currently located in CD 1. Bobby Mays is a Black registered voter and President of the NAACP Elmore County Branch #5026, currently located in CD 2. Alozo Bullie is a Black registered voter and President of the Macon County Branch NAACP, currently located in CD 3. Lisa Young is a Black registered voter and President of the Tuscaloosa County NAACP Branch, currently located in CD7.

7. Members of the Alabama NAACP include Black registered voters who I understand would reside in the illustrative second majority-Black district presented by Plaintiffs in this case.

8. The Alabama NAACP proposed a map in October that would provide for two majority-minority districts prior to the state legislature's special session to take up the redistricting issue.

9. The state's redistricting process was rushed and did not allow for adequate input from the Black community. Members of the NAACP attended reapportionment hearings and

reported that Black state representatives did not have much time to present their support for the NAACP's map. It was as if the Committee members minds were made up before public discussion took place. The plan proposing a second Black congressional district was rejected without much debate or attempt to understand the justification for it. It seemed as though acknowledging the NAACP's plan and listening to the opposition against HB-1 was a formality, but not seriously considered.

10. In the state's proposed maps, Black voters are packed into CD 7 where they are overrepresented. With two districts, economic and political interests would be better represented. Black voters need to have more than one representative from the state of Alabama to represent their interests in our US Congress.

11. The Black Belt is a community of interest that should be kept together as much as possible in redistricting. The Black Belt is a collection of majority-Black counties that runs through the middle of Alabama. The Black voters in the Black Belt share a rural geography, concentrated poverty, unequal access to government services, and lack of adequate healthcare.

12. Medicaid expansion is an economic interest that connects Black voters in the Black Belt and elsewhere in Alabama. It is estimated that there are over 300,000 total population in Alabama who do not have health care because Medicaid has not been expanded. Those who do not have affordable healthcare, are disproportionately African-American. Currently, Terri Sewell is the only Congressional representative advocating for Medicaid expansion.

13. Criminal justice reform is another issue that ties Black voters together. African-Americans are incarcerated more than any other race, based on percentage, and receive harsher sentences. With additional representation in Congress, Black voters in Alabama could exert more political pressure on the federal and state governments to develop a fairer criminal justice



system. Currently, Representative Sewell is the only representative from the state that understands there is a problem.

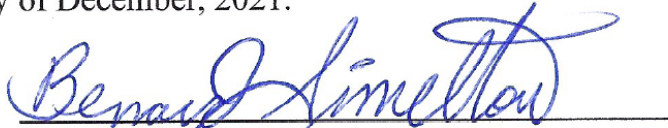
14. Currently, Representative Sewell is the only one representative from the state giving voice to the issue that the Black Belt and the other Black communities in Alabama need more economic opportunity and funding.

15. Moreover, Black Alabamians continue to face higher rates of infection and death from COVID-19 due to disparities in access to healthcare and other forms of structural inequality.

16. None of the representatives, besides Representative Sewell, voted for the John Lewis Advancement Act of 2021 that would improve voting opportunities for African-Americans and other minorities.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Sworn to this 14<sup>th</sup> day of December, 2021.

  
Benard Simelton



IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

**DECLARATION OF SHALELA DOWDY**

I, Shalela Dowdy, declare as follows based on my personal knowledge:

1. I am a resident of Mobile, Alabama and I am registered voter in the City of Mobile, Alabama. I thus reside and vote in elections for U.S. Congressional District 1.
2. I identify as Black or African-American.
3. I was born and raised in Mobile, Alabama which has allowed me to have a vested interest in the city and the state that I call home.
4. I earned my Bachelor's Degree from the United States Military at West Point. Following that, I served on active duty for 6 years. While attending college and serving on active duty, I lived in 5 different states and was deployed to the Middle East. I always remained a resident of Alabama and continued to vote in Alabama. Upon returning to Alabama, I immediately noticed the lack of representation in many areas of leadership and elected position in particularly at the Congressional Level.
5. For several years, I have been actively engaged in Voter Outreach where I have focused on educating voters in my local community about the importance of participating in every

election, helping with registering Alabamians to vote, and assisting with the mobilizing voters by providing those without transportation with the means to access the polls to vote on election day.

6. For the past 6 months, I have participated in the CROWD (Community Redistricting Organizations Working for Democracy) Fellowship sponsored by the Southern Coalition of Social Justice, where I am assigned to Lower Alabama which consists of counties in Congressional District 1. The redistricting work that I do is centered around educating the community on the process, how it impacts them, and why they should be actively involved in the process.

7. I, along with other Black people in both the City of Mobile and Mobile County, can trace our family roots back to the Black Belt areas of Alabama such as Montgomery County, Dallas County, Lowndes County, Wilcox County and other counties in the area.

8. With many Black people in the Mobile area having family ties to the Black Belt, it is a clear indication that both areas are a community of interest and should be kept whole in one district. Black people in Mobile and Black people in the Black Belt share history and similar struggles when it comes to combating adversity and fighting inequality in the state of Alabama.

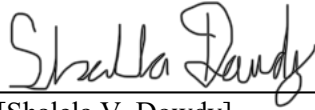
9. The issues of education, healthcare, and the equitably distribution of infrastructure have been devastating to the Black communities residing in the Black Belt and Mobile. All of this, in addition to not being able to elect someone who will fight for the things that Black people in the Black Belt and Mobile find important, results in the demographic that I belong to being helpless and disempowered.

10. I spoke at the public hearing that the State Reapportionment Committee held in Mobile in September 2021. My comments were about the packing and diluting of the Black vote in the Congressional District 7 and the need for an effort to be made for a second majoring minority Congressional District.

11. I virtually attended about twenty other public hearings that were held around the state and heard the same concerns mentioned by numerous other Black Alabamians. We made our issues known to the Committee leaders to no avail. Having a second Congressional District where a Black candidate of choice could be elected would allow for proper representation of what the demographics of Alabama truly look like. It will give a voice and hope to a group of people who have always had to fight for their voice to be heard.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Sworn to this 14 day of December, 2021.

  
\_\_\_\_\_  
[Shalela V. Dowdy]

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

EVAN MILLIGAN, et al.,

*Plaintiffs,*

vs.

JOHN H. MERRILL, et al.,

*Defendants.*

No. 2:21-cv-01530-AMM

**DECLARATION OF EVAN MILLIGAN**

I, Evan Milligan, declare as follows based on my personal knowledge:

1. I am a resident of Montgomery, Alabama and I am registered voter in the City of Montgomery. I thus reside and vote in elections for U.S. Congressional District 7.
2. I identify as Black or African-American.
3. I grew up in Birmingham and Montgomery, Alabama. While in Birmingham, I lived in the College Hills neighborhood, which is located across the street from Birmingham-Southern College. While in Montgomery, I primarily lived in predominately African-American communities located in the downtown and southwestern areas of the city, particularly Centennial Hill, Rosa Parks Combined Communities, Haardt Estates, and South Hull. Over my lifetime, these areas have been associated with Congressional Districts 2 and 7.
4. I am the Executive Director of Alabama Forward. Alabama Forward is a state-based 501(c)(3) civic engagement coordinating table committed to advancing movement towards greater freedom and progressive, solution-oriented policy among a diverse coalition of Alabama-based



partner organizations, so that every Alabamian can engage in the democratic process. In pursuit of this mission Alabama Forward prioritizes race and gender equity to engage every Alabamian in all aspects of our democracy.

5. The vision of the Alabama Forward 501(c)3 Network is to boost civic and political participation through collaborative voter engagement and election reform efforts while building the capacity of participating organizations to more effectively communicate about and engage in their work. Alabama Forward also prioritizes supporting compelling emerging leaders and organizations who have not historically received more traditional forms of support.

6. The Black community dispersed throughout Montgomery is a community of interest. While segregation and redlining policies initially concentrated the bulk of Montgomery's Black communities downtown, and immediately north, west, and south of there, as economic and residential opportunities have become more accessible, Black residents have settled in every zip code associated with Montgomery. Today, in addition to West and North Montgomery neighborhoods that have been predominately Black for all their existence, there are large pools of Black residents dispersed throughout the city in non-contiguous locations.

7. Black Montgomerians are often deeply connected to many of the military, government, educational, civic, and cultural institutions located in inner-city Montgomery, particularly in the downtown area. Black families gather at the downtown Crampton Bowl for Friday Night football, assorted sports championships, and multi-generational tailgating prior to big games. This community of interest educates their children at Valiant Cross Academy, a private Christian boy's academy located directly across the street from the Alabama Supreme Court and state appellate courts. Black Montgomerians have multigenerational and diverse ties to Alabama State University

(“ASU”) an HBCU, where they work, attend school, send their children to the Headstart and pre-kindergarten programs at Zeilia Stephens Early Childhood Center, enjoy football classics, and utilize the Dunn-Oliver Acadome and other campus venues for assorted cultural events including concerts, fraternity/sorority galas, high-school graduations, theater, and hosting notable public speakers. Social service providers and community development agencies pivotal to many Black Montgomery families are located in the downtown area, including the Community Action Agency that coordinates the Headstart programs located throughout the city; the Montgomery Public School Board offices; municipal government offices. Downtown Montgomery and the immediately adjacent areas also feature some of Montgomery’s oldest and most vibrant Black faith communities, including Pilgrim Rest Baptist, First Avenue Baptist Church, Freewill Baptist Church, Dexter Avenue Baptist, St. John’s AME Church, and Resurrection Catholic Church. Immediately west and east of downtown are Gunter and Maxwell Air Force Base where kids like me chose to serve their country in service of a brighter future for their country and themselves. These military installations provide considerable employment, educational, and recreational opportunities to Montgomery’s Black servicemembers and civilians.

8. In addition, downtown Montgomery also features numerous civil rights museums and institutions, including the Dexter Avenue King Memorial Legacy Center and Parsonage, the Rosa Parks Museum and Library, the EJI Legacy Museum, and the National Memorial for Peace and Justice. These sites provide historical information that is important to the identities of Black Montgomerians and many family reunions organized by Black residents routinely feature trips to these sites. These sites recognize the profound consequences for both Black and white people of chattel slavery, racial terror lynchings, and racial segregation. Irrespective of what part of town people are sleeping in Montgomery, these are the places where the majority of Black residents are

educating their children, worshiping, working, recreating, and seeking cultural enrichment.

9. When I was a child, Representative Earl Hillard became the first Black congressperson to represent an Alabama district since Reconstruction and I recognized his importance in the creation of District 7. The subsequent election of Representative Artur Davis was also impactful due to his unique staff of diverse, passionate, and inspiring younger people.

10. I've experienced an intimate bond between Black communities in Montgomery and those based throughout the Black Belt. My first exposure to this connection was my own family. Our family routinely returned to our family cemetery in Lowndes County as a way of maintaining our connection to our origins. My wife and I chose to get married in the Lowndes County Courthouse due to our sense of cultural connection to this area. Our relationship with Lowndes County is not unique. Most Black families in Montgomery who are originally from this area have similar stories.

11. There are also civil rights and advocacy connections between Montgomery and the rural Black Belt communities. There are generations of connections between communities in Dallas, Wilcox, Hale, Greene, Choctaw, Lowndes, Marengo, and Perry counties; and institutions in Montgomery. For example, the Federation of Childcare Centers of Alabama was headquartered in Montgomery, but founded by childcare center program leaders based throughout the Black Belt; and the connections between civil rights advocates in Dallas, Wilcox, and Hale counties and Black churches based in Montgomery.

12. Montgomery's demographics are also shaped by the same legacy of plantation slavery that shapes the rural Black Belt. Black communities in the Black Belt have all experienced uniquely high rates of poverty, and poor health outcomes. These communities have relied on similar cultural and religious institutions for inspiration and resiliency. For many, Alabama State University has

served as a multigenerational transition space for people emerging from Black families in the Black Belt who are interested in gaining skills and overcoming historic barriers.

13. In August and September of 2021, I participated in several media forums with the League of Women Voters to discuss redistricting.

14. As Executive Director of Alabama Forward, I participated in bi-weekly briefing on the redistricting process beginning on April 30, 2021 to discuss public outreach and education around redistricting.

15. Between September 1 and 16, long before the Committee released any draft maps or proposals, the Legislative Reapportionment Office held 28 public hearings across the state. All but one hearing—held at 6:00 pm at the Statehouse in Montgomery—was held between the normal workday hours of 9:00 am to 5:00 pm, i.e., times when the general public was least able to attend.

16. Khadidah Stone and I submitted email testimony to the Reapportionment committee on Thursday, September 16, 2021, the last Thursday of the hearings.

17. After submitting a request for a public hearing to the Senate Finance and Taxation General Fund Committee, I arrived to testify before that committee when it met on Tuesday, November 2, but they were not taking public testimony.

18. On October 29, 2021, the Alabama House State Government Committee met to discuss the Reapportionment Committee's proposed districting plan for Alabama's U.S. House delegation.

19. During the hearing on the bill, I asked Representative Chris Pringle whether the Reapportionment Committee conducted racial polarization studies on any of the maps. Representative Chris Pringle said "some of the districts that we were concerned about," but that

they “were still working on it.”

20. In November, I testified in person at the House hearing on how the Committee assessed and utilized the feedback from the public listening sessions. I asked if the Committee considered community maps and when the public could receive the results of the RPV research.

21. When I asked whether the Committee lacked sufficient data to determine whether the map they introduced would violate federal law, Representative Pringle did not answer.

22. Alabama’s 2021 special redistricting legislative session began on October 28, 2021. By November 3, 2021, bills redistricting the Alabama U.S. Congressional map, Alabama Senate map and Alabama House of Representatives map were passed by both houses of the Alabama legislature and sent to Governor Kay Ivey’s office for approval and signing.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Sworn to this 14th day of December, 2021.

A handwritten signature in black ink, appearing to read "Evan Milligan", with a long horizontal flourish extending to the right.

---

Evan Milligan

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

EVAN MILLIGAN, SHALELA DOWDY, LETETIA JACKSON, KHADIDAH STONE, ADIA WINFREY, GREATER BIRMINGHAM MINISTRIES, and the ALABAMA STATE CONFERENCE OF THE NAACP,

Civil Case No. 2:21-CV-01530-amm

*Plaintiffs,*

v.

JOHN H. MERRILL, in his official capacity as SECRETARY OF STATE OF ALABAMA, and JIM MCCLENDON AND CHRIS PRINGLE, in their official capacities as CO-CHAIRS OF THE ALABAMA PERMANENT LEGISLATIVE COMMITTEE ON REAPPORTIONMENT

**DECLARATION OF LETETIA JACKSON**

I, Letetia Jackson, declare as follows based on my personal knowledge:

1. I am a resident of Dothan, Alabama and I am registered voter in the City of Dothan, Alabama. I thus reside and vote in elections for Alabama U.S. Congressional District 2.
2. I identify as Black or African American.
3. I am the Convener of the South Alabama chapter of the Black Women's Roundtable (BWR). The BWR serves as the National Coalition on Black Civic Participation's (NCBCP) intergenerational leadership development, mentoring, empowerment and power building arm for Black women and girls. The BWR is at the forefront of championing just and equitable public policies



that center racial, economic and gender justice to promote health and wellness, economic security and prosperity, education, and global empowerment as key elements of success.

4. I am also an active member of the following organizations: Les Vingt Socialete Club, a civic and social organization that offers mentoring, voter education, get out the vote efforts, and community service; the Dothan Chapter of the Alabama NAACP; Dothan Community Church; and the Dothan Association of Women's Clubs, an umbrella organization of women's clubs around the state of Alabama.

5. For the purposes of its work, the South Alabama chapter of BWR draws an invisible line through Montgomery County and identifies everything below Montgomery County as South Alabama. As a result, the membership of the South Alabama chapter of BWR is concentrated below Montgomery County.

6. Specific issues affecting BWR's members that the organization has embarked upon to address are: Alabama's restrictive legislation on reproductive rights; access to healthcare and expansion of Medicaid; criminal justice reform (particularly, advocating for the ability for incarcerated persons to vote prior to conviction and restoring the voting rights of the previously incarcerated); outreach around Covid, providing PPE to families with no disposable income, and vaccination; raising awareness around redistricting, gerrymandering, and vote dilution.

7. We have worked tirelessly to engage and encourage our Black voters to participate. However, with little chance of electing the Black candidate of their choice, Black voters in South Alabama are discouraged and disenfranchised by the gerrymandering of congressional districts.

8. At least two Black candidates have sought to be elected in Congressional District 2 in recent elections, but have been unsuccessful due to how diluted the Black voting population is in the gerrymandered congressional districts. Black voters are not being afforded the opportunity to elect a representative who reflects our policy priorities. We are experiencing taxation without representation.

9. With the exception of Terri Sewell, Alabama's congressional leaders do not engage the Black community and are not concerned about Black issues. Black voters are primarily invisible. Our issues are not currently at the forefront of any policy effort, which is why it is important for us to have our fair share of elected leaders to understand and advocate for our issues. Even though I do not live in Congresswoman Sewell's district, I look to her as my Congressperson because, when I am seeking access to resources or information relevant to the Black community, her office will have those answers as opposed to the office of my district's representative.

10. My district's representative is Barry Moore. I am a highly active citizen of my community. Since he has been my representative, I have not had a meeting with him or heard of any outreach that he has held with the Black community attempting to understand our concerns and issues. When he does hold meetings with constituents, they are typically at country clubs and restaurants frequented by white voters. He does not visit the restaurants, neighborhoods, and churches where Black people live. Additionally, his district office is on the predominantly white, west side of town, which is not accessible to the average Black voter in the district. A large population of Black people in Congressional District 2 live below the poverty line and do not own or have access to a car. While there is one public transportation service, which requires advanced scheduling at least 24 hours in advance, there is no public transportation system. In my experience, Congressman Moore is not interested in being accessible to his Black constituents. In fact, a simple view of his Congressional website list several meetings Congressman Moore has held that are at venues primarily frequented by white constituents, with many not accessible to his Black constituents without personal transportation or access to broadband for virtual meetings. Not a single meeting appears to be held in or accessible to his Black constituents' communities.

11. The Black voting population should have at least two Congressional districts where we are the majority. The way congressional district lines are currently drawn, they dilute the Black vote

and deny us an opportunity to elect representatives who will support and advance policies that improve our lives and communities.

12. In the most recent elections in Congressional District 2, police presence has been increased and, at any given time of the day, I have seen police cars stationed at polling places, especially those with a heavy Black voting population. I believe these actions are designed to intimidate and discourage voters from exercising their enfranchisement.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Sworn to this 15 day of December, 2021.

[SIGNATURE]

[PRINTED NAME]

Letetia Jackson

**TRANSCRIPT OF  
REAPPORTIONMENT COMMITTEE  
MEETING  
OCTOBER 26, 2021**

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Senator Allen? Senator Holley?

**SENATOR HOLLEY:** Yes

**FEMALE 1:** Senator Livingston?

**SENATOR LIVINGSTON:** Here.

**FEMALE 1:** Senator McClendon?

**SENATOR MCCLENDON:** Here.

**FEMALE 1:** Senator Melson?

**SENATOR MELSON:** Here.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Here.

**FEMALE 1:** Senator Roberts?

**SENATOR ROBERTS:** Here.

**FEMALE 1:** Senator Scofield?

**SENATOR SCOFIELD:** Here.

**FEMALE 1:** Senator Singleton?

**SENATOR SINGLETON:** Here.

**FEMALE 1:** Ms. Smitherman? Senator Williams?

**SENATOR WILLIAMS:** Here.

**FEMALE 1:** Representative Boyd?

**REPRESENTATIVE BOYD:** Here.

**FEMALE 1:** Representative Clouse? Representative Ellis?

**REPRESENTATIVE ELLIS:** Here.

**FEMALE 1:** Representative England?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** Here.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Here.

**FEMALE 1:** Representative Hall?

**REPRESENTATIVE HALL:** Here.

**FEMALE 1:** Representative Jones?

**REPRESENTATIVE JONES:** Here.

**FEMALE 1:** Representative Lovvorn?

**MALE 1:** He's on his way. He's in traffic.

**FEMALE 1:** Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Here.

**FEMALE 1:** Representative South? Representative Wood?

**REPRESENTATIVE WOOD:** Here.

**FEMALE 1:** We have 19 present. We have a quorum.

**MALE 2:** Thank you, members, if you would, please, you will see a copy of the Minutes from the last meeting, May 5th of this year. I would ask you to quickly look over those. We have a motion to approve and let's have a roll call on that please.

**FEMALE 1:** Senator Allen? Senator Holley?

**SENATOR HOLLEY:** Aye.

**FEMALE 1:** Senator Livingston?

**SENATOR LIVINGSTON:** Aye.

**FEMALE 1:** Senator McClendon?

**SENATOR MCCLENDON:** Aye.

**FEMALE 1:** Senator Melson?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator Roberts?

**SENATOR ROBERTS:** Aye.

**FEMALE 1:** Senator Scofield?

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator Singleton?

**SENATOR SINGLETON:** Aye.

**FEMALE 1:** Senator Smitherman? Senator Williams?

**SENATOR WILLIAMS:** Aye.

**FEMALE 1:** Representative Boyd?

**REPRESENTATIVE BOYD:** Aye.

**FEMALE 1:** Representative Clouse? Representative Ellis?

**REPRESENTATIVE ELLIS:** Aye.

**FEMALE 1:** Representative England?

**REPRESENTATIVE ENGLAND:** Aye.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall? Representative Jones?

**REPRESENTATIVE JONES:** Aye.

**FEMALE 1:** Representative Lovvorn? Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Aye.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Representative South? Representative Wood?

**REPRESENTATIVE WOOD:** Aye.

**FEMALE 1:** We have 17 yes. The motion passed.

**MR. CHAIRMAN:** Thank you. I'd like to make just a preliminary statement about the workings of this committee. This time around has been rather unique because of the compactness of the time. Federal Law requires Census Bureau to provide the states with the data no later than March and the year after Census is conducted. In 2011, we received it in mid-February, about six weeks before their deadline. This time, the Census Bureau seriously lied. Instead of getting the data in February or March, we did not receive the data until August 12, actually became usable to us closer to the 17th or 18th of August. It took some amount of time to convert that data to match up our software. August 17 was the first time this committee and our staff, who I'm forever grateful for, for all their hard work was the first time that we actually hadn't data that we could work with and dealing with the Congressional plan, State Board plan, the Senate plan and the House plan.

[00:05:06]

Since that time, since August 17, we have met with seven Congressional Representatives, our staff, eight Board of Education members and all the members of the Senate and the House that are running for reelection. In most cases, there was not just one meeting with any particular office holder. There were repeated meetings with individual officeholders and often with groups of officeholders, these meetings continued right up to the close of business last Friday. It took an enormous effort to prepare these plans in the short amount of time available. And unlike after the 2010 census, when we were able to split the redistricting over a two-year period, we did Congressional and State Board in 2011, and then we did the two legislative plans in 2012. This time, not only did we get the data late, but we had to prepare all four plans at the same time. And I will -- you those of us who worked in this room in this office have seen the dedication of our redistricting staff, of our attorney advising us, of our demographer drawing the maps, they have literally worked day and night and over the weekends in order to reach this point. And I think you'll soon see that they have done a heroic job. I am very grateful to their dedication. At this point, we are going to now go into consideration of these four maps I mentioned. We'll do them in this order for committee members. You'll see, you have an agenda in front of you that shows the order. We'll do this and we're going to start off with congressional districts. Representative Pringle will handle that in the House. Then we'll go to State Board districts. I'll handle that for introduction into the Senate. Then we'll go to the state Senate districts that will first be introduced into the Senate. And once it comes out of this committee, and finally, we'll do the committee plan for the State House, which Representative Pringle, of course, will handle and will introduce on Thursday into the House of Representatives. Let me recognize the House Chair for Redistricting Representative Chris Pringle turn your mic go.

**REPRESENTATIVE CHRIS PRINGLE:** Thank you, Senator. Again, I am Chris Pringle, State Representative from House District 1 of Automobile. The members of the committee

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

would go to the congressional plan and open your folder. You'll see the proposed map that we're going to discuss here from this committee. You'll have it. If you'll note, this is a zero-deviation plan with a minimum number of split counties. There's a one-person difference between all seven districts. Some the deviations on this plan are zero. In developing this plan, all Congressional Representatives were met with in person and then subsequently over the phone our Microsoft teams until their concerns have been addressed. An exception in the Representative Mo Brooks was running for another office. He did not want to meet in person instead of staff member instead. All representatives have had input into this plan. This plan meets the Committee guidelines. It complies a Section 2 the Voting Rights Act and Equal Protection Clause. There's a minimal population deviation between the District 6.

**[00:09:59]**

Between the District 6 are districts who had ideal population of 717,754 and the second district is one person over. In respects to counties that extend possibly given the requirement for equal population. I'll repeat, it respects counties to the extent possible given the requirements for equal population. It does not require any incumbents to run against each other. All districts are contiguous and reasonably compact. It respects communities of interests. It preserves the cores of existing districts. It splits a minimum number of counties and precincts. Six counties are split and seven are split to get to zero deviation an improvement over the current law which splits seven counties. Splits are, Lauderdale County is split between District 4 and 5. Tuscaloosa County is split between Districts 4 and 7. Jefferson County, between Districts 6 and 7. Chilton County between Districts 3 and 6. Montgomery County between Districts 2 and 7. Escambia County between Districts 1 and 2. This plan contains one majority black district with a black voting age population of 54.22%, thank you.

**MALE 2:** Motion to adopt.

**MALE 3:** Mr. Chairman, I'd like to speak to the motion.

**REPRESENTATIVE ENGLAND:** I would too.

**MR. CHAIRMAN:** Mr. England.

**REPRESENTATIVE ENGLAND:** First of, thank you for recognition. I'm pretty sure Ms. Overton probably would doesn't like me very much right now because I harassed her for days on end. Because as a member of this committee, I did not see these maps until yesterday. I think we're undertaking a pretty massive task to be told to come in here with the amount of information presented to us to come here and say, "I need you to vote today." Personally, I may be just speaking for myself, but I think this is doing a disservice to the process and also to the people that we represent because they haven't seen this map either, unless you were following me on Twitter. So, I think it needs to be said that this process itself, there's got to be a better way to do this. I think it's flawed and I don't really think this is the best way for us to walk into this process without any information and to come in here today look at it and say, "I want you to approve it." With that being said, I'm not diminishing the fact this was probably a very difficult task. It's a lot of information to process, but I think it probably would have been better for all of

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

us have we all seen the whole entire map and not be drawn into short meetings individually where we can only see our district? For me, that's how the process worked. I was only told I could see the district. My district game me immediate area around my district, and I think it would have been better for the public and all of us to digest the information in front of us by just seeing the whole map so we could see how our district worked relative to the districts around us. And with that being said in your initial statement, you mentioned that this map complies with the Voting Rights Act. Several questions that I have about that. First, I'd like to know who drew the map. Was it drawn in-house or did somebody else draw it? Also, I'd like to know how it complies with the Voting Rights Act. Was there a racial polarization study done to figure out exactly how we comply with the Voting Rights Act? And I'd also like to know since I wasn't afforded an opportunity to see the entire map, I would like to know if anybody else was, whether it be staff, whether it be other members, or whether it be someone hired as a consultant to take a look at these maps. Those are my three initial questions. One, who drew it? Two, can you explain to all of us how it satisfies the Voting Rights Act and how this map was drawn? So, I just like to start there, thank you.

**MR. CHAIRMAN:** Senator Singleton?

**SENATOR SINGLETON:** You're not going to answer those question?

**MR. CHAIRMAN:** I've done listened to it, and we're going to get back with him, okay.

**FEMALE 1:** Oh Jesus.

**[00:14:59]**

**REPRESENTATIVE ENGLAND:** Point of order, so we're not answering questions today?

**MR. CHAIRMAN:** I'm going to answer your questions. We're just trying to get all the questions asked.

**MALE 4:** Ms. Chairman, point of order. The point is that I think that we opened ourselves up for confusion of responses and questions and confusions of focusing in on the specific points. So, we're going to take all these varying questions. And then after we take all the various questions, I think that the questions' point of order are to be in relationship to the questions. The answer should be in relationship to the questions as answered and they should be addressed. Questions that [INDISCERNIBLE 00:15:45] may have over there, I saw his hand, and I have is may be totally relevant, but maybe totally different at the same time in parts. So, I think in order to understand that -- and I'm going to make a special request that we put these maps on the board. We have a big old board up there, put the whole maps. Each one of these things we talk, it relates to a map. It needs to be sitting up there in large, of the map.

**[OVERLAY]**

**FEMALE 2:** --so we can it.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MALE 4:** Yeah, we can see it. Not the small one where we don't know what it's touching and what it's doing, but actually a large one that deals which shows the precincts.

**MR. CHAIRMAN:** The map is on the board, ladies and gentlemen, I'm hoping the people online can see it. Can they see the map online?

**MALE 5:** Yes.

**MR. CHAIRMAN:** These maps are drawn in this room using the staff here and our lawyer that we've hired has done redistricting for 25 years, has worked with us and told us that he thinks these maps comply with section to the Voting Rights Act and the Fourteenth Amendment to the Constitution.

**REPRESENTATIVE ENGLAND:** Can you explain it now?

**MR. CHAIRMAN:** I'm not the attorney, but Dorman Walker sat here and went through every one of this our attorney. You know Dorman, he's done this for 25 years.

[OVERLAY]

**REPRESENTATIVE ENGLAND:** Again, can I say that I was appointed to this committee.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** You stated that it complies with the Voting Rights Act. You also stated that it complies with the Fourteenth Amendment Equal Protection, so I'm asking you how. I just want to make this -- that's obviously --

[OVERLAY]

**MR. CHAIRMAN:** Okay, representative. That's fine, let's do this.

**REPRESENTATIVE ENGLAND:** That's a very component of this.

**MR. CHAIRMAN:** I understand that and I see where you're going and let's do this. You tell me where it doesn't, how's that?

**REPRESENTATIVE ENGLAND:** First and foremost, if we didn't do a racial polarization study you don't know how it applies. I'll ask you this question, you and the attorney that you consulted, have you all done a racial polarization study?

**MR. CHAIRMAN:** Yeah, the guy in Georgia did one. It was sent to him Friday and he came back.

**REPRESENTATIVE ENGLAND:** So, who's the guy in Georgia? Can we see the results of that study?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** The attorney has hired a consultant out of Georgia and he's looked at it.

**REPRESENTATIVE ENGLAND:** Can we—

**MR. CHAIRMAN:** There's nothing that's going to be hidden. We're getting it to you as fast as we have it of course.

**REPRESENTATIVE ENGLAND:** Okay.

**MR. CHAIRMAN:** We don't have it. You understand, I had to do 28 public hearings. I had to meet with 105 house members, 35 senators, seven members of congress and eight members of the schoolboard and many of these people we met with multiple, multiple times to try and work this out, all in a very short period of time. We didn't have the luxury they had a couple of years ago, having two years to do this. We had about three months.

**REPRESENTATIVE ENGLAND:** I could understand your frustration, but as the Chair, you're in charge with the responsibility of answering these questions.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** So, I sympathize with the smaller shortened timeframe, but I do still get as a response -- as part of my responsibility as being a member of this committee is to ask these questions and to get answers because I'm not just asking for me. Because remember, the entire State of Alabama, the first time they lay my eyes on this map was yesterday. I think it's pretty legitimate for us to have these questions since we could not get access to this information before. One of the ways --

[OVERLAY]

**MR. CHAIRMAN:** The first time I saw it was yesterday too.

**REPRESENTATIVE ENGLAND:** That makes me feel worse, but to be quite honest with you. So, you ask me, I'll point out just that one thing. I need you to help me understand if a racial polarization study was done. I need to know who did it. I need to know what the results are, so I can tell you if I believe that one that matches up with the standards that have been set by federal courts in the Supreme Court, because very recently we had issues with the Supreme Court. We just lost the lawsuit behind some of this stuff, so I need to have something so I can draw some comparative analysis between the two. So, on record, you're telling me that a racial polarization study has been done?

**MR. CHAIRMAN:** Our attorney looked at it and assured us that we are in compliance with Section 2 of the Voting Rights Act.

**REPRESENTATIVE ENGLAND:** The question I asked you, you're assuring me right now that a racial polarization study has been done?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** According to my attorney, yes.

**REPRESENTATIVE ENGLAND:** Okay.

**MR. CHAIRMAN:** According to the committee's attorney.

[00:20:00]

It's the attorney that's done reapportionment for 25 years.

**REPRESENTATIVE ENGLAND:** Okay. And you can provide that information to us so we can draw an analysis between the maps, the numbers and the study?

**MR. CHAIRMAN:** I have no problem when you look at all of our reports.

**REPRESENTATIVE ENGLAND:** All right. You said also that this map was prepared here in-house?

**MR. CHAIRMAN:** Yeah, it was drawn right here in this room.

**REPRESENTATIVE ENGLAND:** All right.

**MR. CHAIRMAN:** I mean, you sat here with us, and I know several times why we drew these maps.

**REPRESENTATIVE ENGLAND:** No. Actually, I've only seen my district up until yesterday when I got the maps.

**MR. CHAIRMAN:** No. I sat here when you're on a call.

**REPRESENTATIVE ENGLAND:** No. On that call, we looked at my district.

**MR. CHAIRMAN:** Yeah.

**REPRESENTATIVE ENGLAND:** Period. I haven't seen a map. This is the first time I've actually seen a physical copy of the map since yesterday. Now, that I've answered your question, can you answer mine? What other ways does this map --

**MR. CHAIRMAN:** Let me report. On district seven, there was not a functional analysis done on it simply because it was drawn blind, the race was turned off on the drawing, and after the district was drawn and we looked at the black voting age population, it was determined there was no reason to do an analysis on it.

**REPRESENTATIVE ENGLAND:** So, you have not done analysis on that?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** I just found out seven because of the BVAP, no analysis was deemed necessary.

**REPRESENTATIVE ENGLAND:** So, we don't know if it complies with the Voting Rights Act just based on an attorney's opinion?

**MR. CHAIRMAN:** Yeah. I mean, it complies.

**REPRESENTATIVE ENGLAND:** We don't know that.

**MR. CHAIRMAN:** Well, the attorney that his committee hired says it does.

**REPRESENTATIVE ENGLAND:** But he also didn't do what's necessary to figure that out. Interestingly enough, the only district –

**MR. CHAIRMAN:** The BVAP of that district is 54.2%.

**REPRESENTATIVE ENGLAND:** But again, the study demonstrates how much of that actual percentage is a voting percentage. So, there's a difference between just throwing out a percentage and actually knowing if that's functional or not. And also, interestingly enough, the Seventh Congressional District is the only district that splits counties. Is there a particular reason for that?

**MR. CHAIRMAN:** That's not true. I just told you, I just run off of the county to split.

**REPRESENTATIVE ENGLAND:** There's one in District One, you have one in the Escambia County?

**MR. CHAIRMAN:** No. Lauderdale is split between four and five, Tuscaloosa is split between four and seven, Jefferson is split between six and seven, Chilton is split between three and six, Montgomery is split between two and seven, Escambia is split between one and two.

**REPRESENTATIVE ENGLAND:** I'm sorry.

**MR. CHAIRMAN:** Every district has at least one split.

**REPRESENTATIVE ENGLAND:** I'll rephrase. Seven has the most splits. That correct?

**MR. CHAIRMAN:** One, two, three. Yes, sir.

**REPRESENTATIVE ENGLAND:** All right. Is there any particular reason why seven has the most splits?

**MR. CHAIRMAN:** No. Because four has got two, two has two, three has one, and one has one.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** Is there any particular reason why seven has the most split districts? Including in Jefferson --

**MR. CHAIRMAN:** Trying to get the zero deviation, I'm assuming. We tried to respect -- we had to get to zero deviation.

**REPRESENTATIVE ENGLAND:** Do you think it has anything to do with making sure that each split holds a particular percentage of African-Americans into it?

**MR. CHAIRMAN:** I have no knowledge of that now.

**REPRESENTATIVE ENGLAND:** Okay.

**MALE 3:** Senator, I was hoping that we wouldn't be so contentious in here today, and I think I've been here with you gentlemen over the period of time trying to ask that we can get to this point. We sit around this table and I know that this is probably one of the most contentious sessions that we can have because everybody's for themselves. Everybody's looking out for what they got and it's all about territory. But I just wanted to ask a question about the map, and I guess go down the same line that Chris was representing England in terms of District Seven. In the last redistributing, we saw and heard from the United States Supreme Court that basically said that District Seven was the most gerrymandered district in the State of Alabama, and when you look at that, it almost looks like a salamander and the way it shaped, I see where you tried to come into your county boundaries to do that this time. But however, the Supreme Court has basically already ruled that, and so I just want this body to know that I will be introducing another map because when you look at the State School Board, it is representative of 26% of the African-American community giving it two districts. The house and the Senate also. The congressional district is the only district, the only map that we would draw as a body that does not represent the 26% of African-Americans. It only represents 13% of those African-American population. We believe that based on whole county, and what you can draw based on zero percentage, we can get two majority districts out of this, and I think that this body or the chairman has not tried to do that, just stay with what they were used to doing, and it's like we just drew over the same lines and didn't even try to come up with anything else different.

[00:25:08]

And that's what you get when you don't get input from everybody else, and when everything is kind of hidden and indoor. And so, with that, I know this is not the proper time to introduce the map, but I would do it officially when we have the next meeting, I will introduce a map even if it gets voted down and we will introduce them again on the floor. It will be on the map to concept, and I just want to let you know that I think that we can get two districts out of here that will show favorably for African-Americans across the state outside of just gerrymandering in this district with the unnecessary splits that we've gotten. Thank you very much.

**MR. CHAIRMAN:** Thank you, Senator. Did you say you have a map that has two majority black districts in it?

**MALE 3:** Yes.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Okay. All right. Senator Smithman.

**SENATOR SMITHMAN:** Thank you very much Mr. Chairman. Chairman's, let me say this first, I noticed the Senator mentioned a level of frustration, a level of uncomfortableness or whatever words you want to use is coming from our leader. Let me say this, that's what you get paid the big bucks for. You asked to be chairman, you asked. Now, you accepted it. So, get all that comes with it, so, relax and take a deep breath because it's coming. Questions coming, they're coming, they're coming. So, just relax and I understand, but you're the leader, so, that what comes with the territory. Let me piggyback first on starting with this map. In whether or not, -- let me just say this; I asked for a map that shows the precincts, I know we got them. And the reason I'm saying that to everybody in here to do that, yes. It's going to take more time. It's going to be detailed, because you're asking questions about this or that. But as a committee, and thank you for putting me on the committee. Whoever appointed me, I know who did; so thank you. But as a committee, we have to go through this mundane process if members have the question. We are in a committee meeting now; and in here, any of those questions that we have. the means of being able to provide, we have a right to get that information. Let's not vote it all up and down by memos, each member has that right to get that particular information. So, with that in mind, that's the first thing because I like to see what Senator was saying about the drawing to see what it brings in and what it doesn't. I can't tell a lick about Jefferson County, where the line cut off from this map. I don't know if it cut off on south side, if it cut off on far apart. I don't know if it cut off above Fire Park above Center Point. I don't know where it cuts off by looking at this, and along with being here, I'm a citizen in that particular district as well. So, I would like to see that number one. Number two, I think if that information is available that the representative requested, I think that it should be provided immediately if we operated off of it and didn't have the actual information here, then I think that needs to be known. But I think that any information in this meeting not a week later, not two days, not a month later, but should be provided in here. If it's on a computer, push a button, push print, print it out, and then give it to whoever else have requested it. So, I said that to say that it may not happen, but to count all these things right here, you might want to pipe in dinner[PH 00:29:00] because we need to go through these and to ask questions, is going to seem whatever you want to call it, but that's why I say get the frustration down because we have questions, I have questions, and I like to get answers as a committee member. Nobody else may not be concerned about these things, and I understand. But if one member is, we need to address that. The other thing I want to say is this is that there's two other things, and I'll move near the mic. Number one is that the Senator mentioned correctly about the 26% African-Americans. But we we're actually talking about 30 something percent of minorities. One third of them as it relates to minority population itself should be represented. We're talking about that it should be two as it relates to African-American population as a minority because it's a super population of minorities.

[00:30:00]

But there are other minorities, Asians, there are Latinos, there are all these people in this State and men of my registered voters that make that percentage goes up to 30 something percent. The third thing is that I've had opportunities to see the map that Senator Singleton is talking about, and that map does not split one count, one county, the congressional map that he's talking about.

**Reapportionment Committee Meeting**  
**October 26, 2021**  
**Transcript by TransPerfect**

It keeps every county whole for all the congressional districts that exist on that map. So, I would think that as a committee, whether the committee ultimately votes it up that as he said, I think that as a committee, that we should consider any of those plans in this meeting if it made those 10 days, I think the requirement that you made that that would be submitted. If they were submitted there in the committee, should take those up -- that was committee rules, that's committee adopted and last, but not least, I'll say this is that I think that the process itself has not addressed the area of compromise, and I'm not talking about somebody's individual districts. I'm talking about the issues that's before you it relates to minorities. I know nobody sat down and talked about the concerns that I split and when we get to that area in the [INDISCERNIBLE 00:31:28] plans, I expressed that I had a concern about that area and no other conversation has been had about it. So, that kind of disappoints me because it's kind of saying that "I don't give a heck what you think or say. So, take me to court." That's what it says to me. I don't give a rip what you think, I don't want to talk to you. I don't want to compromise; this is what I'm going to do. So, take me, so I hope that isn't what it's saying, because I'm not saying anything but anything. I think past involvement says that that has happened. So, I would hope if we are trying to get around and work together in this situation, that we'll find some way to compromise with both sides. I know you've been working hard on your side because I've talked to some of my colleagues and I know some of those concerns, but I'm talking about all of us as a whole. Thank you very much.

**CHAIRMAN:** Thank you, Senator. Ms. Hall?

**REPRESENTATIVE HALL:** Thank you, Mr. Chairman and Chairman. I want to reiterate the comment that was made earlier in terms of the response when questions are raised. That we are all in here because we want to do what is right. So, I would hope that we would be considerate of that in light of the fact of the response that I've heard with the comments that have been made up to this point, I'd like to make a motion. I am going to make a motion. My motion is that we postpone the votes on these proposed maps until members of this committee and the public has had adequate time to review and consider the details as well as provide the ratio polarization data study that you said was done.

**FEMALE 2:** Mr. Chairman, I second the motion.

**MALE 2:** Mr. Chairman, I think that motion is inappropriate. We have business to tend to at this meeting. Everyone knows it and if it would be --

[OVERLAY]

**MALE 2:** Would you mind if I get to my comment, please without interrupting? I have not interrupted you and I don't want to be interrupted.

**FEMALE 2:** I appreciate that, but when you make a comment like that, I'm sorry. I should have held my --

**MR. CHAIRMAN:** Move to table. We have a motion to table. All in favor. Say, aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MALE 2:** Aye.

**FEMALE 2:** I oppose.

[OVERLAY]

**FEMALE 2:** Roll call. I will ask that each vote just as you did on the minutes that you would have the roll call vote on each action, thank you. And I would ask that you reconsider at this time.

**MR. CHAIRMAN:** So, you have a motion to reconsider?

**FEMALE 2:** Yes, sir.

**MALE 3:** Second.

**MALE 2:** I second it.

**MR. CHAIRMAN:** All in favor, say, aye.

[OVERLAY]

**MR. CHAIRMAN:** Nay?

[OVERLAY]

**FEMALE 2:** I did request a roll call on each motion hereon and that you didn't.

[OVERLAY]

**FEMALE 2:** No, you didn't, because you'd reconsider.

**MR. CHAIRMAN:** Oh, now we have a motion to give this plan a favorable report in a second.

**MALE 4:** Mr. Chairman.

**MR. CHAIRMAN:** Roll call, please.

**MALE 4:** Mr. Chairman?

**CHAIRMAN:** Yes, sir?

**MALE 4:** I'm ready. I'd like to be recognized.

**CHAIRMAN:** Okay, sure.

**MALE 4:** So, are we saying that, it doesn't matter what we think at all?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

[00:35:00]

We just come in here to go through the functions. We're not going to consider anything whatsoever that if we have a concern or anything, you're saying it don't matter that we're in here because that's what we're saying. I didn't say what the final vote after we go through the process of consideration. But we're not going to consider anything that we got to say?

**MR. CHAIRMAN:** No.

**MALE 4:** I mean, is this a segregated movement or something? Because you haven't considered nothing we're saying over here. So, I'm just asking you as a chairman, is that where we're going with this?

**MR. CHAIRMAN:** And I'm allowing each of you to speak. Ms. Boyd.

**REPRESENTATIVE BOYD:** Thank you so much, Mr. Chairman. We've sat around this table many times. It's disgusting when you walk into a room for me and somebody approach me. "May I help you?" That was the first thing; but being as old as I am, and I haven't taught school 45 years and 6 months I've been here, I've learned a lot. At our very first meeting, I asked, "Is this one going to be better than any of those in the past that we do it fairly and collectively?" We know the process, we know who has the vote, all we want, Mr. Chairmans, is the opportunity to be heard fairly and from the way we are starting off here, it doesn't seem that way. Only God Almighty can change hearts. We can sit here forever and look at each other and do what we're told to do when it comes to voting. I would hope not. But we're speaking, I have people at home who are very much concerned about the senatorial. What is shown and as it relates to congressional seats. If that shoe was on the other foot, that's all I'm going to ask you to do when I close. Just think about if the shoe was on the other foot and you were sitting in my seat and my place, oh, our places here, would you act in the same manner? Thank you so much for the opportunity.

**MALE 2:** Roll call?

**MR. CHAIRMAN:** Another roll call vote on approving the congressional plan. Mr. Jones, [INDISCERNIBLE 00:38:05]

**REPRESENTATIVE JONES:** Thank you for the recognition, Mr. Chairman. I think on my visit here last week, I mentioned that this would be the way this process would turn out. It is not logical to think that we can digest the data that's here in the period of time that we received it. Nor is it logical to think that we would vote on something that we actually have no knowledge about and can't even talk to anyone in our district about because we don't know. How do you vote and then go back home and explain when someone asks, "Well, why did you vote for this?" and start asking the questions that's being asked here? What do we do with that? I understand the time. I understand how hard people have worked. I've been up here a couple of times, and I've seen the work that's taking place up here, and that's admirable. I've seen a lot of people working hard. The bottom line, though, we cannot disregard transparency based on urgency, especially in

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

this process. I know that there are some time periods we have to meet. To me, the questions that's been asked are logical questions. If someone is really interested in what they're doing and the people they represent, they are logical questions. Now maybe because this is my first time in this process, someone told, I think the attorney mentioned to me, "Well, they've been doing it like this a long time" and let me respond to what I told him. "That does not mean that that's right or fair regardless of whether Democrats did it or Republicans did it, the right way is the right way regardless to who's doing it."

**[00:40:00]**

And I just think that we ought to give some concern for some of the questions that's being asked here, because those same questions are going to be asked to me as soon as I get back to mobile account and I have no answers. You give me a lot of data here, but it probably takes me a few days to read through it, but it's over then. I've already voted. So that's really my statement and I just want you to consider some of those things as I go forward.

**SENATOR MCCLENDON:** Ladies and gentlemen, let me point out. What we have before today is simply a recommendation. It will be put in Bill Form. It will be introduced into both chambers of the house. It will be assigned to committee in both chambers, and then it will be debated fully on the floor of both chambers. We're just trying to get to the point where we've been called into extraordinary session. That deadline is set. We have to have something to put into a bill by 04:00 Thursday afternoon, and we need to get something out of here so LSA can put it into Bill Form so we can give it to everybody because it's not in Bill Form until it comes out of here. You will have the time in both the House Standing Committee and the Senate Standing Committee and the floor of the house and the floor of the senate to fully vet and look at these bills. But there's not a bill yet. I don't have a bill because I can't say anything to LSA until I get something from this committee. This is simply a recommendation to send to LSA for us to begin the full-scale debate on the floor. Senator Smitherman.

**SENATOR SMITHERMAN:** Are you saying, I said you go to the chairman and you're speaking. Are you saying that we can't vet it here wherein the committee itself that we denied the opportunity to vet it? I'm just asking a question. I didn't say you said it or not. You answer, we answer that. Are you telling me that what you just see, all that's going to happen out there -- are you saying that we -- but however, in this committee, we are denied that opportunity to do the same thing in our committee work on reapportionment?

**SENATOR MCCLENDON:** No.

**SENATOR SMITHERMAN:** Well, if we did that like for it to be done. That's all I'm at right now. I like this [INDISCERNIBLE 00:42:09].

**SENATOR MCCLENDON:** You got the populations, the deviations of black age voting population in every different. You have all the information that I have.

**SENATOR SMITHERMAN:** And I like to vet it in here. Me vet in at, we leave out here means nothing because the vote is going to be taken.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR MCCLENDON:** I don't have a bill before you because I can't get a bill draft until after it comes out to LSA, and I can't see anything to LSA until it comes out of here.

**SENATOR SMITHERMAN:** Unless I'm going to be on what -- we vote now. Whether we vote now today. I would like for it to be vetted the same way that you said that it could be vetted in those committees. Why? One of the main reasons we are supposed to have the experts in here. Our reapportionment director will not be on the floor. If it's not a public hearing, she cannot come on the senate floor. This lawyer cannot come on the senate floor itself. This is where the work has to be done to answer those questions in this committee. Not out there. You all know the rules. I don't have to even speak them. The people can't come out there. They are going to be out there. It's going to be somebody at the mic going to be saying the same thing. Well, they did it. And the answer is goes they did it. I would like to know how you came about it. Whatever the process to get to what you said that they say, "Okay to." And this is the place that it should be done right in here, and that's all that I'm asking. The exposure of the process and information be brought out in here so questions and follow up questions can be addressed to that information.

**SENATOR MCCLENDON:** Yes, Ms. Hall.

**REPRESENTATIVE HALL:** I needed to go back to make sure I have the correct information as relates to what you said about the racially polarized voting study that was done. Did you say it was done?

**SENATOR MCCLENDON:** Because of the black age voting population in Congressional District 7, there was not one needed because it was over 54% black voting age population.

**REPRESENTATIVE HALL:** So you're saying that we don't have a black, we don't have a polarization, racially polarization study?

**SENATOR MCCLENDON:** None. Because the voting age is 54. What is it? I got it right here.

**REPRESENTATIVE HALL:** And you use District 7 as the basis for not having such a study done?

**SENATOR MCCLENDON:** The black voting age population of the district is sufficient enough to where you don't need a study done on it.

**REPRESENTATIVE HALL:** Are you saying that would not be a part or should not have been a part of this process?

**SENATOR MCCLENDON:** Once we drew the process, once we drew the plan with no race on the computer --

[00:45:00]



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

-- then after the plan was drawn, we turned on the race and we looked at District 7 and saw that it had a black voting age population that was sufficient enough to not require an analysis. And we put any more African-Americans on the race. We're afraid we'd be sued for packing.

**REPRESENTATIVE HALL:** So that was just District 7. What about the other districts? If we did those on these, I really would like -- I was trying to get that information. I'd like to have that information. I'm requesting that information.

**SENATOR MCCLENDON:** The demographics of the district. Yeah. It's right here, it's in your folder.

**REPRESENTATIVE HALL:** So you're saying the data that we have makes of the --?

**SENATOR MCCLENDON:** Yeah. Here's the data right here. It's in your folder. It shows you the percentage of African-Americans of whites, the 18 plus populations, everything. It tells you to give you all that information.

**REPRESENTATIVE HALL:** I just want to make sure what you're saying that the data that we're receiving here today on each one of the districts provides us the data that we would have received or that would be received as a part of a racial polarization voting study.

**SENATOR MCCLENDON:** I'm being told that at 54 plus percent of the African-American vote, it was high enough not to warrant a polarization study. It was a majority-minority district.

**REPRESENTATIVE HALL:** And that came from our attorney or the committee's attorney?

**SENATOR MCCLENDON:** Yes. That came from the committee's attorney. Yes, ma'am.

**REPRESENTATIVE HALL:** And so, at this point, we do not have that.

**SENATOR MCCLENDON:** Not on District 7. No, ma'am. Yes. Chris. The representative of England, I'm sorry.

**REPRESENTATIVE ENGLAND:** All right. You're referring to that -- as if the District 7 was the only district that you did not do that on. So did you do that on other districts?

**SENATOR MCCLENDON:** We have the breakdown of black and white population.

**REPRESENTATIVE ENGLAND:** No, not that. I'm talking about you mentioning that racial - that you didn't do the study on seven. Did you do it on any other district?

**SENATOR MCCLENDON:** Can I ask something? The question you're asking, the answer is our attorney, mine and your attorney set that data off for districts that it looked like there might possibly be a racial issue. And we did that on all of these maps that we've done today. So he received the information on those districts where it looked like it could possibly be questionable, and wherever it was questionable, if necessary, we made adjustments. So the answer to your

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

question would be a general statement that in any districts where it looked like it possibly was an issue, we had those districts analyzed. And if necessary to make changes in those districts to try to stay in compliance with the Voting Rights Act, then we made those moves. So you can ask that question about any one district and I will answer that by saying any district that looked like it needed to be done, we did it.

**REPRESENTATIVE ENGLAND:** It would appear that District 7 would look like that would need to be done if the methodology that you said you used was, we didn't think about race and then we drew the map, and then we said, "Okay, well, this is a result." So it appears to me that if we're doing this in the logical way, that District 7 just -- as it appears on a map, would produce a certain percentage. Now, according to what you've been telling me, that the percentage is not the decision that you made looking at it on the paper and saying that 54% is enough, you actually consulted with an attorney to make sure. So it would appear to me that if you're applying the logic that you just gave me that if we just looked at the district to see if it was in compliance, we would actually do District 7 before we did the others. So I would like to request that study be done on District 7. And what is the relationship between the 54% that you're citing and the actual results or potential results of a racial polarization study? What is the relationship between those two?

[00:50:00]

**SENATOR MCCLENDON:** I got no clue.

**REPRESENTATIVE ENGLAND:** And that's the point.

**SENATOR MCCLENDON:** That's, that's the reason why we have the expert.

**REPRESENTATIVE ENGLAND:** Again, but hold on. That's point. If you can't explain to me why the 54% that you're telling us satisfies the threshold that you have not created or satisfied yet, that would probably make it necessary for you to conduct a study to see if that 54% actually represent, which represents what you think it does. So for -- I would like to request as a member of the committee that that study be done on the Congressional District 7. I would also like to request because the way you keep describing the map itself, is that Districts 1 through 6 may have caused the question or may not have caused to question so there is a situation where that same study may have been done on the other districts. I would also like to see that information as well. Can I get that? First, can I get the study done on Congressional District 7 to make sure that the 54% represents what you think you're saying? And then also, can I get this, the results of the studies that they've been done on other district? Because Senator McClendon, you represented that they had been. So I would like to see that data as well. Is that possible?

**SENATOR MCCLENDON:** Is there a particular percentage you'd be interested in seeing in District 7?

**REPRESENTATIVE ENGLAND:** That's the whole point. I want the study done so I'll know. I'm not going to -- I can't just blindly tell you what are percentage I would need in an area to make sure that it complies with the Voting Rights Act, one, but two, it is a -- I guess what you

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

would consider a safe majority-minority district. That's the whole point of the study. So I would like the study to be done on Congressional District 7 and I would also like for you to give me the results of the other studies on the other districts that you mentioned may or may not have caused to you some consternation.

**SENATOR MCLENDON:** Okay, Mr. England, here's what I'll do. I'll request a study on District 7 for you, and I'll request the study be done on Senator Singleton's bill that he introduced also. How's that?

**REPRESENTATIVE ENGLAND:** Yes.

**SENATOR MCLENDON:** It's possible to do it. I mean, we're going to talk about it. Okay. I'll do on both of them.

**REPRESENTATIVE ENGLAND:** To also kind of take a step back, this process isn't result-oriented. Meaning, that we're not collected here to go over the data and the maps just to meet the deadline. We are actually supposed to do some qualitative work on the information that you provided us so we don't send maps or information to LRS to be drawn up into something that can't pass. I mean, and I get it. I mean, we work with deadlines all the time, but this committee structure was set up especially for this component because it's actually a joint committee for the house and the senate that goes over all four maps. So we can actually take a deep dive in that information, in the data and actually produce a map that actually satisfies all the things that you've been mentioning since the very beginning about keeping counties whole, about not splitting precincts, about making sure that equal protection is valid and making sure that the Voting Right Act is complied with. That's what this process is for, is to vet the information that we're getting. Because we may go through this process and discover that some of the is corrupted and it's not reliable or, we may actually if we had done a racial polarization study, we may actually find out that that 54% that you're talking about doesn't actually represent the information that you're giving us, and that you have made an assumption that could jeopardize an entire map. So again, not trying to diminish the effort, the herculean effort that you had to undertake to get us to this point, the point here isn't just to get it done so we can get a bill prepared. The point here is to actually vet the information so we know what we're actually doing in this process.

**SENATOR MCLENDON:** I understand, and I tell you we're going to spend a lot of time on this differential privacy, and that's going to come up sooner or later. Senator Smitherman?

**SENATOR SMITHERMAN:** I would just -- if you all, I would like to know first on any of the congressional districts, did you all receive a written report regarding the study that he is requesting on 7? We say it that on some of them, it was done. All right. So whatever ones that were done, do we have a written report from that attorney, from whoever it is that we had to do it. We are saying that it was done on A B, C, or D. Do we have anything in writing that was sent to this committee to you all or sent to the community itself that would suggest that that is actually a fact? That's the first question. Do we have anything?

[00:55:13]

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR MCCLENDON:** When we saw that 54% plus in the Seventh District majority-minority, we didn't think it needed a racial polarization analyzation and a lot to be analyzed and we didn't request racial voting polarization study on the majority of white districts.

**SENATOR SMITHERMAN:** Okay. So we don't have that, that's the correct answer. We don't have anything in writing that's been sent to you all regarding that you should --

**SENATOR MCCLENDON:** I have not seen anything.

**SENATOR SMITHERMAN:** Okay. All right. So we can't hold out then that that has been done. Okay. So that's the first thing. The second thing is this. We have an attorney that as you say very capable of being able to do what's necessary. I cannot understand the most important, the most important and really the only opportunity we as a committee member while we are going through these maps. I cannot understand for the love of life why he is not even sitting over there or he is not on Zoom. That doesn't make any sense. We are asking questions and we can't, you all cannot give the detail. I didn't say it to generalization, but you cannot give the detailed answer -- we keep telling them whether attorney need, an attorney and that's fine. Because if that's the answer. But then, that attorney need to be over there to answer what you just said that he did. I mean, that's an attorney for the committee and that is the most important meeting that he could ever be at being able to get him on there to give those responses as to the things that you all don't have first of all, documentation and secondly, that he in fact was the person who created, who suggested it and it was adopted to present to us by you all. So I'm asking to get him on here. I don't care if the phone.

**SENATOR MCCLENDON:** [INDISCERNIBLE 00:57:18]

**SENATOR SMITHERMAN:** Yeah. I don't care if you get the phone or we can't Zoom, we deserve to have those people in here where we can ask those questions to get answers. Thank you.

**SENATOR MCCLENDON:** Yes, Ms. Hall?

**REPRESENTATIVE HALL:** Thank you. You indicated in your report about meeting with all of the members of congress, except for one. Are you able to tell me that once the maps were drawn, did they have an opportunity to view this map? And, what was their impression?

**SENATOR MCCLENDON:** They all saw. The one that we didn't meet was Mo Brooks because he's no longer running. But they've all had the opportunity to look at them and make suggestions, make requests in what they would like to see in their district, yes.

**REPRESENTATIVE HALL:** And did they indicate that they felt that what you've presented is fair and --?

**SENATOR MCCLENDON:** To the best of my knowledge, yes. I was not in the meetings.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE HALL:** Thank you.

**MALE 1:** Mr. Chairman, our renewed motion for roll call vote.

**M SENATOR MCCLENDON:** We have a motion before us to adopt the congressional plan. Clerk, recall the roll.

**CLERK:** Senator Holley?

**SENATOR HOLLEY:** Aye.

**CLERK:** Senator Allen?

**SENATOR ALLEN:** Aye.

**CLERK:** Senator Levison?

**SENATOR LEVISON:** Aye.

**CLERK:** Senator McClendon?

**SENATOR MCCLENDON:** Aye.

**CLERK:** Senator Melson?

**SENATOR MELSON:** Aye.

**CLERK:** Senator Orr?

**SENATOR ORR:** Aye.

**CLERK:** Senator Roberts?

**SENATOR ROBERTS:** Aye.

**CLERK:** Senator Scofield?

**SENATOR SCOFIELD:** Aye.

**CLERK:** Senator Singleton?

**SENATOR SINGLETON:** No.

**CLERK:** Senator Smitherman?

**SENATOR SMITHERMAN:** No.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**CLERK:** Senator Williams?

**SENATOR SMITHERMAN:** Yeah.

**CLERK:** Representative Boyd?

**REPRESENTATIVE BOYD:** No.

**CLERK:** Representative Clouse?

**REPRESENTATIVE CLOUSE:** Aye.

**CLERK:** Representative Ellis?

**REPRESENTATIVE ELLIS:** Aye.

**CLERK:** Representative England?

**REPRESENTATIVE ENGLAND:** No.

**CLERK:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**CLERK:** Representative Hall?

**REPRESENTATIVE HALL:** No.

**CLERK:** Representative Jones?

**REPRESENTATIVE JONES:** No.

**CLERK:** Representative Lovvorn?

**REPRESENTATIVE LOVVORN:** Aye.

**CLERK:** Representative Pringle?

**REPRESENTATIVE PRINGLE:** Aye.

**CLERK:** Representative South?

**REPRESENTATIVE SOUTH:** Aye.

**CLERK:** Representative Wood?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE WOOD:** Aye.

**CLERK:** Fifteen yeses, six nos. The motion passed.

**SENATOR MCCLENDON:** Thank you committee members. Coming forth now is the State Board of Education in development of this plan. All state board members were met with in person or by phone, follow up meetings were held, sometimes by phone, some on Microsoft Team until all of their concerns were addressed. All board members had inputs. This plan meets our committee guidelines, complies with Section 2 of the Voting Rights Act and Equal Protection clause. There is a minimum population deviation between the districts, all population state board is 628,035 plus or minus five.

[01:00:10]

Respects counties to the extent possible of taking into consideration requirements for equal population does not require incumbents to run against each other. District continuous and reasonably compact, respects communities of interest, preserves the course of existing districts, the precinct splits, five counties are splits, five counties with zero splits. It's an improvement over the current law with 12 versus 5 splits. Tuscaloosa County, Jefferson, Talladega, Montgomery and Mobile each have our split. Contains two majority-black, Districts 4 and 5. The BVAP for 4 is 51.2 1%. BVAP for 5 is 51.2 7% and the functionality studies that we've talked about indicate that Section 2 requires no further adjustment to these BVAPs in order to fulfill our obligation under the Voting Rights Act. With that introduction, I move adoption of the plan as you have received. I have a second on that, a motion and adoption and I recognize my good friend Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you Senator. I can't speak for anybody that's in here, but I have no knowledge of which changes had to be made in here. Is that I would like to go through the changes in each district adjustments. What is the adjustment that you had to make in drawing some out? We can start with warning going all the way to the last one there.

**SENATOR MCCLENDON:** The changes are detailed. You've got a folder Senator.

**SENATOR SMITHERMAN:** I would have to read.

**SENATOR MCCLENDON:** That's the changes in it and from -- let me tell you this.

**SENATOR SMITHERMAN:** Mr. Chairman, do you want me to -- if you recognize me, I'll take this folder and then read them out. But tell me, I got, so Smitherman is that last vote. I don't like them. I am not even seen none of these until I just walked in at one o'clock. So I don't understand. But I'm requesting either that we go over or I'm requesting the opportunity to -- if I got to read it, let me read it out loud and everybody sit here and we read and then we have discussions about it. I don't mind doing whatever you tell me to do. But I do want to go over these. I mean just to ram them down my throat, that is not right. If I can't go over them, then you're ramming it down my throat because I just got this. I mean, I came down here and you



**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

meet you and nobody said nothing about change, anything, it was about this. Nobody gave me anything. I am not saying nothing until I got this right now. So I'm asking, please tell me whether we change in one? What we change in two, that's reasonable.

**SENATOR MCCLENDON:** Would you like a little five-minute break to read over that thing Senator?

**SENATOR SMITHERMAN:** It'd take more than five minutes to read because I still got questions. Reading don't eliminate the questions because I need a big old map up there. I need a map, I need the overlay. Since you all know what I need, I will need to overlay and then I could see where that is and I could say, "Well, what area is that and then what's the result of that? What impact did it have on initial?" So that I've been asking for the maps and I know that they have it because I saw overlay when I came in here. So I know we have the capability and that's all I'm asking.

**SENATOR MCCLENDON:** I wish you'd let us know ahead of time. Well Senator, if you want to talk about this, this is your opportunity to go ahead and do that. Now, I will tell you as far as asking me a lot of details on the BOA map, I was not involved and I was involved peripherally but not in detail. So if there's things you would like to discuss and ask and talk about on this thing that you have the floor and you're just welcome to do so.

**SENATOR SMITHERMAN:** I could do a decent job of that if I got the map up there, well I can ask. That doesn't tell me anything. I'm looking at the one, it didn't tell me anything. It just tell me that these are the new lines. They didn't tell me what's the overlay, what we're taking out, what we had to add in anything like that in terms of the precincts.

[01:05:05]

**SENATOR MCCLENDON:** So do you have specific questions about parts of the map and I'll see what I can find out.

**SENATOR SMITHERMAN:** Yes sir.

**SENATOR MCCLENDON:** I narrow it down and help me out here and I'll see what I can do.

**SENATOR SMITHERMAN:** The basic question I like to overlay, like to see the comparison and contrast, either way that it's set up that you got to set up in the machine -- presently and what changes this.

**SENATOR MCCLENDON:** Okay I'll see what you want. I don't know if we're capable of doing that but why don't you talk about any parts of this that catches your attention and I'll check and see what our IT folks can do as far as complying with your request. We might be able to put them side-by-side with the new one. We might be able to do that. I don't know, but I'll be glad to check on that and see what we can do.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Well specific questions, I can't give them to you because I don't know the overlay. That's why I got to have it. I mean, this is the finished product and I'm asking about the contrast between old product and the finished and I don't even have that before me in this where I can do that sitting in, you can think of anything. I don't have it. That's why I'm asking for it and I know we got it because like I said, I was here and I saw that we have overlaying capabilities.

**SENATOR MCCLENDON:** We did have, and I think we put online. I'm not sure, but I think we put online today old map, new map. We'll see.

**SENATOR SMITHERMAN:** I did the first time, I've seen this.

**SENATOR MCCLENDON:** While he makes that request, is anybody else. We'll get back to you Senator.

**REPRESENTATIVE ENGLAND:** I have questions.

**SENATOR MCCLENDON:** Under the current map that we're looking at now, was this drawn based on the 5% deviation plus-minus?

**REPRESENTATIVE ENGLAND:** Yes, sir.

**SENATOR MCCLENDON:** Could you tell me in District 4 and District 5 what was the population gain or population loss for you to be able to -- because in order for you to do the 5% deviation, you had to look at the gain or loss in that. So therefore, you had to move around in precincts.

**REPRESENTATIVE ENGLAND:** I don't have a -- it's 27,686 people under that deal. It's 228,659 whites, 319,828 blacks.

**SENATOR MCCLENDON:** So there's about 27,000 population loss in that district?

**REPRESENTATIVE ENGLAND:** It's under population idea by 27, has a deviation of minus 4.61%. It's 38.9% white, 53.27% black.

**SENATOR MCCLENDON:** Where would you have made that part pull more citizens black there in Jefferson County to make up that deviation?

**REPRESENTATIVE ENGLAND:** I'm not sure where it came from Senator. I'm sorry.

**SENATOR MCCLENDON:** See, that's the kind of stuff we would need to know in order to be able to approve maps when you start making these kinds of adjustments. I definitely would like to know that because it's not detailed on these maps where your adjustments came in terms of making adjustment to make up that. If you look at the next one and which covers most of the black built, I'm certainly there was some loss there.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE ENGLAND:** District 5?

**SENATOR MCCLENDON:** Yes.

**REPRESENTATIVE ENGLAND:** Which is 621,817 people which is a 6,218.

**SENATOR MCCLENDON:** How many?

**REPRESENTATIVE ENGLAND:** 6,218.

**SENATOR MCCLENDON:** Okay.

**REPRESENTATIVE ENGLAND:** 252,012 whites, 326,931 blacks. That's 40.53% white, 52.58 blacks. In fact, voting age population is 51.27%.

**SENATOR MCCLENDON:** Okay. And again, you can't tell me where the makeup of that population, which direction you went to get the makeup in that population in your precincts?

**REPRESENTATIVE ENGLAND:** I can't tell you right off the top of my head, no sir.

[01:10:00]

**SENATOR MCCLENDON:** Thank you.

**MR. CHAIRMAN:** Senator Smitherman rest assured. We're over here chasing some electrons around trying to.

**SENATOR SMITHERMAN:** Thank you Mr. Chairman.

**MR. CHAIRMAN:** Representative Hall, did you have something to say in the event?

**REPRESENTATIVE HALL:** I do. I'd like to ask a question that I asked earlier as it relates to the school board plan. Did we do the ratio polarization polarized voting study on these districts?

**MR. CHAIRMAN:** Okay. My answer would be the same as it was before. Any time there was any suspicion that there might be a racial issue, we did submit these to a political scientist to give us an analysis.

**MALE 1:** Mr. Chairman.

**MR. CHAIRMAN:** Just a minute.

**MALE 1:** Okay.

**MR. CHAIRMAN:** You're still up.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE HALL:** Okay. Yeah. So you're saying that when you felt that was not a given, that was not part of the process of drawing the maps. So I'm going to get the same response on each one of the --

**MR. CHAIRMAN:** Yes, ma'am we didn't. I'm sorry, I didn't mean to interrupt you, Ms. Hall. We didn't automatically do every district on every map. We only sent the district's offer analysis where it looked like there might be an issue. If there's any suspicion of an issue, we had them analyzed, and then using that data, we tried to make them -- that wouldn't be an issue where we comply with the voting rights there. Does that answer your question?

**REPRESENTATIVE HALL:** Yeah. I'm just trying to make sure I was understanding correctly. So, we didn't do that for congressional and we didn't do it for school boards. I've done it for any of the others.

**MR. CHAIRMAN:** All right. I'm going back if you'll hang on just a minute. Senator Smitherman, have we got the map up done? Okay. There you go.

**SENATOR SMITHERMAN:** Now, what's the overlay? I'm okay side by side or whatever you want to call it.

**MR. CHAIRMAN:** According to my expert, the blue lines are the old and the colors are the new.

**SENATOR SMITHERMAN:** Okay.

**MR. CHAIRMAN:** So he said there's been a good bit of rearranging. But there always is when you have the population changes like we've had in Alabama this past decade.

**SENATOR SMITHERMAN:** My first question would be, why is Jefferson County split three different ways? I mean, we just split Chow for every one of these maps we got. Why come into our county and split it three different ways?

**MR. CHAIRMAN:** You know, these maps were created pretty much in the same style that the senate maps which you participated in and house maps, and that we worked with each of the existing board members, and so many times these changes were made in consultation with the existing board members. Just like you had input into your senate map, they had input into this map.

**SENATOR SMITHERMAN:** I appreciate you giving them input but I will say this, after the input and everything is done. They don't vote for this. We do.

**MR. CHAIRMAN:** Right.

**SENATOR SMITHERMAN:** So, the input all right, but the input are not like ours, because we don't want going to vote. And so that's why it's important for us to understand. They may like something. I got constituents that don't like it. I got a lot of them that don't like the fact that we

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

split up three ways in here. I'm talking about seriously. They don't want to be split up like that. That's why I said what I said in that regard. What about the other ones? What was the rationalization for the other changes that exist in the other ones? And this one, too. What was the rationalization? Why was it split three ways?

**MR. CHAIRMAN:** That was probably the biggest part of it is dealing with the existing members. That's where the most input came from.

**SENATOR SMITHERMAN:** Okay. So, we took in consideration what individual people won't, and I'm not saying you didn't take it at all but it seems to me that, and you correct me if it's not right. I don't mind being corrected. Well, we seem that we were focusing more on what they wanted than what the citizens wanted or what the better way to draw that map without splitting those counties.

**[01:15:02]**

Because I'm telling you what citizens are concerned about, they telling you what individual they want and don't want and that takes us out of the game, because we're represent those same citizens and we vote. So I would ask that you all go back and look at where you don't have to split Jefferson County like that, and then provide a map that does not do that. But now what's the other deviations and the changes? In the other deviations, what did you all have to pick up and what did you lose?

**MR. CHAIRMAN:** Well, the deviations of course are in compliance with the guidelines that this committee adopted and every district within plus or minus 5% of the target. So we've stayed -- this map is inside the deviations that we established really is our own guidelines to how to do this and how to do it in a sense of fairness.

**SENATOR SMITHERMAN:** Okay. In regards to follow up on Senator Sings question, I know he mentioned something about one of those districts. It was 26% population. Can you tell us what population each one of those? On each one of them.

**MR. CHAIRMAN:** I think you've got that data.

**SENATOR SMITHERMAN:** I don't have it all in one though. I got what you say it is in the new district.

**MR. CHAIRMAN:** Well, because we know what the target. So we got that in this folder? Okay. It's in the back of your folder. You got it in writing.

**SENATOR SMITHERMAN:** The old and under?

**MR. CHAIRMAN:** Well, you may have to add or subtract from the target to see what the difference is.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** Well in that case, I move a 30 minutes recess. I got to do some math. [INDISCERNIBLE 1:17:03] some math. Give me time to do. The figure is all over that low. I mean, I know they are. You all could tell me about my own district. You know about every district in every plan it is.

**MR. CHAIRMAN:** All right. I'm looking at the data that you've got in your folder, and I'm looking at district five. It gives the ideal population, gives the actual population then it gives the deviation. So, you've got all of that information in writing in your folder?

**SENATOR SMITHERMAN:** What's the ideal population? The actual population?

**MR. CHAIRMAN:** It's at the very back of your

**SENATOR SMITHERMAN:** I see that part what you're saying right. I see it. Now, the other question there, where did we make of those numbers from? What precincts?

**MR. CHAIRMAN:** I was moved around to create the district.

**SENATOR SMITHERMAN:** Yeah.

**MR. CHAIRMAN:** I don't know the answer to that. Oh, no.

**SENATOR SMITHERMAN:** Do we have the answer in this room?

**MR. CHAIRMAN:** A lot of precincts. Well, it doesn't matter. What you know is what the old district is and now, before you, you have what the new district is. So now where some people came from, that is the overlay.

**SENATOR SMITHERMAN:** You said it don't matter, it does to me. I just wanted to say that it may not to nobody else, but it does. That's why I'm asking the question. I wouldn't ask the question being dealing --

**MR. CHAIRMAN:** Are you asking me and listen Senator Smitherman, I'm trying to get what you want here, but you want to know where people came from or where they went. That's what your overlay map shows us, where the changes were made, which precincts were in a district before and which ones are in our district now. Does that answer your question?

**SENATOR SMITHERMAN:** It answers 50%.

**MR. CHAIRMAN:** Okay.

**SENATOR SMITHERMAN:** But the other part is that it does not talk about what area. [INDISCERNIBLE 1:18:56] and put it over here. That's what I'm saying. We don't have any writing up there. I wouldn't have to ask, and we do have maps that is that detail. You all know that. I know you do, because you all the chairman's. You know we do, and that's what I was asking. I mean, do we have capabilities of doing that? Yes. And that's all I'm asking. In every

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

one of these things, we're going to do -- I would like to see that. So that at the, we can make a better understanding of what we vote on and taking places from people, because people ask us especially up in mayor. They don't want to be over here. They want the county to be whole. And so when you make the moves, and that tells me what people will move and what people will left and that has a basis too of the way I feel about this plan because all of us, we are here to represent the people in our district, and these are concerns of people in the district. Is there any way to know that?

**[01:20:02]**

**MALE 1:** No, sir.

**SENATOR SMITHERMAN:** It's not? You sure now? I mean, I was here when we did it, when we provided it.

**MALE 1:** Well, it could be that.

**SENATOR SMITHERMAN:** So even in man, I saw precincts. You remember you were in here when I came. I saw precincts. So I'm not making up some, you was in there with me when we saw those precincts.

**SENATOR MCCLENDON:** Now we can bring that down and we can get that to you but as far as it's coming before this committee, what we have presented and this is what we've got before us today.

**SENATOR SMITHERMAN:** And I have no problem with you presented and that's what before us. I just want some answers of what's before us. That's all I'm asking.

**MALE 1:** All right, sir.

**SENATOR SMITHERMAN:** So, can we get that information? Can we break it down? Let me just say this, I understand that we can, all we have to do, even out there is take number one and then put the details in and put it across there. That's all we got to do and then we'll see where it comes from. We should put that old, that blue line or whatever that line over there and that's like it is right there. The old and new and put the detail in there and it's over there in that computer right there. That's all we got to do. It's right there. I ain't asking for the man who ain't that available lawyer we got. I'm asking him about that computer right there.

**SENATOR MCCLENDON:** Okay, where we're examining on the capability of this system that we have now to the extent that we can.

**SENATOR SMITHERMAN:** Okay. There we go. That's what I'm talking about. That's I'm saying pop up there.

**SENATOR MCCLENDON:** Is there any particular area that you would like to look at?



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** I like to --

**SENATOR MCCLENDON:** Do you want to look at your area and --

**SENATOR SMITHERMAN:** First all [INDISCERNIBLE 01:22:03], I like to look at the one above and I think that's six or whatever that is above that, every part, me particularly every one of those districts that Jefferson County, I like to see that part, that district that touches. It's three of them and I like to be told what I'm looking at, so I'll be sure of what I see. Yeah, you getting it. I was looking over that Tarrant and I'm looking at Inglenook, Brownsville. I'm looking at those.

**SENATOR MCCLENDON:** Senator Smitherman.

**SENATOR SMITHERMAN:** Yes, sir.

**SENATOR MCCLENDON:** We're going to spend, if you want to spend, we're going to spend about 10 minutes with you.

**SENATOR SMITHERMAN:** That's fine, I'll take it here.

**SENATOR MCCLENDON:** [INDISCERNIBLE 01:23:10] on this and then we're going to get you back on business.

**SENATOR SMITHERMAN:** 10 is better than zero. Take the 10.

**SENATOR MCCLENDON:** You're always a 10 Senator Smitherman.

**SENATOR SMITHERMAN:** Thank you, Senator. Sun Valley, so that the blue is the new, right?

**MALE 1:** That's right.

**SENATOR SMITHERMAN:** The blue is old. Blue is old and the colors are new. Okay. What district is that green? What number district? Four? It's number four? Blue, that y'all call it blue. Okay. All right. So, it's the color is a change? Let me see. And it's four, four is the C5 and what six is the majority of the districts, five and; no, five and what? What number Mr. Chairman? I was just trying to speed up the process. Which one is five and what's the other one you say is a majority? African-American district, [INDISCERNIBLE 01:24:42] voting population? It's five and it's four and five?

**MALE 2:** Five, four is 51.2. Five is 51. [INDISCERNIBLE 01:24:57].

[01:25:00]

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** How can we tighten it up that you don't have already splits in that county? Did y 'all look at that? Did you play with the map and look at it and see what it looked like?

**SENATOR MCCLENDON:** We played with a map and you certainly will have an opportunity if you've got a better plan for us. You'll have an opportunity to like that proposal to the legislator when we meet.

**SENATOR SMITHERMAN:** So, that's four, that all the four right there? I see some more at the bottom, is that part of four? And above four is what, seven? That's at the top of Jefferson County?

**MALE 2:** Yes, sir.

**SENATOR SMITHERMAN:** What percentage of seven is in Jefferson County? Anybody can tell me that? So we got three in Jefferson County and we got four and we got seven. Now, those are three at [INDISCERNIBLE 01:26:13] Jefferson County?

**MALE 2:** Yes.

**SENATOR SMITHERMAN:** Three, four and seven. It's seven, four and three. So in four, we went straight up. We did like the old seven in congressional. We went straight up in the Jefferson County to pull those people out, is that correct? Why we could not make Jefferson County whole or Tuscaloosa whole and keep those whole and satisfy that population? Did y 'all try to do that? And if you did - -

**SENATOR MCCLENDON:** I'm sure that was looked at and considered.

**SENATOR SMITHERMAN:** But you're not sure though. Okay, I was going to ask why. I'm not going to put you on the spot if you don't know, you know. Okay. All right, Mr. Chair, I see what's been done and I know what the people want. Thank you very much on that.

**SENATOR MCCLENDON:** Senator Smitherman, thank you for your participation and your comments. As always, a pleasure. Call a question. Roll call vote. There's no more discussion and let me see, Senator Singleton, do you have a question before we call roll? Call roll, please.

**FEMALE 1:** Senator Allen?

**SENATOR ALLEN:** Aye.

**FEMALE 1:** Senator Holly?

**SENATOR HOLLY:** [INDISCERNIBLE 01:27:59].

**FEMALE 1:** Senator Livingston?

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR LIVINGSTON:** Aye.

**FEMALE 1:** Senator McCLENDON?

**SENATOR MCLENDON:** Aye.

**FEMALE 1:** Senator MELSON?

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator ORR?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator ROBERTS?

**SENATOR ROBERTS:** Aye.

**FEMALE 1:** Senator SCOFIELD?

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator SINGLETON?

**SENATOR SINGLETON:** No.

**FEMALE 1:** Senator SMITHERMAN?

**SENATOR SMITHERMAN:** No.

**FEMALE 1:** Senator WILLIAMS?

**SENATOR WILLIAMS:** [INDISCERNIBLE 01:28:20].

**FEMALE 1:** Representative BOYTE?

**REPRESENTATIVE BOYTE:** No.

**FEMALE 1:** Representative CLOUSE?

**REPRESENTATIVE CLOUSE:** Aye.

**FEMALE 1:** Representative ELLIS?

**REPRESENTATIVE ELLIS:** Aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Representative England?

**REPRESENTATIVE ENGLAND:** No.

**FEMALE 1:** Representative Greer?

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall?

**REPRESENTATIVE HALL:** No.

**FEMALE 1:** Representative Jones?

**REPRESENTATIVE JONES:** No.

**FEMALE 1:** Representative Lovvorn?

**REPRESENTATIVE I:** Aye.

**FEMALE 1:** Representative Pringle?

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**FEMALE 1:** Representative South?

**REPRESENTATIVE SOUTH:** Aye.

**FEMALE 1:** Representative Woolett?

**REPRESENTATIVE WOOLETT:** Aye.

**FEMALE 1:** 16 yes, 6 no. It's passed.

**SENATOR MCCLENDON:** BOE, bill to favorable report by this committee. We are now moving into the Senate bill. I'm going to take that bill. All senators were met with multiple times. Most of them wanted to. Sometimes we met on the phone, sometimes in person, sometime over Microsoft Team when there was a group. Senator Don, who is not running for re-election. We met with her representative speaking on her behalf. All senators had input into the plan. This plan follows our guidelines, compliance with Section 2. Minimal population deviation. Ideal pop is 143,551. All of the districts that are on this map that you have in your folder and which will get displayed are within plus or minus 5%.

**[01:30:00]**

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

We respect County Lowndes to the extent possible, given the requirement of equal population. We are not requiring any incumbents to run against each other; districts are continuous and they're not reasonably compact. We try to respect calamities of interest and we preserve the cores of the existing district. The existing plan, the one we're under right now splits 26 counties under the plan that is being proposed that you have on the Board now. We are split 19 counties. This plan contains eight majority black districts. These districts fulfill the state's obligation under the Voting Rights Act. I have a Motion for a favorable report and a second Senator Melson, are there any -- Senator Smitherman, it's about time you chimed in. Got involved in this.

**SENATOR SMITHERMAN:** This is one that goes even deeper than that what I've been talking about. I got serious concerns about the fact -- let me say this first.

**MR. CHAIRMAN:** Yes sir.

**SENATOR SMITHERMAN:** I'm going to make a personal comment; and then I'm going to get into this. I enjoy very much working with my delegation, let me make sure you understand that. We've done a lot of good things together; so by no means that I have any problem with any individual in my district, I mean, in my delegation. But let me say this to you, there's no reason under the earth why Jefferson County is split among seven senators. We have a population of 670,000 people. When you do the math, just divide it into that, that's 4.7 senators. That's what we should have in terms of our county. Whole county, keeping the county whole. Number one, let me say this; and I think -- that's why I wish the lawyer was here because he wouldn't have a choice but to say you were right. The Constitution in Section 199 and Section 200 states and I state that the counties are to be maintained to be kept whole in terms of drawing these districts. The only deviation that it talks about is simply this; is that where you have to provide a minority district; then you go outside of the counties to succeed to do that. In Jefferson County, that does not apply. All three minority districts are inside of the county. So, as a result of that, there is no reason that that county should have those splits, based on the constitution, not based on an opinion or how I feel. I've mentioned that when I was in here, I mentioned that my concern, when I was asked the question that you satisfied, not the word satisfied, but that's with the district, and my comment is that I was concerned about whole counties, and I say that even if the Supreme Court ruled that way that I had to have this district then I will live with it, that's what my comment so I don't want to be misconstrued or what I say it in there. I'm saying it officially here. But in terms of Jefferson County, there's no reason why we should be split seven ways and I mentioned that to it made that known, no effort was made to deal with that issue. No effort was made to deal with that issue based on the constitution. So, I want to make that known that I put it out there, nothing was done about it, so, that is my concern. If you remember, that last time that we went to the Supreme Court, they took up the house issue and they addressed it in the house and said that the house should be a certain way because of dealing with this issue. Now, we're looking at the senate district that the committee has made no changes whatsoever and as a result of that, as I said, we have seven senators who represent one county. So, I'm asking the committee to go back to address section 199 and section 200 of the constitution that talks about whole counties and has laid out the proper legal basis of why we should do that especially as it relates to Jefferson County where all three minority districts encompass inside of the county.

**[01:35:00]**

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Okay, anyone else? Seeing no other discussion, I call for the roll call vote. Representative England, I missed you over there, hold that roll call vote. Representative England, you are recognized sir.

**REPRESENTATIVE ENGLAND:** I'm just trying to figure out almost the same lines that Senator Smitherman identified that's Lucy County for whatever reason has three senators and it is carved up. It's going to be 200,000 people total and it has three senators that come from -- don't really represent the same sort of communities of interest and Senator Singleton is my friend. He is my senator, but his district goes from Tuscaloosa County all the way down to Choctaw. Senator Reed who is also a friend, his district goes from Tuscaloosa County all the way to the northern tip of Walker all the way to Lamar. These are not communities of interest. The City of Tuscaloosa proper only has average three-member senate delegation; only one of the senators live actually inside of Tuscaloosa County. So, the people in Tuscaloosa County, there are people who have more influence or just as much influence of his own city in county business that live outside the county as members that who do. Now, we're not talking about the house delegation yet, but the house delegation is worse. So, I am just as many other senators and representatives, where you have a major city, it is often sacrificed in order to make up population for other districts. As a result, it sacrifices the amount of representation that we have. So, I just want to go on record once again to state that Tuscaloosa County is possible to draw a map without splitting it into three different districts, thank you.

**MR. CHAIRMAN:** Thank you Representative England for your remarks. Senator Smitherman, back to you.

**SENATOR SMITHERMAN:** At the proper time, I have a substitute motion.

**MR. CHAIRMAN:** Let's see, anyone else have anything else to say? Yes, sir, Mr. [PH 01:37:24] Myer. Did you want to get in on this?

**MR. MYER:** I'm just concerned about, I guess the Senate District 33 is now in Baldwin County but it's traditionally all in Mobile County and then some of the Baldwin County senators are now in Mobile County; I didn't quite understand that. The Baldwin County is the largest grove county around the state. How did we get a senator from Baldwin County in Mobile and then the senators from Mobile in Baldwin? Who are they coming to cross path like that?

**MR. CHAIRMAN:** Is that a question?

**MR. MYER:** Yes, it is.

**MR. CHAIRMAN:** You know, the answer is pretty easy, isn't it? Just like in the house districts, we had to sit down and work with each of the incumbents to resolve their issues and that appears to be the resolution. Senator Smitherman, are you back?

**SENATOR SMITHERMAN:** Yes sir, I'm back.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yes sir, I recognize you. You're okay?

**MALE 1:** No, I'm not okay but -- Senator Smitherman.

**MR. CHAIRMAN:** Yes sir, Senator Smitherman, you're recognized.

**SENATOR SMITHERMAN:** Thank you, Mr. Chairman. I like to make a substitute motion that we carry over this plan and the motion ask the committee to go back and to look at making the basis for drawing this plan to perseveration of this provision of the constitution which is Section 199, 200 deals with whole counties and that in particular, the counties who have an excess amount of representation as it relates to the population in reference I'm talking to primarily Jefferson County, but all other counties that we would not go forward with this until that issue is addressed and corrected to reflect out of the 678 -- 70 something thousand people that the proper number of representation in the senate honoring whole counties would be five senators, 4.7 or 5 senators, thank you.

**MR. CHAIRMAN:** Thank you Senator Smitherman. Now, my commotion to table, I would ask that you all vote aye all in favor, say aye.

[01:40:00]

**SENATOR SMITHERMAN:** That's a rollcall, remember --

[OVERLAY]

**MR. CHAIRMAN:** Senator Smitherman, you're recognized.

**SENATOR SMITHERMAN:** A request was made for rollcall on all the votes from --

[OVERLAY]

**MR. CHAIRMAN:** Yes, sir, the chairman decided to make that a voice vote.

**SENATOR SMITHERMAN:** So you're not honoring her request for -- she made a formal request.

**MR. CHAIRMAN:** That's okay.

**SENATOR SMITHERMAN:** Okay, what's the rule does a committee regarding? I know on the floor what you had two or three hands up. Is there any rules that we can -- as a committee be recognize so that we can have a roll call vote?

**MR. CHAIRMAN:** That's a discretion of the chairman.

**SENATOR SMITHERMAN:** So they go back to what I say. Okay. All right, thank you.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Senator Singleton, did you decide you want to join in?

**SENATOR SINGLETON:** Obviously not now.

**SENATOR SMITHERMAN:** You have time later, don't worry, you have time later. You have some time.

**MR. CHAIRMAN:** Do you want the floor Senator Singleton?

**SENATOR SINGLETON:** No sir.

**MR. CHAIRMAN:** Okay. Thank you. Let's roll call vote. Please call the room.

**FEMALE 1:** [PH 01:41:10] Barry Allen.

**MALE 1:** Let's make it a voice vote.

**[BACKGROUND CONVERSATION]**

**FEMALE 1:** Senator Allen.

**SENATOR ALLEN:** Aye.

**FEMALE 1:** Senator Holley.

**SENATOR HOLLEY:** Aye.

**FEMALE 1:** Senator Livingston.

**SENATOR LIVINGSTON:** Aye.

**FEMALE:** Senator McClendon.

**SENATOR MCCLENDON:** Aye.

**FEMALE 1:** Senator Melson.

**SENATOR MELSON:** Aye.

**FEMALE 1:** Senator Orr?

**SENATOR ORR:** Aye.

**FEMALE 1:** Senator Roberts?

**SENATOR MELSON:** Aye.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**FEMALE 1:** Senator Scofield.

**SENATOR SCOFIELD:** Aye.

**FEMALE 1:** Senator Singleton.

**SENATOR SINGLETON:** No.

**FEMALE 1:** Senator Smitherman

**SENATOR SMITHERMAN:** No.

**FEMALE 1:** Senator Williams.

**SENATOR WILLIAMS:** Aye.

**FEMALE 1:** Representative Boyte.

**REPRESENTATIVE BOYTE:** No.

**FEMALE 1:** Representative [PH 01:41:45] Clouse.

**REPRESENTATIVE CLOUSE:** Aye

**FEMALE 1:** Representative Ellis.

**REPRESENTATIVE ELLIS:** Aye

**FEMALE 1:** Representative England.

**REPRESENTATIVE ENGLAND:** No.

**FEMALE 1:** Representative Greer.

**REPRESENTATIVE GREER:** Aye.

**FEMALE 1:** Representative Hall.

**REPRESENTATIVE HALL:** No.

**FEMALE 1:** Representative Jones.

**REPRESENTATIVE JONES:** No.

**FEMALE 1:** Representative Lovvorn.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**REPRESENTATIVE LOVVORN:** Aye.

**FEMALE 1:** Representative Pringle.

**REPRESENTATIVE CHRIS PRINGLE:** Aye.

**FEMALE 1:** Representative South

**REPRESENTATIVE SOUTH:** Aye.

**FEMALE 1:** Representative Wood.

**REPRESENTATIVE WOOD:** Aye.

**FEMALE 1:** 16 yeses, 6 nos. It's passed.

**MALE 1:** Thank you, senator. Ladies and gentlemen, now we move to the House of Representatives plan. In developing this plan, house members were met with in person. And subsequently over the phone on Microsoft teams and told many of their concerns have been addressed. All representatives had input into this plan. The exceptions are a handful of members who are not running for re-election and who chose not to meet with us. This plan meets our committee guidelines. It complies of section two of the Voting Rights Act and the Equal Protection Clause for the Constitution. There is a minimal population deviation between the districts, ideal population for house district is 47,850. All districts are within plus or minus 5% of ideal population. It respects counties to the extent possible, given the requirements for population on the 14th Amendment of the Constitution. It is not required incumbents to run against each other however there are a few members who are not running who are in other districts. All districts are continuous and reasonably compact under the Gingles test. It respects communities of interest and preserves the course of existing districts. It splits a minimum number of counties in voting precincts, 39 counties for split and 57 voting precincts for split to get the deviation. This is improvement of the current law which split 46 counties. This plan contains 27 majority minority black districts including the creation of a new majority black district in Montgomery which is House District 74. In addition, House District 53 held by minority leader Daniels has a black voting population of 48.15% which he said he was comfortable having. Well that ladies and gentlemen, are there any questions?

**MALE 2:** Motion to adopt.

**REPRESENTATIVE ENGLAND:** I have a question.

**MR. CHAIRMAN:** Okay, Representative England.

**REPRESENTATIVE ENGLAND:** Its seems like the whole county constitutional requirement applies everywhere but Tuscaloosa County. Again, there are 200% people inside the Tuscaloosa County and as it stands, there are seven members in that delegation. Of the seven, only four live

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

within the county. You mentioned in your discussions, you said we try to keep communities of interest together, representative Ralph Howards, district now draws all the way into Tuscaloosa - not only Tuscaloosa County but in the city limits. He goes into the west side of Tuscaloosa which is majority minority.

[01:45:08]

**MR. CHAIRMAN:** And he is very happy with that by the way because he told me how excited he was.

**REPRESENTATIVE ENGLAND:** I appreciate you offering editorial for me. Secondly, District 71 goes into downtown or to the west side of Tuscaloosa. It also encompasses Pickens, Sumter and Marengo counties. It also goes into the west of Tuscaloosa and it captures the other half of the black population on the west side of Tuscaloosa. I don't think that's by accident. As it stands, the City of Tuscaloosa also now has a seven-member delegation of which three do not live anywhere near the county. The minority majority area of the city is represented by representatives that live an hour and hour and a half away. It is carved up in the City of Tuscaloosa to the point where it is very difficult to say for us to suggest that people that live in the county that the people that live outside the county don't have as much influence on what we do as the people who live inside of the county, especially the city limits. You also mentioned that it [PH 01:46:35] complies with the Voting Rights Act. I would also like to request the same information that I have requested all day long. I would like the same results from the same studies that we're conducting and that there has not been a study done on my District, District 70, 71, 72 or any district within the city of Tuscaloosa, I would like to have the results of those studies but not only that, I would like to also know who conducted the study and I would like to see the results. As far as across the state, I get the whole concept of try to keep counties whole and whatnot. But it does not appear that that was a guiding principle whenever you got to areas that where districts were minority. It seems like you dove into cities just to capture the black population and to pack them into districts to re-establish a population but to make sure that their influence does not spread outside to potentially impact an election in what would be a traditionally white or republican district specifically, in Tuscaloosa. So as I said, I would love to see -- I'm requesting the same information I have requested about the congressional districts and also, if there's any districts out where there are racial polarization studies were done, I would also like to see those as well.

**MR. CHAIRMAN:** Thank you and duly noted, we will get back to you. [PH 01:48:06] Senator Smitherman.

**SENATOR SMITHERMAN:** Two questions, one statement one question. I would request the same thing for all senator districts, okay. That study that they are trying to get, I would like for all senator districts. So I wanted to say that, I'm not saying you would but don't make a judgment [INDISCERNIBLE 01:48:28]. As a member, I am entitled to and I would ask for that. If we don't have it, spend the money and why we [PH 01:48:36] appropriate it. So any savings of money, either is about getting the necessary stuff that we need to get. The other question I would ask because I kind of heard you. Un your statement you said, you went on like you spoke to in your statement but I would like to know how many districts have been combined to where you

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

have now someone who is either waiting for a position that's open, that's obviously right now or who is -- or has been placed where two incumbents are now having to run against each other?

**MR. CHAIRMAN:** In the house plan, there is zero.

**SENATOR SMITHERMAN:** What about that [INDISCERNIBLE 01:49:20]?

**MR. CHAIRMAN:** No.

**SENATOR SMITHERMAN:** There is not?

**MR. CHAIRMAN:** No.

**SENATOR SMITHERMAN:** Okay. So he is not in the district with -- what's the other [PH 01:49:27] sister that's in Montgomery?

**MR. CHAIRMAN:** He passed away but the candidate -- there are no two candidates that I know off. I don't know if he is going to run but no.

**SENATOR SMITHERMAN:** Can she run? Ms. [PH 01:49:40] Morris and that's --

**MR. CHAIRMAN:** I don't know the name of anybody.

**SENATOR SMITHERMAN:** No, I was just saying Ms. Morris, that's [INDISCERNIBLE 01:49:49] putting Ms. Morris' district. Not understanding. Is that right? Am I wrong or right? Correct me if I'm wrong because I try to make statements that's right.

[01:50:00]

**MALE 2:** Yeah, couple of house district.

**SENATOR SMITHERMAN:** Right. So, you know, what are we going to do to correct that? And I'll stop when you said it, I want to make a comment. All I want to say is this and the records speak for itself and if Senator [INDISCERNIBLE 01:50:16] was in here, he would, I think vouch for that. We made sure that no districts when we were in the majority ever, to republicans or to democrats that they had to run against each other. That's traditionally what we've done in here. All the time that I've been had the blessings and opportunity to be on Reapportionment and that since 1994. So now why are we doing that? And why are we doing it in a minority district? I mean, we got 105 seats out there now, why are we picking these minority district? They have two of them run against each other.

**MR. CHAIRMAN:** Not that I'm aware of in Montgomery County. And I know when I ran in 94, I defeated -- two incumbents were put in the same district and I beat two of them. Not to get two incumbents.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**SENATOR SMITHERMAN:** There was a 94 run. Remember I said I've been here since 1994, it hasn't happened. He will vouch how much I folded in my [INDISCERNIBLE 01:51:10] and make sure that wouldn't happen.

**MR. CHAIRMAN:** We did not place any incumbents together.

**MALE 2:** Mr. Chairman, why you may say you didn't have any incumbents together, but you did have a candidate that was out there running in 76. That are currently running in 76. You have candidates that are currently running and 76 who would now not be in 76 because if they wanted them, they would not represent 76.

**MR. CHAIRMAN:** I don't believe that's the best the case anymore.

**MALE 2:** That is the case.

**MR. CHAIRMAN:** I don't believe it is anymore.

**MALE 2:** Explain the new district 74 if Represented [INDISCERNIBLE 01:51:50] was living today.

**MR. CHAIRMAN:** He would be in another district but--

**MALE 2:** It will be in another district, so he wouldn't be in 76.

**MR. CHAIRMAN:** Yeah but the person running his district is in that district.

**MALE 2:** In what district in the new district?

**MR. CHAIRMAN:** [INDISCERNIBLE 01:52:01].

**[BACKGROUND CONVERSATION]**

**MALE 2:** No but now, they are tagged with another incumbent, who lives in that area now.

**MR. CHAIRMAN:** I'm aware of what you believe, but I promise you the plan has been changed.

**MALE 2:** The plan has been changed?

**MALE 1:** Can you show us a change?

**MALE 2:** Could you explain the changes?

**[OVERLAY]**

**MALE 1:** We can't see it. It doesn't clearly show here. Yeah, help me out with that.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

[BACKGROUND CONVERSATION]

**MALE 1:** 76 is the new 74 that's been fixed.

[BACKGROUND CONVERSATION]

**MR. CHAIRMAN:** While we're doing that, Mr. Clouse is there anything you would like to say? We are going to pull that.

**MALE 2:** Yeah, well you can be seen.

**MR. CLOUSE:** I just want to make a clarification on my friend Senator Smitherman. It might have been after 2000 census when the democrats were in the majority there were no republicans put together in the Senate.

**SENATOR SMITHERMAN:** That's what I'm talking about.

**MR. CLOUSE:** Right. But in the house, there were two districts, where two republican incumbents were put together.

**SENATOR SMITHERMAN:** Yeah well let me come down and I'll [PH 01:53:45] refer it.

**MR. CLOUSE:** Yeah okay.

**SENATOR SMITHERMAN:** Republican Senate did that they won. See, we'll be fair about this thing. That's what I'm talking about. They'll tell you, I'll hide them for them. There isn't anybody allowing for them right now, but us.

[BACKGROUND CONVERSATION]

**SENATOR SMITHERMAN:** Is that a new district now?

**MR. CHAIRMAN:** That's a new district.

**SENATOR SMITHERMAN:** That district?

**MR. CHAIRMAN:** That is.

**SENATOR SMITHERMAN:** That has been in the county though but that is?

**MR. CHAIRMAN:** That is. That's whole precincts. So are there any more questions? Now we have a motion? Move to have a final approval to this.

**FEMALE 1:** Question.



Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** Yeah, I have done that once. Call roll.

**SENATOR SMITHERMAN:** She had a question.

**MR. CHAIRMAN:** All right, let Ms. Hall ask her question.

**REPRESENTATIVE HALL:** I was just trying to follow up with what you were saying in terms of the counties. Are we clear and what you're saying in reference to the county that Singleton and Smitherman mentioned as it relates to the candidates, whether the candidate is alive or not does that --

[01:55:00]

**MR. CHAIRMAN:** Where is perfectly thought.

**REPRESENTATIVE HALL:** All right, and so the -- this is the last activity that we are doing, right?

**MR. CHAIRMAN:** Yes, ma'am.

**REPRESENTATIVE HALL:** I would also like to request precincts for each one of these proposals that you provided today. I'd like to have that.

**MR. CHAIRMAN:** I will be more than happy to give you all breakdowns with all this stuff.

**REPRESENTATIVE HALL:** And then as we look at the rules, it says a legislator shall try to minimize the number of counties in each district. It seems like we're being a bit confused here with what we've heard today. We use the word "shall," it says that you must follow, trial indicates that you might not. And so, would you tell me based on what we have today and what instant would you not minimize the number of counties or the process that you've used here today?

**MR. CHAIRMAN:** Ma'am we did our very best to respect voting precincts and county lines and keep as many counties hold as possible but the overriding principle of reapportionment is one man one vote. When we went by whole counties in the State of Alabama -- in 1947 the United Supreme Court said the redistricting was a judicial ticket in which the court should not weighed and declared it non-despicable. Until the State of Alabama came and rentals [PH 01:56:37] via sims and our whole our whole county plan where they ruled that it was so egregious that denied people their constitutional right to fair representation. And that's the lawsuit just started all redistricting and the Fourteenth Amendment requires one man one vote and we respect county lines as much as we could but the overriding principle is to draw districts that each person in this room represents the [PH 01:56:59] apportionment the same number of people as every other person.

**REPRESENTATIVE HALL:** So it still appears that we've still dividing counties and it's just -  
- and so you're saying that process was necessary.

Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect

**MR. CHAIRMAN:** We split counties and precincts solely for the purpose of population deviations.

**MALE 3:** Mr. Chairman?

**REPRESENTATIVE HALL:** But we did not do the population study on all of these counties?

**MR. CHAIRMAN:** No, well, we're going to do the voting studies on the ones we think are necessary, but you don't need a voting study on my district. It's just not needed.

**REPRESENTATIVE HALL:** But I'm saying if we're being fair, when you do a study, you study all you don't study what you think.

**MR. CHAIRMAN:** No reason.

**REPRESENTATIVE HALL:** So help me to understand what the standard is.

**MR. CHAIRMAN:** Why would you study racial polarized voting in my district?

**REPRESENTATIVE HALL:** I don't know.

**MR. CHAIRMAN:** I mean, you just --

**REPRESENTATIVE HALL:** Other than in fact you want a process --

[OVERLAY]

**MR. CHAIRMAN:** I mean the reason we do this to ensure we don't run up against a regression on law suit and violate section two of the Voting Rights Act.

**REPRESENTATIVE HALL:** I shouldn't have said I don't know. I would think you don't do it because you would --

**MR. CHAIRMAN:** We were doing everything we can to prevent a regression problem and violate section two of the Voting Rights Act. I mean we're trying to follow the law and we don't have a retrogression issue and violate section two.

**REPRESENTATIVE HALL:** So would you violate the law if you did all of this information --

[OVERLAY]

**MR. CHAIRMAN:** We asked for polarized voting analysis on districts that we were concerned about whether we whether intentionally or unintentionally diminish the ability of a protected class of minority citizens from electing or defeating the candidate of their choice. That's what

**Reapportionment Committee Meeting  
October 26, 2021  
Transcript by TransPerfect**

we're looking at. We are making sure a protected class minor and compact and cohesive but minority class is able to elect to defeat the candidates of their choosing.

**REPRESENTATIVE HALL:** And I want to make sure that the record is clear. I'm not asking you to violate the law but I would ask you to be consistent and fair and across the board in the process.

**MR. CHAIRMAN:** We have met with every member trying to make him happy. Yes, senator?

**SENATOR SMITHERMAN:** I would just add that you quoted [INDISCERNIBLE 01:59:12] but if you go further it addresses what I see it. You did say what you said but you see what I see it after they said all that bizarre stuff they said however, counties should be made whole where there's possibility except one of the criteria was when you were trying to create a minority district. Unless you're getting ready to give up four in Jefferson County instead of three then we got out inside the county and that does not apply.

**MR. CHAIRMAN:** I'm a humble contractor and you're a scholared attorney. Well, that we had a question before us, I believe we have a roll call vote, clerk call the roll.

**FEMALE 1:** Senator Allen

**SENATOR ALLEN:** Aye.

**FEMALE:** Senator Holley.

**SENATOR HOLLEY:** Aye.

**FEMALE:** Senator Livingston

**SENATOR LEVISTON:** Aye.

**[02:00:00]**



I, Anders Nelson, hereby certify that the document “Reapportionment committee 10.26.21” is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

Anders  
Nelson

---

Anders Nelson  
Project Manager

Digitally signed by Anders  
Nelson  
Date: 2021.12.14 15:46:45  
-05'00'

December 14, 2021

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

JOHN H. MERRILL, *et al.*,

Defendant.

Case No. 2:21-cv-01530-AMM

DECLARATION OF LAURA HALL

I, Laura Hall, declare as follows to the best of my knowledge, information, and belief:

1. I am a resident of Huntsville and I am a registered voter in Congressional District 5, located in Madison County, Alabama. I've been a resident of the State of Alabama for 48 years.
2. I am Black or African American.
3. I was first elected to the Alabama House of Representatives as the Democratic nominee for Alabama House District 19 in 1993. I was reelected to represent District 19 in 1994, 1998, 2002, 2006, 2010, 2014 and 2018.
4. Since being elected to the Alabama House, I have been a member of the Alabama Legislative Black Caucus.
5. I currently serve on the Alabama Permanent Legislative Committee on Reapportionment (the "Reapportionment Committee").
6. The Reapportionment Committee is responsible for preparing and developing redistricting plans for the Alabama Legislature and Congressional delegation after each U.S. census. The 2021 Reapportionment Committee includes 21 members – 15 white Republicans and six Black Democrats.
7. On May 5, 2021, the Reapportionment Committee enacted guidelines for the 2021



redistricting cycle. Senator Jim McClendon and Representative Chris Pringle, the co-chairs of the Committee (the “Co-Chairs”), sent the guidelines to me via email the weekend before May 5. During the meeting, the Co-Chairs asked the Reapportionment Committee, including myself, to vote to approve the guidelines without amendment at the May 5 meeting.

8. During my time on the Reapportionment Committee, I requested that the Committee undertake a racial polarization study and otherwise ensure compliance with the Voting Rights Act and U.S. Constitution, but the Co-Chairs allowed very little discussion even with respect to the guidelines.

9. The U.S. Census Bureau released the results of the 2020 Census on August 12, 2021.

10. Once census data was released, the Reapportionment Committee, under the leadership of the Co-Chairs, began to develop redistricting plans for Alabama’s congressional districts.

11. Between September 1 and 16, before the Reapportionment Committee released any draft maps or proposals, the Committee held 28 public hearings across the state. All public hearings were held on weekdays between the normal workday hours of 9:00 am to 5:00 pm, except for one hearing held at 6:00 pm at the Statehouse in Montgomery. The Reapportionment Committee’s decision to hold public hearings on weekdays during workday hours made it difficult for the general public to attend or otherwise participate in the meetings.

12. On October 19, 2021, the Alabama State Conference of the NAACP, Greater Birmingham Ministries and other civic groups sent a letter to the Reapportionment Committee. The letter reminded the Reapportionment Committee of our obligations under Section 2 of the Voting Rights Act and highlighted the Committee’s obligation to conduct a racial-polarization analysis. The letter also stated that redistricting should comply with the Voting Rights Act and the Constitution and ensure that the use of race in redistricting was narrowly tailored to comply with a compelling state interest.

13. The Reapportionment Committee did not release the maps to the public until the day of the second, and last, Committee meeting. I did not see the full proposed maps beyond my own district

and those surrounding it until the day before the Reapportionment Committee's second meeting on October 26, 2021.

14. No racial-polarization analysis for any districts was provided to the Reapportionment Committee's members before or during our October 26, 2021 meeting. Reapportionment Committee members only received racial demographic and population data for each district under the proposed maps.

15. At the October 26 meeting, the Co-Chairs stated that the Reapportionment Committee's lawyer, Dorman Walker, reviewed the maps presented and introduced, including the map for U.S. Congressional districts that became H.B. 1, and determined that they all complied with Section 2 of the Voting Rights Act and the Fourteenth Amendment to the U.S. Constitution. The Co-Chairs did not explain what, if any, factual or legal analysis had been undertaken to reach this conclusion.

16. I asked the Co-Chairs whether a racially polarized voting study was done. Other members of the Reapportionment Committee asked the same question. Rep. Pringle told me and other Reapportionment Committee members that no racially polarized voting analysis was conducted for Congressional District 7. He told us this was unnecessary.

17. Rep. Pringle told the Reapportionment Committee that Dorman Walker had advised him that a racial-polarization analysis was unnecessary because Congressional District 7 has a Black voting-age population ("BVAP") of around 54%. Rep. Pringle did not explain the significance of that number to the Reapportionment Committee. When Rep. England asked Sen. McClendon to explain the relationship between a BVAP of 54% and the actual or potential results of a racial polarization study, Sen. McClendon replied, "I got no clue."

18. During that October 26th meeting, Sen. McClendon explained that Dorman Walker advised him that racial-polarization analyses were only done for state legislative districts—by an unnamed consultant in Georgia—where "it looked like there might possibly be a racial issue" because the district fell below 54% BVAP. Sen. McClendon said that the Georgia consultant had not done a



racial polarization analysis for every majority-minority district.

19. Neither Mr. Walker nor the Georgia consultant attended any Committee meetings.

20. I moved to postpone any vote on the proposed Congressional and state legislative maps until all Reapportionment Committee members and the public had time to review the maps and any related racial-polarization analyses. My motion failed—all six of the Reapportionment Committee's Black members voted for my motion while all white Reapportionment Committee members voted against it.

21. The Congressional and State legislative maps also passed the Reapportionment Committee along Black/white lines—with all six of the Black members of the Reapportionment Committee voting against the maps and all 15 white members voting for the maps.

22. The Special Legislative Session for redistricting began a mere two days later, on October 28, 2021.

23. On November 1, 2021, I wrote a note of dissent in the legislative Journal following the House floor vote on HB 1, the Congressional redistricting map.

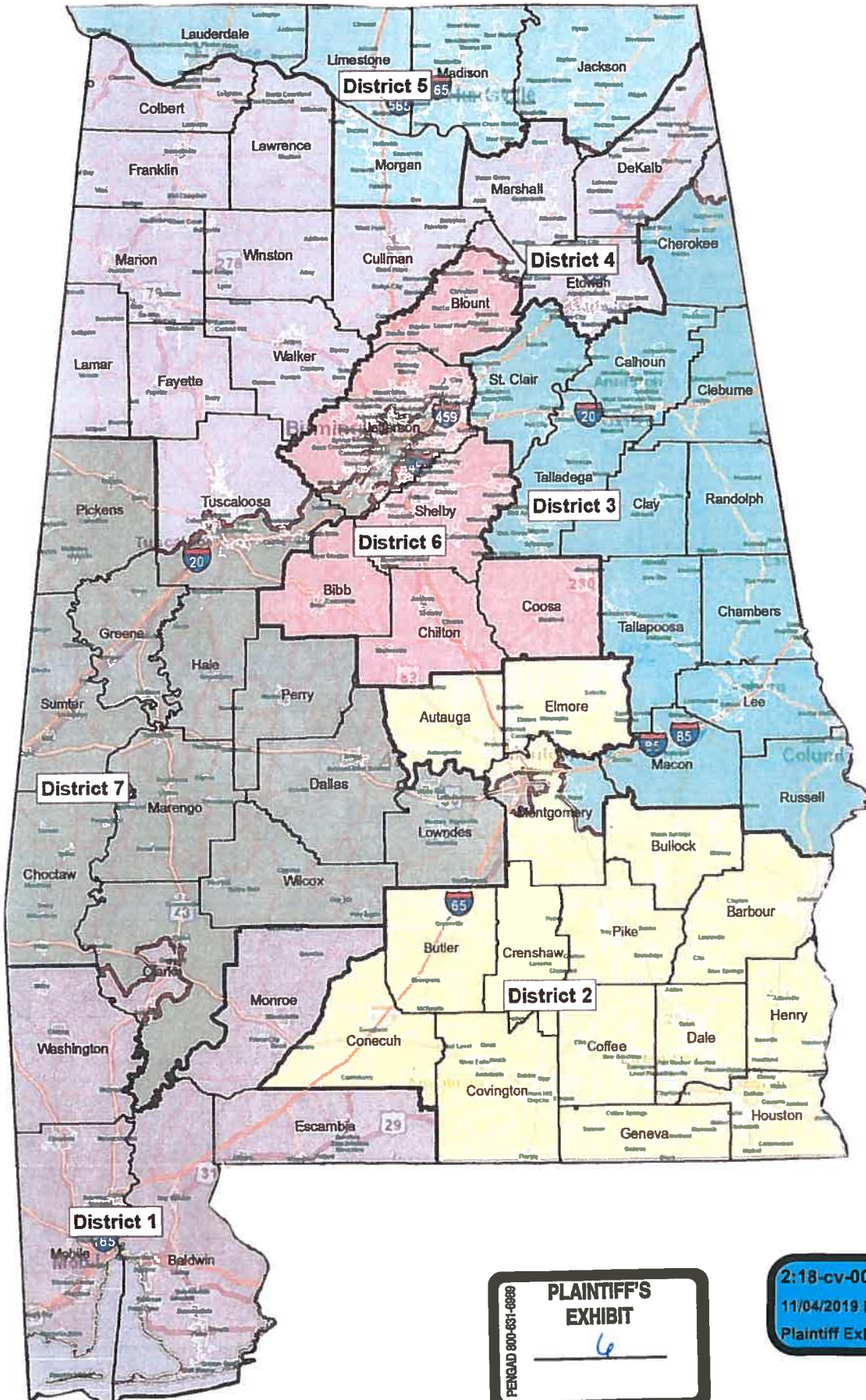
Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on 13 day of December 2021.

  
Rep. Laura Hall

# 2011 Congressional Districts

FILED  
2021 Dec-27 PM 01:06  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

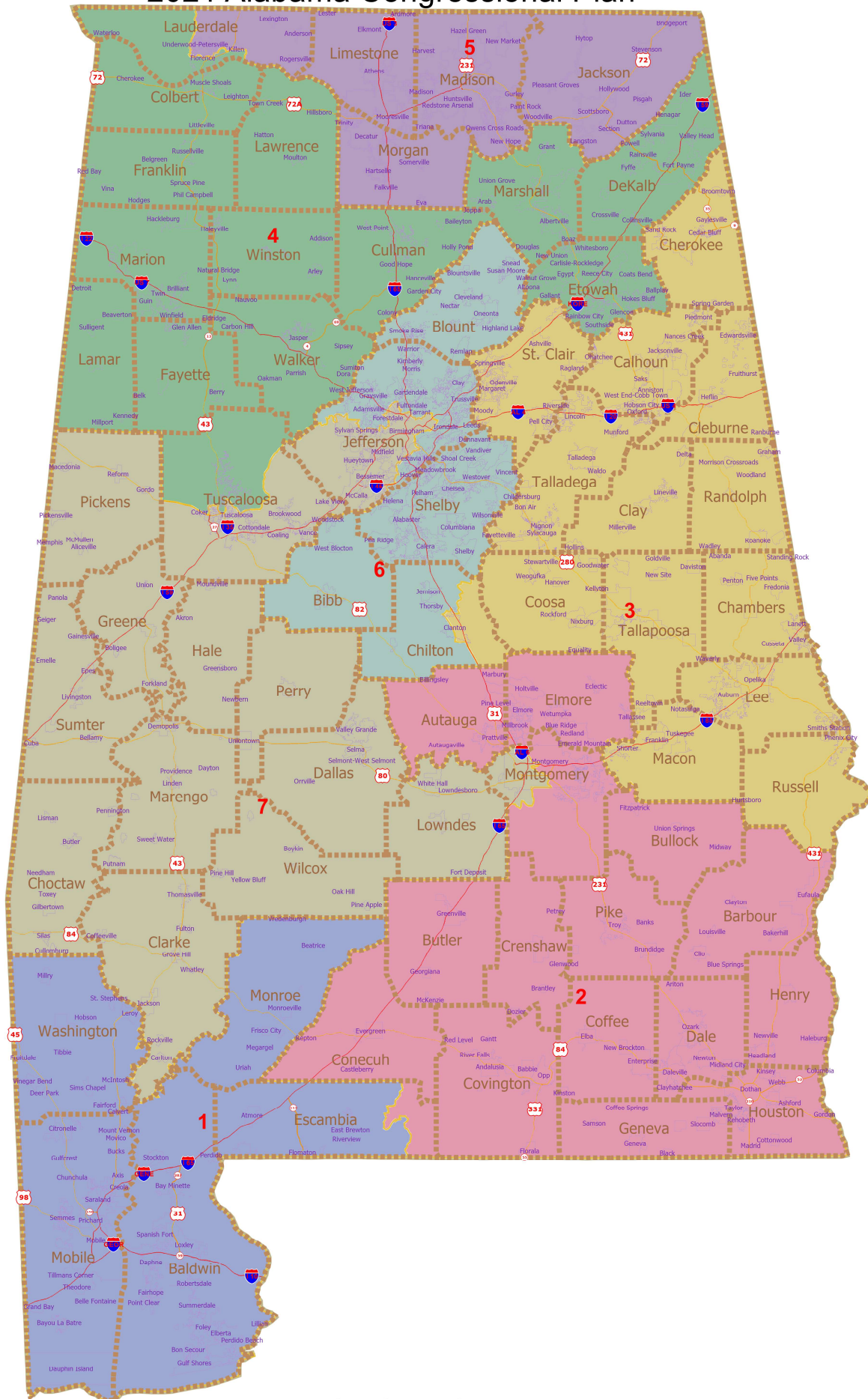


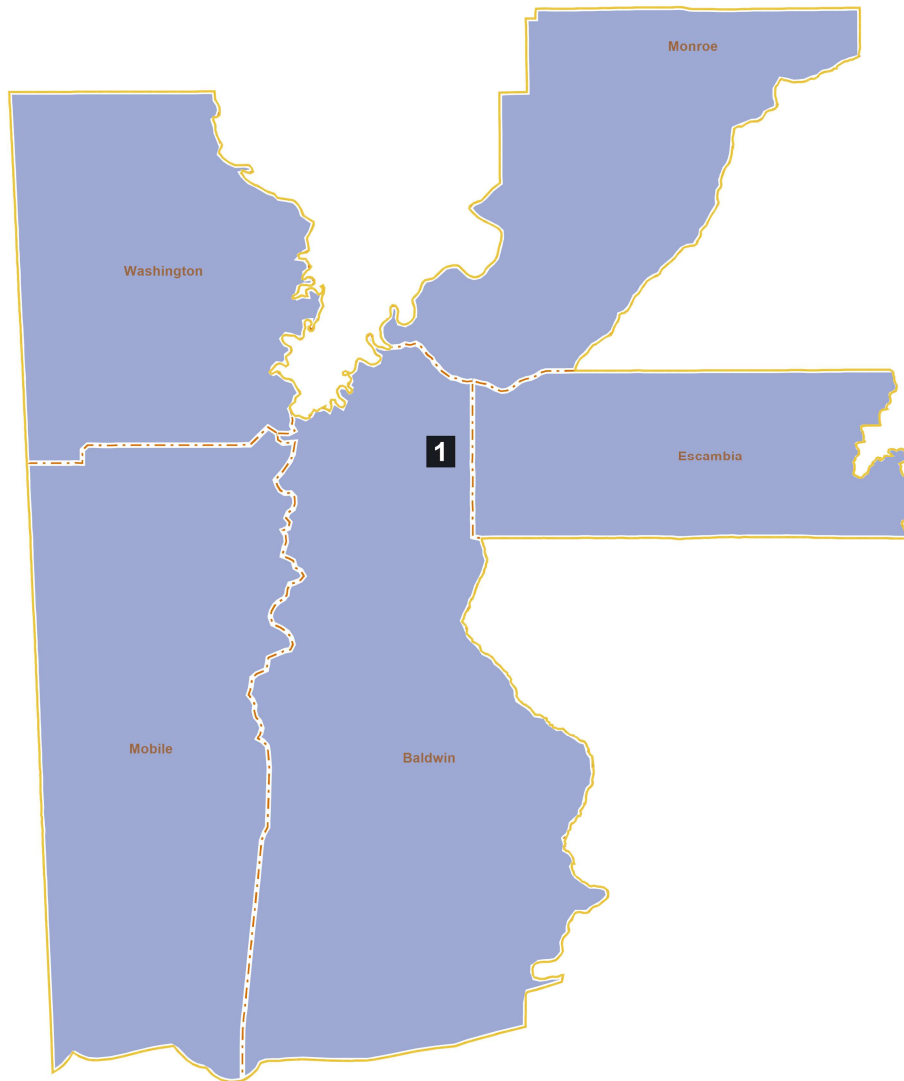
PLAINTIFF'S  
EXHIBIT  
6

2:18-cv-00907-KOB  
11/04/2019 Bench Trial  
Plaintiff Exhibit No. 20

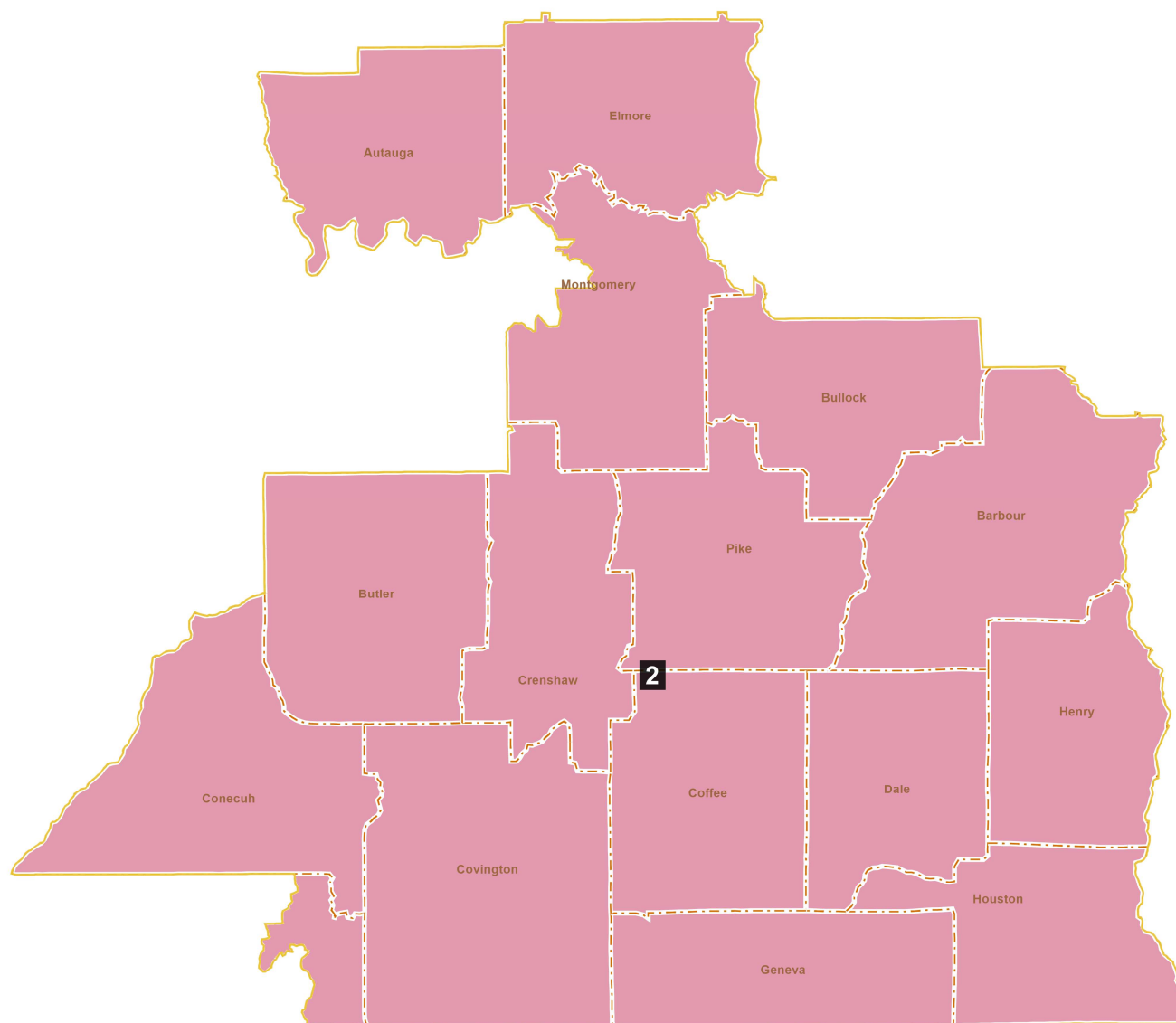


## 2021 Alabama Congressional Plan



**District: 1**

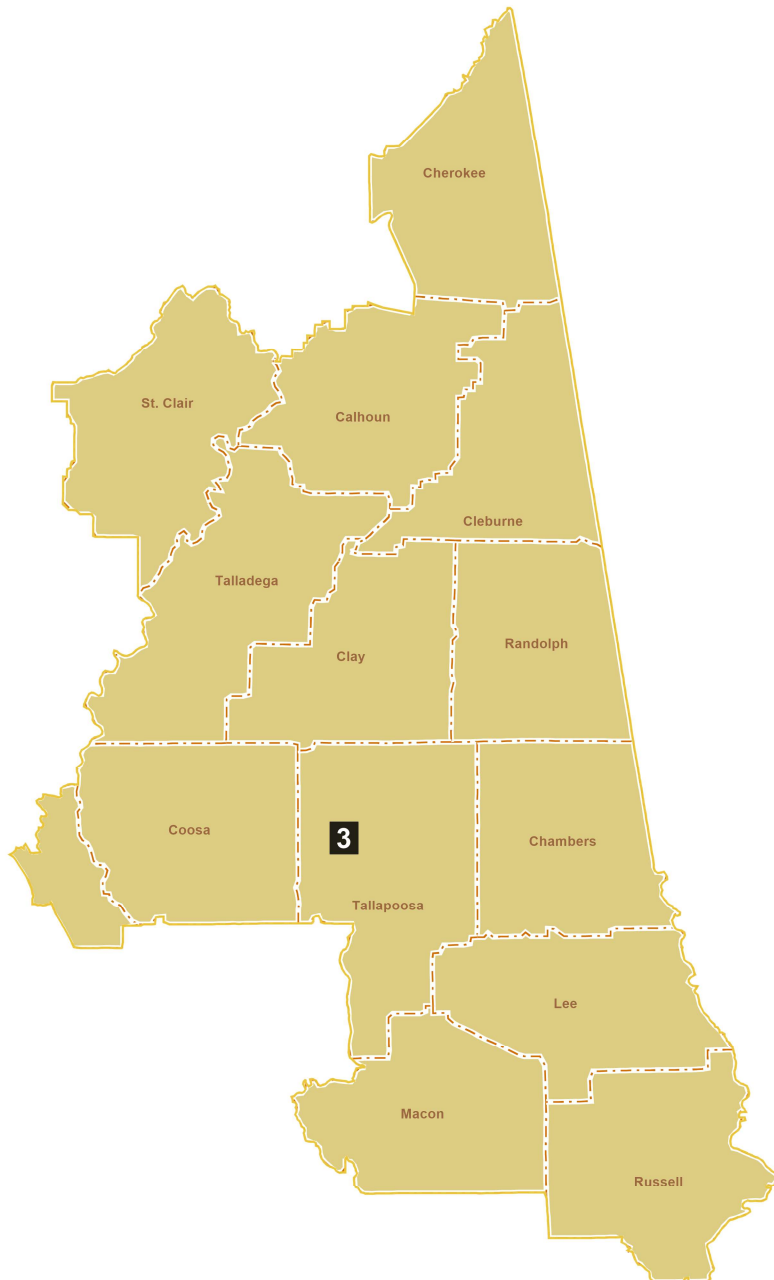
Field	Value
District	1
Population	717754
Deviation	0
% Deviation	0%
White	461324
% White	64.27%
Black	186921
% Black	26.04%
18+_Pop	557535
% 18+_Pop	77.68%
18+_Wht	371902
% 18+_Wht	66.7%
18+_Blk	138128
% 18+_Blk	24.77%
18+_Ind	6381
% 18+_Ind	1.14%
18+_Asn	8395
% 18+_Asn	1.51%
18+_Hwn	290
% 18+_Hwn	0.05%
18+_Oth	7947
% 18+_Oth	1.43%
AP_Wht	496638
% AP_Wht	69.19%
AP_Bl	196827
% AP_Bl	27.42%
18+_AP_Wht	394684
% 18+_AP_Wht	70.79%
18+_AP_Bl	142777
% 18+_AP_Bl	25.61%

**District: 2**

©2021 CALIPER

Field	Value
District	2
Population	717755
Deviation	1
% Deviation	0%
White	433244
% White	60.36%
Black	217392
% Black	30.29%
18+_Pop	557677
% 18+_Pop	77.7%
18+_Wht	350279
% 18+_Wht	62.81%
18+_Blk	162714
% 18+_Blk	29.18%
18+_Ind	2628
% 18+_Ind	0.47%
18+_Asn	10399
% 18+_Asn	1.86%
18+_Hwn	307
% 18+_Hwn	0.06%
18+_Oth	9802
% 18+_Oth	1.76%
AP_Wht	464682
% AP_Wht	64.74%
AP_BlK	228648
% AP_BlK	31.86%
18+_AP_Wht	369833
% 18+_AP_Wht	66.32%
18+_AP_BlK	167971
% 18+_AP_BlK	30.12%

RC 000557

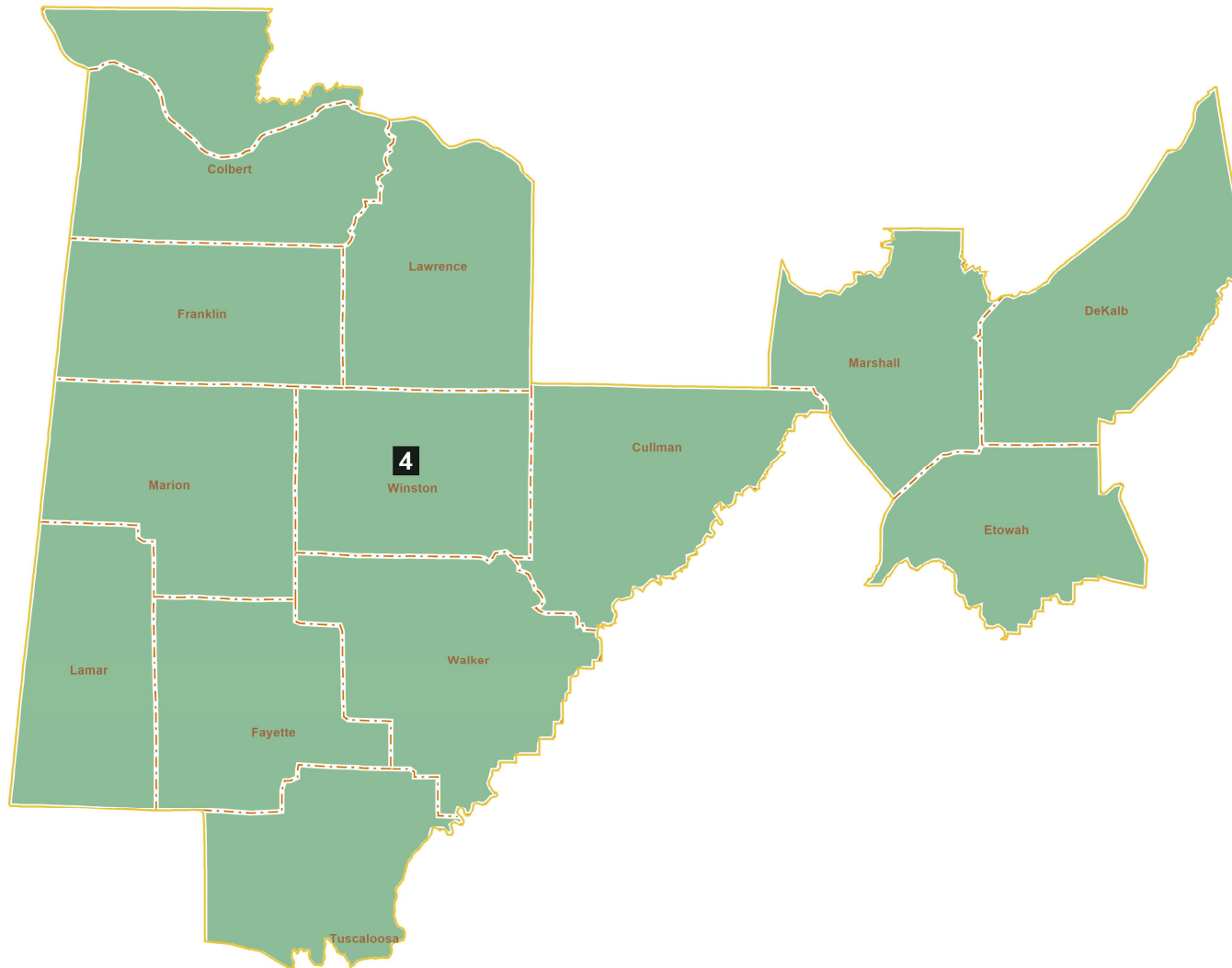
**District: 3**

©2021 CALIPER

Field	Value
District	3
Population	717754
Deviation	0
% Deviation	0%
White	479432
% White	66.8%
Black	176953
% Black	24.65%
18+_Pop	564281
% 18+_Pop	78.62%
18+_Wht	386048
% 18+_Wht	68.41%
18+_Blk	136382
% 18+_Blk	24.17%
18+_Ind	2048
% 18+_Ind	0.36%
18+_Asn	9869
% 18+_Asn	1.75%
18+_Hwn	340
% 18+_Hwn	0.06%
18+_Oth	8505
% 18+_Oth	1.51%
AP_Wht	509986
% AP_Wht	71.05%
AP_Blk	187284
% AP_Blk	26.09%
18+_AP_Wht	405482
% 18+_AP_Wht	71.86%
18+_AP_Blk	141011
% 18+_AP_Blk	24.99%

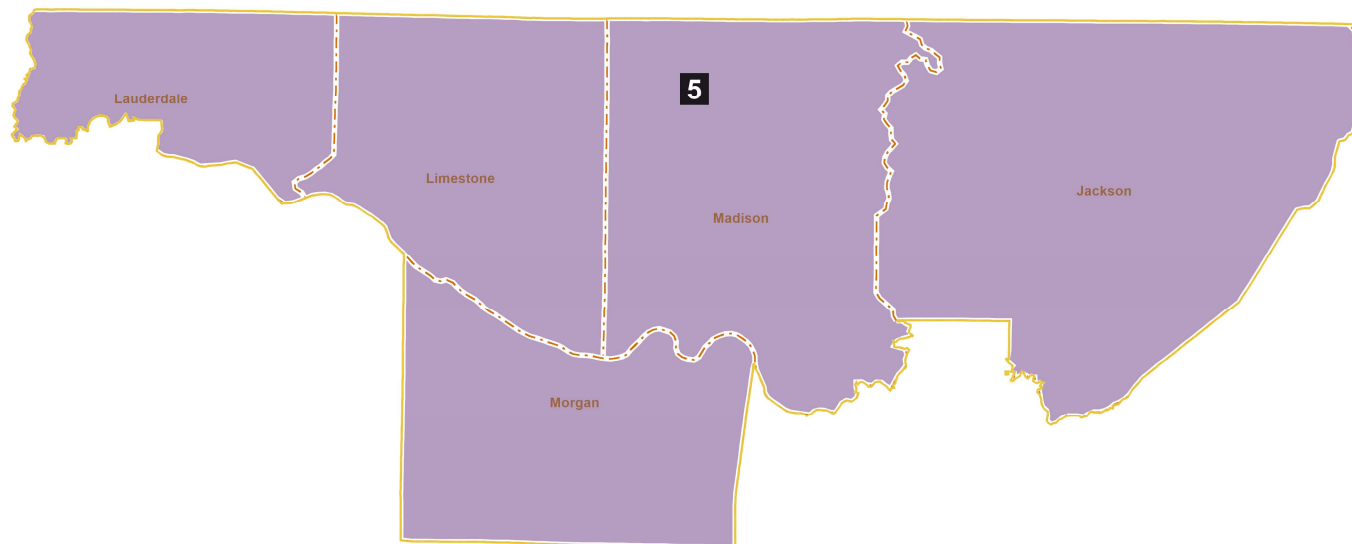
## District: 4

### 2021 Alabama Congressional Plan

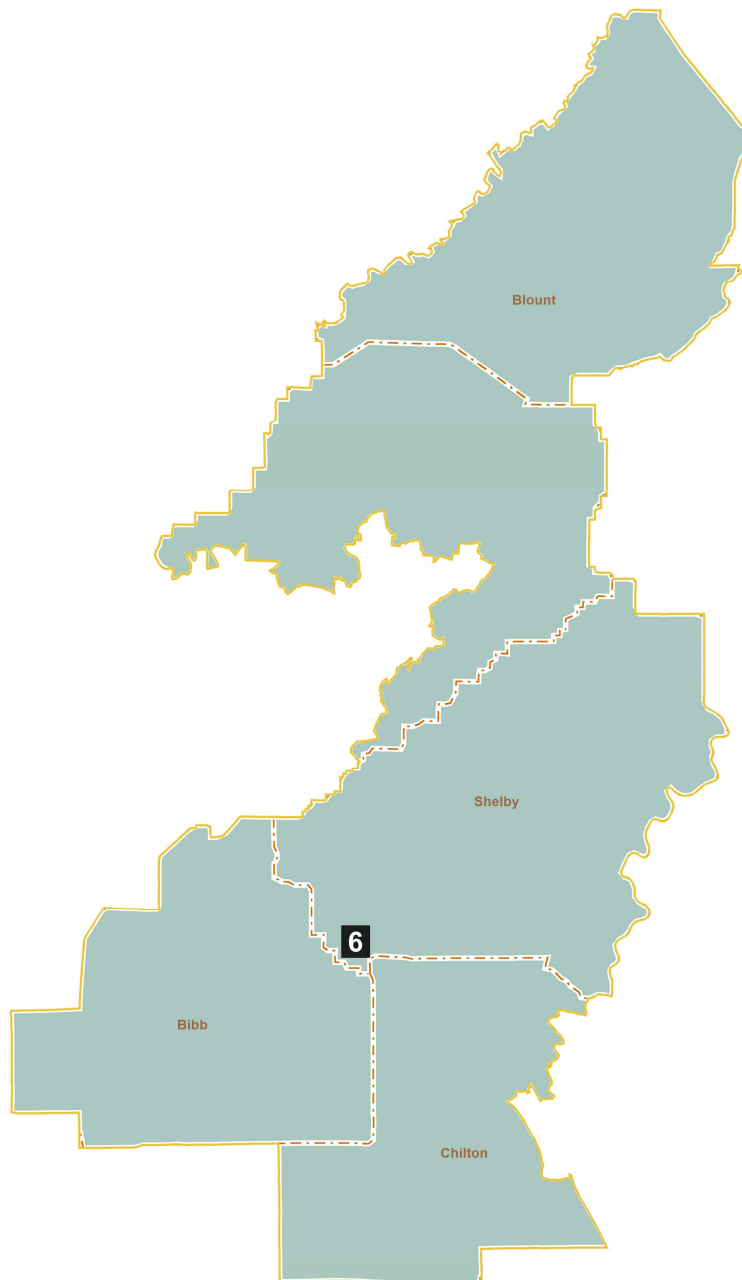


Field	Value
District	4
Population	717754
Deviation	0
% Deviation	0%
White	582698
% White	81.18%
Black	51929
% Black	7.23%
18+_Pop	556133
% 18+_Pop	77.48%
18+_Wht	463433
% 18+_Wht	83.33%
18+_Blk	39834
% 18+_Blk	7.16%
18+_Ind	5475
% 18+_Ind	0.98%
18+_Asn	3427
% 18+_Asn	0.62%
18+_Hwn	245
% 18+_Hwn	0.04%
18+_Oth	18651
% 18+_Oth	3.35%
AP_Wht	619856
% AP_Wht	86.36%
AP_BlK	59655
% AP_BlK	8.31%
18+_AP_Wht	487498
% 18+_AP_Wht	87.66%
18+_AP_BlK	42819
% 18+_AP_BlK	7.7%



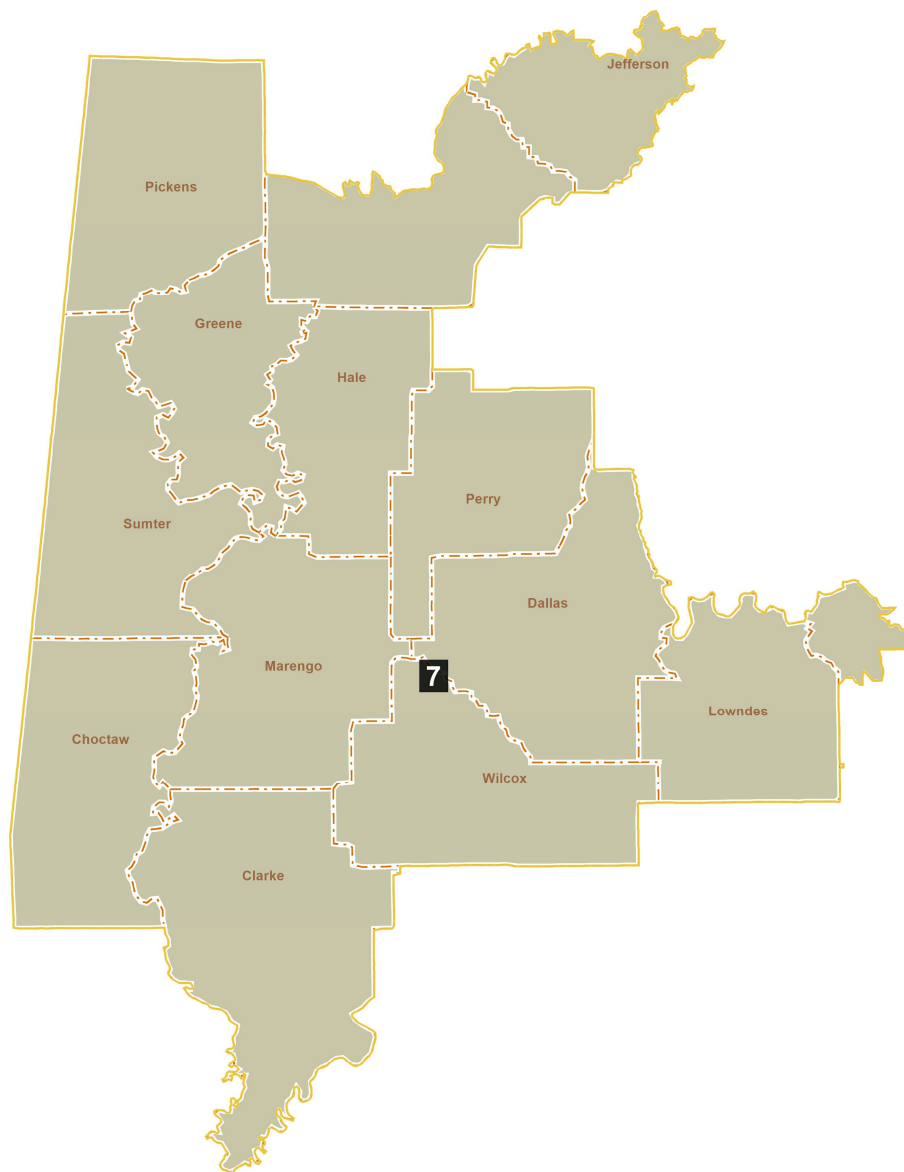
**District: 5****2021 Alabama Congressional Plan**

Field	Value
District	5
Population	717754
Deviation	0
% Deviation	0%
White	499707
% White	69.62%
Black	124642
% Black	17.37%
18+_Pop	561187
% 18+_Pop	78.19%
18+_Wht	403155
% 18+_Wht	71.84%
18+_Blk	95757
% 18+_Blk	17.06%
18+_Ind	4130
% 18+_Ind	0.74%
18+_Asn	10814
% 18+_Asn	1.93%
18+_Hwn	447
% 18+_Hwn	0.08%
18+_Oth	15080
% 18+_Oth	2.69%
AP_Wht	546329
% AP_Wht	76.12%
AP_BlK	136782
% AP_BlK	19.06%
18+_AP_Wht	432690
% 18+_AP_Wht	77.1%
18+_AP_BlK	101339
% 18+_AP_BlK	18.06%

**District: 6**

©2021 CALIPER

Field	Value
District	6
Population	717754
Deviation	0
% Deviation	0%
White	498843
% White	69.5%
Black	138019
% Black	19.23%
18+_Pop	552286
% 18+_Pop	76.95%
18+_Wht	397498
% 18+_Wht	71.97%
18+_Blk	100878
% 18+_Blk	18.27%
18+_Ind	2183
% 18+_Ind	0.4%
18+_Asn	10568
% 18+_Asn	1.91%
18+_Hwn	254
% 18+_Hwn	0.05%
18+_Oth	16611
% 18+_Oth	3.01%
AP_Wht	534271
% AP_Wht	74.44%
AP_Blk	145897
% AP_Blk	20.33%
18+_AP_Wht	420311
% 18+_AP_Wht	76.1%
18+_AP_Blk	104551
% 18+_AP_Blk	18.93%

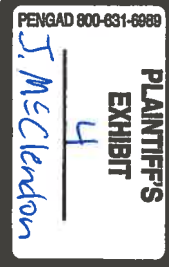
**District: 7**

Field	Value
District	7
Population	717754
Deviation	0
% Deviation	0%
White	265204
% White	36.95%
Black	400306
% Black	55.77%
18+_Pop	568067
% 18+_Pop	79.15%
18+_Wht	222731
% 18+_Wht	39.21%
18+_Blk	308030
% 18+_Blk	54.22%
18+_Ind	1707
% 18+_Ind	0.3%
18+_Asn	7036
% 18+_Asn	1.24%
18+_Hwn	232
% 18+_Hwn	0.04%
18+_Oth	10629
% 18+_Oth	1.87%
AP_Wht	287088
% AP_Wht	40%
AP_Blk	409643
% AP_Blk	57.07%
18+_AP_Wht	238100
% 18+_AP_Wht	41.91%
18+_AP_Blk	313904
% 18+_AP_Blk	55.26%

©2021 CALIPER

RC 000562

College/Other Location:	Campus Location	Address	Date/Time	Link to Meeting
Drake State	Lecture Hall and Cafetorium	3421 Meridian St North Huntsville, AL 35811	Wednesday, September 1st - 9 AM	<a href="#">Drake State Meeting</a>
Northwest-Shoals	Hospitality House Shoals campus	800 George Wallace Blvd Muscle Shoals, AL 35662	Wednesday, September 1st - 11 AM	<a href="#">Northwest-Shoals Meeting</a>
Calhoun	Health Sciences Building - Room 109 Main Campus	6250 Highway 31 North Tanner, AL 35671	Wednesday, September 1st - 2 PM	<a href="#">Calhoun-Ayers Campus Meeting</a>
Northeast Alabama	Theater Auditorium	138 Alabama Highway 35 Rainsville, AL 35986	Wednesday, September 1st - 4 PM	<a href="#">Northeast Alabama Meeting</a>
Snead State	Fielder Auditorium - Administration Building	102 Elder Street Boaz, AL 35957	Thursday, September 2nd - 9 AM	<a href="#">Snead State Meeting</a>
Wallace-Dothan	Cherry Hall Bencze Theater - Main campus	1141 Wallace Dr Dothan, AL 36303	Thursday, September 2nd - 11 AM	<a href="#">Wallace-Dothan Meeting</a>
Bevill State	Earl McDonald Auditorium, Bevill Center Fayette campus	2631 Temple Ave N Fayette, AL 35555	Thursday, September 2nd - 2 PM	<a href="#">Bevill State Meeting</a>
Lawson State	Alabama Center for Advanced Technology and Training - Birmingham campus	3060 Wilson Road SW Birmingham, AL 35221	Thursday, September 2nd - 4 PM	<a href="#">Lawson State Meeting</a>
Shelton State	Bean-Brown Theater Martin campus	9500 Old Greensboro Rd Tuscaloosa, AL 35405	Tuesday, September 7th - 9 AM	<a href="#">Shelton State Meeting</a>
Jefferson State	Performing Arts Center Auditorium Chilton Campus	1850 Lay Dam Road Clanton, AL 35045	Tuesday, September 7th - 11 AM	<a href="#">Jefferson State Meeting</a>



	Judy Merritt Health Sciences Building, Room 129 A-D (Multipurpose Room) - Shelby-Hoover Campus	4600 Valleydale Road Hoover, AL 35242	Tuesday, September 7th - 2 PM	<u>Jefferson State Meeting</u>
Wallace State-Selma	Hank Sanders Conference Room	3000 Earl Goodwin Pkwy Selma, AL 36702	Tuesday, September 7th - 4 PM	<u>Wallace State-Selma Meeting</u>
Bishop State	Delchamps Auditorium - Main Campus	351 North Broad St Mobile, AL 36603	Wednesday, September 8th - 9 AM	<u>Bishop State Meeting</u>
Coastal Alabama	Nettles Auditorium - Monroeville campus	2800 South Alabama Ave Monroeville, AL 36460	Wednesday, September 8th - 11 AM	<u>Coastal Alabama Meeting</u>
Demopolis Civic Center	Civic Center	501 N Commissioners Ave Demopolis, AL 36732	Wednesday, September 8th - 1 PM	<u>Demopolis Civic Center Meeting</u>
Troy University	Trojan Center Ballroom	321 Veterans Memorial Dr Troy, AL	Wednesday, September 8th - 3 PM	<u>Troy University Meeting</u>
Alabama State House	Alabama Statehouse Room 200	11 S Union Street Montgomery, AL	Wednesday, September 8th - 6 PM	<u>Alabama State House Meeting</u>
Gadsden State	Cheaha Lecture Hall Room 111 Ayers Campus	1801 Coleman Road Anniston, AL 36202	Thursday, September 9th - 9 AM	<u>Gadsden State Ayers Meeting</u>
Lurleen B. Wallace	Wendell Mitchell Conference Center - Greenville Campus	750 Greenville Bypass Greenville, AL 36037	Thursday, September 9th - 11 AM	<u>Lurleen B Wallace Meeting</u>
Coastal Alabama	Woodfin Patterson Auditorium Brewton campus	220 Alco Dr Brewton, AL 36426	Thursday, September 9th - 2 PM	<u>Coastal Alabama Meeting</u>
Southern Union	Southern Room Opelika campus	301 Lake Condry Road Opelika, AL 36801	Thursday, September 9th - 4 PM	<u>Southern Union Meeting</u>
Coastal Alabama	AL Tombigbee Room Thomasville campus	30755 US Highway 43 Thomasville, AL 36784	Wednesday, September 15th - 9 AM	<u>Coastal Alabama Meeting</u>

<b>Wallace-Hanceville</b>	Auditorium, main campus	801 Main Street NW Hanceville, AL 35077	Wednesday, September 15th - 11 AM	<u>Wallace-Hanceville Meeting</u>
	New Science Building Auditorium, Main campus	101 George Wallace Dr Gadsden, AL 35902	Wednesday, September 15th - 2 PM	<u>Gadsden State Meeting</u>
<b>Gadsden State</b>		21578 US Hwy 82 Union Springs, AL 36089	Wednesday, September 15th - 4 PM	<u>National Guard Meeting</u>
<b>National Guard Armory</b>	Richard Stone Building			
	Webb Hall Room 239 President's Conference Rm	25 Webb Circle Livingston, AL 36376	Thursday, September 16th - 11am	<u>Univ of West Alabama Meeting</u>
<b>University of West Alabama</b>				
	Centennial Hall Fairhope campus	440 Fairhope Ave Fairhope, AL 36532	Thursday, September 16th - 2 PM	<u>Coastal Alabama Meeting</u>
<b>Coastal Alabama</b>				
	Lake Room Wadley campus	750 Roberts Street Wadley, AL 36276	Thursday, September 16th - 4 PM	<u>Southern Union Meeting</u>
<b>Southern Union</b>				

# ACT No. 2011 - 677

1 HB621  
2 132205-5  
3 By Representative McClendon  
4 RFD: Constitution, Campaigns and Elections  
5 First Read: 24-MAY-11





HB621

1  
2 ENROLLED, An Act,

3 To repeal and reenact Section 16-3-1.1, Code of  
4 Alabama 1975, relating to the division of the state into State  
5 Board of Education districts, so as to redistrict the state's  
6 State Board of Education districts based upon the 2010 federal  
7 census.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Section 16-3-1.1 of the Code of Alabama  
10 1975, is repealed.

11 Section 2. Section 16-3-1.1 is added to the Code of  
12 Alabama 1975, to read as follows:

13 §16-3-1.1.

14 The state is divided into eight State Board of  
15 Education districts as follows:

16 District 1: Baldwin County, Butler County, Conecuh  
17 County, Covington County, Crenshaw County, Escambia County,  
18 Mobile County: Tract 902, Tract 2502, Tract 2800, Tract 3100,  
19 Tract 3202, Tract 3203, Tract 3204, Tract 3205, Tract 3301,  
20 Tract 3302, Tract 3502, Tract 3606, Tract 3607, Tract 3703,  
21 Tract 3704, Tract 3705, Tract 3706, Tract 3707, Tract 3708,  
22 Tract 3709, Tract 3710, Tract 5100, Tract 5200, Tract 5300,  
23 Tract 5400, Tract 5500, Tract 5900, Tract 6000, Tract 6104,  
24 Tract 6200, Tract 6301, Tract 6302, Tract 6402, Tract 6403,  
25 Tract 6404, Tract 6405, Tract 6406, Tract 6407, Tract 6501,

HB621

1 Tract 6502, Tract 6600, Tract 6701, Tract 6702, Tract 6801,  
2 Tract 6802, Tract 6901, Tract 6902, Tract 7000, Tract 7101,  
3 Tract 7102, Tract 7103, Tract 7201, Tract 7202, Tract 7300,  
4 Tract 901: Block Group 1: Block 0, Block 1, Block 2, Block 3,  
5 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
6 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
7 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
8 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block  
9 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
10 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
11 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
12 46, Block 50, Block 51, Block 52, Block 53; Tract 1800: Block  
13 Group 1, Block Group 2: Block 14; Tract 1901: Block Group 2,  
14 Block Group 1: Block 10, Block 11, Block 12, Block 13; Tract  
15 1902: Block Group 2, Block Group 3, Block Group 1: Block 25,  
16 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
17 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
18 Block 38, Block 42; Tract 2000: Block Group 2: Block 17, Block  
19 27, Block 28, Block 29, Block 30, Block 31, Block 32, Block  
20 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block  
21 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block  
22 45, Block 47, Block 48, Block 49, Block 50, Block 51, Block  
23 52, Block 53, Block 54, Block 55, Block 56, Block 57, Block  
24 58, Block 59, Block 60, Block 61, Block 62, Block 63, Block  
25 64, Block 65, Block 66, Block 70, Block 71; Tract 2501: Block

HB621

1 Group 1: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
2 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
3 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
4 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
5 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
6 30, Block 32, Block 33, Block 34; Block Group 2: Block 0,  
7 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
8 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
9 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
10 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
11 Block 26, Block 27, Block 29; Block Group 3: Block 0, Block 1,  
12 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
13 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
14 Block 15, Block 16, Block 26, Block 27, Block 28, Block 29,  
15 Block 30, Block 33; Tract 2600: Block Group 2: Block 19; Block  
16 Group 3: Block 56, Block 57; Tract 2700: Block Group 2, Block  
17 Group 1: Block 0, Block 1, Block 2, Block 3, Block 4, Block  
18 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
19 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
20 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
21 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
22 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
23 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
24 55, Block 58, Block 60, Block 61, Block 62, Block 63, Block  
25 64, Block 65, Block 66, Block 67, Block 68, Block 69, Block

HB621

1 70, Block 71, Block 72, Block 73, Block 74; Tract 3000: Block  
2 Group 1, Block Group 2: Block 0, Block 1, Block 2, Block 3,  
3 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
4 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
5 16, Block 21, Block 24, Block 25, Block 26, Block 27, Block  
6 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
7 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
8 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
9 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block  
10 52, Block 53, Block 54, Block 55, Block 56, Block 57, Block  
11 58, Block 59, Block 60, Block 61, Block 62, Block 63, Block  
12 64, Block 65, Block 66, Block 67, Block 68, Block 69, Block  
13 70, Block 71, Block 72, Block 73, Block 74, Block 75, Block  
14 76, Block 77, Block 78, Block 79, Block 80, Block 81, Block  
15 82, Block 83, Block 84, Block 85, Block 86, Block 87, Block  
16 88, Block 89, Block 90, Block 91, Block 92, Block 93, Block  
17 94, Block 95, Block 96, Block 97, Block 98, Block 99, Block  
18 100, Block 101, Block 102, Block 103, Block 104, Block 105,  
19 Block 106, Block 107, Block 108, Block 109, Block 110, Block  
20 111, Block 112, Block 113, Block 114, Block 115, Block 116;  
21 Tract 3407: Block Group 1, Block Group 2: Block 0, Block 1,  
22 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
23 Block 9, Block 12, Block 13, Block 14, Block 15, Block 16,  
24 Block 17, Block 18, Block 19, Block 20, Block 21, Block 22,  
25 Block 23, Block 24, Block 25, Block 26, Block 27, Block 28,

HB621

1 Block 29, Block 30, Block 31, Block 32, Block 33, Block 34,  
2 Block 35, Block 36, Block 37, Block 38, Block 39, Block 51,  
3 Block 52, Block 53, Block 54, Block 58, Block 59, Block 60,  
4 Block 62, Block 63, Block 64, Block 65, Block 66, Block 69;  
5 Block Group 3: Block 22, Block 24, Block 25, Block 26, Block  
6 27, Block 28, Block 29, Block 30, Block 31, Block 32, Block  
7 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block  
8 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block  
9 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block  
10 51, Block 52, Block 53, Block 57, Block 59, Block 60, Block  
11 61; Tract 3501: Block Group 3, Block Group 1: Block 0, Block  
12 5, Block 6, Block 20, Block 21, Block 22, Block 23, Block 24,  
13 Block 25, Block 26, Block 27, Block 28, Block 29, Block 30,  
14 Block 31, Block 32, Block 33, Block 35, Block 36, Block 37,  
15 Block 38, Block 39, Block 40, Block 41, Block 42, Block 45,  
16 Block 46, Block 47; Block Group 2: Block 0, Block 1, Block 2,  
17 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
18 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
19 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
20 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
21 Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
22 Block 34, Block 35, Block 36, Block 37, Block 38, Block 39,  
23 Block 40, Block 41, Block 42, Block 44, Block 45, Block 46,  
24 Block 47, Block 48, Block 49, Block 50, Block 51, Block 52,  
25 Block 53, Block 54, Block 55, Block 56, Block 57, Block 58,

HB621

1 Block 59, Block 60; Tract 3800: Block Group 1: Block 132,  
2 Block 151, Block 152, Block 153, Block 154, Block 155, Block  
3 156, Block 157, Block 158, Block 159, Block 160, Block 161,  
4 Block 162, Block 164, Block 205, Block 206, Block 207, Block  
5 208, Block 209, Block 210, Block 211, Block 212, Block 213,  
6 Block 214, Block 215, Block 216, Block 220, Block 221, Block  
7 222, Block 351; Tract 5000: Block Group 1: Block 0, Block 1,  
8 Block 2, Block 3, Block 4, Block 5, Block 6, Block 10, Block  
9 11, Block 12, Block 13, Block 14, Block 17, Block 18, Block  
10 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
11 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
12 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
13 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
14 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
15 49, Block 50, Block 51, Block 52; Block Group 2: Block 0;  
16 Tract 5600: Block Group 2: Block 77, Block 78, Block 79, Block  
17 81, Block 82, Block 83, Block 84, Block 85, Block 88, Block  
18 89; Block Group 3: Block 2, Block 3, Block 4, Block 5, Block  
19 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
20 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
21 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
22 Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
23 Block 34, Block 35, Block 36, Block 37, Block 38, Block 39,  
24 Block 40, Block 44, Block 45, Block 55, Block 56, Block 65,  
25 Block 66, Block 67, Block 68, Block 69, Block 70, Block 71,

HB621

1 Block 73, Block 74, Block 75, Block 76, Block 77, Block 78,  
2 Block 79, Block 80, Block 82, Block 83, Block 84, Block 85,  
3 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
4 Block 92, Block 93, Block 94, Block 95, Block 96, Block 97,  
5 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
6 103, Block 104, Block 105, Block 106, Block 107, Block 111,  
7 Block 117, Block 118, Block 119, Block 126, Block 127, Block  
8 128, Block 129, Block 130, Block 131, Block 132, Block 133,  
9 Block 134, Block 135, Block 136, Block 137, Block 138, Block  
10 139, Block 140, Block 141, Block 142, Block 144, Block 145,  
11 Block 149, Block 150, Block 151, Block 153, Block 159, Block  
12 160, Block 161, Block 162, Block 163, Block 166, Block 167,  
13 Block 168, Block 169, Block 170, Block 171, Block 172; Tract  
14 5700: Block Group 1: Block 24, Block 25, Block 26, Block 27,  
15 Block 28, Block 29, Block 39, Block 40, Block 41, Block 42,  
16 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
17 Block 49, Block 56, Block 57, Block 61, Block 62, Block 63,  
18 Block 64, Block 65, Block 66, Block 67, Block 68, Block 69,  
19 Block 70, Block 71, Block 72, Block 73, Block 74, Block 75,  
20 Block 76, Block 77, Block 78, Block 79, Block 80, Block 81,  
21 Block 82, Block 83, Block 84, Block 85, Block 86, Block 87,  
22 Block 88, Block 89, Block 90, Block 91, Block 92, Block 93,  
23 Block 94, Block 95, Block 96, Block 97, Block 98, Block 99,  
24 Block 100, Block 101, Block 102, Block 103, Block 104, Block  
25 105, Block 106, Block 107, Block 108, Block 109, Block 110,



HB621

1 Block 111, Block 112, Block 113, Block 114, Block 115, Block  
2 116, Block 117, Block 118, Block 119, Block 120, Block 121,  
3 Block 122, Block 123, Block 124, Block 125, Block 126, Block  
4 127, Block 128, Block 129, Block 130, Block 131, Block 132,  
5 Block 133, Block 134, Block 135, Block 136, Block 137, Block  
6 138, Block 139, Block 140, Block 141, Block 142, Block 143,  
7 Block 144, Block 145, Block 146, Block 147, Block 148; Block  
8 Group 2: Block 32, Block 34, Block 35, Block 36, Block 37,  
9 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
10 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
11 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,  
12 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
13 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
14 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
15 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
16 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
17 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
18 Block 92, Block 93, Block 94, Block 95, Block 96, Block 97,  
19 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
20 103, Block 104, Block 105, Block 106, Block 107, Block 108,  
21 Block 109, Block 110, Block 111, Block 112, Block 113, Block  
22 114, Block 115, Block 116, Block 117, Block 118, Block 119,  
23 Block 125, Block 153, Block 157, Block 158, Block 159, Block  
24 160, Block 161, Block 163, Block 164, Block 165, Block 166,  
25 Block 167, Block 168, Block 169, Block 170, Block 171, Block

HB621

1 172, Block 173, Block 174, Block 175, Block 176, Block 177,  
2 Block 178, Block 179, Block 180, Block 181, Block 182, Block  
3 183, Block 184, Block 185, Block 186, Block 187, Block 188,  
4 Block 189, Block 190, Block 191, Block 192, Block 193, Block  
5 194, Block 195, Block 196, Block 197, Block 198, Block 199,  
6 Block 200, Block 203; Tract 5800: Block Group 1: Block 172,  
7 Block 173, Block 174, Block 175, Block 176, Block 177, Block  
8 178, Block 179, Block 180, Block 181, Block 186, Block 187,  
9 Block 188, Block 189, Block 191, Block 192, Block 193, Block  
10 194, Block 195, Block 196, Block 197, Block 198, Block 199,  
11 Block 200, Block 201, Block 207, Block 208, Block 210, Block  
12 211, Block 219, Block 220, Block 225, Block 226, Block 227,  
13 Block 229, Block 230, Block 233, Block 234, Block 235, Block  
14 236, Block 237, Block 238, Block 239, Block 270, Block 271,  
15 Block 272, Block 273, Block 274, Block 313, Block 328, Block  
16 329, Block 330, Block 331, Block 332, Block 333, Block 334,  
17 Block 335, Block 336, Block 337, Block 338, Block 339, Block  
18 340, Block 341, Block 342, Block 343, Block 344, Block 345,  
19 Block 346, Block 347, Block 348, Block 349, Block 350, Block  
20 351, Block 352, Block 353, Block 354, Block 355, Block 356,  
21 Block 357, Block 358, Block 359, Block 360, Block 361, Block  
22 365, Block 366, Block 367, Block 368, Block 369, Block 370,  
23 Block 371, Block 372, Block 373, Block 374, Block 375, Block  
24 376, Block 377, Block 379, Block 381, Block 393, Block 394,  
25 Block 395, Block 396, Block 397, Block 398, Block 399, Block

HB621

1 401, Block 402, Block 418, Block 419, Block 420, Block 421,  
2 Block 422, Block 448, Block 449, Block 450, Block 451, Block  
3 452, Block 453, Block 454, Block 455, Block 463, Block 464,  
4 Block 465, Block 466, Block 470, Block 474, Block 478; Tract  
5 6102: Block Group 1: Block 0, Block 1, Block 2, Block 3, Block  
6 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10,  
7 Block 11, Block 12, Block 13, Block 14, Block 15, Block 16,  
8 Block 17, Block 18, Block 19, Block 20, Block 21, Block 22,  
9 Block 23, Block 24, Block 25, Block 26, Block 27, Block 28,  
10 Block 29, Block 30, Block 31, Block 32, Block 33, Block 34,  
11 Block 35, Block 36, Block 37, Block 38, Block 39, Block 40,  
12 Block 41, Block 42, Block 43, Block 44, Block 45, Block 46,  
13 Block 47, Block 48, Block 49, Block 50, Block 51, Block 52,  
14 Block 53, Block 54, Block 55, Block 56, Block 57, Block 58,  
15 Block 59, Block 60, Block 61, Block 62, Block 63, Block 64,  
16 Block 65, Block 66, Block 67, Block 68, Block 69, Block 70,  
17 Block 71, Block 72, Block 73, Block 74, Block 75, Block 76,  
18 Block 77, Block 78, Block 79, Block 80, Block 81, Block 82,  
19 Block 83, Block 84, Block 85, Block 86, Block 87, Block 88,  
20 Block 89, Block 90, Block 91, Block 93, Block 94, Block 95,  
21 Block 96, Block 97, Block 98, Block 99; Tract 6103: Block  
22 Group 1: Block 5, Block 6, Block 28; Tract 6105: Block Group  
23 2, Block Group 3, Block Group 1: Block 0, Block 1, Block 2,  
24 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
25 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,

HB621

1 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
2 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
3 Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
4 Block 34, Block 35, Block 36, Block 37, Block 38, Block 39,  
5 Block 40, Block 41, Block 42, Block 43, Block 44, Block 45,  
6 Block 46, Block 47, Block 48, Block 49, Block 50, Block 51,  
7 Block 52, Block 53, Block 54, Block 55, Block 56, Block 57,  
8 Block 58, Block 59, Block 60, Block 61, Block 62, Block 63,  
9 Block 64, Block 65, Block 66, Block 67, Block 68, Block 69,  
10 Block 70, Block 71, Block 72, Block 73, Block 74, Block 75,  
11 Block 76, Block 77, Block 78, Block 79, Block 80, Block 81,  
12 Block 82, Block 83, Block 84, Block 85, Block 86, Block 87,  
13 Block 88, Block 89, Block 90, Block 91, Block 92, Block 93,  
14 Block 94, Block 95, Block 96, Block 97, Block 98, Block 99,  
15 Block 100, Block 101, Block 102, Block 104, Block 105, Block  
16 116, Block 118, Block 128, Block 129, Block 130; Tract 7400:  
17 Block Group 3, Block Group 4, Block Group 2: Block 2, Block 7,  
18 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
19 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
20 Block 22, Block 23, Block 24, Block 25; Tract 990000: Block  
21 Group 0: Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
22 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
23 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
24 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,

HB621

1 Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
2 Block 34, Block 35, Block 36, Block 37.

3 District 2: Barbour County, Chambers County, Clay  
4 County, Cleburne County, Coffee County, Dale County, Geneva  
5 County, Henry County, Houston County, Lee County, Randolph  
6 County, Russell County, Tallapoosa County, Coosa County: Tract  
7 961000: Block Group 1, Block Group 2, Block Group 3: Block 0,  
8 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
9 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
10 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
11 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
12 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
13 Block 32, Block 33, Block 34, Block 38, Block 39, Block 41,  
14 Block 42, Block 43, Block 44, Block 45, Block 46, Block 47,  
15 Block 48, Block 49, Block 51, Block 92, Block 93, Block 94,  
16 Block 95, Block 96, Block 97, Block 98, Block 99, Block 100,  
17 Block 101, Block 102, Block 103, Block 104, Block 105, Block  
18 106, Block 107, Block 108, Block 109, Block 117, Block 118,  
19 Block 123, Block 125; Block Group 4: Block 0, Block 1, Block  
20 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block  
21 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
22 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
23 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
24 Block 29, Block 30, Block 31, Block 32, Block 33, Block 34,  
25 Block 35, Block 47, Block 48, Block 49, Block 50, Block 51,

HB621

1 Block 53, Block 57, Block 59, Block 60, Block 73, Block 100;  
2 Macon County: Tract 231500: Block Group 2: Block 2.  
3 District 3: Chilton County, Shelby County, Talladega  
4 County, Autauga County: Tract 20300: Block Group 1: Block 1,  
5 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
6 Block 9, Block 10, Block 11, Block 12, Block 13, Block 16,  
7 Block 17, Block 18, Block 19, Block 20, Block 21; Tract 20400:  
8 Block Group 2, Block Group 3, Block Group 4, Block Group 1:  
9 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
10 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
11 Block 14; Tract 20500: Block Group 2, Block Group 1: Block 4,  
12 Block 5, Block 6, Block 7, Block 18, Block 19, Block 20, Block  
13 21; Block Group 3: Block 0, Block 1, Block 2, Block 3, Block  
14 5, Block 8, Block 9, Block 10; Bibb County: Tract 10003: Block  
15 Group 3, Block Group 4, Block Group 1: Block 0, Block 1, Block  
16 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block  
17 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
18 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
19 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
20 Block 28, Block 29, Block 36, Block 37, Block 43, Block 44,  
21 Block 45, Block 46, Block 47, Block 48, Block 49, Block 50,  
22 Block 51, Block 52, Block 53, Block 54, Block 55, Block 56,  
23 Block 57, Block 58, Block 59, Block 60; Block Group 2: Block  
24 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 31,  
25 Block 36, Block 37, Block 38, Block 39, Block 40, Block 41,

HB621

1 Block 42, Block 43, Block 44, Block 45, Block 46, Block 47,  
2 Block 48, Block 49, Block 50, Block 51, Block 52, Block 53,  
3 Block 54, Block 55, Block 57, Block 58, Block 59, Block 60,  
4 Block 61, Block 62, Block 63, Block 64, Block 65, Block 66,  
5 Block 67, Block 68, Block 69, Block 89, Block 91, Block 92,  
6 Block 93, Block 94, Block 95, Block 96, Block 97, Block 98,  
7 Block 99, Block 100, Block 101, Block 102, Block 103, Block  
8 104, Block 105, Block 106, Block 107, Block 108, Block 109,  
9 Block 110, Block 111, Block 112, Block 113, Block 114, Block  
10 115, Block 116, Block 117, Block 118, Block 119, Block 120,  
11 Block 121, Block 122, Block 123, Block 124, Block 125, Block  
12 138, Block 139, Block 140, Block 142, Block 143, Block 144,  
13 Block 145, Block 146, Block 161, Block 163, Block 164, Block  
14 166, Block 170; Coosa County: Tract 961100, Tract 961200,  
15 Tract 961000: Block Group 3: Block 35, Block 36, Block 37,  
16 Block 40, Block 50, Block 52, Block 53, Block 54, Block 55,  
17 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
18 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
19 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
20 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
21 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
22 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
23 Block 110, Block 111, Block 112, Block 113, Block 114, Block  
24 115, Block 116, Block 119, Block 120, Block 121, Block 122,  
25 Block 124; Block Group 4: Block 28, Block 36, Block 37, Block



HB621

1 38, Block 39, Block 40, Block 41, Block 42, Block 43, Block  
2 44, Block 45, Block 46, Block 52, Block 54, Block 55, Block  
3 56, Block 58, Block 61, Block 62, Block 63, Block 64, Block  
4 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block  
5 71, Block 72, Block 74, Block 75, Block 76, Block 77, Block  
6 78, Block 79, Block 80, Block 81, Block 82, Block 83, Block  
7 84, Block 85, Block 86, Block 87, Block 88, Block 89, Block  
8 90, Block 91, Block 92, Block 93, Block 94, Block 95, Block  
9 96, Block 97, Block 98, Block 99, Block 101, Block 102; Elmore  
10 County: Tract 30100, Tract 30200, Tract 30300, Tract 30400,  
11 Tract 30500, Tract 30600, Tract 30701, Tract 30702, Tract  
12 30800, Tract 30901, Tract 30902, Tract 31000, Tract 31100,  
13 Tract 31200, Tract 31300: Block Group 2, Block Group 3, Block  
14 Group 1: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
15 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
16 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
17 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
18 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
19 30, Block 31, Block 32, Block 38, Block 39, Block 40, Block  
20 41, Block 42, Block 43, Block 44, Block 45, Block 66, Block  
21 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block  
22 73, Block 77, Block 78, Block 106, Block 112, Block 113;  
23 Jefferson County: Tract 10703, Tract 10705, Tract 12905, Tract  
24 12906, Tract 12907, Tract 12908, Tract 12910, Tract 12912,  
25 Tract 12913, Tract 12914, Tract 12915, Tract 14404, Tract

HB621

1 14405, Tract 14406, Tract 14408, Tract 14409, Tract 14410,  
2 Tract 14412, Tract 4800: Block Group 1: Block 30; Tract 10702:  
3 Block Group 3, Block Group 1: Block 27, Block 28, Block 47,  
4 Block 48, Block 57, Block 58, Block 59, Block 60, Block 61,  
5 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
6 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
7 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
8 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
9 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
10 Block 92, Block 93, Block 94, Block 95, Block 96, Block 97,  
11 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
12 103, Block 104, Block 105; Tract 10704: Block Group 1, Block  
13 Group 2: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
14 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
15 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
16 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
17 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
18 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
19 36, Block 37, Block 38, Block 39, Block 40, Block 42, Block  
20 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
21 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
22 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block  
23 61; Tract 10706: Block Group 3: Block 0, Block 1, Block 2,  
24 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
25 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,

HB621

1 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
2 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
3 Block 28, Block 30, Block 31, Block 34, Block 35, Block 37,  
4 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
5 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
6 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,  
7 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61;  
8 Tract 10801: Block Group 3: Block 0, Block 1, Block 2, Block  
9 3, Block 4, Block 6, Block 7, Block 8, Block 9, Block 10,  
10 Block 11, Block 12, Block 13, Block 14, Block 15, Block 16,  
11 Block 17, Block 18, Block 19, Block 20, Block 21, Block 22,  
12 Block 23, Block 24, Block 25, Block 26, Block 27, Block 28;  
13 Block Group 4: Block 9, Block 10; Tract 10802: Block Group 2:  
14 Block 13, Block 14, Block 15, Block 16, Block 17, Block 18,  
15 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,  
16 Block 25, Block 26, Block 27, Block 28, Block 29, Block 30,  
17 Block 31, Block 32, Block 33, Block 34, Block 35, Block 36,  
18 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,  
19 Block 43, Block 46, Block 47, Block 48, Block 49, Block 50,  
20 Block 51, Block 52, Block 53, Block 54, Block 55, Block 56,  
21 Block 57, Block 58, Block 59, Block 60, Block 61, Block 62,  
22 Block 63, Block 74, Block 75, Block 76, Block 77, Block 79,  
23 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
24 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
25 Block 93, Block 94, Block 95, Block 96, Block 98, Block 99,

HB621

1 Block 100, Block 101, Block 102, Block 104, Block 105, Block  
2 106, Block 107; Tract 10804: Block Group 1: Block 0, Block 1,  
3 Block 3, Block 5, Block 6, Block 7, Block 8, Block 11, Block  
4 27, Block 28, Block 29, Block 30, Block 32, Block 33, Block  
5 35, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
6 42, Block 43, Block 44, Block 45, Block 46, Block 48, Block  
7 49, Block 50, Block 61; Tract 12802: Block Group 1: Block 0,  
8 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
9 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
10 Block 14, Block 15, Block 18, Block 19; Block Group 2: Block  
11 0, Block 1, Block 2, Block 3, Block 10, Block 11, Block 12,  
12 Block 13, Block 14, Block 15, Block 16, Block 17, Block 18,  
13 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,  
14 Block 25, Block 26; Block Group 3: Block 0, Block 1, Block 10,  
15 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26;  
16 Tract 12803: Block Group 2, Block Group 3, Block Group 1:  
17 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
18 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
19 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
20 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
21 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
22 31, Block 32, Block 34, Block 35, Block 36, Block 37, Block  
23 38, Block 40, Block 41, Block 42, Block 43, Block 44, Block  
24 45, Block 46; Block Group 4: Block 17, Block 19, Block 20,  
25 Block 21, Block 22, Block 23, Block 24, Block 25; Tract 12911:

HB621

1 Block Group 1, Block Group 2: Block 9, Block 10, Block 24,  
2 Block 27, Block 29, Block 30, Block 32, Block 33, Block 34,  
3 Block 35, Block 36, Block 37, Block 38, Block 39, Block 40,  
4 Block 41, Block 42, Block 43, Block 44, Block 45, Block 46,  
5 Block 47, Block 48, Block 49, Block 50, Block 51, Block 52,  
6 Block 53, Block 54, Block 55, Block 56, Block 57, Block 58,  
7 Block 59, Block 60; Block Group 3: Block 4, Block 5, Block 6,  
8 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
9 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
10 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
11 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
12 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
13 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
14 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
15 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
16 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block  
17 61, Block 62, Block 63, Block 64, Block 65, Block 66, Block  
18 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block  
19 73, Block 74, Block 75, Block 76, Block 77, Block 78, Block  
20 79, Block 80, Block 81, Block 82, Block 83; Block Group 4:  
21 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
22 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
23 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
24 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
25 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,

HB621

1 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37;  
2 Tract 14204: Block Group 2, Block Group 6, Block Group 3:  
3 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
4 10, Block 15, Block 16, Block 17, Block 18, Block 19, Block  
5 20, Block 21, Block 22, Block 40, Block 41, Block 42, Block  
6 43, Block 46, Block 48, Block 49, Block 50, Block 51; Block  
7 Group 4: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
8 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
9 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
10 18, Block 26, Block 50, Block 51, Block 52, Block 53, Block  
11 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
12 60, Block 73; Block Group 5: Block 0, Block 1, Block 2, Block  
13 3, Block 4, Block 5, Block 10, Block 11, Block 13, Block 14,  
14 Block 15; Tract 14302: Block Group 1: Block 175, Block 176,  
15 Block 191, Block 192, Block 195, Block 196, Block 197, Block  
16 207, Block 208; Tract 14413: Block Group 2, Block Group 3,  
17 Block Group 1: Block 0, Block 1, Block 2, Block 3, Block 4,  
18 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
19 11, Block 12, Block 13, Block 18, Block 22, Block 23, Block  
20 24, Block 25, Block 26, Block 27, Block 31, Block 33, Block  
21 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
22 42, Block 45, Block 46, Block 48, Block 49, Block 50, Block  
23 51, Block 52, Block 55, Block 56, Block 61, Block 62, Block  
24 63, Block 64, Block 65, Block 66, Block 67, Block 68, Block  
25 69, Block 70, Block 71, Block 72, Block 73, Block 74, Block

HB621

1 75, Block 76, Block 77, Block 78; Montgomery County: Tract  
2 1900, Tract 5406, Tract 5407, Tract 5409, Tract 5410, Tract  
3 1700: Block Group 1, Block Group 2, Block Group 3, Block Group  
4 4, Block Group 5: Block 0, Block 2, Block 3, Block 4, Block 5,  
5 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
6 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
7 18, Block 19, Block 20, Block 21; Tract 2600: Block Group 1,  
8 Block Group 2, Block Group 3, Block Group 5, Block Group 4:  
9 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
10 Block 8, Block 10, Block 11, Block 15, Block 16, Block 17,  
11 Block 18, Block 19; Tract 2700: Block Group 1, Block Group 3,  
12 Block Group 2: Block 0, Block 1, Block 2, Block 3, Block 4,  
13 Block 6, Block 7, Block 8, Block 9, Block 10, Block 12; Block  
14 Group 4: Block 0, Block 1, Block 2, Block 4, Block 5, Block 6,  
15 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
16 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
17 Block 20; Tract 3301: Block Group 3, Block Group 2: Block 5,  
18 Block 7, Block 8, Block 10, Block 11, Block 12, Block 13,  
19 Block 14; Tract 3302: Block Group 1, Block Group 2; Tract  
20 5101: Block Group 1: Block 26; Tract 5301: Block Group 1:  
21 Block 33, Block 34, Block 35, Block 36, Block 37, Block 38;  
22 Tract 5408: Block Group 2, Block Group 3, Block Group 4, Block  
23 Group 1: Block 0, Block 1, Block 2, Block 4, Block 5, Block 6,  
24 Block 7, Block 8, Block 9, Block 10, Block 12, Block 13, Block  
25 14, Block 15, Block 16, Block 17, Block 18, Block 19, Block



HB621

20, Block 21, Block 22, Block 23, Block 24, Block 25, Block  
26, Block 27, Block 28, Block 29, Block 30, Block 31, Block  
32, Block 33, Block 34, Block 35, Block 36, Block 37, Block  
38, Block 39, Block 40, Block 42, Block 44, Block 45, Block  
46, Block 47, Block 48, Block 49; Tract 5503: Block Group 2:  
Block 7, Block 8, Block 9, Block 10, Block 11, Block 13, Block  
14, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
28, Block 29, Block 41.

District 4: Greene County, Hale County, Pickens  
County, Bibb County: Tract 10001, Tract 10002, Tract 10004,  
Tract 10003: Block Group 1: Block 30, Block 31, Block 32,  
Block 33, Block 34, Block 35, Block 38, Block 39, Block 40,  
Block 41, Block 42; Block Group 2: Block 6, Block 7, Block 8,  
Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
Block 27, Block 28, Block 29, Block 30, Block 32, Block 33,  
Block 34, Block 35, Block 56, Block 70, Block 71, Block 72,  
Block 73, Block 74, Block 75, Block 76, Block 77, Block 78,  
Block 79, Block 80, Block 81, Block 82, Block 83, Block 84,  
Block 85, Block 86, Block 87, Block 88, Block 90, Block 126,  
Block 127, Block 128, Block 129, Block 130, Block 131, Block  
132, Block 133, Block 134, Block 135, Block 136, Block 137,  
Block 141, Block 147, Block 148, Block 149, Block 150, Block  
151, Block 152, Block 153, Block 154, Block 155, Block 156,

HB621

1 Block 157, Block 158, Block 159, Block 160, Block 162, Block  
2 165, Block 167, Block 168, Block 169; Jefferson County: Tract  
3 100, Tract 300, Tract 400, Tract 500, Tract 700, Tract 800,  
4 Tract 1100, Tract 1200, Tract 1400, Tract 1500, Tract 1600,  
5 Tract 1902, Tract 2000, Tract 2100, Tract 2200, Tract 2305,  
6 Tract 2400, Tract 2700, Tract 2900, Tract 3001, Tract 3002,  
7 Tract 3100, Tract 3200, Tract 3300, Tract 3400, Tract 3500,  
8 Tract 3600, Tract 3700, Tract 3802, Tract 3803, Tract 3900,  
9 Tract 4000, Tract 4200, Tract 4500, Tract 4701, Tract 4901,  
10 Tract 4902, Tract 5000, Tract 5101, Tract 5103, Tract 5104,  
11 Tract 5200, Tract 5302, Tract 5500, Tract 5701, Tract 5702,  
12 Tract 5800, Tract 5905, Tract 5907, Tract 5908, Tract 5909,  
13 Tract 5910, Tract 10001, Tract 10002, Tract 10100, Tract  
14 10200, Tract 10301, Tract 10302, Tract 10401, Tract 10402,  
15 Tract 10500, Tract 10602, Tract 10603, Tract 10701, Tract  
16 10900, Tract 11803, Tract 11804, Tract 11904, Tract 12304,  
17 Tract 12305, Tract 12401, Tract 12402, Tract 12500, Tract  
18 13002, Tract 13100, Tract 13200, Tract 13300, Tract 13400,  
19 Tract 13601, Tract 13801, Tract 13901, Tract 13902, Tract  
20 14002, Tract 14104, Tract 14105, Tract 14203, Tract 14301,  
21 Tract 2303: Block Group 1, Block Group 2, Block Group 3: Block  
22 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block  
23 7, Block 12, Block 13, Block 14, Block 15, Block 16, Block 17;  
24 Block Group 4: Block 0, Block 1, Block 2, Block 3, Block 4,  
25 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block

HB621

1 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block  
2 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block  
3 23, Block 24, Block 25, Block 26, Block 27, Block 28, Block  
4 29, Block 30, Block 31, Block 32, Block 33, Block 34, Block  
5 35, Block 36, Block 37, Block 38, Block 39, Block 44; Tract  
6 2306: Block Group 1, Block Group 3, Block Group 2: Block 0,  
7 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
8 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
9 Block 14, Block 15, Block 16, Block 18, Block 19, Block 21,  
10 Block 22, Block 23, Block 24, Block 26, Block 27, Block 28,  
11 Block 29, Block 30, Block 31; Tract 4702: Block Group 1, Block  
12 Group 3, Block Group 2: Block 0, Block 1, Block 2, Block 3,  
13 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
14 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
15 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
16 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block  
17 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
18 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
19 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
20 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block  
21 52, Block 53, Block 54, Block 55, Block 56; Tract 4800: Block  
22 Group 2, Block Group 1: Block 0, Block 1, Block 2, Block 3,  
23 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
24 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
25 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block

HB621

1 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block  
2 28, Block 29, Block 31; Tract 5600: Block Group 4: Block 0,  
3 Block 1, Block 2; Tract 5903: Block Group 2, Block Group 3,  
4 Block Group 1: Block 0, Block 1, Block 2, Block 3, Block 4,  
5 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
6 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block  
7 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block  
8 23, Block 24, Block 25, Block 26, Block 27, Block 29, Block  
9 30, Block 34, Block 35, Block 36, Block 37, Block 38, Block  
10 39, Block 40, Block 41, Block 42, Block 43; Tract 10702: Block  
11 Group 2, Block Group 1: Block 0, Block 1, Block 2, Block 3,  
12 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
13 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
14 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
15 22, Block 23, Block 24, Block 25, Block 26, Block 29, Block  
16 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
17 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
18 42, Block 43, Block 44, Block 45, Block 46, Block 49, Block  
19 50, Block 51, Block 52, Block 53, Block 54, Block 55, Block  
20 56; Tract 10704: Block Group 2: Block 41; Tract 10706: Block  
21 Group 1, Block Group 2, Block Group 4, Block Group 3: Block  
22 29, Block 32, Block 33, Block 36, Block 62; Tract 10802: Block  
23 Group 2: Block 44, Block 45, Block 92, Block 103; Tract 11104:  
24 Block Group 1: Block 26, Block 28, Block 29, Block 30; Block  
25 Group 2: Block 12, Block 20, Block 21, Block 22, Block 23,

HB621

1 Block 24, Block 25, Block 26, Block 27, Block 28, Block 29,  
2 Block 30, Block 31; Block Group 3: Block 0, Block 1, Block 2,  
3 Block 3, Block 4, Block 5; Block Group 6: Block 25, Block 31;  
4 Tract 11209: Block Group 2, Block Group 1: Block 1, Block 2,  
5 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
6 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
7 Block 16, Block 17, Block 18, Block 19, Block 25, Block 27,  
8 Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
9 Block 34, Block 35, Block 36, Block 37, Block 41, Block 42,  
10 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
11 Block 49, Block 51, Block 54, Block 55, Block 61; Tract 11210:  
12 Block Group 1: Block 35, Block 36, Block 42, Block 43, Block  
13 44, Block 45, Block 46, Block 47, Block 50, Block 51, Block  
14 52, Block 55; Tract 11703: Block Group 4: Block 56, Block 57,  
15 Block 58, Block 59, Block 61, Block 62, Block 63, Block 64,  
16 Block 65, Block 66, Block 67, Block 68, Block 69, Block 71;  
17 Tract 11802: Block Group 1, Block Group 2, Block Group 3,  
18 Block Group 5; Tract 11901: Block Group 3; Tract 12001: Block  
19 Group 1, Block Group 2: Block 4, Block 6, Block 11, Block 15,  
20 Block 51, Block 75, Block 80, Block 81, Block 82, Block 83,  
21 Block 86, Block 92, Block 93, Block 94, Block 95, Block 96,  
22 Block 101, Block 102, Block 103, Block 104, Block 105, Block  
23 106, Block 107, Block 108, Block 109, Block 110, Block 111,  
24 Block 112, Block 113, Block 114, Block 115, Block 116, Block  
25 117, Block 118, Block 119, Block 120, Block 122; Tract 12002:

HB621

1 Block Group 3, Block Group 1: Block 7, Block 18, Block 19,  
2 Block 20, Block 21, Block 22, Block 23; Block Group 2: Block  
3 56, Block 93, Block 94, Block 95, Block 96; Block Group 4:  
4 Block 7, Block 11, Block 12, Block 13, Block 14, Block 15,  
5 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
6 Block 22, Block 25, Block 26, Block 27, Block 28, Block 29,  
7 Block 30, Block 31, Block 32, Block 34, Block 35, Block 36,  
8 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,  
9 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
10 Block 49, Block 50, Block 51, Block 52, Block 53, Block 54,  
11 Block 55, Block 56, Block 57, Block 58, Block 59, Block 60,  
12 Block 61, Block 62, Block 63, Block 64, Block 65, Block 66,  
13 Block 67, Block 68, Block 69, Block 70, Block 71, Block 72,  
14 Block 73, Block 74, Block 75, Block 76, Block 77, Block 78,  
15 Block 79, Block 80, Block 81, Block 82, Block 83, Block 87,  
16 Block 88, Block 89, Block 90, Block 91, Block 92, Block 93,  
17 Block 94, Block 95; Tract 12103: Block Group 1, Block Group 2:  
18 Block 12, Block 18, Block 19, Block 20, Block 21, Block 22,  
19 Block 23, Block 24, Block 25, Block 26, Block 27, Block 28,  
20 Block 29, Block 30, Block 34, Block 35, Block 38, Block 39,  
21 Block 41, Block 42, Block 43, Block 44, Block 45, Block 46,  
22 Block 47, Block 48, Block 49, Block 50, Block 51, Block 58,  
23 Block 59, Block 60, Block 61, Block 62, Block 63, Block 64,  
24 Block 65, Block 66, Block 67, Block 68, Block 69, Block 70,  
25 Block 71, Block 72, Block 73, Block 74, Block 75, Block 76,

HB621

1 Block 77, Block 78, Block 79, Block 80, Block 81, Block 82,  
2 Block 83, Block 84, Block 85, Block 86, Block 87, Block 88,  
3 Block 89, Block 90, Block 91, Block 93, Block 94, Block 95,  
4 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
5 103, Block 104, Block 105, Block 106, Block 107, Block 108,  
6 Block 109, Block 110, Block 111; Block Group 4: Block 64,  
7 Block 65, Block 66, Block 69, Block 70; Block Group 5: Block  
8 20, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
9 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
10 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
11 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block  
12 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block  
13 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
14 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block  
15 66; Tract 12104: Block Group 3, Block Group 1: Block 155,  
16 Block 156, Block 157, Block 160, Block 168, Block 169, Block  
17 179; Block Group 2: Block 2, Block 3, Block 5, Block 6, Block  
18 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
19 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
20 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
21 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
22 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
23 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
24 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
25 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,



HB621

1 Block 56, Block 57; Tract 12302: Block Group 1: Block 20,  
2 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
3 Block 27, Block 28, Block 29, Block 30, Block 31, Block 32,  
4 Block 33, Block 34, Block 35, Block 36, Block 37, Block 38,  
5 Block 39, Block 40, Block 41, Block 42, Block 43, Block 44,  
6 Block 45, Block 46, Block 47, Block 48, Block 49, Block 50,  
7 Block 51, Block 52, Block 55, Block 56, Block 57, Block 58,  
8 Block 59, Block 60, Block 61, Block 62, Block 63, Block 64,  
9 Block 65, Block 66, Block 67, Block 68, Block 70, Block 71,  
10 Block 72, Block 73, Block 74, Block 75, Block 76, Block 77,  
11 Block 78, Block 79, Block 80, Block 81, Block 82, Block 83,  
12 Block 84, Block 85, Block 86, Block 87, Block 88, Block 89,  
13 Block 90, Block 91, Block 92, Block 93, Block 94, Block 95,  
14 Block 96, Block 97, Block 98, Block 99, Block 100, Block 101,  
15 Block 102, Block 103, Block 104, Block 105, Block 106, Block  
16 107, Block 108, Block 109, Block 110, Block 111, Block 112,  
17 Block 113, Block 114, Block 115, Block 116, Block 117, Block  
18 118, Block 119, Block 120, Block 121, Block 122, Block 123,  
19 Block 126, Block 127, Block 128, Block 129, Block 130, Block  
20 131, Block 132, Block 133, Block 134, Block 135, Block 136,  
21 Block 137, Block 138, Block 139, Block 140, Block 141, Block  
22 142, Block 143, Block 144, Block 145, Block 146, Block 147,  
23 Block 148, Block 149, Block 150, Block 151, Block 152, Block  
24 153, Block 154, Block 155, Block 156, Block 157, Block 158,  
25 Block 159, Block 160, Block 161, Block 162, Block 163, Block

HB621

1 164, Block 165, Block 166, Block 167, Block 168, Block 169,  
2 Block 170, Block 171, Block 172; Tract 12403: Block Group 1,  
3 Block Group 3, Block Group 2: Block 0, Block 1, Block 2, Block  
4 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
5 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
6 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
7 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block  
8 28, Block 29, Block 30, Block 32, Block 33, Block 34, Block  
9 35, Block 36, Block 37, Block 38, Block 39, Block 40, Block  
10 41, Block 42, Block 43, Block 44, Block 45, Block 46, Block  
11 47, Block 48, Block 49, Block 50, Block 51, Block 52, Block  
12 53, Block 54, Block 55, Block 56, Block 57, Block 58, Block  
13 59, Block 60, Block 61, Block 62, Block 63, Block 64, Block  
14 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block  
15 71, Block 72; Block Group 4: Block 13, Block 16, Block 17,  
16 Block 25, Block 30, Block 31, Block 32, Block 33, Block 34,  
17 Block 36, Block 38, Block 41, Block 42, Block 43, Block 46,  
18 Block 48, Block 49, Block 51, Block 52; Tract 12602: Block  
19 Group 3, Block Group 1: Block 0, Block 5; Block Group 4: Block  
20 11, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
21 19, Block 20, Block 21, Block 22, Block 23, Block 30, Block  
22 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
23 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
24 43, Block 44, Block 45, Block 47, Block 48, Block 50, Block  
25 53, Block 54, Block 55, Block 56, Block 57, Block 58, Block

HB621

1 59, Block 60, Block 61, Block 62, Block 63, Block 64, Block  
2 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block  
3 71, Block 72, Block 73, Block 74, Block 75, Block 76, Block  
4 77, Block 78, Block 79, Block 80, Block 81, Block 82, Block  
5 83, Block 84, Block 85, Block 86, Block 87, Block 88, Block  
6 89, Block 90, Block 91, Block 92, Block 93, Block 94, Block  
7 95, Block 96, Block 97, Block 98, Block 99, Block 100, Block  
8 101, Block 102, Block 103, Block 104, Block 105, Block 106,  
9 Block 107, Block 108, Block 109, Block 110, Block 111, Block  
10 112, Block 113, Block 114, Block 115, Block 116, Block 117,  
11 Block 118, Block 119, Block 120, Block 121, Block 122, Block  
12 123, Block 124, Block 125, Block 126, Block 127, Block 128,  
13 Block 129, Block 130, Block 131, Block 132, Block 134, Block  
14 135, Block 136, Block 137, Block 138, Block 139, Block 140,  
15 Block 141, Block 142; Tract 14001: Block Group 2, Block Group  
16 4, Block Group 1: Block 0, Block 3, Block 5, Block 8, Block 9,  
17 Block 10, Block 11, Block 21, Block 22, Block 23; Block Group  
18 3: Block 0, Block 1, Block 2, Block 15, Block 20, Block 21;  
19 Tract 14102: Block Group 2, Block Group 1: Block 0, Block 1,  
20 Block 3, Block 7, Block 9, Block 12, Block 13, Block 14, Block  
21 15, Block 26, Block 28, Block 62, Block 63, Block 64, Block  
22 65, Block 66, Block 67, Block 68, Block 69, Block 76, Block  
23 86, Block 101, Block 102, Block 103, Block 105, Block 106,  
24 Block 107, Block 108, Block 110, Block 111, Block 112, Block  
25 113, Block 131, Block 132, Block 133, Block 134, Block 139,

HB621

1 Block 144, Block 148; Tract 14204: Block Group 1, Block Group  
2 3: Block 0, Block 1, Block 2, Block 3, Block 11, Block 12,  
3 Block 13, Block 14, Block 23, Block 24, Block 25, Block 26,  
4 Block 27, Block 28, Block 29, Block 30, Block 31, Block 32,  
5 Block 33, Block 34, Block 35, Block 36, Block 37, Block 38,  
6 Block 39, Block 44, Block 45, Block 47, Block 52, Block 53,  
7 Block 54, Block 55, Block 56, Block 57, Block 58, Block 59;  
8 Block Group 4: Block 19, Block 20, Block 21, Block 22, Block  
9 23, Block 24, Block 25, Block 27, Block 28, Block 29, Block  
10 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
11 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
12 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block  
13 48, Block 49, Block 61, Block 62, Block 63, Block 64, Block  
14 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block  
15 71, Block 72, Block 74; Block Group 5: Block 6, Block 7, Block  
16 8, Block 9, Block 12, Block 16; Tract 14302: Block Group 1:  
17 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
18 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
19 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
20 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
21 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
22 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
23 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
24 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
25 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block

HB621

1 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block  
2 61, Block 62, Block 63, Block 64, Block 65, Block 66, Block  
3 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block  
4 73, Block 74, Block 75, Block 76, Block 77, Block 78, Block  
5 79, Block 80, Block 81, Block 82, Block 83, Block 84, Block  
6 85, Block 86, Block 87, Block 88, Block 89, Block 90, Block  
7 91, Block 92, Block 93, Block 94, Block 95, Block 96, Block  
8 97, Block 98, Block 99, Block 100, Block 101, Block 102, Block  
9 103, Block 104, Block 105, Block 106, Block 107, Block 108,  
10 Block 109, Block 110, Block 111, Block 112, Block 113, Block  
11 114, Block 115, Block 116, Block 117, Block 118, Block 119,  
12 Block 120, Block 121, Block 122, Block 123, Block 124, Block  
13 125, Block 126, Block 127, Block 128, Block 129, Block 130,  
14 Block 131, Block 132, Block 133, Block 134, Block 135, Block  
15 136, Block 137, Block 138, Block 139, Block 140, Block 141,  
16 Block 142, Block 143, Block 144, Block 145, Block 146, Block  
17 147, Block 148, Block 149, Block 150, Block 151, Block 152,  
18 Block 153, Block 154, Block 155, Block 156, Block 157, Block  
19 158, Block 159, Block 160, Block 161, Block 162, Block 163,  
20 Block 164, Block 165, Block 166, Block 167, Block 168, Block  
21 169, Block 170, Block 171, Block 172, Block 173, Block 174,  
22 Block 177, Block 178, Block 179, Block 180, Block 181, Block  
23 182, Block 183, Block 184, Block 185, Block 186, Block 187,  
24 Block 188, Block 189, Block 190, Block 193, Block 194, Block  
25 198, Block 199, Block 200, Block 201, Block 202, Block 203,

HB621

1 Block 204, Block 205, Block 206, Block 209, Block 210, Block  
2 211; Tract 14413: Block Group 1: Block 14, Block 15, Block 16,  
3 Block 17, Block 19, Block 20, Block 21, Block 28, Block 29,  
4 Block 30, Block 32, Block 34, Block 35, Block 43, Block 44,  
5 Block 47, Block 53, Block 54, Block 57, Block 58, Block 59,  
6 Block 60; Tuscaloosa County: Tract 10101, Tract 10204, Tract  
7 10303, Tract 10403, Tract 10404, Tract 10405, Tract 10406,  
8 Tract 10407, Tract 10500, Tract 10601, Tract 10602, Tract  
9 10701, Tract 10702, Tract 10703, Tract 10802, Tract 10803,  
10 Tract 10804, Tract 11200, Tract 11401, Tract 11402, Tract  
11 11600, Tract 11701, Tract 11703, Tract 11800, Tract 11901,  
12 Tract 11902, Tract 12000, Tract 12100, Tract 12303, Tract  
13 12304, Tract 12305, Tract 12403, Tract 12404, Tract 12405,  
14 Tract 12501, Tract 12502, Tract 12503, Tract 12600, Tract  
15 12700, Tract 12800, Tract 10202: Block Group 2, Block Group 3;  
16 Tract 10301: Block Group 2, Block Group 3; Tract 10302: Block  
17 Group 1, Block Group 2, Block Group 3: Block 0, Block 1, Block  
18 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block  
19 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
20 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
21 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
22 Block 29, Block 31, Block 32, Block 33, Block 34, Block 36,  
23 Block 37, Block 38, Block 39, Block 40, Block 41, Block 44,  
24 Block 45, Block 46, Block 47, Block 48, Block 49, Block 50,  
25 Block 51, Block 52, Block 53, Block 54, Block 55, Block 56,

HB621

1 Block 57, Block 58, Block 59, Block 60, Block 61, Block 62,  
2 Block 63, Block 64, Block 65, Block 66, Block 67, Block 68,  
3 Block 69, Block 70, Block 71, Block 72, Block 73, Block 74,  
4 Block 75, Block 76, Block 77, Block 78, Block 79, Block 80,  
5 Block 81, Block 82, Block 83, Block 84, Block 85, Block 86,  
6 Block 87, Block 88, Block 89, Block 90, Block 91, Block 92,  
7 Block 93, Block 94, Block 95, Block 96, Block 97, Block 98,  
8 Block 99, Block 100, Block 101, Block 102, Block 103, Block  
9 104, Block 105, Block 106, Block 107, Block 108, Block 109,  
10 Block 110, Block 111, Block 112, Block 113, Block 114, Block  
11 115, Block 116, Block 117, Block 118, Block 119, Block 120,  
12 Block 121, Block 122, Block 123, Block 124, Block 125, Block  
13 126, Block 127, Block 128, Block 129, Block 130, Block 131,  
14 Block 132, Block 133, Block 134, Block 135, Block 136, Block  
15 137, Block 138, Block 139, Block 140, Block 141, Block 142,  
16 Block 143, Block 144, Block 145, Block 146, Block 147, Block  
17 148, Block 149, Block 150, Block 151, Block 152, Block 153,  
18 Block 154, Block 155, Block 156, Block 157, Block 158, Block  
19 159, Block 160, Block 161, Block 162, Block 163, Block 164,  
20 Block 165, Block 166, Block 167, Block 168, Block 169, Block  
21 170, Block 171, Block 172, Block 173, Block 174, Block 175,  
22 Block 176, Block 177, Block 178, Block 179, Block 180, Block  
23 181, Block 182, Block 183, Block 184, Block 185, Block 186,  
24 Block 187, Block 188, Block 189, Block 190, Block 191, Block  
25 192, Block 193, Block 194, Block 195, Block 196, Block 197,



HB621

1 Block 198, Block 199, Block 200, Block 201, Block 202, Block  
2 203, Block 204, Block 205, Block 206, Block 207, Block 208,  
3 Block 209, Block 210, Block 211, Block 212, Block 213, Block  
4 214, Block 215, Block 216, Block 217, Block 218, Block 219,  
5 Block 220, Block 221, Block 222, Block 223, Block 224, Block  
6 225, Block 226, Block 227, Block 228, Block 229, Block 230,  
7 Block 231, Block 232, Block 233, Block 234, Block 235, Block  
8 236, Block 237, Block 238, Block 239, Block 240, Block 241,  
9 Block 242, Block 243, Block 244, Block 245, Block 246, Block  
10 247, Block 248, Block 249, Block 250, Block 251, Block 252,  
11 Block 253, Block 254, Block 255, Block 256, Block 257, Block  
12 258, Block 259, Block 260, Block 261, Block 262, Block 263,  
13 Block 264, Block 265, Block 267, Block 268, Block 269, Block  
14 271, Block 272, Block 273, Block 274, Block 275, Block 276,  
15 Block 277, Block 278, Block 279, Block 280, Block 281, Block  
16 282, Block 283, Block 284, Block 285, Block 286, Block 287,  
17 Block 288, Block 290, Block 291, Block 292.

18 District 5: Bullock County, Choctaw County, Clarke  
19 County, Dallas County, Lowndes County, Marengo County, Monroe  
20 County, Perry County, Pike County, Sumter County, Washington  
21 County, Wilcox County, Autauga County: Tract 20100, Tract  
22 20200, Tract 20600, Tract 20700, Tract 20801, Tract 20802,  
23 Tract 20900, Tract 21000, Tract 21100, Tract 20300: Block  
24 Group 2, Block Group 1: Block 0, Block 14, Block 15; Tract  
25 20400: Block Group 1: Block 0; Tract 20500: Block Group 1:

HB621

1 Block 0, Block 1, Block 2, Block 3, Block 8, Block 9, Block  
2 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
3 16, Block 17, Block 22, Block 23, Block 24, Block 25, Block  
4 26, Block 27, Block 28, Block 29, Block 30; Block Group 3:  
5 Block 4, Block 6, Block 7, Block 11, Block 12, Block 13, Block  
6 14, Block 15, Block 16, Block 17, Block 18, Block 19, Block  
7 20; Elmore County: Tract 31300: Block Group 1: Block 33, Block  
8 34, Block 35, Block 36, Block 37, Block 46, Block 47, Block  
9 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block  
10 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
11 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block  
12 74, Block 75, Block 76, Block 79, Block 80, Block 81, Block  
13 82, Block 83, Block 84, Block 85, Block 86, Block 87, Block  
14 88, Block 89, Block 90, Block 91, Block 92, Block 93, Block  
15 94, Block 95, Block 96, Block 97, Block 98, Block 99, Block  
16 100, Block 101, Block 102, Block 103, Block 104, Block 105,  
17 Block 107, Block 108, Block 109, Block 110, Block 111, Block  
18 114, Block 115; Macon County: Tract 231400, Tract 231601,  
19 Tract 231602, Tract 231603, Tract 231700, Tract 231800, Tract  
20 231900, Tract 232000, Tract 232100, Tract 232200, Tract  
21 232300, Tract 231500: Block Group 1, Block Group 3, Block  
22 Group 2: Block 0, Block 1, Block 3, Block 4, Block 5, Block 6,  
23 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
24 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
25 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block

HB621

1 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
2 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
3 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
4 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
5 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
6 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block  
7 61, Block 62, Block 63, Block 64, Block 65, Block 66, Block  
8 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block  
9 73, Block 74, Block 75, Block 76, Block 77, Block 78, Block  
10 79, Block 80, Block 81, Block 82, Block 83, Block 84, Block  
11 85; Mobile County: Tract 200, Tract 401, Tract 402, Tract 500,  
12 Tract 600, Tract 701, Tract 702, Tract 800, Tract 903, Tract  
13 1001, Tract 1002, Tract 1100, Tract 1200, Tract 1302, Tract  
14 1400, Tract 1501, Tract 1502, Tract 2100, Tract 2200, Tract  
15 2301, Tract 2302, Tract 2400, Tract 2900, Tract 3402, Tract  
16 3404, Tract 3405, Tract 3406, Tract 3408, Tract 3602, Tract  
17 3605, Tract 3608, Tract 3901, Tract 3902, Tract 4000, Tract  
18 4100, Tract 4800, Tract 4900, Tract 7500, Tract 7600, Tract  
19 7700, Tract 901: Block Group 2, Block Group 1: Block 47, Block  
20 48, Block 49; Tract 1800: Block Group 2: Block 0, Block 1,  
21 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
22 Block 9, Block 10, Block 11, Block 12, Block 13, Block 15,  
23 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
24 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
25 Block 28, Block 29; Tract 1901: Block Group 1: Block 0, Block

HB621

1 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block  
2 8, Block 9, Block 14; Tract 1902: Block Group 1: Block 0,  
3 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
4 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
5 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
6 Block 20, Block 21, Block 22, Block 23, Block 24, Block 39,  
7 Block 40, Block 41, Block 43; Tract 2000: Block Group 1, Block  
8 Group 2: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
9 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
10 12, Block 13, Block 14, Block 15, Block 16, Block 18, Block  
11 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
12 25, Block 26, Block 46, Block 67, Block 68, Block 69, Block  
13 72, Block 73, Block 74; Tract 2501: Block Group 1: Block 31;  
14 Block Group 2: Block 28, Block 30, Block 31, Block 32, Block  
15 33, Block 34; Block Group 3: Block 17, Block 18, Block 19,  
16 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
17 Block 31, Block 32, Block 34, Block 35, Block 36, Block 37,  
18 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43;  
19 Tract 2600: Block Group 1, Block Group 2: Block 0, Block 1,  
20 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
21 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
22 Block 15, Block 16, Block 17, Block 18, Block 20, Block 21,  
23 Block 22, Block 23, Block 24; Block Group 3: Block 0, Block 1,  
24 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
25 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,

HB621

1 Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
2 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
3 Block 27, Block 28, Block 29, Block 30, Block 31, Block 32,  
4 Block 33, Block 34, Block 35, Block 36, Block 37, Block 38,  
5 Block 39, Block 40, Block 41, Block 42, Block 43, Block 44,  
6 Block 45, Block 46, Block 47, Block 48, Block 49, Block 50,  
7 Block 51, Block 52, Block 53, Block 54, Block 55, Block 58;  
8 Tract 2700: Block Group 1: Block 5, Block 6, Block 7, Block 8,  
9 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
10 Block 15, Block 16, Block 17, Block 18, Block 56, Block 57,  
11 Block 59; Tract 3000: Block Group 2: Block 17, Block 18, Block  
12 19, Block 20, Block 22, Block 23, Block 117; Tract 3407: Block  
13 Group 2: Block 10, Block 11, Block 40, Block 41, Block 42,  
14 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
15 Block 49, Block 50, Block 55, Block 56, Block 57, Block 61,  
16 Block 67, Block 68; Block Group 3: Block 0, Block 1, Block 2,  
17 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
18 Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
19 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
20 Block 23, Block 54, Block 55, Block 56, Block 58, Block 62,  
21 Block 63, Block 64; Tract 3501: Block Group 1: Block 1, Block  
22 2, Block 3, Block 4, Block 7, Block 8, Block 9, Block 10,  
23 Block 11, Block 12, Block 13, Block 14, Block 15, Block 16,  
24 Block 17, Block 18, Block 19, Block 34, Block 43, Block 44;  
25 Block Group 2: Block 43; Tract 3800: Block Group 1: Block 0,

HB621

1 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
2 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
3 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
4 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
5 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
6 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
7 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
8 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
9 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,  
10 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
11 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
12 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
13 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
14 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
15 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
16 Block 92, Block 93, Block 94, Block 95, Block 96, Block 97,  
17 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
18 103, Block 104, Block 105, Block 106, Block 107, Block 108,  
19 Block 109, Block 110, Block 111, Block 112, Block 113, Block  
20 114, Block 115, Block 116, Block 117, Block 118, Block 119,  
21 Block 120, Block 121, Block 122, Block 123, Block 124, Block  
22 125, Block 126, Block 127, Block 128, Block 129, Block 130,  
23 Block 131, Block 133, Block 134, Block 135, Block 136, Block  
24 137, Block 138, Block 139, Block 140, Block 141, Block 142,  
25 Block 143, Block 144, Block 145, Block 146, Block 147, Block

HB621

1 148, Block 149, Block 150, Block 163, Block 165, Block 166,  
2 Block 167, Block 168, Block 169, Block 170, Block 171, Block  
3 172, Block 173, Block 174, Block 175, Block 176, Block 177,  
4 Block 178, Block 179, Block 180, Block 181, Block 182, Block  
5 183, Block 184, Block 185, Block 186, Block 187, Block 188,  
6 Block 189, Block 190, Block 191, Block 192, Block 193, Block  
7 194, Block 195, Block 196, Block 197, Block 198, Block 199,  
8 Block 200, Block 201, Block 202, Block 203, Block 204, Block  
9 217, Block 218, Block 219, Block 223, Block 224, Block 225,  
10 Block 226, Block 227, Block 228, Block 229, Block 230, Block  
11 231, Block 232, Block 233, Block 234, Block 235, Block 236,  
12 Block 237, Block 238, Block 239, Block 240, Block 241, Block  
13 242, Block 243, Block 244, Block 245, Block 246, Block 247,  
14 Block 248, Block 249, Block 250, Block 251, Block 252, Block  
15 253, Block 254, Block 255, Block 256, Block 257, Block 258,  
16 Block 259, Block 260, Block 261, Block 262, Block 263, Block  
17 264, Block 265, Block 266, Block 267, Block 268, Block 269,  
18 Block 270, Block 271, Block 272, Block 273, Block 274, Block  
19 275, Block 276, Block 277, Block 278, Block 279, Block 280,  
20 Block 281, Block 282, Block 283, Block 284, Block 285, Block  
21 286, Block 287, Block 288, Block 289, Block 290, Block 291,  
22 Block 292, Block 293, Block 294, Block 295, Block 296, Block  
23 297, Block 298, Block 299, Block 300, Block 301, Block 302,  
24 Block 303, Block 304, Block 305, Block 306, Block 307, Block  
25 308, Block 309, Block 310, Block 311, Block 312, Block 313,



HB621

1 Block 314, Block 315, Block 316, Block 317, Block 318, Block  
2 319, Block 320, Block 321, Block 322, Block 323, Block 324,  
3 Block 325, Block 326, Block 327, Block 328, Block 329, Block  
4 330, Block 331, Block 332, Block 333, Block 334, Block 335,  
5 Block 336, Block 337, Block 338, Block 339, Block 340, Block  
6 341, Block 342, Block 343, Block 344, Block 345, Block 346,  
7 Block 347, Block 348, Block 349, Block 350, Block 352, Block  
8 353, Block 354, Block 355, Block 356, Block 357, Block 358;  
9 Tract 5000: Block Group 1: Block 7, Block 8, Block 9, Block  
10 15, Block 16; Block Group 2: Block 1, Block 2, Block 3, Block  
11 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10,  
12 Block 11, Block 12, Block 13, Block 14, Block 15, Block 16,  
13 Block 17, Block 18, Block 19, Block 20, Block 21, Block 22,  
14 Block 23, Block 24, Block 25, Block 26, Block 27, Block 28,  
15 Block 29, Block 30, Block 31, Block 32, Block 33, Block 34,  
16 Block 35, Block 36, Block 37, Block 38, Block 39, Block 40;  
17 Tract 5600: Block Group 1, Block Group 2: Block 0, Block 1,  
18 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
19 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
20 Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
21 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
22 Block 27, Block 28, Block 29, Block 30, Block 31, Block 32,  
23 Block 33, Block 34, Block 35, Block 36, Block 37, Block 38,  
24 Block 39, Block 40, Block 41, Block 42, Block 43, Block 44,  
25 Block 45, Block 46, Block 47, Block 48, Block 49, Block 50,

HB621

1 Block 51, Block 52, Block 53, Block 54, Block 55, Block 56,  
2 Block 57, Block 58, Block 59, Block 60, Block 61, Block 62,  
3 Block 63, Block 64, Block 65, Block 66, Block 67, Block 68,  
4 Block 69, Block 70, Block 71, Block 72, Block 73, Block 74,  
5 Block 75, Block 76, Block 80, Block 86, Block 87, Block 90,  
6 Block 91, Block 92; Block Group 3: Block 0, Block 1, Block 6,  
7 Block 7, Block 8, Block 41, Block 42, Block 43, Block 46,  
8 Block 47, Block 48, Block 49, Block 50, Block 51, Block 52,  
9 Block 53, Block 54, Block 57, Block 58, Block 59, Block 60,  
10 Block 61, Block 62, Block 63, Block 64, Block 72, Block 81,  
11 Block 108, Block 109, Block 110, Block 112, Block 113, Block  
12 114, Block 115, Block 116, Block 120, Block 121, Block 122,  
13 Block 123, Block 124, Block 125, Block 143, Block 146, Block  
14 147, Block 148, Block 152, Block 154, Block 155, Block 156,  
15 Block 157, Block 158, Block 164, Block 165; Tract 5700: Block  
16 Group 3, Block Group 1: Block 0, Block 1, Block 2, Block 3,  
17 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
18 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
19 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
20 22, Block 23, Block 30, Block 31, Block 32, Block 33, Block  
21 34, Block 35, Block 36, Block 37, Block 38, Block 50, Block  
22 51, Block 52, Block 53, Block 54, Block 55, Block 58, Block  
23 59, Block 60, Block 149; Block Group 2: Block 0, Block 1,  
24 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
25 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,

HB621

1 Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
2 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
3 Block 27, Block 28, Block 29, Block 30, Block 31, Block 33,  
4 Block 120, Block 121, Block 122, Block 123, Block 124, Block  
5 126, Block 127, Block 128, Block 129, Block 130, Block 131,  
6 Block 132, Block 133, Block 134, Block 135, Block 136, Block  
7 137, Block 138, Block 139, Block 140, Block 141, Block 142,  
8 Block 143, Block 144, Block 145, Block 146, Block 147, Block  
9 148, Block 149, Block 150, Block 151, Block 152, Block 154,  
10 Block 155, Block 156, Block 162, Block 201, Block 202; Tract  
11 5800: Block Group 2, Block Group 3, Block Group 1: Block 0,  
12 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
13 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
14 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
15 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
16 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
17 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
18 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
19 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
20 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,  
21 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
22 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
23 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
24 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
25 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,

HB621

1 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
2 Block 92, Block 93, Block 94, Block 95, Block 96, Block 97,  
3 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
4 103, Block 104, Block 105, Block 106, Block 107, Block 108,  
5 Block 109, Block 110, Block 111, Block 112, Block 113, Block  
6 114, Block 115, Block 116, Block 117, Block 118, Block 119,  
7 Block 120, Block 121, Block 122, Block 123, Block 124, Block  
8 125, Block 126, Block 127, Block 128, Block 129, Block 130,  
9 Block 131, Block 132, Block 133, Block 134, Block 135, Block  
10 136, Block 137, Block 138, Block 139, Block 140, Block 141,  
11 Block 142, Block 143, Block 144, Block 145, Block 146, Block  
12 147, Block 148, Block 149, Block 150, Block 151, Block 152,  
13 Block 153, Block 154, Block 155, Block 156, Block 157, Block  
14 158, Block 159, Block 160, Block 161, Block 162, Block 163,  
15 Block 164, Block 165, Block 166, Block 167, Block 168, Block  
16 169, Block 170, Block 171, Block 182, Block 183, Block 184,  
17 Block 185, Block 190, Block 202, Block 203, Block 204, Block  
18 205, Block 206, Block 209, Block 212, Block 213, Block 214,  
19 Block 215, Block 216, Block 217, Block 218, Block 221, Block  
20 222, Block 223, Block 224, Block 228, Block 231, Block 232,  
21 Block 240, Block 241, Block 242, Block 243, Block 244, Block  
22 245, Block 246, Block 247, Block 248, Block 249, Block 250,  
23 Block 251, Block 252, Block 253, Block 254, Block 255, Block  
24 256, Block 257, Block 258, Block 259, Block 260, Block 261,  
25 Block 262, Block 263, Block 264, Block 265, Block 266, Block

HB621

1 267, Block 268, Block 269, Block 275, Block 276, Block 277,  
2 Block 278, Block 279, Block 280, Block 281, Block 282, Block  
3 283, Block 284, Block 285, Block 286, Block 287, Block 288,  
4 Block 289, Block 290, Block 291, Block 292, Block 293, Block  
5 294, Block 295, Block 296, Block 297, Block 298, Block 299,  
6 Block 300, Block 301, Block 302, Block 303, Block 304, Block  
7 305, Block 306, Block 307, Block 308, Block 309, Block 310,  
8 Block 311, Block 312, Block 314, Block 315, Block 316, Block  
9 317, Block 318, Block 319, Block 320, Block 321, Block 322,  
10 Block 323, Block 324, Block 325, Block 326, Block 327, Block  
11 362, Block 363, Block 364, Block 378, Block 380, Block 382,  
12 Block 383, Block 384, Block 385, Block 386, Block 387, Block  
13 388, Block 389, Block 390, Block 391, Block 392, Block 400,  
14 Block 403, Block 404, Block 405, Block 406, Block 407, Block  
15 408, Block 409, Block 410, Block 411, Block 412, Block 413,  
16 Block 414, Block 415, Block 416, Block 417, Block 423, Block  
17 424, Block 425, Block 426, Block 427, Block 428, Block 429,  
18 Block 430, Block 431, Block 432, Block 433, Block 434, Block  
19 435, Block 436, Block 437, Block 438, Block 439, Block 440,  
20 Block 441, Block 442, Block 443, Block 444, Block 445, Block  
21 446, Block 447, Block 456, Block 457, Block 458, Block 459,  
22 Block 460, Block 461, Block 462, Block 467, Block 468, Block  
23 469, Block 471, Block 472, Block 473, Block 475, Block 476,  
24 Block 477, Block 479, Block 480, Block 481, Block 482, Block  
25 483, Block 484, Block 485, Block 486, Block 487, Block 488,

HB621

1 Block 489; Tract 6102: Block Group 1: Block 92; Tract 6103:  
2 Block Group 2, Block Group 1: Block 0, Block 1, Block 2, Block  
3 3, Block 4, Block 7, Block 8, Block 9, Block 10, Block 11,  
4 Block 12, Block 13, Block 14, Block 15, Block 16, Block 17,  
5 Block 18, Block 19, Block 20, Block 21, Block 22, Block 23,  
6 Block 24, Block 25, Block 26, Block 27, Block 29, Block 30,  
7 Block 31, Block 32, Block 33, Block 34, Block 35, Block 36,  
8 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,  
9 Block 43, Block 44, Block 45; Tract 6105: Block Group 1: Block  
10 103, Block 106, Block 107, Block 108, Block 109, Block 110,  
11 Block 111, Block 112, Block 113, Block 114, Block 115, Block  
12 117, Block 119, Block 120, Block 121, Block 122, Block 123,  
13 Block 124, Block 125, Block 126, Block 127; Tract 7400: Block  
14 Group 1, Block Group 2: Block 0, Block 1, Block 3, Block 4,  
15 Block 5, Block 6, Block 8, Block 9, Block 26, Block 27, Block  
16 28, Block 29, Block 30, Block 31, Block 32; Tract 990000:  
17 Block Group 0: Block 1, Block 2, Block 3; Montgomery County:  
18 Tract 100, Tract 200, Tract 300, Tract 400, Tract 500, Tract  
19 600, Tract 700, Tract 900, Tract 1000, Tract 1100, Tract 1200,  
20 Tract 1300, Tract 1400, Tract 1500, Tract 1600, Tract 1800,  
21 Tract 2000, Tract 2100, Tract 2201, Tract 2202, Tract 2300,  
22 Tract 2400, Tract 2500, Tract 2800, Tract 2900, Tract 3000,  
23 Tract 3100, Tract 3200, Tract 5102, Tract 5302, Tract 5402,  
24 Tract 5403, Tract 5501, Tract 5502, Tract 5504, Tract 5603,  
25 Tract 5604, Tract 5605, Tract 5606, Tract 5607, Tract 5608,

HB621

1 Tract 5609, Tract 5610, Tract 5611, Tract 5612, Tract 5700,  
2 Tract 5800, Tract 5901, Tract 5902, Tract 6000, Tract 6100,  
3 Tract 1700: Block Group 5: Block 1; Tract 2600: Block Group 4:  
4 Block 0, Block 9, Block 12, Block 13, Block 14; Tract 2700:  
5 Block Group 2: Block 5, Block 11; Block Group 4: Block 3,  
6 Block 7; Tract 3301: Block Group 1, Block Group 4, Block Group  
7 2: Block 0, Block 1, Block 2, Block 3, Block 4, Block 6, Block  
8 9, Block 15; Tract 3302: Block Group 3, Block Group 4; Tract  
9 5101: Block Group 2, Block Group 3, Block Group 4, Block Group  
10 1: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block  
11 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block 12,  
12 Block 13, Block 14, Block 15, Block 16, Block 17, Block 18,  
13 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,  
14 Block 25, Block 27, Block 28, Block 29, Block 30, Block 31,  
15 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
16 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
17 Block 44, Block 45, Block 46, Block 47, Block 48; Tract 5301:  
18 Block Group 1: Block 0, Block 1, Block 2, Block 3, Block 4,  
19 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
20 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block  
21 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block  
22 23, Block 24, Block 25, Block 26, Block 27, Block 28, Block  
23 29, Block 30, Block 31, Block 32, Block 39, Block 40, Block  
24 41, Block 42, Block 43, Block 44, Block 45; Tract 5408: Block  
25 Group 1: Block 3, Block 11, Block 41, Block 43; Tract 5503:



HB621

Block Group 1, Block Group 3, Block Group 2: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 12, Block 15, Block 16, Block 17, Block 18, Block 19, Block 25, Block 26, Block 27, Block 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block 40.

District 6: Blount County, Calhoun County, Cherokee County, Cullman County, Morgan County, St Clair County, DeKalb County: Tract 961000, Tract 960800: Block Group 1: Block 38, Block 64, Block 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block 78, Block 79, Block 80, Block 84, Block 85, Block 86, Block 87; Block Group 2: Block 47, Block 49, Block 51, Block 52, Block 53, Block 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block 100, Block 101, Block 102, Block 103, Block 106; Block Group 3: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block 55, Block 56,

HB621

1 Block 57, Block 58, Block 59, Block 60, Block 61, Block 62,  
2 Block 63, Block 64, Block 65, Block 66, Block 67, Block 68,  
3 Block 69, Block 70, Block 71, Block 72, Block 73, Block 74,  
4 Block 75, Block 76, Block 77, Block 78, Block 79, Block 80,  
5 Block 81, Block 82, Block 83, Block 84, Block 85, Block 86,  
6 Block 87, Block 88, Block 89, Block 90, Block 91, Block 92,  
7 Block 93, Block 94, Block 95, Block 96, Block 97, Block 98,  
8 Block 99, Block 100, Block 101, Block 102, Block 103, Block  
9 104, Block 105, Block 106, Block 107, Block 108, Block 109,  
10 Block 110, Block 111, Block 112, Block 113, Block 114, Block  
11 115, Block 116, Block 117, Block 118, Block 119, Block 120,  
12 Block 121, Block 122, Block 123, Block 124, Block 125, Block  
13 126, Block 127, Block 128, Block 129, Block 130, Block 131,  
14 Block 132, Block 133, Block 134, Block 135, Block 136, Block  
15 137, Block 138, Block 139, Block 140, Block 141, Block 142,  
16 Block 143, Block 144, Block 145, Block 146, Block 147, Block  
17 148, Block 149, Block 150, Block 152, Block 165, Block 171,  
18 Block 172, Block 173, Block 174, Block 175, Block 176, Block  
19 177, Block 178; Tract 960900: Block Group 2, Block Group 1:  
20 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,  
21 Block 43, Block 44, Block 45, Block 48, Block 65, Block 66,  
22 Block 67, Block 68, Block 69, Block 70, Block 71, Block 72,  
23 Block 73, Block 74, Block 75, Block 76, Block 77, Block 78,  
24 Block 79, Block 80, Block 81, Block 82, Block 83, Block 84,  
25 Block 85, Block 86, Block 87, Block 88, Block 89, Block 90,

HB621

1 Block 91, Block 92, Block 93, Block 94, Block 95, Block 96,  
2 Block 97, Block 98, Block 99, Block 100, Block 101, Block 102,  
3 Block 103; Block Group 3: Block 36, Block 37, Block 38, Block  
4 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block  
5 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block  
6 51, Block 52, Block 55, Block 56, Block 57, Block 66, Block  
7 67, Block 68, Block 69, Block 71, Block 72, Block 73; Block  
8 Group 4: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
9 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
10 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
11 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
12 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
13 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
14 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block  
15 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block  
16 51, Block 52, Block 53, Block 54, Block 55; Tract 961100:  
17 Block Group 1: Block 0, Block 1, Block 2, Block 3, Block 4,  
18 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
19 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block  
20 17, Block 18, Block 19, Block 21, Block 22, Block 23, Block  
21 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
22 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
23 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
24 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block  
25 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block

HB621

1 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
2 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block  
3 66, Block 67, Block 68, Block 69, Block 70, Block 71, Block  
4 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block  
5 78, Block 79, Block 80, Block 81, Block 82, Block 83, Block  
6 84, Block 85, Block 86, Block 87, Block 88, Block 89, Block  
7 90, Block 91, Block 92, Block 93, Block 94, Block 95, Block  
8 96, Block 97; Block Group 2: Block 1, Block 2, Block 3, Block  
9 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10,  
10 Block 11, Block 12, Block 13, Block 14, Block 15, Block 18,  
11 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,  
12 Block 25, Block 26, Block 27, Block 28, Block 29, Block 30,  
13 Block 31, Block 32, Block 33, Block 34, Block 35, Block 36,  
14 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,  
15 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
16 Block 49, Block 50, Block 51, Block 52, Block 53, Block 54,  
17 Block 55, Block 56, Block 57, Block 58, Block 59, Block 60,  
18 Block 61, Block 62, Block 63, Block 64, Block 65, Block 66,  
19 Block 67, Block 68; Tract 961200: Block Group 1: Block 46,  
20 Block 47, Block 48, Block 49, Block 50, Block 51, Block 52,  
21 Block 53, Block 54, Block 55, Block 56, Block 57, Block 58,  
22 Block 59, Block 60, Block 61, Block 62, Block 63, Block 64,  
23 Block 65, Block 66, Block 67, Block 68, Block 69, Block 70,  
24 Block 73, Block 81; Block Group 2: Block 4, Block 5, Block 6,  
25 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block

HB621

1 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
2 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
3 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
4 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
5 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
6 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
7 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
8 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block  
9 61, Block 62, Block 63, Block 66, Block 67; Tract 961300:  
10 Block Group 2, Block Group 3, Block Group 4, Block Group 5,  
11 Block Group 1: Block 0, Block 2, Block 3, Block 4, Block 5,  
12 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
13 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
14 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
15 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
16 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
17 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
18 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block  
19 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block  
20 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
21 60, Block 61, Block 62, Block 63; Tract 961400: Block Group 2:  
22 Block 153, Block 154, Block 180; Block Group 3: Block 56,  
23 Block 57, Block 58, Block 61, Block 70, Block 81, Block 87,  
24 Block 100, Block 101, Block 102, Block 104; Limestone County:  
25 Tract 21100: Block Group 4: Block 177, Block 178, Block 179,

HB621

1 Block 180, Block 181, Block 182, Block 211, Block 212, Block  
2 213, Block 214, Block 217, Block 218, Block 219, Block 222,  
3 Block 223, Block 224, Block 226; Tract 21200: Block Group 3:  
4 Block 182, Block 183, Block 184, Block 185, Block 186, Block  
5 188, Block 189, Block 190, Block 191, Block 192, Block 193,  
6 Block 194, Block 195, Block 196, Block 198, Block 199, Block  
7 200, Block 201, Block 202, Block 203, Block 206, Block 207,  
8 Block 208, Block 275, Block 276, Block 277, Block 278, Block  
9 288, Block 382, Block 403, Block 405, Block 406; Marshall  
10 County: Tract 30100, Tract 30201, Tract 30300, Tract 30401,  
11 Tract 30402, Tract 30500, Tract 30600, Tract 30701, Tract  
12 30702, Tract 30801, Tract 30802, Tract 30902, Tract 30903,  
13 Tract 30904, Tract 31000, Tract 31100, Tract 31200, Tract  
14 30202: Block Group 2, Block Group 3, Block Group 4, Block  
15 Group 1: Block 0, Block 1, Block 2, Block 3, Block 6, Block 7,  
16 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
17 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
18 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
19 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
20 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
21 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
22 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
23 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,  
24 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
25 Block 62, Block 63.

HB621

1 District 7: Colbert County, Fayette County, Franklin  
2 County, Lamar County, Lauderdale County, Lawrence County,  
3 Marion County, Walker County, Winston County, Jefferson  
4 County: Tract 10803, Tract 10805, Tract 11001, Tract 11002,  
5 Tract 11107, Tract 11108, Tract 11109, Tract 11110, Tract  
6 11111, Tract 11205, Tract 11206, Tract 11207, Tract 11208,  
7 Tract 11301, Tract 11302, Tract 11400, Tract 11500, Tract  
8 11600, Tract 11704, Tract 11705, Tract 11706, Tract 12200,  
9 Tract 12701, Tract 12703, Tract 12704, Tract 2303: Block Group  
10 3: Block 8, Block 9, Block 10, Block 11, Block 18, Block 19,  
11 Block 20, Block 21, Block 22; Block Group 4: Block 40, Block  
12 41, Block 42, Block 43, Block 45, Block 46, Block 47; Tract  
13 2306: Block Group 2: Block 17, Block 20, Block 25; Tract 4702:  
14 Block Group 2: Block 57; Tract 5600: Block Group 1, Block  
15 Group 2, Block Group 3, Block Group 4: Block 3, Block 4, Block  
16 5, Block 6; Tract 5903: Block Group 1: Block 28, Block 31,  
17 Block 32, Block 33, Block 44; Tract 10801: Block Group 1,  
18 Block Group 2, Block Group 5, Block Group 3: Block 5; Block  
19 Group 4: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
20 Block 6, Block 7, Block 8, Block 11; Tract 10802: Block Group  
21 1, Block Group 2: Block 0, Block 1, Block 2, Block 3, Block 4,  
22 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
23 11, Block 12, Block 64, Block 65, Block 66, Block 67, Block  
24 68, Block 69, Block 70, Block 71, Block 72, Block 73, Block  
25 78, Block 97; Tract 10804: Block Group 1: Block 2, Block 4,



HB621

1 Block 9, Block 10, Block 12, Block 13, Block 14, Block 15,  
2 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
3 Block 22, Block 23, Block 24, Block 25, Block 26, Block 31,  
4 Block 34, Block 36, Block 47, Block 51, Block 52, Block 53,  
5 Block 54, Block 55, Block 56, Block 57, Block 58, Block 59,  
6 Block 60, Block 62, Block 63, Block 64, Block 65, Block 66,  
7 Block 67, Block 68; Tract 11104: Block Group 4, Block Group 5,  
8 Block Group 1: Block 0, Block 1, Block 2, Block 3, Block 4,  
9 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
10 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block  
11 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block  
12 23, Block 24, Block 25, Block 27, Block 31; Block Group 2:  
13 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
14 Block 7, Block 8, Block 9, Block 10, Block 11, Block 13, Block  
15 14, Block 15, Block 16, Block 17, Block 18, Block 19; Block  
16 Group 3: Block 6, Block 7, Block 8, Block 9; Block Group 6:  
17 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
18 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
19 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
20 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
21 26, Block 27, Block 28, Block 29, Block 30, Block 32, Block  
22 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block  
23 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block  
24 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block  
25 51, Block 52, Block 53, Block 54; Tract 11209: Block Group 1:

HB621

1 Block 0, Block 20, Block 21, Block 22, Block 23, Block 24,  
2 Block 26, Block 38, Block 39, Block 40, Block 50, Block 52,  
3 Block 53, Block 56, Block 57, Block 58, Block 59, Block 60,  
4 Block 62; Tract 11210: Block Group 2, Block Group 1: Block 0,  
5 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
6 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
7 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
8 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
9 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
10 Block 32, Block 33, Block 34, Block 37, Block 38, Block 39,  
11 Block 40, Block 41, Block 48, Block 49, Block 53, Block 54,  
12 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
13 Block 62, Block 63, Block 64, Block 65, Block 66; Tract 11703:  
14 Block Group 1, Block Group 2, Block Group 3, Block Group 4:  
15 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
16 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
17 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
18 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
19 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
20 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
21 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
22 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
23 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
24 55, Block 60, Block 70, Block 72, Block 73, Block 74, Block  
25 75, Block 76, Block 77, Block 78; Tract 11802: Block Group 4;

HB621

1 Tract 11901: Block Group 1, Block Group 2; Tract 12001: Block  
2 Group 2: Block 0, Block 1, Block 2, Block 3, Block 5, Block 7,  
3 Block 8, Block 9, Block 10, Block 12, Block 13, Block 14,  
4 Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
5 Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
6 Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
7 Block 34, Block 35, Block 36, Block 37, Block 38, Block 39,  
8 Block 40, Block 41, Block 42, Block 43, Block 44, Block 45,  
9 Block 46, Block 47, Block 48, Block 49, Block 50, Block 52,  
10 Block 53, Block 54, Block 55, Block 56, Block 57, Block 58,  
11 Block 59, Block 60, Block 61, Block 62, Block 63, Block 64,  
12 Block 65, Block 66, Block 67, Block 68, Block 69, Block 70,  
13 Block 71, Block 72, Block 73, Block 74, Block 76, Block 77,  
14 Block 78, Block 79, Block 84, Block 85, Block 87, Block 88,  
15 Block 89, Block 90, Block 91, Block 97, Block 98, Block 99,  
16 Block 100, Block 121; Tract 12002: Block Group 1: Block 0,  
17 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 8,  
18 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
19 Block 15, Block 16, Block 17, Block 24, Block 25; Block Group  
20 2: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block  
21 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block 12,  
22 Block 13, Block 14, Block 15, Block 16, Block 17, Block 18,  
23 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,  
24 Block 25, Block 26, Block 27, Block 28, Block 29, Block 30,  
25 Block 31, Block 32, Block 33, Block 34, Block 35, Block 36,

HB621

1 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,  
2 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
3 Block 49, Block 50, Block 51, Block 52, Block 53, Block 54,  
4 Block 55, Block 57, Block 58, Block 59, Block 60, Block 61,  
5 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
6 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
7 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
8 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
9 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
10 Block 92, Block 97; Block Group 4: Block 0, Block 1, Block 2,  
11 Block 3, Block 4, Block 5, Block 6, Block 8, Block 9, Block  
12 10, Block 23, Block 24, Block 33, Block 84, Block 85, Block  
13 86; Tract 12103: Block Group 3, Block Group 2: Block 0, Block  
14 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block  
15 8, Block 9, Block 10, Block 11, Block 13, Block 14, Block 15,  
16 Block 16, Block 17, Block 31, Block 32, Block 33, Block 36,  
17 Block 37, Block 40, Block 52, Block 53, Block 54, Block 55,  
18 Block 56, Block 57, Block 92, Block 96, Block 97; Block Group  
19 4: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block  
20 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block 12,  
21 Block 13, Block 14, Block 15, Block 16, Block 17, Block 18,  
22 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,  
23 Block 25, Block 26, Block 27, Block 28, Block 29, Block 30,  
24 Block 31, Block 32, Block 33, Block 34, Block 35, Block 36,  
25 Block 37, Block 38, Block 39, Block 40, Block 41, Block 42,

HB621

1 Block 43, Block 44, Block 45, Block 46, Block 47, Block 48,  
2 Block 49, Block 50, Block 51, Block 52, Block 53, Block 54,  
3 Block 55, Block 56, Block 57, Block 58, Block 59, Block 60,  
4 Block 61, Block 62, Block 63, Block 67, Block 68, Block 71,  
5 Block 72; Block Group 5: Block 0, Block 1, Block 2, Block 3,  
6 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
7 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
8 16, Block 17, Block 18, Block 19, Block 21, Block 22, Block  
9 23, Block 24; Tract 12104: Block Group 1: Block 0, Block 1,  
10 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
11 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
12 Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
13 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
14 Block 27, Block 28, Block 29, Block 30, Block 31, Block 32,  
15 Block 33, Block 34, Block 35, Block 36, Block 37, Block 38,  
16 Block 39, Block 40, Block 41, Block 42, Block 43, Block 44,  
17 Block 45, Block 46, Block 47, Block 48, Block 49, Block 50,  
18 Block 51, Block 52, Block 53, Block 54, Block 55, Block 56,  
19 Block 57, Block 58, Block 59, Block 60, Block 61, Block 62,  
20 Block 63, Block 64, Block 65, Block 66, Block 67, Block 68,  
21 Block 69, Block 70, Block 71, Block 72, Block 73, Block 74,  
22 Block 75, Block 76, Block 77, Block 78, Block 79, Block 80,  
23 Block 81, Block 82, Block 83, Block 84, Block 85, Block 86,  
24 Block 87, Block 88, Block 89, Block 90, Block 91, Block 92,  
25 Block 93, Block 94, Block 95, Block 96, Block 97, Block 98,

HB621

1 Block 99, Block 100, Block 101, Block 102, Block 103, Block  
2 104, Block 105, Block 106, Block 107, Block 108, Block 109,  
3 Block 110, Block 111, Block 112, Block 113, Block 114, Block  
4 115, Block 116, Block 117, Block 118, Block 119, Block 120,  
5 Block 121, Block 122, Block 123, Block 124, Block 125, Block  
6 126, Block 127, Block 128, Block 129, Block 130, Block 131,  
7 Block 132, Block 133, Block 134, Block 135, Block 136, Block  
8 137, Block 138, Block 139, Block 140, Block 141, Block 142,  
9 Block 143, Block 144, Block 145, Block 146, Block 147, Block  
10 148, Block 149, Block 150, Block 151, Block 152, Block 153,  
11 Block 154, Block 158, Block 159, Block 161, Block 162, Block  
12 163, Block 164, Block 165, Block 166, Block 167, Block 170,  
13 Block 171, Block 172, Block 173, Block 174, Block 175, Block  
14 176, Block 177, Block 178, Block 180, Block 181, Block 182,  
15 Block 183, Block 184, Block 185, Block 186, Block 187, Block  
16 188, Block 189; Block Group 2: Block 0, Block 1, Block 4;  
17 Tract 12302: Block Group 2, Block Group 1: Block 0, Block 1,  
18 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
19 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
20 Block 15, Block 16, Block 17, Block 18, Block 19, Block 53,  
21 Block 54, Block 69, Block 124, Block 125; Tract 12403: Block  
22 Group 2: Block 31; Block Group 4: Block 0, Block 1, Block 2,  
23 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
24 Block 10, Block 11, Block 12, Block 14, Block 15, Block 18,  
25 Block 19, Block 20, Block 21, Block 22, Block 23, Block 24,

HB621

1 Block 26, Block 27, Block 28, Block 29, Block 35, Block 37,  
2 Block 39, Block 40, Block 44, Block 45, Block 47, Block 50;  
3 Tract 12602: Block Group 2, Block Group 1: Block 1, Block 2,  
4 Block 3, Block 4, Block 6, Block 7, Block 8, Block 9, Block  
5 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
6 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
7 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block  
8 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
9 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
10 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
11 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block  
12 52, Block 53, Block 54, Block 55; Block Group 4: Block 0,  
13 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
14 Block 8, Block 9, Block 10, Block 12, Block 13, Block 24,  
15 Block 25, Block 26, Block 27, Block 28, Block 29, Block 46,  
16 Block 49, Block 51, Block 52, Block 133; Tract 12802: Block  
17 Group 1: Block 16, Block 17; Block Group 2: Block 4, Block 5,  
18 Block 6, Block 7, Block 8, Block 9; Block Group 3: Block 2,  
19 Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9,  
20 Block 11, Block 12, Block 13, Block 14, Block 15, Block 16,  
21 Block 17, Block 18, Block 19, Block 20; Tract 12803: Block  
22 Group 1: Block 33, Block 39; Block Group 4: Block 0, Block 1,  
23 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
24 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
25 Block 15, Block 16, Block 18; Tract 12911: Block Group 2:



HB621

1 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
2 Block 7, Block 8, Block 11, Block 12, Block 13, Block 14,  
3 Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
4 Block 21, Block 22, Block 23, Block 25, Block 26, Block 28,  
5 Block 31; Block Group 3: Block 0, Block 1, Block 2, Block 3;  
6 Block Group 4: Block 0; Tract 14001: Block Group 1: Block 1,  
7 Block 2, Block 4, Block 6, Block 7, Block 12, Block 13, Block  
8 14, Block 15, Block 16, Block 17, Block 18, Block 19, Block  
9 20, Block 24, Block 25; Block Group 3: Block 3, Block 4, Block  
10 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block 11,  
11 Block 12, Block 13, Block 14, Block 16, Block 17, Block 18,  
12 Block 19; Tract 14102: Block Group 3, Block Group 4, Block  
13 Group 1: Block 2, Block 4, Block 5, Block 6, Block 8, Block  
14 10, Block 11, Block 16, Block 17, Block 18, Block 19, Block  
15 20, Block 21, Block 22, Block 23, Block 24, Block 25, Block  
16 27, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
17 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
18 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
19 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block  
20 52, Block 53, Block 54, Block 55, Block 56, Block 57, Block  
21 58, Block 59, Block 60, Block 61, Block 70, Block 71, Block  
22 72, Block 73, Block 74, Block 75, Block 77, Block 78, Block  
23 79, Block 80, Block 81, Block 82, Block 83, Block 84, Block  
24 85, Block 87, Block 88, Block 89, Block 90, Block 91, Block  
25 92, Block 93, Block 94, Block 95, Block 96, Block 97, Block

HB621

98, Block 99, Block 100, Block 104, Block 109, Block 114,  
Block 115, Block 116, Block 117, Block 118, Block 119, Block  
120, Block 121, Block 122, Block 123, Block 124, Block 125,  
Block 126, Block 127, Block 128, Block 129, Block 130, Block  
135, Block 136, Block 137, Block 138, Block 140, Block 141,  
Block 142, Block 143, Block 145, Block 146, Block 147, Block  
149, Block 150, Block 151; Limestone County: Tract 20201,  
Tract 20202, Tract 20300, Tract 20401, Tract 20402, Tract  
21100: Block Group 1, Block Group 2, Block Group 3, Block  
Group 4: Block 193, Block 243; Tract 21200: Block Group 3:  
Block 187, Block 204, Block 205, Block 209, Block 210;  
Tuscaloosa County: Tract 10102, Tract 10103, Tract 10201,  
Tract 10203, Tract 10202: Block Group 1; Tract 10301: Block  
Group 1; Tract 10302: Block Group 3: Block 28, Block 30, Block  
35, Block 42, Block 43, Block 266, Block 270, Block 289.

District 8: Etowah County, Jackson County, Madison  
County, DeKalb County: Tract 960100, Tract 960200, Tract  
960300, Tract 960400, Tract 960500, Tract 960600, Tract  
960700, Tract 960800: Block Group 1: Block 0, Block 1, Block  
2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block  
9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15,  
Block 16, Block 17, Block 18, Block 19, Block 20, Block 21,  
Block 22, Block 23, Block 24, Block 25, Block 26, Block 27,  
Block 28, Block 29, Block 30, Block 31, Block 32, Block 33,  
Block 34, Block 35, Block 36, Block 37, Block 39, Block 40,

HB621

1 Block 41, Block 42, Block 43, Block 44, Block 45, Block 46,  
2 Block 47, Block 48, Block 49, Block 50, Block 51, Block 52,  
3 Block 53, Block 54, Block 55, Block 56, Block 57, Block 58,  
4 Block 59, Block 60, Block 61, Block 62, Block 63, Block 81,  
5 Block 82, Block 83, Block 88, Block 89, Block 90, Block 91,  
6 Block 92; Block Group 2: Block 0, Block 1, Block 2, Block 3,  
7 Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
8 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
9 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
10 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block  
11 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
12 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
13 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
14 46, Block 48, Block 50, Block 60, Block 61, Block 62, Block  
15 63, Block 64, Block 65, Block 66, Block 67, Block 68, Block  
16 69, Block 70, Block 71, Block 72, Block 73, Block 74, Block  
17 75, Block 76, Block 77, Block 78, Block 79, Block 80, Block  
18 81, Block 82, Block 83, Block 84, Block 85, Block 86, Block  
19 87, Block 88, Block 89, Block 90, Block 91, Block 92, Block  
20 93, Block 94, Block 95, Block 96, Block 97, Block 98, Block  
21 99, Block 104, Block 105, Block 107, Block 108, Block 109,  
22 Block 110; Block Group 3: Block 151, Block 153, Block 154,  
23 Block 155, Block 156, Block 157, Block 158, Block 159, Block  
24 160, Block 161, Block 162, Block 163, Block 164, Block 166,  
25 Block 167, Block 168, Block 169, Block 170; Tract 960900:

HB621

1 Block Group 1: Block 0, Block 1, Block 2, Block 3, Block 4,  
2 Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block  
3 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block  
4 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block  
5 23, Block 24, Block 25, Block 26, Block 27, Block 28, Block  
6 29, Block 30, Block 31, Block 32, Block 33, Block 34, Block  
7 35, Block 36, Block 46, Block 47, Block 49, Block 50, Block  
8 51, Block 52, Block 53, Block 54, Block 55, Block 56, Block  
9 57, Block 58, Block 59, Block 60, Block 61, Block 62, Block  
10 63, Block 64, Block 104; Block Group 3: Block 0, Block 1,  
11 Block 2, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8,  
12 Block 9, Block 10, Block 11, Block 12, Block 13, Block 14,  
13 Block 15, Block 16, Block 17, Block 18, Block 19, Block 20,  
14 Block 21, Block 22, Block 23, Block 24, Block 25, Block 26,  
15 Block 27, Block 28, Block 29, Block 30, Block 31, Block 32,  
16 Block 33, Block 34, Block 35, Block 53, Block 54, Block 58,  
17 Block 59, Block 60, Block 61, Block 62, Block 63, Block 64,  
18 Block 65, Block 70, Block 74; Block Group 4: Block 36, Block  
19 37, Block 38; Tract 961100: Block Group 3, Block Group 1:  
20 Block 20; Block Group 2: Block 0, Block 16, Block 17; Tract  
21 961200: Block Group 1: Block 0, Block 1, Block 2, Block  
22 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block  
23 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block  
24 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block  
25 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block

HB621

1 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block  
2 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block  
3 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block  
4 71, Block 72, Block 74, Block 75, Block 76, Block 77, Block  
5 78, Block 79, Block 80, Block 82; Block Group 2: Block 0,  
6 Block 1, Block 2, Block 3, Block 64, Block 65; Tract 961300:  
7 Block Group 1: Block 1; Tract 961400: Block Group 1, Block  
8 Group 2: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
9 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
10 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
11 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
12 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
13 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
14 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
15 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block  
16 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block  
17 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
18 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block  
19 66, Block 67, Block 68, Block 69, Block 70, Block 71, Block  
20 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block  
21 78, Block 79, Block 80, Block 81, Block 82, Block 83, Block  
22 84, Block 85, Block 86, Block 87, Block 88, Block 89, Block  
23 90, Block 91, Block 92, Block 93, Block 94, Block 95, Block  
24 96, Block 97, Block 98, Block 99, Block 100, Block 101, Block  
25 102, Block 103, Block 104, Block 105, Block 106, Block 107,

HB621

1 Block 108, Block 109, Block 110, Block 111, Block 112, Block  
2 113, Block 114, Block 115, Block 116, Block 117, Block 118,  
3 Block 119, Block 120, Block 121, Block 122, Block 123, Block  
4 124, Block 125, Block 126, Block 127, Block 128, Block 129,  
5 Block 130, Block 131, Block 132, Block 133, Block 134, Block  
6 135, Block 136, Block 137, Block 138, Block 139, Block 140,  
7 Block 141, Block 142, Block 143, Block 144, Block 145, Block  
8 146, Block 147, Block 148, Block 149, Block 150, Block 151,  
9 Block 152, Block 155, Block 156, Block 157, Block 158, Block  
10 159, Block 160, Block 161, Block 162, Block 163, Block 164,  
11 Block 165, Block 166, Block 167, Block 168, Block 169, Block  
12 170, Block 171, Block 172, Block 173, Block 174, Block 175,  
13 Block 176, Block 177, Block 178, Block 179; Block Group 3:  
14 Block 0, Block 1, Block 2, Block 3, Block 4, Block 5, Block 6,  
15 Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block  
16 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block  
17 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block  
18 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block  
19 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block  
20 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block  
21 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block  
22 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block  
23 55, Block 59, Block 60, Block 62, Block 63, Block 64, Block  
24 65, Block 66, Block 67, Block 68, Block 69, Block 71, Block  
25 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block

HB621

1 78, Block 79, Block 80, Block 82, Block 83, Block 84, Block  
2 85, Block 86, Block 88, Block 89, Block 90, Block 91, Block  
3 92, Block 93, Block 94, Block 95, Block 96, Block 97, Block  
4 98, Block 99, Block 103; Limestone County: Tract 20101, Tract  
5 20102, Tract 20500, Tract 20600, Tract 20700, Tract 20801,  
6 Tract 20802, Tract 20900, Tract 21000, Tract 21100: Block  
7 Group 4: Block 0, Block 1, Block 2, Block 3, Block 4, Block 5,  
8 Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block  
9 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block  
10 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block  
11 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block  
12 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block  
13 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block  
14 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block  
15 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block  
16 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block  
17 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block  
18 66, Block 67, Block 68, Block 69, Block 70, Block 71, Block  
19 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block  
20 78, Block 79, Block 80, Block 81, Block 82, Block 83, Block  
21 84, Block 85, Block 86, Block 87, Block 88, Block 89, Block  
22 90, Block 91, Block 92, Block 93, Block 94, Block 95, Block  
23 96, Block 97, Block 98, Block 99, Block 100, Block 101, Block  
24 102, Block 103, Block 104, Block 105, Block 106, Block 107,  
25 Block 108, Block 109, Block 110, Block 111, Block 112, Block



HB621

1 113, Block 114, Block 115, Block 116, Block 117, Block 118,  
2 Block 119, Block 120, Block 121, Block 122, Block 123, Block  
3 124, Block 125, Block 126, Block 127, Block 128, Block 129,  
4 Block 130, Block 131, Block 132, Block 133, Block 134, Block  
5 135, Block 136, Block 137, Block 138, Block 139, Block 140,  
6 Block 141, Block 142, Block 143, Block 144, Block 145, Block  
7 146, Block 147, Block 148, Block 149, Block 150, Block 151,  
8 Block 152, Block 153, Block 154, Block 155, Block 156, Block  
9 157, Block 158, Block 159, Block 160, Block 161, Block 162,  
10 Block 163, Block 164, Block 165, Block 166, Block 167, Block  
11 168, Block 169, Block 170, Block 171, Block 172, Block 173,  
12 Block 174, Block 175, Block 176, Block 183, Block 184, Block  
13 185, Block 186, Block 187, Block 188, Block 189, Block 190,  
14 Block 191, Block 192, Block 194, Block 195, Block 196, Block  
15 197, Block 198, Block 199, Block 200, Block 201, Block 202,  
16 Block 203, Block 204, Block 205, Block 206, Block 207, Block  
17 208, Block 209, Block 210, Block 215, Block 216, Block 220,  
18 Block 221, Block 225, Block 227, Block 228, Block 229, Block  
19 230, Block 231, Block 232, Block 233, Block 234, Block 235,  
20 Block 236, Block 237, Block 238, Block 239, Block 240, Block  
21 241, Block 242, Block 244, Block 245, Block 246, Block 247,  
22 Block 248, Block 249, Block 250, Block 251, Block 252, Block  
23 253, Block 254, Block 255, Block 256, Block 257, Block 258,  
24 Block 259, Block 260, Block 261, Block 262, Block 263, Block  
25 264, Block 265, Block 266, Block 267, Block 268, Block 269,

HB621

1 Block 270, Block 271, Block 272, Block 273, Block 274; Tract  
2 21200: Block Group 1, Block Group 2, Block Group 3: Block 0,  
3 Block 1, Block 2, Block 3, Block 4, Block 5, Block 6, Block 7,  
4 Block 8, Block 9, Block 10, Block 11, Block 12, Block 13,  
5 Block 14, Block 15, Block 16, Block 17, Block 18, Block 19,  
6 Block 20, Block 21, Block 22, Block 23, Block 24, Block 25,  
7 Block 26, Block 27, Block 28, Block 29, Block 30, Block 31,  
8 Block 32, Block 33, Block 34, Block 35, Block 36, Block 37,  
9 Block 38, Block 39, Block 40, Block 41, Block 42, Block 43,  
10 Block 44, Block 45, Block 46, Block 47, Block 48, Block 49,  
11 Block 50, Block 51, Block 52, Block 53, Block 54, Block 55,  
12 Block 56, Block 57, Block 58, Block 59, Block 60, Block 61,  
13 Block 62, Block 63, Block 64, Block 65, Block 66, Block 67,  
14 Block 68, Block 69, Block 70, Block 71, Block 72, Block 73,  
15 Block 74, Block 75, Block 76, Block 77, Block 78, Block 79,  
16 Block 80, Block 81, Block 82, Block 83, Block 84, Block 85,  
17 Block 86, Block 87, Block 88, Block 89, Block 90, Block 91,  
18 Block 92, Block 93, Block 94, Block 95, Block 96, Block 97,  
19 Block 98, Block 99, Block 100, Block 101, Block 102, Block  
20 103, Block 104, Block 105, Block 106, Block 107, Block 108,  
21 Block 109, Block 110, Block 111, Block 112, Block 113, Block  
22 114, Block 115, Block 116, Block 117, Block 118, Block 119,  
23 Block 120, Block 121, Block 122, Block 123, Block 124, Block  
24 125, Block 126, Block 127, Block 128, Block 129, Block 130,  
25 Block 131, Block 132, Block 133, Block 134, Block 135, Block

HB621

1 136, Block 137, Block 138, Block 139, Block 140, Block 141,  
2 Block 142, Block 143, Block 144, Block 145, Block 146, Block  
3 147, Block 148, Block 149, Block 150, Block 151, Block 152,  
4 Block 153, Block 154, Block 155, Block 156, Block 157, Block  
5 158, Block 159, Block 160, Block 161, Block 162, Block 163,  
6 Block 164, Block 165, Block 166, Block 167, Block 168, Block  
7 169, Block 170, Block 171, Block 172, Block 173, Block 174,  
8 Block 175, Block 176, Block 177, Block 178, Block 179, Block  
9 180, Block 181, Block 197, Block 211, Block 212, Block 213,  
10 Block 214, Block 215, Block 216, Block 217, Block 218, Block  
11 219, Block 220, Block 221, Block 222, Block 223, Block 224,  
12 Block 225, Block 226, Block 227, Block 228, Block 229, Block  
13 230, Block 231, Block 232, Block 233, Block 234, Block 235,  
14 Block 236, Block 237, Block 238, Block 239, Block 240, Block  
15 241, Block 242, Block 243, Block 244, Block 245, Block 246,  
16 Block 247, Block 248, Block 249, Block 250, Block 251, Block  
17 252, Block 253, Block 254, Block 255, Block 256, Block 257,  
18 Block 258, Block 259, Block 260, Block 261, Block 262, Block  
19 263, Block 264, Block 265, Block 266, Block 267, Block 268,  
20 Block 269, Block 270, Block 271, Block 272, Block 273, Block  
21 274, Block 279, Block 280, Block 281, Block 282, Block 283,  
22 Block 284, Block 285, Block 286, Block 287, Block 289, Block  
23 290, Block 291, Block 292, Block 293, Block 294, Block 295,  
24 Block 296, Block 297, Block 298, Block 299, Block 300, Block  
25 301, Block 302, Block 303, Block 304, Block 305, Block 306,

HB621

1 Block 307, Block 308, Block 309, Block 310, Block 311, Block  
2 312, Block 313, Block 314, Block 315, Block 316, Block 317,  
3 Block 318, Block 319, Block 320, Block 321, Block 322, Block  
4 323, Block 324, Block 325, Block 326, Block 327, Block 328,  
5 Block 329, Block 330, Block 331, Block 332, Block 333, Block  
6 334, Block 335, Block 336, Block 337, Block 338, Block 339,  
7 Block 340, Block 341, Block 342, Block 343, Block 344, Block  
8 345, Block 346, Block 347, Block 348, Block 349, Block 350,  
9 Block 351, Block 352, Block 353, Block 354, Block 355, Block  
10 356, Block 357, Block 358, Block 359, Block 360, Block 361,  
11 Block 362, Block 363, Block 364, Block 365, Block 366, Block  
12 367, Block 368, Block 369, Block 370, Block 371, Block 372,  
13 Block 373, Block 374, Block 375, Block 376, Block 377, Block  
14 378, Block 379, Block 380, Block 381, Block 383, Block 384,  
15 Block 385, Block 386, Block 387, Block 388, Block 389, Block  
16 390, Block 391, Block 392, Block 393, Block 394, Block 395,  
17 Block 396, Block 397, Block 398, Block 399, Block 400, Block  
18 401, Block 402, Block 404, Block 407; Marshall County: Tract  
19 30202: Block Group 1: Block 4, Block 5.

20 Section 3. This act contains lists of census tracts,  
21 blocks, and counties as generated by complex computer software  
22 based upon maps drawn by the Legislature. The official maps,  
23 which reflect the true intent of the Legislature in the  
24 establishment of districts, shall be retained in the office of  
25 the Secretary of State and printed as a part of the Acts. In

HB621

1 the event of any conflict, it is the intention of the  
2 Legislature that the boundary descriptions provided by the  
3 official maps shall prevail over the boundary descriptions  
4 provided by the census tracts, blocks, and counties generated  
5 for and specified in this act.

6 Section 4. This act shall become effective  
7 immediately upon its passage and approval by the Governor, or  
8 upon its otherwise becoming a law.

HB621

Speaker of the House of Representatives

*Kay Ivey*

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 26-MAY-11.

Greg Pappas  
Clerk

Senate	09-JUN-11	Amended and Passed
House	09-JUN-11	Concurred in Senate Amendment

APPROVED *June 15, 2011*  
TIME *8:40 a.m.*  
*Robert Bentley*  
GOVERNOR

Alabama Secretary Of State

Act Num....: 2011-677  
Bill Num....: H-621



## **THE ALABAMA LEGISLATURE**

### **STATE OF ALABAMA**

#### **REAPPORTIONMENT COMMITTEE GUIDELINES**

#### **FOR CONGRESSIONAL, LEGISLATIVE, AND STATE BOARD OF EDUCATION REDISTRICTING**

**May 2011**

Pursuant to the Constitution of the United States and the Constitution of the State of Alabama, the Alabama State Legislature is required to review 2010 Federal Decennial Census data provided by the U.S. Bureau of the Census to determine if it is necessary to redistrict Alabama's congressional, legislative, and State Board of Education districts because of population changes since the 2000 Census. Accordingly, the following guidelines for congressional, legislative, and State Board of Education redistricting have been established by the Legislature's Permanent Joint Legislative Committee on Reapportionment, (hereinafter referred to as the "Reapportionment Committee").

#### **I. POPULATION**

The total Alabama resident state population of 4,779,736 persons, and the population of defined subunits thereof, as reported by the 2010 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.

#### **II. EQUAL POPULATION REQUIREMENT: ONE PERSON-ONE VOTE**

The goal of redistricting is equality of population of congressional, legislative, and State Board of Education districts as defined below.

##### **1. Congressional Districts**

The Apportionment Clause of Article I, Section 2, of the United States Constitution requires that the population of a state's congressional districts in a state be "as nearly equal in population as practicable." Accordingly, Congressional redistricting plans must be as mathematically equal in population as is possible.



## **2. Legislative And State Board of Education Districts**

In accordance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, legislative and State Board of Education districts will be drawn to achieve "substantial equality of population among the various districts."

a. Any redistricting plan considered by the Reapportionment Committee will comply with all relevant case law regarding the one person, one vote principle of the equal protection clause of the 14th Amendment of the United States Constitution, including but not limited to the cases of *Larios v. Cox*, 300 F. Supp. 2d 1320 (N.D. Ga. 2004) *aff'd sub nom Cox v. Larios*, 542 U.S. 947 (2004), and *White v. Regester*, 412 U.S. 755 (1973). When presenting plans to the Reapportionment Committee, proponents should justify deviations from the ideal district population either as a result of the limitations of census geography, or as a result of the promotion of a consistently applied rational state policy.

b. In keeping with subpart a, above, a high priority of every legislative and State Board of Education redistricting plan must be minimizing population deviations among districts. In order to ensure compliance with the most recent case law in this area and to eliminate the possibility of an invidious discriminatory effect caused by population deviations in a final legislative or State Board of Education redistricting plan, in every redistricting plan submitted to the Reapportionment Committee, individual district populations should not exceed a 2% overall range of population deviation. The Reapportionment Committee will not approve a redistricting plan that does not comply with this requirement.

## **III. VOTING RIGHTS ACT**

1. Districts shall be drawn in accordance with the laws of the United States and the State of Alabama, including compliance with protections against the unwarranted retrogression or dilution of racial or ethnic minority voting strength. Nothing in these guidelines shall be construed to require or permit any districting policy or action that is contrary to the United States Constitution or the Voting Rights Act of 1965.

2. Redistricting plans are subject to the preclearance process established in Section 5 of the Voting Rights Act.

## **IV. CRITERIA FOR CONGRESSIONAL, LEGISLATIVE, AND STATE BOARD OF EDUCATION DISTRICTS**

1. All congressional, legislative, and State Board of Education districts will be single-member districts that comply with the population-equality standards discussed above.

2. A redistricting plan will not have either the purpose or the effect of diluting minority voting strength, shall not be retrogressive, and shall otherwise comply with Sections 2 and 5 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments to the Constitution.

3. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations that stereotype voters on the basis of race, color, or membership in a language-minority group.
4. All legislative and congressional districts will be composed of contiguous and reasonably compact geography.
5. The following legislative redistricting requirements prescribed by the Alabama Constitution shall be complied with:
  - a. Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.
  - b. House and Senate districts shall be drawn on the basis of total population.
  - c. The number of Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.
  - d. The number of Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.
  - e. The number of House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.
  - f. The number of House districts shall not be less than 67.
6. The following redistricting policies contained in the Alabama Constitution shall be observed to the extent that they do not violate or conflict with requirements prescribed by the Constitution and laws of the United States:
  - a. Each House and Senate district should be composed of as few counties as practicable.
  - b. Every part of every district shall be contiguous with every other part of the district. Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.
  - c. Every district should be compact.
7. The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:
  - a. Contests between incumbent members of Congress, the Legislature, and the State Board of Education will be avoided when ever possible.
  - b. The integrity of communities of interest shall be respected. For purposes of these Guidelines, a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic

interests; county, municipal, or voting precinct boundaries; and commonality of communications. Public comment will be received by the Reapportionment Committee regarding the existence and importance of various communities of interest. The Reapportionment Committee will attempt to accommodate communities of interest identified by people in a specific location. It is inevitable, however, that some interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.

c. Local community and political leaders and organizations and the entire citizenry shall be consulted about new district lines.

d. In establishing congressional and legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling state interests requiring equality of population among districts and the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.

## **V. PLANS PRODUCED BY LEGISLATORS**

1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.
2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.
3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.
4. In accordance with Rule 23 of the Joint Rules of the Alabama Legislature (2011) all amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office.
5. Drafts of all redistricting plans which are presented for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, must be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data Bank.

## **VI. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS**

1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.

2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.
3. Transcripts of all public hearings shall be made and maintained as part of the public record, and shall be available to the public.
4. The Reapportionment Committee will hold public hearings at different locations throughout the State in order to actively seek public participation and public input.
5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding congressional, legislative, and State Board of Education redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.
6. Notices of all Reapportionment Committee meetings will be posted on the fifth, sixth, seventh, and eighth floors of the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.

## **VII. PUBLIC ACCESS**

1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.
2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.
3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.
4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented for consideration by the Reapportionment Committee must:
  - a. Be clearly depicted on maps which follow 2010 Census geographic boundaries;
  - b. Be accompanied by a statistical sheet listing total population and minority

population for each district and listing the census geography making up each proposed district;

c. Stand as a complete statewide plan for redistricting, or, if presenting a partial plan, fit back into the plan which is being modified, so that the proposal can be evaluated in the context of a statewide plan (i.e., all places of geography must be accounted for in some district);

d. Comply with the guidelines adopted by the Reapportionment Committee.

## 5. Electronic Submissions

a. Electronic submissions of redistricting plans will be accepted by the Reapportionment Committee.

b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.

c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.

## 6. Census Data And Redistricting Materials

a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.

b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.

c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the legislature.

## Appendix.

### **ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA**

The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be on either a flash drive or CD ROM. The software used by the Reapportionment Office is the Esri Redistricting Online (RO) Solution.

The electronic file should be in DOJ format (Block, district # or district #, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. The Esri RO Solution has an automated plan import that creates a new plan from the block/district assignment list.

Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank RO Solution plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in the RO Solution.

In order for plans to be analyzed with our attribute data, to be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.

Example (DOJ FORMAT BLOCK, DISTRICT #)

SSCCCTTTTTTBBBB,D

SS is the 2 digit state FIPS code

CCC is the 3 digit county FIPS code

TTTTTT is the 6 digit census tract code

BBBB is the 4 digit census block code

, a comma goes before the district number

DDDD is the district number

(The above format is also acceptable with a blank space in place of the comma).

**Contact Information:**

Legislative Reapportionment Office  
Room 811, State House  
11 South Union Street  
Montgomery, Alabama 36130  
(334) 242-7941

**For questions relating to reapportionment and redistricting, please contact:**

Ms. Bonnie Shanholtzer  
Supervisor  
Legislative Reapportionment Office  
[district@al-legislature.gov](mailto:district@al-legislature.gov)

Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information contained on their Member pages of the Official Website of the Alabama Legislature.





2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<b><u>I. POPULATION</u></b>	<b><u>I. POPULATION</u></b>	<b><u>I. POPULATION</u></b>
The total Alabama resident state population of 4,779,736 persons, and the population of defined subunits thereof, as reported by the 2010 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.	The total Alabama <del>resident</del> state population— <del>of 4,779,736 persons</del> , and the population of defined subunits thereof, as reported by the <del>2010</del> <u>2020</u> Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.	The total Alabama state population, and the population of defined subunits thereof, as reported by the 2020 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.
<del>donna</del>	<b><u>II. CRITERIA FOR REDISTRICTING</u></b>	<b><u>II. CRITERIA FOR REDISTRICTING</u></b>
<b><u>II. EQUAL POPULATION REQUIREMENT: ONE PERSON, ONE VOTE</u></b>	<b><u>II. <del>EQUAL POPULATION</del> REQUIREMENT: ONE PERSON, ONE VOTE</u></b>	
	a. <del>The populations of congressional districts shall be as equal as is practicable. Districts shall comply with the United States</del>	a. Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
	<u>Constitution, including the requirement that they equalize total population.</u>	
In accordance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, legislative districts will be drawn to achieve "substantial equality of population among the various districts."	<del>b. In accordance with the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution,</del> <u>legislative and state board of education</u> districts <del>will</del> <u>shall</u> be drawn to achieve "substantial equality of population among the <del>various</del> districts." <u>and shall not exceed an overall population deviation range of 5%.</u>	b. Legislative and state board of education districts shall be drawn to achieve substantial equality of population among the districts and shall not exceed an overall population deviation range of 5%.
a. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.	<del>a. c.</del> A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.	c. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.
b. In every redistricting plan submitted to the Reapportionment Committee, individual district	<del>b. In every redistricting plan submitted to the Reapportionment Committee,</del>	<del>de.</del> The Reapportionment Committee shall not approve a redistricting plan that does not



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
populations should not exceed a 2% overall range of population deviation. The Reapportionment Committee will not approve a redistricting plan that does not comply with this requirement.	<del>individual—district—populations should not exceed a 2% overall range of population deviation. d.</del> The Reapportionment Committee <del>will</del> <u>shall</u> not approve a redistricting plan that does not comply with <del>this requirement. these population requirements.</del>	comply with these population requirements.
<b><u>III. VOTING RIGHTS ACT</u></b>	<b><u>III. VOTING RIGHTS ACT</u></b>	
Districts shall be drawn in in compliance with the Voting Rights Act of 1965. A redistricting plan will not have either the purpose or the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.	<u>e.</u> Districts shall be drawn in <del>in</del> compliance with the Voting Rights Act of 1965, <u>as amended</u> . A redistricting plan <del>will not have either</del> <u>shall have</u> neither the purpose <del>or nor</del> the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.	e. Districts shall be drawn in compliance with the Voting Rights Act of 1965, as amended. A redistricting plan shall have neither the purpose nor the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.
<b><u>IV. CRITERIA FOR LEGISLATIVE DISTRICTS</u></b>	<b><u>IV. CRITERIA FOR LEGISLATIVE DISTRICTS</u></b>	
1. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations that stereotype	<del>1. f.</del> No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations <del>that stereotype</del>	f. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations of race, color, or

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
voters on the basis of race, color, or membership in a language-minority group, except that race may predominate over other districting criteria, if necessary, to comply with Section 2 of the Voting Rights Act.	<del>voters on the basis</del> of race, color, or membership in a language-minority group, except that race, <u>color, or membership in a language-minority group</u> may predominate over <del>other race-neutral</del> districting criteria, <del>if necessary,</del> <u>provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.</u>	membership in a language-minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.
2. Legislative districts will be composed of contiguous and reasonably compact geography.	<del>2. g. Legislative districts</del> <u>Districts</u> will be composed of contiguous and reasonably compact geography.	g. Districts will be composed of contiguous and reasonably compact geography.
3. The following requirements of the Alabama Constitution shall be complied with:	<del>3. h.</del> The following requirements of the Alabama Constitution shall be complied with:	h. The following requirements of the Alabama Constitution shall be complied with:



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
a. Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.	<del>a.</del> <u>(i)</u> Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.	(i) Sovereignty resides in the people of Alabama, and all districts should be drawn to reflect the democratic will of all the people concerning how their governments should be restructured.
b. House and Senate districts shall be drawn on the basis of total population, except that voting age population may be considered, if necessary, to comply with Section 2 of the Voting Rights Act.	<del>b.</del> <u>(ii)</u> <del>House and Senate districts</del> <u>Districts</u> shall be drawn on the basis of total population, except that voting age population may be considered, <del>if as</del> necessary, to comply with Section 2 of the Voting Rights Act <u>or other federal or state law.</u>	(ii) Districts shall be drawn on the basis of total population, except that voting age population may be considered, as necessary to comply with Section 2 of the Voting Rights Act or other federal or state law.
c. The number of Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.	<del>c.</del> <u>(iii)</u> The number of <u>Alabama</u> Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.	(iii) The number of Alabama Senate districts is set by statute at 35 and, under the Alabama Constitution, may not exceed 35.
d. The number of Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.	<del>d.</del> <u>(iv)</u> The number of <u>Alabama</u> Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.	(iv) The number of Alabama Senate districts shall be not less than one-fourth or more than one-third of the number of House districts.

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
e. The number of House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.	<del>e. (v)</del> The number of <del>Alabama</del> House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.	(v) The number of Alabama House districts is set by statute at 105 and, under the Alabama Constitution, may not exceed 106.
f. The number of House districts shall not be less than 67.	<del>f. (vi)</del> The number of <del>Alabama</del> House districts shall not be less than 67.	(vi) The number of Alabama House districts shall not be less than 67.
g. All legislative districts will be single-member districts.	<del>g. (vii)</del> All <del>legislative</del> districts will be single-member districts.	(vii) All districts will be single-member districts.
h. Every part of every district shall be contiguous with every other part of the district.	<del>h. (viii)</del> Every part of every district shall be contiguous with every other part of the district.	(viii) Every part of every district shall be contiguous with every other part of the district.
4. The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:	<del>4. i.</del> The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:	i. The following redistricting policies are embedded in the political values, traditions, customs, and usages of the State of Alabama and shall be observed to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama:



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
a. Contests between incumbent members of the Legislature will be avoided whenever possible.	<del>a. (i)</del> Contests between incumbents <del>members of the Legislature</del> will be avoided whenever possible.	(i) Contests between incumbents will be avoided whenever possible.
b. Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.	<del>b. (ii)</del> Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.	(ii) Contiguity by water is allowed, but point-to-point contiguity and long-lasso contiguity is not.
c. The integrity of communities of interest shall be respected. For purposes of these Guidelines, a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic interests; county, municipal, or voting precinct boundaries; and commonality of communications. The Reapportionment Committee will attempt to accommodate communities of interest identified by people in a specific location. It is inevitable, however, that some	<del>c. (iii)</del> <del>The integrity of communities of interest shall be respected. For purposes of these Guidelines, a community of interest is defined as an area with recognized similarities of interests, including but not limited to racial, ethnic, geographic, governmental, regional, social, cultural, partisan, or historic interests; county, municipal, or voting precinct boundaries; and commonality of communications. The Reapportionment Committee will attempt to accommodate communities of interest identified by people in a specific location. It is inevitable, however, that some</del>	(iii) Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with paragraphs g through i. A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, voting precincts, municipalities, tribal lands and



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.</p>	<p><del>interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.</del>  <u>Districts shall respect communities of interest, neighborhoods, and political subdivisions to the extent practicable and after compliance with paragraphs g through i. A community of interest is defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities. The term communities of interest may, in certain circumstances, include political subdivisions such as counties, voting precincts, municipalities, tribal lands and reservations, or school districts.</u></p>	<p>reservations, or school districts. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
	The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people	
d. The Legislature shall try to minimize the number of counties in each district.	<del>d. (iv)</del> The Legislature shall try to minimize the number of counties in each district.	(iv) The Legislature shall try to minimize the number of counties in each district.
	<del>e. (v)</del> The Legislature shall try to preserve the cores of existing districts.	(v) The Legislature shall try to preserve the cores of existing districts.
e. In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling state interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.	<del>e. (vi)</del> In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling <del>state</del> <u>State</u> interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.	(vi) In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
f. The criteria identified in subsections (a)-(d) of this paragraph are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.	<del>f</del> <u>g</u> . The criteria identified in <del>subsections paragraphs (a)-(d) i(i)-(vi) of this paragraph</del> are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.	g. The criteria identified in paragraphs i(i)-(vi) are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.
<b>V. PLANS PRODUCED BY LEGISLATORS</b>	<del>V.</del> <u>III.</u> <b>PLANS PRODUCED BY LEGISLATORS</b>	<b>III. PLANS PRODUCED BY LEGISLATORS</b>
1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.	1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.	1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.
2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.	2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.	2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.</p>	<p>3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.</p>	<p>3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.</p>
<p>4. In accordance with Rule 23 of the <i>Joint Rules of the Alabama Legislature</i> (2015) all amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office.</p>	<p>4. In accordance with Rule 23 of the <i>Joint Rules of the Alabama Legislature</i> <del>(2015)</del> “[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office.” <u>Amendments or revisions must be part of a whole plan. Partial plans are not allowed.</u></p>	<p>4. In accordance with Rule 23 of the <i>Joint Rules of the Alabama Legislature</i> “[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office.” Amendments or revisions must be part of a whole plan. Partial plans are not allowed.</p>
<p>5. Drafts of all redistricting plans which are presented for introduction at any session of the Legislature, and which are not prepared by the Reapportionment</p>	<p>5. <del>Drafts of all redistricting plans which are presented for introduction at any session of the Legislature, and which are not prepared by the Reapportionment</del></p>	<p>5. In accordance with Rule 24 of the <i>Joint Rules of the Alabama Legislature</i>, “[d]rafts of all redistricting plans which are for introduction at any session of the</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
Office, must be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data Bank.	<del>Office, must be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data Bank.</del> <u>In accordance with Rule 24 of the Joint Rules of the Alabama Legislature, "[d]rafts of all redistricting plans which are for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."</u>	Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."
<b>VI. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS</b>	<del>VI.</del> <b>IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS</b>	<b>IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS</b>
1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.	1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.	1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.	2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.	2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.
3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.	3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.	3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.
4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.	4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.	4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
		minimal criteria herein established.
<p>5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p>	<p>5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p>	<p>5. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.</p>
<p>6. Notices of all Reapportionment Committee meetings will be posted on the fifth, sixth, seventh, and eighth floors of the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of</p>	<p>6. Notices of all Reapportionment Committee meetings will be posted on <del>the fifth, sixth, seventh, and eighth floors of</del> <u>monitors throughout</u> the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website.</p>	<p>6. Notice of all Reapportionment Committee meetings will be posted on monitors throughout the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of Reapportionment Committee</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.</p>	<p>Individual notice of Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.</p>	<p>meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.</p>
<b>VII. PUBLIC ACCESS</b>	<del>VII</del> <b>V. PUBLIC ACCESS</b>	<b>V. PUBLIC ACCESS</b>
<p>1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.</p>	<p>1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.</p>	<p>1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.</p>	<p>2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.</p>	<p>2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.</p>
<p>3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.</p>	<p>3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.</p>	<p>3. Any proposed redistricting plan drafted into legislation must be offered by a member of the Legislature for introduction into the legislative process.</p>
<p>4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented</p>	<p>4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented</p>	<p>4. A redistricting plan developed outside the Legislature or a redistricting plan developed without Reapportionment Office assistance which is to be presented for consideration by</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
for consideration by the Reapportionment Committee must:	for consideration by the Reapportionment Committee must:	the Reapportionment Committee must:
a. Be clearly depicted on maps which follow 2010 Census geographic boundaries;	a. Be clearly depicted on maps which follow <del>2010</del> <u>2020</u> Census geographic boundaries;	a. Be clearly depicted on maps which follow 2020 Census geographic boundaries;
b. Be accompanied by a statistical sheet listing total population for each district and listing the census geography making up each proposed district;	b. Be accompanied by a statistical sheet listing total population for each district and listing the census geography making up each proposed district;	b. Be accompanied by a statistical sheet listing total population for each district and listing the census geography making up each proposed district;
c. Stand as a complete statewide plan for redistricting, or, if presenting a partial plan, fit back into the plan which is being modified, so that the proposal can be evaluated in the context of a statewide plan ( <i>i.e.</i> , all places of geography must be accounted for in some district);	c. Stand as a complete statewide plan for redistricting, <del>or, if presenting a partial plan, fit back into the plan which is being modified, so that the proposal can be evaluated in the context of a statewide plan (<i>i.e.</i>, all places of geography must be accounted for in some district);.</del>	c. Stand as a complete statewide plan for redistricting.
d. Comply with the guidelines adopted by the Reapportionment Committee.	d. Comply with the guidelines adopted by the Reapportionment Committee.	d. Comply with the guidelines adopted by the Reapportionment Committee.
5. Electronic Submissions	5. Electronic Submissions	5. Electronic Submissions
a. Electronic submissions of redistricting plans will be accepted	a. Electronic submissions of redistricting plans will be accepted	a. Electronic submissions of redistricting plans will be

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
by the Reapportionment Committee.	by the Reapportionment Committee.	accepted by the Reapportionment Committee.
b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.	b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.	b. Plans submitted electronically must also be accompanied by the paper materials referenced in this section.
c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.	c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.	c. See the Appendix for the technical documentation for the electronic submission of redistricting plans.
6. Census Data And Redistricting Materials	6. Census Data And Redistricting Materials	6. Census Data And Redistricting Materials
a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.	a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.	a. Census population data and census maps will be made available through the Reapportionment Office at a cost determined by the Permanent Legislative Committee on Reapportionment.
b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment Office at a cost	b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment Office at a cost	b. Summary population data at the precinct level and a statewide work maps will be made available to the public through the Reapportionment



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
determined by the Permanent Legislative Committee on Reapportionment.	determined by the Permanent Legislative Committee on Reapportionment.	Office at a cost determined by the Permanent Legislative Committee on Reapportionment.
c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the legislature.	c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the <del>legislature</del> <u>Legislature</u> .	c. All such fees shall be deposited in the state treasury to the credit of the general fund and shall be used to cover the expenses of the Legislature.
<p align="center"><b>Appendix.</b></p> <p align="center"><b>ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA</b></p> <p>The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be on either a flash drive or CD ROM. The software used by the Reapportionment Office is the Esri Redistricting Online (RO) Solution.</p>	<p align="center"><b>Appendix.</b></p> <p align="center"><b>ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA</b></p> <p>The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be <del>on either</del> <u>via email or</u> a flash drive, <del>or CD ROM.</del> The software used by the Reapportionment Office is <del>the Esri Redistricting Online (RO) Solution.</del> <u>Mapitude.</u></p>	<p align="center"><b>Appendix.</b></p> <p align="center"><b>ELECTRONIC SUBMISSION OF REDISTRICTING PLANS REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA</b></p> <p>The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be via email or a flash drive. The software used by the Reapportionment Office is Mapitude.</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>The electronic file should be in DOJ format (Block, district # <u>or</u> district #, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. The Esri RO Solution has an automated plan import that creates a new plan from the block/district assignment list.</p> <p>Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank RO Solution plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in the RO Solution.</p> <p>In order for plans to be analyzed with our attribute data, to be able to edit, report on, and</p>	<p>The electronic file should be in DOJ format (Block, district # <u>or</u> district #, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. <del>The Esri RO Solution</del> <u>Mapitude</u> has an automated plan import that creates a new plan from the block/district assignment list.</p> <p>Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank <del>RO Solution plan.</del> <u>Mapitude plan.</u> In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in <del>the RO Solution.</del> <u>Mapitude.</u></p> <p>In order for plans to be analyzed with our attribute data, to</p>	<p>The electronic file should be in DOJ format (Block, district # <u>or</u> district #, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. Mapitude_ has an automated plan import that creates a new plan from the block/district assignment list.</p> <p>Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank Mapitude plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in Mapitude.</p> <p>In order for plans to be analyzed with our attribute data,</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.</p> <p><u>Example (DOJ FORMAT BLOCK, DISTRICT #)</u></p> <p>SSCCCTTTTTTBBBBDDDD</p> <p>SS is the 2 digit state FIPS code</p> <p>CCC is the 3 digit county FIPS code</p> <p>TTTTTT is the 6 digit census tract code</p> <p>BBBB is the 4 digit census block code</p> <p>DDDD is the district number, right adjusted</p>	<p>be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.</p> <p><u>Example (DOJ FORMAT BLOCK, DISTRICT #)</u></p> <p>SSCCCTTTTTTBBBBDDDD</p> <p>SS is the 2 digit state FIPS code</p> <p>CCC is the 3 digit county FIPS code</p> <p>TTTTTT is the 6 digit census tract code</p> <p>BBBB is the 4 digit census block code</p> <p>DDDD is the district number, right adjusted</p>	<p>to be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.</p> <p><u>Example (DOJ FORMAT BLOCK, DISTRICT #)</u></p> <p>SSCCCTTTTTTBBBBDDDD</p> <p>SS is the 2 digit state FIPS code</p> <p>CCC is the 3 digit county FIPS code</p> <p>TTTTTT is the 6 digit census tract code</p> <p>BBBB is the 4 digit census block code</p> <p>DDDD is the district number, right adjusted</p>
<p>Contact Information: Legislative Reapportionment Office Room 303, State House 11 South Union Street</p>	<p>Contact Information: Legislative Reapportionment Office Room 303, State House 11 South Union Street</p>	<p>Contact Information: Legislative Reapportionment Office Room 303, State House 11 South Union Street</p>



2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
<p>Montgomery, Alabama 36130 (334) 242-7941</p> <p>For questions relating to reapportionment and redistricting, please contact:</p> <p>Donna Shanholtzer Supervisor Legislative Reapportionment Office donna@al-legislature.gov</p> <p>Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information contained on their Member pages of the Official Website of the Alabama Legislature.</p>	<p>Montgomery, Alabama 36130 (334) <del>242-7941</del> <u>269-0706</u></p> <p>For questions relating to reapportionment and redistricting, please contact:</p> <p>Donna Overton Loftin Supervisor Legislative Reapportionment Office donna.overton@alsenate.gov</p> <p>Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated <u>via this email</u> to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information contained on their Member pages of the Official Website of the Alabama Legislature.</p>	<p>Montgomery, Alabama 36130 (334) 269-0706</p> <p>For questions relating to reapportionment and redistricting, please contact:</p> <p>Donna Overton Loftin Supervisor Legislative Reapportionment Office donna.overton@alsenate.gov</p> <p>Please Note: The above e-mail address is to be used only for the purposes of obtaining information regarding redistricting. Political messages, including those relative to specific legislation or other political matters, cannot be answered or disseminated via this email to members of the Legislature. Members of the Permanent Legislative Committee On Reapportionment may be contacted through information</p>

2010 GUIDELINES	PROPOSED CHANGES	ENROLLED GUIDELINES
	<a href="http://legislature.state.al.us/aliswww/default.aspx">legislature.state.al.us/aliswww/default.aspx</a> .	contained on their Member pages of the Official Website of the Alabama Legislature, legislature.state.al.us/aliswww/default.aspx.

**REAPPORTIONMENT COMMITTEE REDISTRICTING GUIDELINES**

May 5, 2021

**I. POPULATION**

The total Alabama state population, and the population of defined subunits thereof, as reported by the 2020 Census, shall be the permissible data base used for the development, evaluation, and analysis of proposed redistricting plans. It is the intention of this provision to exclude from use any census data, for the purpose of determining compliance with the one person, one vote requirement, other than that provided by the United States Census Bureau.

**II. CRITERIA FOR REDISTRICTING**

a. Districts shall comply with the United States Constitution, including the requirement that they equalize total population.

b. Congressional districts shall have minimal population deviation.

c. Legislative and state board of education districts shall be drawn to achieve substantial equality of population among the districts and shall not exceed an overall population deviation range of  $\pm 5\%$ .

d. A redistricting plan considered by the Reapportionment Committee shall comply with the one person, one vote principle of the Equal Protection Clause of the 14th Amendment of the United States Constitution.

e. The Reapportionment Committee shall not approve a redistricting plan that does not comply with these population requirements.

f. Districts shall be drawn in compliance with the Voting Rights Act of 1965, as amended. A redistricting plan shall have neither the purpose nor the effect of diluting minority voting strength, and shall comply with Section 2 of the Voting Rights Act and the United States Constitution.

g. No district will be drawn in a manner that subordinates race-neutral districting criteria to considerations of race, color, or membership in a language-minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice. A strong basis in evidence exists when there is good reason to believe that race must be used in order to satisfy the Voting Rights Act.

1 h. Districts will be composed of contiguous and reasonably compact  
2 geography.

3 i. The following requirements of the Alabama Constitution shall be complied  
4 with:

5 (i) Sovereignty resides in the people of Alabama, and all districts should be  
6 drawn to reflect the democratic will of all the people concerning how their  
7 governments should be restructured.

8 (ii) Districts shall be drawn on the basis of total population, except that voting  
9 age population may be considered, as necessary to comply with Section 2 of the  
10 Voting Rights Act or other federal or state law.

11 (iii) The number of Alabama Senate districts is set by statute at 35 and, under  
12 the Alabama Constitution, may not exceed 35.

13 (iv) The number of Alabama Senate districts shall be not less than one-fourth or  
14 more than one-third of the number of House districts.

15 (v) The number of Alabama House districts is set by statute at 105 and, under  
16 the Alabama Constitution, may not exceed 106.

17 (vi) The number of Alabama House districts shall not be less than 67.

18 (vii) All districts will be single-member districts.

19 (viii) Every part of every district shall be contiguous with every other part of the  
20 district.

21 j. The following redistricting policies are embedded in the political values,  
22 traditions, customs, and usages of the State of Alabama and shall be observed to  
23 the extent that they do not violate or subordinate the foregoing policies prescribed  
24 by the Constitution and laws of the United States and of the State of Alabama:

25 (i) Contests between incumbents will be avoided whenever possible.

26 (ii) Contiguity by water is allowed, but point-to-point contiguity and long-lasso  
27 contiguity is not.

28 (iii) Districts shall respect communities of interest, neighborhoods, and political  
29 subdivisions to the extent practicable and in compliance with paragraphs a  
30 through i. A community of interest is defined as an area with recognized  
31 similarities of interests, including but not limited to ethnic, racial, economic, tribal,  
32 social, geographic, or historical identities. The term communities of interest may,  
33 in certain circumstances, include political subdivisions such as counties, voting



precincts, municipalities, tribal lands and reservations, or school districts. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people.

(iv) The Legislature shall try to minimize the number of counties in each district.

(v) The Legislature shall try to preserve the cores of existing districts.

(vi) In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.

g. The criteria identified in paragraphs j(i)-(vi) are not listed in order of precedence, and in each instance where they conflict, the Legislature shall at its discretion determine which takes priority.

### **III. PLANS PRODUCED BY LEGISLATORS**

1. The confidentiality of any Legislator developing plans or portions thereof will be respected. The Reapportionment Office staff will not release any information on any Legislator's work without written permission of the Legislator developing the plan, subject to paragraph two below.

2. A proposed redistricting plan will become public information upon its introduction as a bill in the legislative process, or upon presentation for consideration by the Reapportionment Committee.

3. Access to the Legislative Reapportionment Office Computer System, census population data, and redistricting work maps will be available to all members of the Legislature upon request. Reapportionment Office staff will provide technical assistance to all Legislators who wish to develop proposals.

4. In accordance with Rule 23 of the Joint Rules of the Alabama Legislature "[a]ll amendments or revisions to redistricting plans, following introduction as a bill, shall be drafted by the Reapportionment Office." Amendments or revisions must be part of a whole plan. Partial plans are not allowed.

5. In accordance with Rule 24 of the Joint Rules of the Alabama Legislature, "[d]rafts of all redistricting plans which are for introduction at any session of the Legislature, and which are not prepared by the Reapportionment Office, shall be presented to the Reapportionment Office for review of proper form and for entry into the Legislative Data System at least ten (10) days prior to introduction."

**IV. REAPPORTIONMENT COMMITTEE MEETINGS AND PUBLIC HEARINGS**

1. All meetings of the Reapportionment Committee and its sub-committees will be open to the public and all plans presented at committee meetings will be made available to the public.

2. Minutes of all Reapportionment Committee meetings shall be taken and maintained as part of the public record. Copies of all minutes shall be made available to the public.

3. Transcripts of any public hearings shall be made and maintained as part of the public record, and shall be available to the public.

4. All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.

5. Notice of all Reapportionment Committee meetings will be posted on monitors throughout the Alabama State House, the Reapportionment Committee's website, and on the Secretary of State's website. Individual notice of Reapportionment Committee meetings will be sent by email to any citizen or organization who requests individual notice and provides the necessary information to the Reapportionment Committee staff. Persons or organizations who want to receive this information should contact the Reapportionment Office.

**V. PUBLIC ACCESS**

1. The Reapportionment Committee seeks active and informed public participation in all activities of the Committee and the widest range of public information and citizen input into its deliberations. Public access to the Reapportionment Office computer system is available every Friday from 8:30 a.m. to 4:30 p.m. Please contact the Reapportionment Office to schedule an appointment.

2. A redistricting plan may be presented to the Reapportionment Committee by any individual citizen or organization by written presentation at a public meeting or by submission in writing to the Committee. All plans submitted to the Reapportionment Committee will be made part of the public record and made available in the same manner as other public records of the Committee.

1 3. Any proposed redistricting plan drafted into legislation must be offered by a  
2 member of the Legislature for introduction into the legislative process.

3 4. A redistricting plan developed outside the Legislature or a redistricting plan  
4 developed without Reapportionment Office assistance which is to be presented for  
5 consideration by the Reapportionment Committee must:

6 a. Be clearly depicted on maps which follow 2020 Census geographic  
7 boundaries;

8 b. Be accompanied by a statistical sheet listing total population for each district  
9 and listing the census geography making up each proposed district;

10 c. Stand as a complete statewide plan for redistricting.

11 d. Comply with the guidelines adopted by the Reapportionment Committee.

12 5. Electronic Submissions

13 a. Electronic submissions of redistricting plans will be accepted by the  
14 Reapportionment Committee.

15 b. Plans submitted electronically must also be accompanied by the paper  
16 materials referenced in this section.

17 c. See the Appendix for the technical documentation for the electronic  
18 submission of redistricting plans.

19 6. Census Data and Redistricting Materials

20 a. Census population data and census maps will be made available through the  
21 Reapportionment Office at a cost determined by the Permanent Legislative  
22 Committee on Reapportionment.

23 b. Summary population data at the precinct level and a statewide work maps  
24 will be made available to the public through the Reapportionment Office at a cost  
25 determined by the Permanent Legislative Committee on Reapportionment.

26 c. All such fees shall be deposited in the state treasury to the credit of the  
27 general fund and shall be used to cover the expenses of the Legislature.

28 **Appendix.**

29 **ELECTRONIC SUBMISSION OF REDISTRICTING PLANS**

30 **REAPPORTIONMENT COMMITTEE - STATE OF ALABAMA**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

The Legislative Reapportionment Computer System supports the electronic submission of redistricting plans. The electronic submission of these plans must be via email or a flash drive. The software used by the Reapportionment Office is Maptitude.

The electronic file should be in DOJ format (Block, district # or district #, Block). This should be a two column, comma delimited file containing the FIPS code for each block, and the district number. Maptitude has an automated plan import that creates a new plan from the block/district assignment list.

Web services that can be accessed directly with a URL and ArcView Shapefiles can be viewed as overlays. A new plan would have to be built using this overlay as a guide to assign units into a blank Maptitude plan. In order to analyze the plans with our attribute data, edit, and report on, a new plan will have to be built in Maptitude.

In order for plans to be analyzed with our attribute data, to be able to edit, report on, and produce maps in the most efficient, accurate and time saving procedure, electronic submissions are REQUIRED to be in DOJ format.

Example: (DOJ FORMAT BLOCK, DISTRICT #)

SSCCCTTTTTTBBBBDDDD

SS is the 2 digit state FIPS code

CCC is the 3 digit county FIPS code

TTTTTT is the 6 digit census tract code

BBBB is the 4 digit census block code

DDDD is the district number, right adjusted

#### **Contact Information:**

Legislative Reapportionment Office

Room 317, State House

11 South Union Street

Montgomery, Alabama 36130

(334) 261-0706

1 For questions relating to reapportionment and redistricting, please contact:

2 Donna Overton Loftin, Supervisor

3 Legislative Reapportionment Office

4 donna.overton@alsenate.gov

5 Please Note: The above e-mail address is to be used only for the purposes of  
6 obtaining information regarding redistricting. Political messages, including those  
7 relative to specific legislation or other political matters, cannot be answered or  
8 disseminated via this email to members of the Legislature. Members of the  
9 Permanent Legislative Committee on Reapportionment may be contacted through  
10 information contained on their Member pages of the Official Website of the  
11 Alabama Legislature, [legislature.state.al.us/aliswww/default.aspx](http://legislature.state.al.us/aliswww/default.aspx).

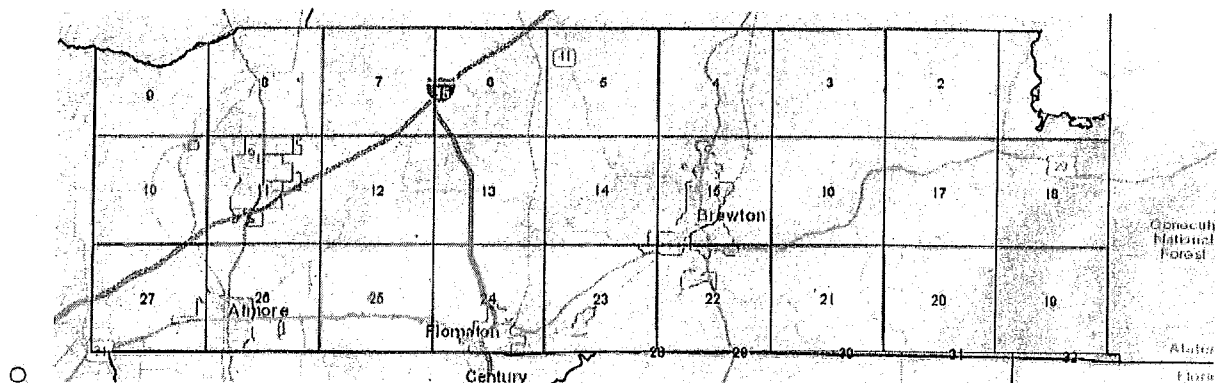
### TALK POINTS FOR LIKELY ISSUES, No. 1

- The Barry Moore Congressional Plan

- Sen. Will Barfoot (SD25, Crenshaw, Elmore, and Montgomery) and Rep. Mike Holmes (HD31, Elmore) are sponsoring an alternative Congressional Plan for Congressman Barry Moore.
- This plan, called “The Preferred Congressional Plan for Alabama,” originally differs from the Committee’s plan in several respects, but Rep. Holmes will offer an improved version called the “Holmes Congressional Plan 1,” that is identical to the Committee’s plan **except** that takes a county split that the Committee’s plan has in Moore’s district, CD2, and transfers it to Terri Sewell’s district, CD7.
- In the Committee’s plan, Moore has a sliver of east Escambia County populated by 739 people. In Moore’s plan, that county split is moved to Monroe County, where it gives Sewell an additional 739 voters.
- Under the Committee’s plan, Moore has 2 county splits and Sewell has 3. Under Moore’s plan, he has only 1 county split and Sewell has 4 – more than any other Member of Congress.
- Moore’s only stated argument for relocating the split is that with Escambia County, his district has the most counties of all districts: 16. The unstated argument, of course, is that Sewell is a Democrat and too bad if she gets dumped on.
- The problem, of course, is that Sewell is not only a Democrat, she’s Black, and this may look like race discrimination to a federal court. In fact, the number of splits in Terri Sewell’s district was the first

objection brought up by Black Committee members when the Reapportionment Committee met Tuesday.

- Bill Harris, Moore's District Director explained why Moore did not want the Escambia County split: it's an additional county that Moore has to service and each additional county takes more work for Moore and his staff, and he already has 15 counties. But this same argument works for Sewell. Each new county split is more work for her, no less than Moore, and she already has 3 splits. No other Member has more than 2.
- Also, the part of Escambia County given to Moore has no incorporated cities, and a great deal of it is in the Conecuh National Forest:



- The burden of representing this sparsely populated, unorganized area of Escambia County is a light one. There is no civic group or city council, *etc.*, that has to be courted.
- There's no doubt that adding another county split to Sewell's district – especially if done in committee or on the floor – will be argued as racially discriminatory by plaintiffs attacking the Moore Plan if the Legislature adopts it in favor of the Committee Plan.

- We can't say if that claim will be successful. It depends in large part on how skillfully it is argued, but clearly, if the Legislature adopts the Moore Plan instead of the Committee Plan, it puts an unnecessary lighting rod on CD7 that is sure to draw attention from the three-judge court or the Supreme Court, and will give them one more reason to see the plan as racially biased. Should that happen, we'll be having a special session to correct the plan, and possibly new elections.

### TALK POINTS FOR LIKELY ISSUES, No. 3

- The League of Women Voter's Plan
- The League of Women Voter's Plan is a whole-county plan. It does not split any county. But it has a lot of problems.
- The plan puts two incumbents in the same district, CD3. Rep. Mike Rogers lives in Calhoun County, and Rep. Gary Palmer lives in Shelby County. Both counties are in CD3. This violates section II(j)(i), which says: "Contest between incumbent shall be avoided whenever possible."
- Section 2 of the Voting Rights Act requires the Legislature to draw a majority-Black district when it's possible to do so, generally speaking, and the Reapportionment Committee's Congressional Plan demonstrates that it's possible to draw one. In the Committee's plan, CD7 is majority Black and has a strong Black Voting Age Population, or "BVAP" of 54.\_\_\_\_%. The LWV's plan has no majority-Black district. Instead, it has only two districts – CD6 and CD7 - with high BVAPs compared to the other Congressional Districts. Thus the LWV Plan violates Section 2 of the Voting Rights Act.
- CD6 consists of 4 whole counties: Jefferson, Bibb, Hale, and Perry. Terri Sewell lives in this district. The BVAP for CD6 is 40.44%, which is well below a majority.
- CD7 is made up of 18 counties: Bullock, Butler, Choctaw, Clarke, Conecuh, Crenshaw, Dallas, Greene, Lowndes, Macon, Marengo, Monroe, Montgomery, Pickens, Sumter, Tuscaloosa, Washington, and Wilcox. Eighteen counties is far more than any other districts has.
  - CD1 has only 4,



- CD2 has 12,
  - CD3 has 11,
  - CD4 has 12,
  - CD 5 has 6, and , as I've mentioned,
  - CD 6 has only 4.
  - The BVAP for CD7 is only 45.82% - better than CD6 but still less than a majority. And unlike CD6, in which Representative Terri Sewell resides, there is no incumbent in CD7. It seems unlikely that a Black Democrat candidate without the strength of incumbency will carry a district that is only 45.82% BVAP. It seems more than likely that CD7 is not a Black district at all.
- CD7 violates the race-neutral criteria in the Reapportionment Committee's Redistricting Guidelines in several ways:
    - Guideline II(h) says: "Districts will be composed of contiguous and reasonably compact geography." CD7 is contiguous, but it is not reasonably compact. It starts in Tuscaloosa and executes a huge curve south and then east, ending in Macon and Bullock Counties, just short of the Georgia line.
    - Guideline II(j)(iv) says: "The Legislature shall try to minimize the number of counties in each district." It's apparent that no attempt was made to minimize the number of counties in CD7. To the contrary, the LWV *maximized* the number of counties in CD7 in order to get as many Black persons in the districts as possible.

- Guideline II(j)(iv) says: “The Legislature shall try to preserve the cores of existing districts.” CD 7 as drawn by the LWV does not do that. Existing CD7 has 10 whole counties and 4 split counties. The LWV plan adds to CD7 7 completely new counties – Bullock, Butler, Conecuh, Crenshaw, Macon, Monroe, and Washington – and removes 3 counties – Hale, Jefferson, which is the population core of the existing CD7, and Perry. So, the LWV’s CD7 does not preserve the core of the existing CD7.
- The LWV Plan does not preserve the core of existing CD2. At present, CD 2 has 14 whole counties and part of another, Montgomery. The whole counties are: Autauga, Barbour, Bullock, Butler, Crenshaw, Coffee, Conecuh, Covington, Dale, Elmore, Geneva, Henry, Houston, and Pike. The LWV’s proposed CD2 loses 7 of these counties – Autauga, Bullock, Butler, Crenshaw, Conecuh, Elmore, and Montgomery. It retains only 7 of its current counties – Barbour, Covington, Coffee, Dale, Geneva, Henry, Houston, and Pike. And it picks up an additional 5 completely new counties – Chambers, Elmore, Lee, Russell, and Tallapoosa. The LWV’s CD2 does not preserve the core of the existing district.
- The LWV plan also does not preserve the core of CD3. Presently, CD 3 has 11 whole counties – Calhoun, Chambers, Clay, Cleburne, Lee, Macon, Randolph, Russell, St. Clair, Talladega, and Tallapoosa – and parts of two other counties – Cherokee and Montgomery. But as drawn by the LVW, CD# has 11 whole counties, of which only 6 are in the present CD6. These are Calhoun, Cherokee, Clay, Cleburne, Randolph, and Talladega. CD 3 gains 5 entirely new counties – Autauga, Chilton, Coosa, Etowah, and Shelby, and loses 7 that it currently includes – Lee, Chambers, Macon, Montgomery, Russell,

St. Clair, and Tallapoosa. The LWV's CD3 does not preserve the core of the existing district.

○

- CD6 and CD7 are both racial gerrymanders. A district is racially gerrymandered when a substantial number of people have been included in it, or excluded from it, because of race. There is no way these districts were drawn race-blind. In fact, CD6 and CD7 are drawn as they are *because of race*. Not only that, but in order to draw these districts, as we've just seen the LWV trampled on or subordinated the Legislature's race-neutral criteria.
- Drawing districts to have a Black population majority might be OK if it were done in order to comply with Section 2 of the Voting Rights Act and there were a strong basis in evidence to support it. But the Voting Rights Act does not apply to districts like CD6 and CD7 that are below 50% BVAP. CD6 and CD7 are not majority-Black districts; they are what are called "influence districts," and the Voting Rights Act does not apply to them. It necessarily follow that CD6 and CD7 violate the Equal Protection Clause, because they classify voters by race without a compelling state interest in doing so.
- The LWV Plan violates the Guidelines, and the law, in another way. Guideline II(b) says: "Congressional districts shall have minimal population deviation." The Committee's plan complies with this requirement. Six of the Committee's Congressional Districts has the same population, and the other Congressional District has one additional person. But instead of minimal deviation, the LWV Plan has a total deviation of 2.47%. That would be OK if it were any type of plan *except* a Congressional plan, but Congressional plans must have zero deviation. 2.47% is well in excess of what the Guidelines and Supreme Court case law allow. This deviation will not pass muster in federal court.

- The LWV is aware of the problem caused by their plan's excessive total deviation. And they will make the argument that this excessive total deviation is allowed by a case the Supreme Court decided in 2012 called *Tennant v. Jefferson County [West Virginia] Commission*. The Tarrant case is very specific to the facts the Court was considering in that case, and that case does not apply to Alabama. The LWV argues in the complaint they filed in federal court that their plan's excessive total deviation "can be justified as a remedy of the racial gerrymander preserved in the 2011 plan and by Alabama's historic policy of preserving whole counties." This is just an argument, and it's one that have not been tested in federal court. We believe it's wrong, and that in Alabama, congressional plan must have minimal deviation.

#### TALK POINTS FOR LIKELY ISSUES, No. 4

- The Faulkner Congressional District Plan No. 1
  - The Faulkner Congressional Plan No. 1 changes the Committee's Plan in Jefferson County only.
  - The Faulkner Plan takes Homewood out of CD7, which is represented by Terri Sewell, and put it in CD6, represented by Gary Palmer.
  - If this plan is passed, it will be sued as violating the Voting Right Act. In response to such a lawsuit, the State might argue that taking Homewood from CD7 and putting it in CD6 is politically motivated, but there is a strong possibility that a court would the change view it as racially motivated. If so, it's a fair conclusion that the court would find that the reassignment of Homewood was a race-conscious change made without the necessary "strong basis in evidence." This would lead to a holding that the plan violates the Voting Rights Act and the Equal Protection Clause.
  - In addition, the Faulkner Plan increases CD7's BVAP from 54.22% to 57.58%. This increase in Black BVAP is likely to draw an allegation that more Black residents have been put into CD7 than are necessary, which is called "packing," and which violates the Voting Rights Act and the Equal Protection Clause.

### **The Jabo Waggoner Substitute Plan**

Q: Why was it OK to have Homewood in CD6 and the Centerpoint precincts in CD7 in 2010 but now it's not OK?

A: Two factors are involved. First, in three cases after the 2010 Census, the Supreme Court required that districts be drawn race-blind, and so the Congressional Plan was. Second, there was a need to add 53,000+ people to CD7, and most of them had to come from Jefferson County, given that many of the other counties in CD7 lost population under the 2020 Census. Together, these factors led to the inclusion of population-dense Homewood into CD7. In addition, it was necessary to give the CD7 incursion into Jefferson County more of an East-West shape, rather than a North South shape, in order to prevent claims that this part of Jefferson County was a racial gerrymander. This is a consequence of the fact that Section 5 is no longer enforceable, and explains why what was OK in 2010 and was approved by the Justice Department then is not OK in 2020, and would not be approved by the Justice Department today. Consequently, when these changes were made, the tip of the 2010 incursion – the Centerpoint Precincts – were not needed and were put into C6.

Q: Why can't they just be switched back?

A: The two Homewood Precincts are majority white. The four Centerpoint-area precincts are majority black. Switching black and white precincts at this point, after the plan was drawn race-blind, would be a race-conscious action that would violate Section 2 of the Voting Rights Act unless it were done in fulfillment of a "compelling state interest." Under the Voting Rights Act, the State has no compelling interest in making these race-conscious reassignments.



**Hassell Senate Plan No. 1 Compared  
with  
McClendon Senate Plan No. 1**

**Pairing Incumbents in the Same Districts**

The Hassell Plan pairs 8 incumbent Senators in 4 districts:

- 14 – Pairs Senators Chambless and Weaver
- 27 – Pairs Senators Price and Watley
- 17 – Pairs Senators Reed and Shellnut
- 8 – Pairs Senators Butler and Givhan

The McClendon Plan, which the Senate has passed, does not pair any incumbents.

**County and Precincts Splits**

The Hassell Plan splits 31 counties and 320 precincts.

The McClendon Plan splits 19 counties and 13 precincts.

The McClendon Plan does a much better job of respecting communities of interest and keeping counties whole.

**Significantly Changes Shapes of Senate Districts**

A cursory look at the Hassell Plan shows that it makes major changes to Senatorial Districts, from top to bottom of the State. Just a few examples:

McClendon's SDs 4, 5, and 6 are largely combined into Hassell SD 2.

The Jefferson County Districts are more or less redrawn

SD 34 goes from being part of Mobile County to including parts of Clarke, Choctaw, and Mobile Counties and all of Washington County

Many more changes are apparent merely by looking at the two maps. The McClendon Plan is based on repeated meetings with Senators over the past 2 and a half months; working with Senators to give them what they wanted or to work out compromises. There's no indication that Hassell met with anyone, or has Senatorial buy-in to his plan. If the House starts changing Senate Districts that Senators have agreed to, it can only expect that the Senate will do likewise to House Districts.

## Committee Draft Congressional Plan

### Talking Points

1. In developing this plan, all Congressional Representatives were met with in person and then subsequently over the phone or on Microsoft Teams until their concerns had been addressed. An exception is Representative Mo Brooks, who is running for another office. He did not want to meet in person and sent a staff member in his stead. All Representatives had input into this plan.
2. This plan meets our Committee Guidelines.
  - a. It complies with Section II of the Voting Rights Act and the Equal Protection Clause.
  - b. There is minimal population deviation between the districts. Six of the districts are at ideal population -- 717,754 and the 2<sup>nd</sup> District is one person over.
  - c. It respects counties to the extent possible given the requirement for equal population.
  - d. It does not require any incumbents to run against each other.
  - e. All districts are contiguous and reasonably compact.
  - f. It respects communities of interest.
  - g. It preserves the cores of existing districts.
3. It splits a minimum number of counties and VTDs (or precincts) -- 6 counties are split and 7 VTDs are split to get to zero deviation. An improvement over current law which splits 7 counties.  
Splits are:
  - Lauderdale County between districts 4 and 5
  - Tuscaloosa County between districts 4 and 7
  - Jefferson County between districts 6 and 7
  - Chilton County between districts 3 and 6
  - Montgomery County between districts 2 and 7
  - Escambia County between districts 1 and 2
4. This plan contains one majority-black district with a BVAP of 54.22%.

### Hatcher Congressional Plan No. 1

- This plan purports to have two majority-Black districts. These are CDs 2 and 7. CD7 has a BVAP of 52.55%, but CD2's BVAP is only 50.05%. That means CD2 is a majority-Black district by only .05% . This is not a functional majority, and given the margin of error in the Census data, it may not even be a majority-Black district at all. By comparison, the Reapportionment Committee's plan, which the House has passed, has one majority-Black district with a strong BVAP of 54.22. So the Hatcher Congressional Plan reduces the BVAP of CD7 in order to draw a district, CD2, as only marginally majority-Black. Reducing the BVAP of CD7 to create a majority-Black district that may not in fact be majority-Black is likely to draw a "cracking" lawsuit in violation of the Voting Rights Act.
- The Hatcher Congressional Plan No. 1 splits 13 counties. The Reapportionment Committee's plan has only 6 county splits.
- The Hatcher Congressional Plan No. 1 puts two pairs of incumbents in the same district. CD1 contains the residences of both Rep. Carl and Rep. Moore. In addition, it puts Rep. Sewell and Rep. Palmer both in CD6.

**Walker, Dorman**

---

**From:** Walker, Dorman  
**Sent:** Monday, November 1, 2021 2:50 PM  
**To:** Donna Overton Loftin (donna.overton@alsenate.gov)  
**Cc:** Randolph Hinaman (sharh1@comcast.net)  
**Subject:** FW: Coleman plan

**From:** Walker, Dorman <DWALKER@balch.com>  
**Sent:** Monday, November 1, 2021 2:33 PM  
**To:** Rep. Chris Pringle (chris.pringle@alhouse.gov) <chris.pringle@alhouse.gov>  
**Cc:** Randolph Hinaman (sharh1@comcast.net) <sharh1@comcast.net>  
**Subject:** Coleman plan

1. The finger into Jefferson County is a racial gerrymander. It's a lot like what was in the 2010 plan, which also was a racial gerrymander but was protected by the non-retrogression standard of Section 5. Section 5 is no longer in effect, it is necessary to correct the CD7-Jefferson County racial gerrymander. The Committee's plan does that. The Coleman plan does not do that, and I believe that there's a strong risk that a federal Court will look at CD7 in the Coleman plan and say redraw that district.
2. Congressional plans require minimal deviation from ideal population. So do the Guidelines. The Coleman plan does not meet minimum deviation: CD1 has +7 people, CD4 has +42, CD6 has -71, and CD7 has +22. These deviations from ideal population are not constitutional in a Congressional plan.
3. The Black Voting Age Population of CD7 is 61.07, which is more than it needs for that district to perform as a majority Black district. That level of BVAP will lead to a packing charge in federal court.



Dorman Walker, Partner, Balch & Bingham LLP  
105 Tallapoosa Street • Suite 200 • Montgomery, AL 36104-2549  
t: (334) 269-3138 c: (334) 868-0987 f: (866) 736-3854 e: [dwalker@balch.com](mailto:dwalker@balch.com)  
[www.balch.com](http://www.balch.com)

---

CONFIDENTIALITY: This email and any attachments may be confidential and/or privileged and are therefore protected against copying, use, disclosure or distribution. If you are not the intended recipient, please notify us immediately by replying to the sender and double deleting this copy and the reply from your system.

**Proposed Alabama Senate District 18 Functionality Examination****2020 Presidential Election**

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed Senate District 18 are based on the results from the 2020 presidential contest.

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9756 [.9630, .9851]	.0206 [.0112, .0330]	.0038 [.0017, .0066]
White	.5513 [.5281, .5742]	.4374 [.4144, .4607]	.0113 [.0060, .0178]
Other	.2204 [.0640, .4586]	.5689 [.3157, .7473]	.2107 [.1318, .3012]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

**2018 Gubernatorial Election**

The estimates in Table 2 below for proposed House District 83 are based on the results from the 2018 gubernatorial contest.

Table 2. Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9690 [.9545, .9806]	.0310 [.0194, .0455]
White	.6618 [.6401, .6869]	.3382 [.3131, .3599]
Other	.3812 [.1097, .7060]	.6188 [.2940, .8903]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

**Summary**

From the analyses run, there is no racially polarized voting present in proposed SD 18. A majority of both black and white voters supported Biden in 2020 and Maddox in 2018. Thus, there is no empirical support to substantiate the second prong of the *Gingles* test.



## Proposed Alabama House District 32 Functionality Examination

### 2020 Presidential Election

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed House District 32 are based on the results from the 2020 presidential contest.

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9493 [.8923, .9839]	.0468 [.0124, .1035]	.0039 [.0010, .0086]
White	.1103 [.0793, .1468]	.8872 [.8509, .9183]	.0024 [.0007, .0050]
Other	.3415 [.0955, .5951]	.3077 [.0833, .5610]	.3508 [.2039, .5234]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the proposed HD 32 is 48.81% black voting age population; 46.04% white voting age population, and 5.15% other voting age population. These figures represent the potential voting electorate for HD 32.

Table 2. Racial Breakdown for Proposed HD 32

Racial Group	Percent	Number of Voters
Black VAP	48.81%	17,757
White VAP	46.04%	16,749
Other VAP	5.15%	1,874
Total		36,380

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in proposed HD 32 might resemble in a general election scenario.

Table 3. Turnout by Race for Proposed HD 32

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	17,757	53.75%	9,544
White VAP	16,749	62.51%	10,470
Other VAP	1,874	42.15%	790
Total	36,380		20,804

Having come up with an estimate of what the electorate for proposed HD 32 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 4).

Table 4. Estimated Vote by Party for Proposed HD 32

	(D)	(R)	(I)
Black	9,061	447	37
White	1,155	9,288	25
Other	270	243	277
Total	10,485	9,978	339
Vote Percentage	50.40%	47.96%	1.63%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (10,485/20,804) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 32. At 48.81% BVAP, proposed HD 32 would yield an estimated Democratic vote percentage of **50.40%** based on the results of the 2020 presidential election.

### 2018 Gubernatorial Election

The estimates in Table 5 below for proposed House District 32 are based on the results from the 2018 gubernatorial contest.

Table 5. Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9386 [.8800, .9805]	.0614 [.0195, .1200]
White	.1922 [.1655, .252]	.8078 [.7748, .8345]
Other	.5202 [.1672, .8753]	.4798 [.1247, .8328]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 6 below, the proposed HD 32 is 48.81% black voting age population; 46.04% white voting age population, and 5.15% other voting age population. These figures represent the potential voting electorate for HD 32.

Table 6. Racial Breakdown for Proposed HD 32

Racial Group	Percent	Number of Voters
Black VAP	48.81%	17,757
White VAP	46.04%	16,749
Other VAP	5.15%	1,874
Total		36,380

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 7 below are from the 2018 general election. The table below indicates what the electorate in proposed HD 32 might resemble in a general election scenario.

Table 7. Turnout by Race for Proposed HD 32

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	17,757	0.4397	7,808
White VAP	16,749	0.4834	8,097
Other VAP	1,874	0.3007	563
Total	36,380		16,468

Having come up with an estimate of what the electorate for proposed HD 32 might resemble, one can now combine these data with the estimated vote percentages by race in Table 5 in order to estimate vote shares by party (see Table 8).

Table 8. Estimated Vote by Party for Proposed HD 32

	(D)	(R)
Black	7,328	479
White	1,556	6540
Other	293	270
Total	9,178	7,290
Vote Percentage	55.73%	44.27%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (9,178/16,468) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 32. At 48.81% BVAP, proposed HD 32 would yield an estimated Democratic vote percentage of **55.73%** based on the results of the 2018 gubernatorial election.

### Summary

EI point estimates do come with a degree of uncertainty. Knowing this, a 95% confidence interval can be calculated (the assumption being that one can be 95% certain that the true value of the point estimate lies within the range of the confidence interval). If we recalculate the Democratic vote share for proposed HD 32 using the lower bounds for the Democratic vote share estimates by racial group (see Tables 1 and 5), then the estimated Democratic vote in the district drops to 45.29% using 2020 election data or 50.43% using 2018 election data.

If the Black VAP percentage of HD 32 is increased to 51.00% (and the white VAP concomitantly lowered to 43.85%), using the 2020 presidential election as an example, the estimated Democratic vote share in proposed HD 32 would increase to 52.09%.

## Proposed Alabama House District 68 Functionality Examination

### 2020 Presidential Election

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed House District 68 are based on the results from the 2020 presidential contest.

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9703 [.9459, .9865]	.0255 [.0092, .0500]	.0042 [.0023, .0066]
White	.0322 [.149, .0563]	.9652 [.9411, .9824]	.0026 [.0013, .0043]
Other	.4680 [.1909, .7229]	.3717 [.1313, .6484]	.1603 [.0786, .2751]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the proposed HD 68 is 48.30% black voting age population; 48.23% white voting age population, and 3.47% other voting age population. These figures represent the potential voting electorate for HD 68.

Table 2. Racial Breakdown for Proposed HD 68

Racial Group	Percent	Number of Voters
Black VAP	48.30%	18,311
White VAP	48.23%	18,285
Other VAP	3.47%	1,316
Total		37,912

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in proposed HD 68 might resemble in a general election scenario.

Table 3. Turnout by Race for Proposed HD 68

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	18,311	59.01%	10,806
White VAP	18,285	69.19%	12,651
Other VAP	1,316	40.99%	539
Total	37,912		23,996

Having come up with an estimate of what the electorate for proposed HD 68 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 4).

Table 4: Estimated Vote by Party for Proposed HD 68

	(D)	(R)	(I)
Black	10,485	276	45
White	407	12,211	33
Other	252	200	86
Total	11,144	12,687	165
Vote Percentage	46.44%	52.87%	0.69%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (11,144/23,996) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 68. At 48.30% BVAP, proposed HD 68 would yield an estimated Democratic vote percentage of 46.44% based on the results of the 2020 presidential election.

### 2018 Gubernatorial Election

The estimates in Table 5 below for proposed House District 68 are based on the results from the 2018 gubernatorial contest.

Table 5: Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9665 [.9435, .9828]	.0335 [.0172, .0566]
White	.0827 [.0627, .1050]	.9173 [.8950, .9373]
Other	.5173 [.1890, .8307]	.4827 [.1693, .8110]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 6 below, the proposed HD 68 is 48.30% black voting age population; 48.23% white voting age population, and 3.47% other voting age population. These figures represent the potential voting electorate for HD 68.

Table 6: Racial Breakdown for Proposed HD 68

Racial Group	Percent	Number of Voters
Black VAP	48.30%	18,311
White VAP	48.23%	18,285
Other VAP	3.47%	1,316
Total		37,912

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 7 below are from the 2018 general election. The table below indicates what the electorate in proposed HD 68 might resemble in a general election scenario.

Table 7. Turnout by Race for Proposed HD 68

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	18,311	50.45%	9,239
White VAP	18,285	57.21%	10,461
Other VAP	1,316	32.44%	427
Total	37,912		20,127

Having come up with an estimate of what the electorate for proposed HD 68 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 8).

Table 8. Estimated Vote by Party for Proposed HD 68

	(D)	(R)
Black	8,929	310
White	865	9,596
Other	221	206
Total	10,015	10,112
Vote Percentage	49.76%	50.24%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (10,015/20,127) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 68. At 48.30% BVAP, proposed HD 68 would yield an estimated Democratic vote percentage of **49.76%** based on the results of the 2018 gubernatorial election.

### Summary

Extremely high levels of racially polarized voting are present in proposed HD 68. In addition, analysis using turnout data indicate that using the 2020 presidential returns or the 2018 gubernatorial returns would result in a Democratic vote share of less than 50.01%.

One additional point to mention concerns the Census Bureau's use of differential privacy as related to various types of data, including racial data. Due to the application of this technique, the actual racial makeup in a specific Census geography is not ascertainable. So, a district drawn to be 51.0% black voting age population may in reality fall above or below that figure. There is no margin of error for the Census Bureau's redistricting data, so it is impossible to know the precision of these data.

If the Black VAP percentage is increased to 54.00% (and the white VAP concomitantly lowered to 42.53%), using the 2020 presidential election as an example, the estimated Democratic vote share in proposed HD 68 would increase to 51.39%.



## Proposed Alabama House District 82 Functionality Examination

### 2020 Presidential Election

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed House District 82 are based on the results from the 2020 presidential contest.

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9495 [.8909, .9833]	.0450 [.0122, .1033]	.0054 [.0008, .0175]
White	.2321 [.1822, .2880]	.7634 [.7076, .8133]	.0045 [.0004, .0419]
Other	.3469 [.0703, .6552]	.3632 [.0808, .6700]	.2899 [.1052, .4935]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the proposed HD 82 is 50.85% black voting age population; 39.28% white voting age population, and 9.87% other voting age population. These figures represent the potential voting electorate for HD 82.

Table 2. Racial Breakdown for Proposed HD 82

Racial Group	Percent	Number of Voters
Black VAP	50.85%	19,609
White VAP	39.28%	15,148
Other VAP	9.87%	3,806
Total		38,563

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in proposed HD 82 might resemble in a general election scenario.

Table 3. Turnout by Race for Proposed HD 82

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	19,609	48.75%	9,560
White VAP	15,148	59.87%	9,069
Other VAP	3,806	40.38%	1,537
Total	38,563		20,166

Having come up with an estimate of what the electorate for proposed HD 82 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 4).

Table 4. Estimated Vote by Party for Proposed HD 82

	(D)	(R)	(I)
Black	9,077	430	52
White	2105	6,923	41
Other	533	558	446
Total	11,715	7,912	538
Vote Percentage	58.09%	39.23%	2.67%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (11,715/20,166) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 82. At 50.85% BVAP, proposed HD 82 would yield an estimated Democratic vote percentage of **58.09%** based on the results of the 2020 presidential election.

### 2018 Gubernatorial Election

The estimates in Table 5 below for proposed House District 82 are based on the results from the 2018 gubernatorial contest.

Table 5. Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9221 [.8547, .9638]	.0779 [.0362, .1453]
White	.3260 [.2837, .3846]	.6740 [.6154, .7163]
Other	.5033 [.1154, .8904]	.4967 [.1096, .8846]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 6 below, the proposed HD 82 is 50.85% black voting age population; 39.28% white voting age population, and 9.87% other voting age population. These figures represent the potential voting electorate for HD 82.

Table 6. Racial Breakdown for Proposed HD 82

Racial Group	Percent	Number of Voters
Black VAP	50.85%	19,609
White VAP	39.28%	15,148
Other VAP	9.87%	3,806
Total		38,563

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 7 below are from the 2018 general election. The table below indicates what the electorate in proposed HD 82 might resemble in a general election scenario.

Table 7. Turnout by Race for Proposed HD 82

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	19,609	39.74%	7,793
White VAP	15,148	44.99%	6,815
Other VAP	3,806	29.53%	1,124
Total	38,563		15,732

Having come up with an estimate of what the electorate for proposed HD 82 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 8).

Table 8. Estimated Vote by Party for Proposed HD 82

	(D)	(R)
Black	7,186	607
White	2,222	4,593
Other	566	558
Total	9,973	5,759
Vote Percentage	63.39%	36.61%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (9,973/15,732) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 82. At 50.85% BVAP, proposed HD 82 would yield an estimated Democratic vote percentage of **63.39%** based on the results of the 2018 gubernatorial election.

One additional point to mention concerns the Census Bureau's use of differential privacy as related to various types of data, including racial data. Due to the application of this technique, the actual racial makeup in a specific Census geography is not ascertainable. So, a district drawn to be 51.0% black voting age population may in reality fall above or below that figure. There is no margin of error for the Census Bureau's redistricting data, so it is impossible to know the precision of these data.

### Summary

Proposed HD 82, drawn race-blind, is 50.85% BVAP. Racially polarized voting patterns are present in proposed HD82. Nevertheless, based on analyses of the 2020 presidential and the 2018 gubernatorial election, the estimated Democratic vote share ranged between 58.1% and 63.4%.

## Proposed Alabama House District 83 Functionality Examination

### 2020 Presidential Election

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed House District 83 are based on the results from the 2020 presidential contest.

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9394 [.8648, .9844]	.0541 [.0098, .1290]	.0065 [.0012, .0150]
White	.2034 [.1373, .2728]	.7921 [.7228, .8577]	.0046 [.0007, .0107]
Other	.4136 [.1233, .7056]	.3761 [.1076, .6755]	.2103 [.0688, .3735]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the proposed HD 83 is 50.27% black voting age population; 40.31% white voting age population, and 9.42% other voting age population. These figures represent the potential voting electorate for HD 83.

Table 2. Racial Breakdown for Proposed HD 83

Racial Group	Percent	Number of Voters
Black VAP	50.27%	18,876
White VAP	40.31%	15,136
Other VAP	9.42%	3,537
Total		37,549

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in proposed HD 83 might resemble in a general election scenario.

Table 3. Turnout by Race for Proposed HD 83

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	18,876	49.67%	9,375
White VAP	15,136	59.92%	9,069
Other VAP	3,537	40.59%	1,436
Total	37,549		19,880

Having come up with an estimate of what the electorate for proposed HD 83 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 4).

Table 4. Estimated Vote by Party for Proposed HD 83

	(D)	(R)	(I)
Black	8,807	507	61
White	1,845	7,184	42
Other	594	540	302
Total	11,245	8,231	405
Vote Percentage	56.57%	41.40%	2.04%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (11,245/19,880) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 83. At 50.27% BVAP, proposed HD 83 would yield an estimated Democratic vote percentage of **56.57%** based on the results of the 2020 presidential election.

### 2018 Gubernatorial Election

The estimates in Table 5 below for proposed House District 83 are based on the results from the 2018 gubernatorial contest.

Table 5. Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9486 [.8910, .9848]	.0514 [.0152, .1090]
White	.2113 [.1679, .2702]	.7887 [.7298, .8321]
Other	.4914 [.1347, .8402]	.5086 [.1598, .8653]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 6 below, the proposed HD 83 is 50.27% black voting age population; 40.31% white voting age population, and 9.42% other voting age population. These figures represent the potential voting electorate for HD 83.

Table 6. Racial Breakdown for Proposed HD 83

Racial Group	Percent	Number of Voters
Black VAP	50.27%	18,876
White VAP	40.31%	15,136
Other VAP	9.42%	3,537
Total		37,549

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 7 below are from the 2018 general election. The table below indicates what the electorate in proposed HD 83 might resemble in a general election scenario.

Table 7. Turnout by Race for Proposed HD 83

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	18,876	39.62%	7,479
White VAP	15,136	47.07%	7,124
Other VAP	3,537	31.80%	1,125
Total	37,549		15,728

Having come up with an estimate of what the electorate for proposed HD 83 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate vote shares by party (see Table 8).

Table 8. Estimated Vote by Party for Proposed HD 83

	(D)	(R)
Black	7,095	384
White	1,505	5,619
Other	553	572
Total	9,153	6,575
Vote Percentage	58.19%	41.81%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (9,153/15,728) in order to determine the percentage of votes a Democratic candidate would receive in proposed HD 83. At 50.27% BVAP, proposed HD 83 would yield an estimated Democratic vote percentage of **58.19%** based on the results of the 2018 gubernatorial election.

One additional point to mention concerns the Census Bureau's use of differential privacy as related to various types of data, including racial data. Due to the application of this technique, the actual racial makeup in a specific Census geography is not ascertainable. So, a district drawn to be 51.0% black voting age population may in reality fall above or below that figure. There is no margin of error for the Census Bureau's redistricting data, so it is impossible to know the precision of these data.

## Summary

Proposed HD 83, drawn race-blind, is 50.27% BVAP. Racially polarized voting patterns are present in proposed HD 83. Nevertheless, based on analyses of the 2020 presidential and the 2018 gubernatorial election, the estimated Democratic vote share ranged between 56.6% and 58.2%.



## Proposed Alabama SBOE District 4 Functionality Examination

### 2020 Presidential Election

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed SBOE District 4 are based on the results from the 2020 presidential contest.

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9814 [.9749, .9866]	.0160 [.0108, .0225]	.0026 [.0018, .0035]
White	.2150 [.2014, .2288]	.7796 [.7659, .7934]	.0053 [.0039, .0068]
Other	.3328 [.1263, .5388]	.3493 [.1587, .5305]	.3179 [.2365, .4541]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the proposed SBOE 4 is 51.21% black voting age population; 41.03% white voting age population, and 7.76% other voting age population. These figures represent the potential voting electorate for SBOE 4.

Table 2. Racial Breakdown for Proposed SBOE 4

Racial Group	Percent	Number of Voters
Black VAP	51.21%	243,017
White VAP	41.03%	194,707
Other VAP	7.76%	36,825
Total		474,549

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in proposed SBOE 4 might resemble in a general election scenario.

Table 3. Turnout by Race for Proposed SBOE 4

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	243,017	60.50%	147,026
White VAP	194,707	61.72%	120,167
Other VAP	36,825	46.77%	17,223
Total	474,549		284,415

Having come up with an estimate of what the electorate for proposed SBOE 4 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate votes shares by party (see Table 4).

Table 4. Estimated Vote by Party for Proposed SBOE 4

	(D)	(R)	(I)
Black	144,292	2,352	382
White	25,836	93,682	637
Other	5,732	6,016	5,475
Total	175,859	102,050	6,494
Vote Percentage	61.83%	35.88%	2.28%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (175,859/284,415) in order to determine the percentage of votes a Democratic candidate would receive in proposed SBOE 4. At 51.21% BVAP, proposed SBOE 4 would yield an estimated Democratic vote percentage of **61.83%** based on the results of the 2020 presidential election.

### Summary

Proposed SBOE 4, drawn race-blind, is 51.21% BVAP. Racially polarized voting patterns are present in proposed SBOE 4. Based on the analysis of the 2020 presidential election, the estimated Democratic vote share is 61.83%.

## Proposed Alabama SBOE District 5 Functionality Examination

### 2020 Presidential Election

Using a statistical method known as Ecological Inference we can derive vote estimates by racial group from precinct-level data. The estimates in Table 1 below for proposed SBOE District 5 are based on the results from the 2020 presidential contest.<sup>1</sup>

Table 1. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9844 [.9809, .9874]	.0119 [.0092, .0154]	.0036 [.0028, .0046]
White	.0775 [.0680, .0880]	.9185 [.9080, .9280]	.0040 [.0030, .0051]
Other	.5175 [.3277, .6669]	.2032 [.0626, .3858]	.2792 [.2368, .3325]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the proposed SBOE 5 is 51.27% black voting age population; 42.70% white voting age population, and 6.03% other voting age population. These figures represent the potential voting electorate for SBOE 5.

Table 2. Racial Breakdown for Proposed SBOE 5

Racial Group	Percent	Number of Voters
Black VAP	51.27%	247,203
White VAP	42.70%	205,882
Other VAP	6.03%	29,074
Total		482,159

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State in order to estimate the number of each racial group. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in proposed SBOE 5 might resemble in a general election scenario.

Table 3. Turnout by Race for Proposed SBOE 5

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	247,203	54.70%	135,208
White VAP	205,882	65.00%	133,827
Other VAP	29,074	44.13%	12,830
Total	482,159		281,866

Having come up with an estimate of what the electorate for proposed SBOE 5 might resemble, one can now combine these data with the estimated vote percentages by race in Table 1 in order to estimate votes shares by party (see Table 4).

<sup>1</sup>Due to data limitations, Washington County was included in the analysis as a pseudo-precinct.

Table 4. Estimated Vote by Party for Proposed SBOE 5

	(D)	(R)	(I)
Black	133,099	1,609	487
White	10,372	122,921	535
Other	6,640	2,607	3,582
Total	150,110	127,137	4,604
Vote Percentage	53.26%	45.11%	1.63%

Having produced an estimate of the number of Democratic votes, the last step in the process would be to simply divide this number by the size of the estimated electorate (150,110/281,866) in order to determine the percentage of votes a Democratic candidate would receive in proposed SBOE 5. At 51.27% BVAP, proposed SBOE 5 would yield an estimated Democratic vote percentage of **53.26%** based on the results of the 2020 presidential election.

### Summary

Proposed SBOE 5, drawn race-blind, is 51.21% BVAP. Extremely high levels of racially polarized voting are present in proposed SBOE 5. Based on the analysis of the 2020 presidential election, the estimated Democratic vote share is 53.26%.<sup>2</sup>

<sup>2</sup>If we recalculate the Democratic vote share for proposed SBOE 5 using the lower bounds for the Democratic vote share estimates by racial group (see Tables 1 and 5), then the estimated Democratic vote in the district still constitutes a majority (51.76%) using 2020 election data.

# montgomeryadvertiser.com

## House approves congressional redistricting plan



Written by

**Brian Lyman**

2:10 AM, Jun. 2, 2011]

The Alabama House of Representatives approved a congressional redistricting plan Wednesday despite protests from the Montgomery County delegation over the map splitting the county among three congressional districts.

The map divides Montgomery County between the 2nd, 3rd and 7th districts. The county is currently split between the 2nd and 3rd districts.

The House approved the map 65-37. The Senate approved a similar plan last week, but a conference committee replaced that version with an older map; the Senate must concur in the changes.

Reps. Joe Hubbard, D-Montgomery; John Knight, D-Montgomery; and Jay Love, R-Montgomery all voted against the proposal. Rep. Greg Wren, R-Montgomery, did not vote.

Members of the Montgomery delegation in the House and Senate have complained

that that dividing the county between three districts would dilute Montgomery's voice in Congress.

"You deal with three different people who are unlikely to agree on different things," said Hubbard.

Wren voiced similar sentiments.

"You wouldn't want to see your county cut into three districts, but that's what's happened here," he said.

Montgomery representatives offered several alternatives that would have split Montgomery County between two districts, but were voted down. Rep. James Buskey, D-Mobile, offered another alternative that, he said, does not "crack" Montgomery and would increase minority representation in the 2nd Congressional District. Under the approved plan, the 7th Congressional District would be about 63 percent black, which Buskey objected to.

"That's stacking," he said. "That's stacking

Advertisement

Print Powered By  FormatDynamics™

# montgomeryadvertiser.com

blacks in a congressional district, (and) there's no need to do so."

Rep. Jim McClendon, R-Springville, who carried the plan in the House, said the Buskey plan would lead to "retrogression," or a retreat from minority population benchmarks set by the Justice Department.

Under the Voting Rights Act, the DOJ must approve the state's redistricting plan before it can be implemented. If the redistricting plan retreats from Justice Department benchmarks -- such as reducing minority population in a previously-approved congressional district -- the state must show that it had no discriminatory purpose in the move and did not reduce minority voters' "effective exercise of the electoral franchise."

"This plan, as far as the Justice Department and Voting Rights Act goes, it's a failure," McClendon said.

The Senate plan passed last Thursday was changed late in the day by Senate Rules Chairman Scott Beason, who made alterations to a map sponsored by Rep. Micky Hammon, R-Decatur. Beason's work altered the boundaries of the 6th Congressional District, where he lives.

A conference committee removed Beason's changes this week, restoring Hammon's version.

Members of the Legislature from other locations have also raised objections to the map. Shoals-area officials are concerned about splitting Lauderdale and Colbert

County in two congressional districts. Tuscaloosa representatives have at tempted to adjust the congressional boundaries embracing their county.

Advertisement



**Protect Your Home  
with ADT!**

**Click Here  
to Learn More!**

ADT AUTHORIZED DEALER

Print Powered By  FormatDynamics™



**From:** Laura Hall <annihall19@gmail.com>

**Sent:** Tuesday, June 29, 2021 9:05 PM

**To:** Donna Overton <donna.overton@alsenate.gov>; annihall19@gmail.com <annihall19@gmail.com>

**Cc:** Permanent Legislative Committee on Reapportionment <reapportionmentcommittee@ALALeg.onmicrosoft.com>; Reapportionment Committee Meeting Notices <reappnotices@ALALeg.onmicrosoft.com>; dwalker@balch.com <dwalker@balch.com>

**Subject:** Re: REAPPORTIONMENT...Adopted Guidelines and Public Hearing Schedule

On Tue, Jun 29, 2021 at 10:03 PM Laura Hall <annihall19@gmail.com> wrote:

**Please note that I sought input and the following information is provided as it relates to the Hearing Schedule.**

**Thanks,**

**Laura Hall**

**256.656.2301**

### **Alabama Reapportionment Committee's Proposed Public Hearing Schedule**

The proposed public hearing locations are insufficient. While the city/county composition mirror those used in 2011, the proposed locations are not representative of the state's voting demographic and do not provide adequate opportunity for public input.

During the May 5<sup>th</sup> committee meeting, members agreed to hearing locations that would not require constituents to travel more than one county. However, the proposed location map will require interested parties to travel significant distances – at least an hour each way, in some instances – to participate.

The proposed schedule shows 4 or 5, consecutively scheduled, hearings each day over *four* calendar days. Many of these hearings are scheduled only two hours apart, leaving committee members who would like to attend multiple hearings in a region inadequate time to meaningfully participate in one hearing and then travel to the next. In 2011, the public hearings were spaced over *eight* calendar days, with 3 hearings at most, each day. While it may not be feasible for all committee members to attend every public hearing, the proposed schedule requires members to “pick and choose” hearings and will not have the full benefit of the public hearing testimony and discussion of any alternative maps introduced.

In addition, the timing of each hearing is unsatisfactory. Hearings held during working hours cannot be viewed objectively as providing the opportunity for public input. Only one hearing (Randolph County) is scheduled to begin at 5 pm. Whereas, seven of the 2011 hearings were scheduled at 6:30 p.m. (one at 6:45).

Three of the current Senate districts have no public hearing in any county within the district:

- SD4 (Gudger) – Lawrence, Marion, Winston, and Cullman
- SD10 (Jones) – Etowah and Cherokee
- SD28 (Beasley) – Macon, Russell, Bullock, Barbour, and Henry

Two of the current Senate districts have nominal coverage in the proposed locations:

- SD22 (Albritton) – Clarke, Washington, Baldwin (most), Escambia and Monroe (sliver)
  - ✦ The interests of constituents in Escambia County and the small portion of Monroe contained in this district -- where there are proposed hearings -- are distinctly different from those of constituents in Washington, Clarke, or Baldwin.
- SD24 (Singleton) – Pickens, Greene, Hale, Choctaw, and Marengo (portion)
  - ✦ This district covers half of Marengo, the only county in this district with a proposed hearing

Of the top 10 counties with the highest Black population, only two are covered in the proposed:

- Macon (80.7%)
- Greene (80.1%)
- Lowndes (72.5%)
- Sumter (71.8%)
- Wilcox (71.3%)
- Bullock (70.5%)
- **Dallas (70.5%)**
- Perry (67.9%)
- **Montgomery (59%)**
- Hale (51.4%)

Finally, the proposed public hearing locations raise a few accessibility concerns.

We commend the decision to use community colleges as the venue for redistricting public hearings. They are typically well known and welcoming community spaces that residents feel comfortable visiting in addition to being physically accessible to community members with disabilities. However, the desire to use community colleges should not override other important considerations when choosing locations for these hearings. If there is not a suitably located community college in a county, other spaces should be considered. Two examples:

Hoover was chosen as the Shelby County location – this is an affluent area in north Shelby County that is less than 30 minutes from the hearing location in Jefferson County but more than thirty miles from communities in the south of the county location in Calera (where this is

a community college) or Columbiana (the county seat) would be muchmore accessible to other parts of the county

The State House is identified for two public hearings in Montgomery. At least one location should be moved to a space more accessible to community residents.

On Fri, Jun 4, 2021 at 12:12 PM Donna Overton <[donna.overton@alsenate.gov](mailto:donna.overton@alsenate.gov)> wrote:

Good Morning All,

I have attached the guidelines that were adopted on our meeting May 5, 2021 and a copy of the Public Hearing dates and locations. The hearings will be held in person (at the listed community colleges) and virtually from the Statehouse in Conference room 317. Any member who wishes to attend the hearing either in person or virtually from the statehouse is welcome to do so.

Look over the schedule and if you would like to add to the list, please, let me know. I will be glad to work with you in setting that up. The plan is to publish the schedule the first of July 2021. I would need your request for any additional hearing locations and dates by June 28 so I can get them finalized.

Thanks and Have a Great Day!

**Donna Overton Loftin**

Supervisor, Reapportionment Office

11 S Union Street, Suite 317

Montgomery, AL. 36130

334.261.0395

You're receiving this message because you're a member of the Permanent Legislative Committee on Reapportionment group from ALALeg. To take part in this conversation, reply all to this message.

[View group files](#) | [Leave group](#) | [Learn more about Microsoft 365 Groups](#)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION**

ALABAMA LEGISLATIVE  
BLACK CAUCUS, et al.,

Plaintiffs,

THE STATE OF ALABAMA, et al.,

Defendants.

Case No. 2:12-cv-691  
WKW-MHT-WHP

DEMETRIUS NEWTON, et al.,

Plaintiffs,

v.

THE STATE OF ALABAMA, et al.,

Defendants.

Case No. 2:12-cv-1081  
WKW-MHT-WHP

**DECLARATION OF RANDY HINAMAN**

1. My name is Randy Hinaman. I am over the age of 21 years, have personal knowledge of the facts set forth, and am competent to testify regarding them.

2. I have substantial experience in drafting redistricting plans in Alabama, including drawing the congressional plan adopted by the three-



4. In drawing the lines for all the new districts, I used information conveyed to me by Senator Dial, Representative McClendon, and individual legislators to try to make sure we accommodated the legislators' wishes to the extent possible. I did make recommendations, including the recommendations to move HD 53 from Birmingham to Huntsville and to make HD 85 a majority-black district thereby increasing the total number of black-majority districts under the House plan to 28, but the decision to follow those recommendations was made by Representative McClendon, not by me.

5. Senator Dial gave me a map of the Birmingham-area black-majority Senate districts (SDs 18, 19, and 20) that I understood came from Senator Rodger Smitherman. That map did not include any demographic information with it, but when I looked at the neighborhoods included in the new district boundaries, I saw that the black population in the proposed new districts was about the same percentage as in the old districts. That map also split a number of precincts, which I input into the draft Senate plan as they came to me. I estimate that I used 90-95% of that map in drawing the lines for the Senate plan, with the changes coming around the edges of the districts. The decision to follow these recommendations was made by Senator Dial.

Even so, I estimate that I used a great deal of the map that I received from Representative McClendon. HD 73 was moved to Shelby County, the fastest growing county in Alabama and one whose existing House districts were all over-populated. Again the decision to follow these recommendations, including the recommendation to move HD 73 to Shelby County, was made by Representative McClendon, not by me.

8. I recommended that HD 53 be moved from Birmingham to Huntsville because all of the black-majority districts in Jefferson County were significantly under-populated, while there was a compact, contiguous group of black voters in the Huntsville area that was large enough to be a majority in a Shaw-compliant House district. While the black-majority districts in Jefferson County needed to gain population, adding white voters from the rest of Jefferson County posed a serious problem with retrogression. Something had to be done, and the solution was to move the population from one of the black-majority districts into the adjoining districts and ripple it through to the other black-majority districts. I was told that Representative Demetrius Newton was retiring, so I suggested rolling up HD 53, which he represented. Again, the decision to move HD 53 to Madison County, where it became a new black-majority House district with



majority districts, and the best place to get the additional population was by pushing south into SD 22 and east into SD 30. That would cause less disruption to other districts than pushing north and east toward Tuscaloosa. This also kept the African-American percentages nearly identical to what they had been. Pushing south had the additional benefit of putting the extra 19,000 people in SD 32 in Baldwin County into a district that met the allowable population deviation. As a result, the changes I proposed included pushing SD 22 further into Baldwin County. Senator Dial made the decision on how to fit these districts into the Senate plan, not me.

Pursuant to 18 U.S.C. § 1746, I affirm that the foregoing is true and correct to the best of my knowledge and belief.

A handwritten signature in black ink, appearing to read "Randy Hinaman", written over a horizontal line.

Randy Hinaman

NAME OF PLAN	SPONSOR	BILL NUMBER	SUBSTITUTE	ALIS NUMBER	NOTES
PRINGLE CONGRESSIONAL PLAN 1	REP PRINGLE	HB1		215467-2	**PASSED THE LEGISLATURE AND RENAMED THE 2021 ALABAMA CONGRESSIONAL PLAN
COLEMAN CONGRESSIONAL PLAN 1	SEN COLEMAN		FLOOR	215457-1	**OFFERED TWICE **JOE REED PLAN
HOLMES CONGRESSIONAL PLAN 1	REP HOLMES		FLOOR	215458-2	**MOORE CONGRESSIONAL PLAN AND SAME AS BARFOOT CONGR PLAN 1
FAULKNER CONGRESSIONAL PLAN 2	REP FAULKNER		FLOOR	215500-1	
SINGLETON CONGRESSIONAL PLAN 1	SEN SMITHERMAN	SB10	FLOOR	215593-1	**LEAGUE OF WOMEN VOTER PLAN
SINGLETON CONGRESSIONAL PLAN 2	SEN SINGLETON		FLOOR	215488-1	**NARROW DEVIATION PLAN
SINGLETON CONGRESSIONAL PLAN 3	SEN SINGLETON		FLOOR	215489-1	**ZERO DEVIATION PLAN
HATCHER CONGRESSIONAL PLAN 1	SEN HATCHER		FLOOR	215601-1	
WAGGONER CONGRESSIONAL PLAN 3	SEN WAGGONER		FLOOR	215614-1	
BARFOOT CONGRESSIONAL PLAN 1	SEN BARFOOT		FLOOR	215598-1	**SAME AS MOORE AND HOLMES PLANS
WAGGONER CONGRESSIONAL PLAN 1	SEN WAGGONER		COMMITTEE	215560-1	**OFFERED IN F&T COMMITTEE NOV 2 same as Faulkner Plan

## **Selected Socio-Economic Data**

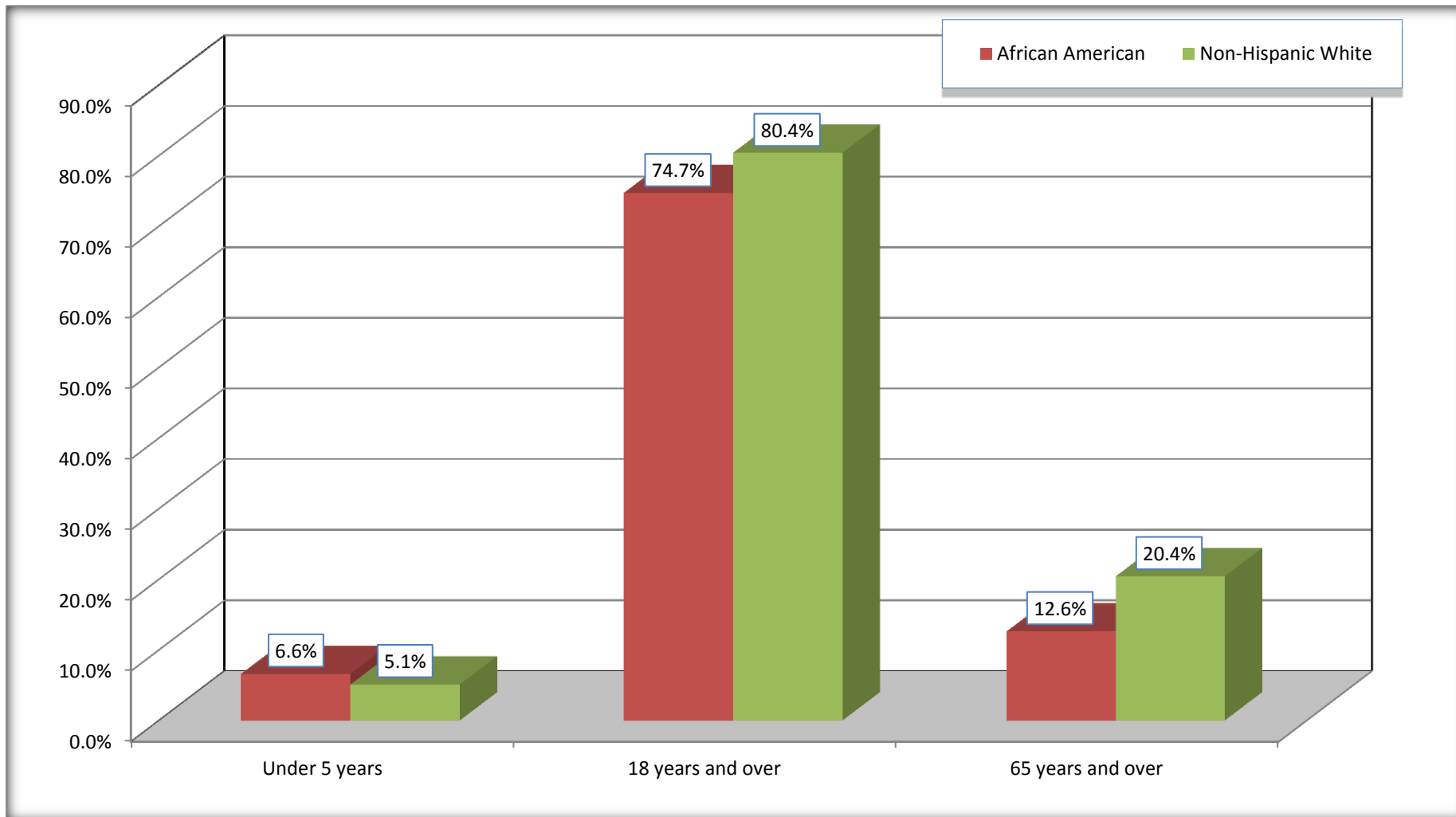
### **Alabama**

#### **Any Part African American vis-à-vis NH White**

**Data Set: 2019 American Community Survey 1-Year Estimates**

## Population by Age

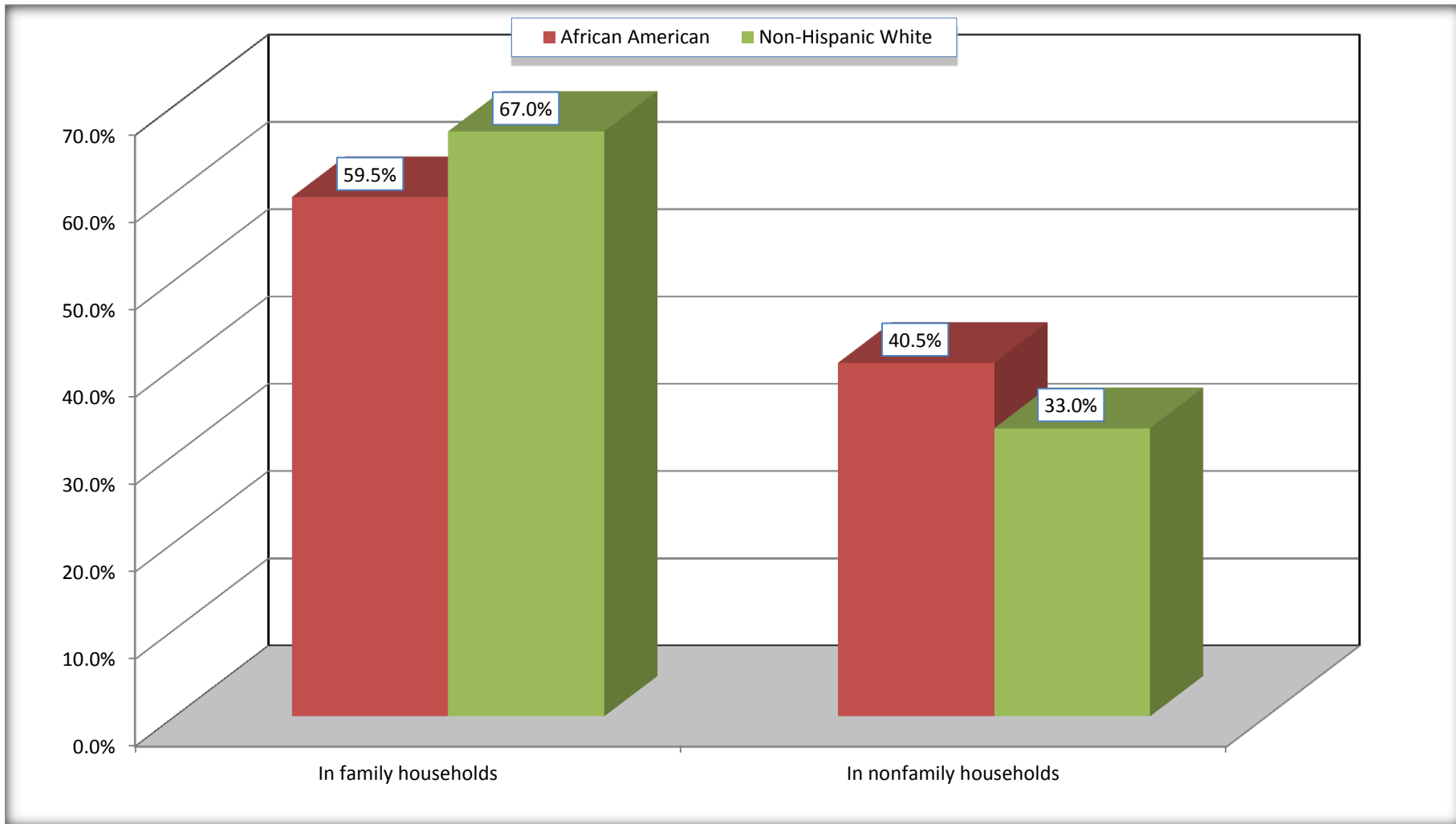
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Household Type for Population in Households

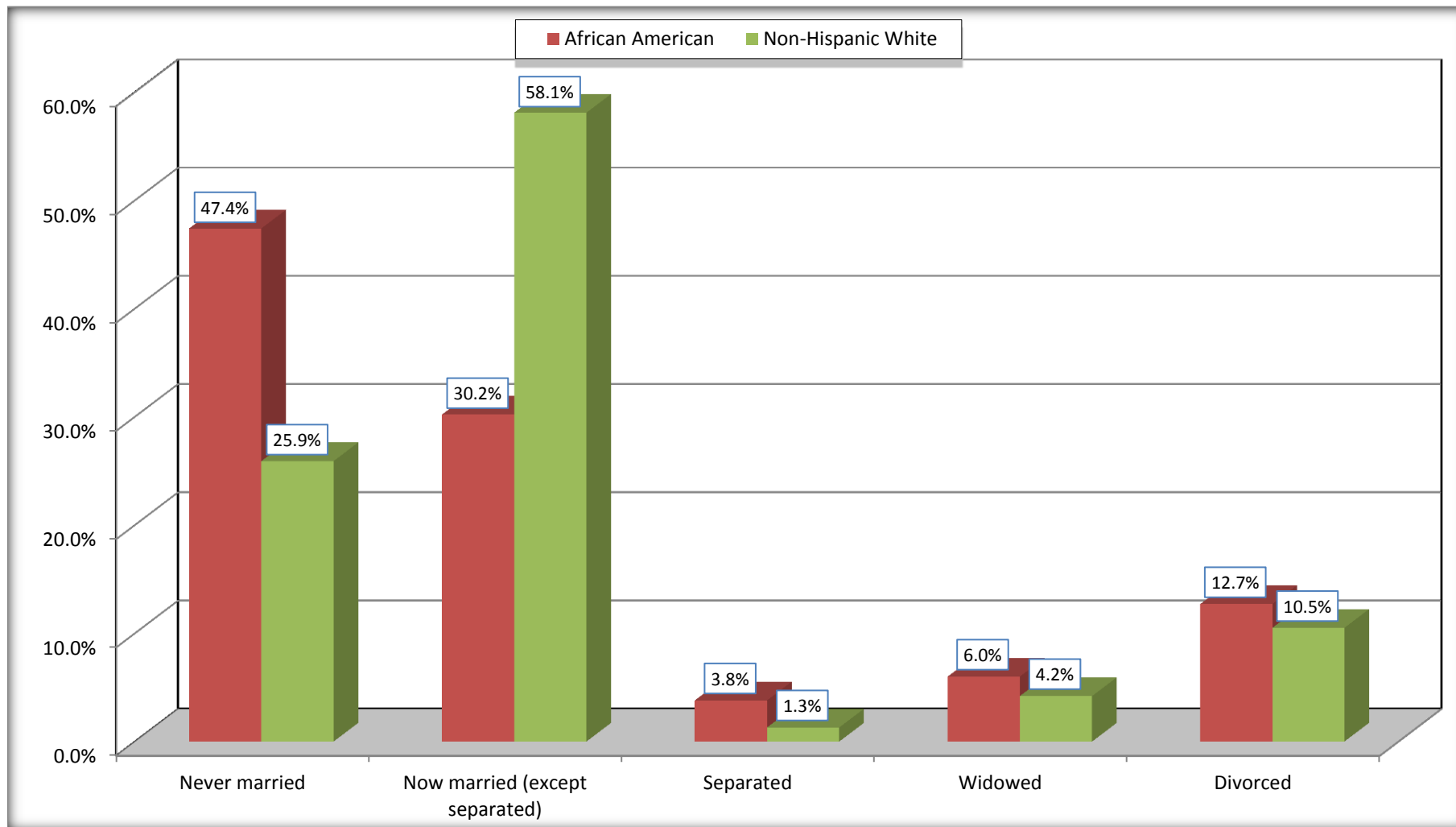
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Marital Status for the Population 15 Years and Over

### Alabama

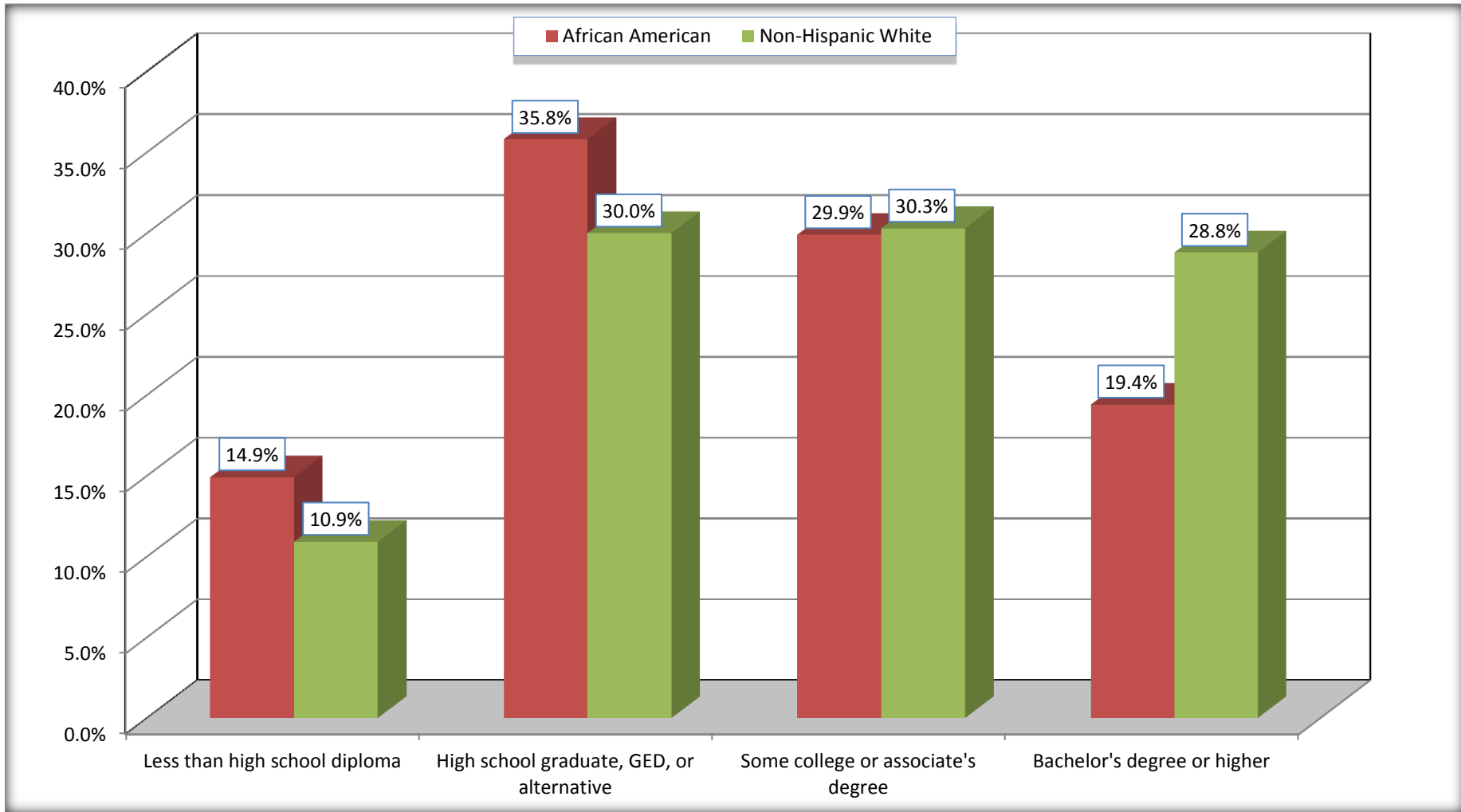


Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates



## Educational Attainment for the Population 25 Years and Older

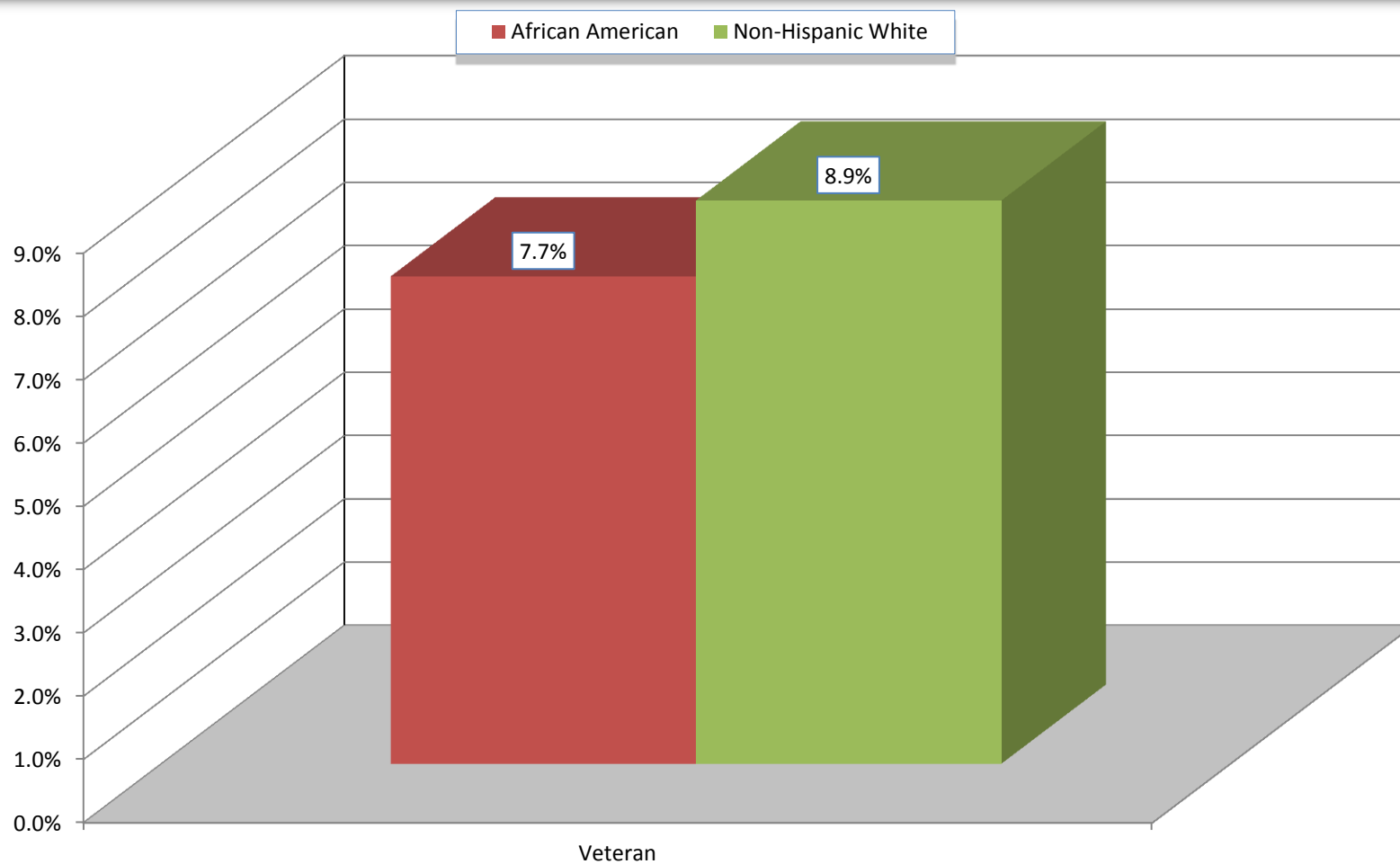
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Veterans in the Civilian Population 18 Years and Over

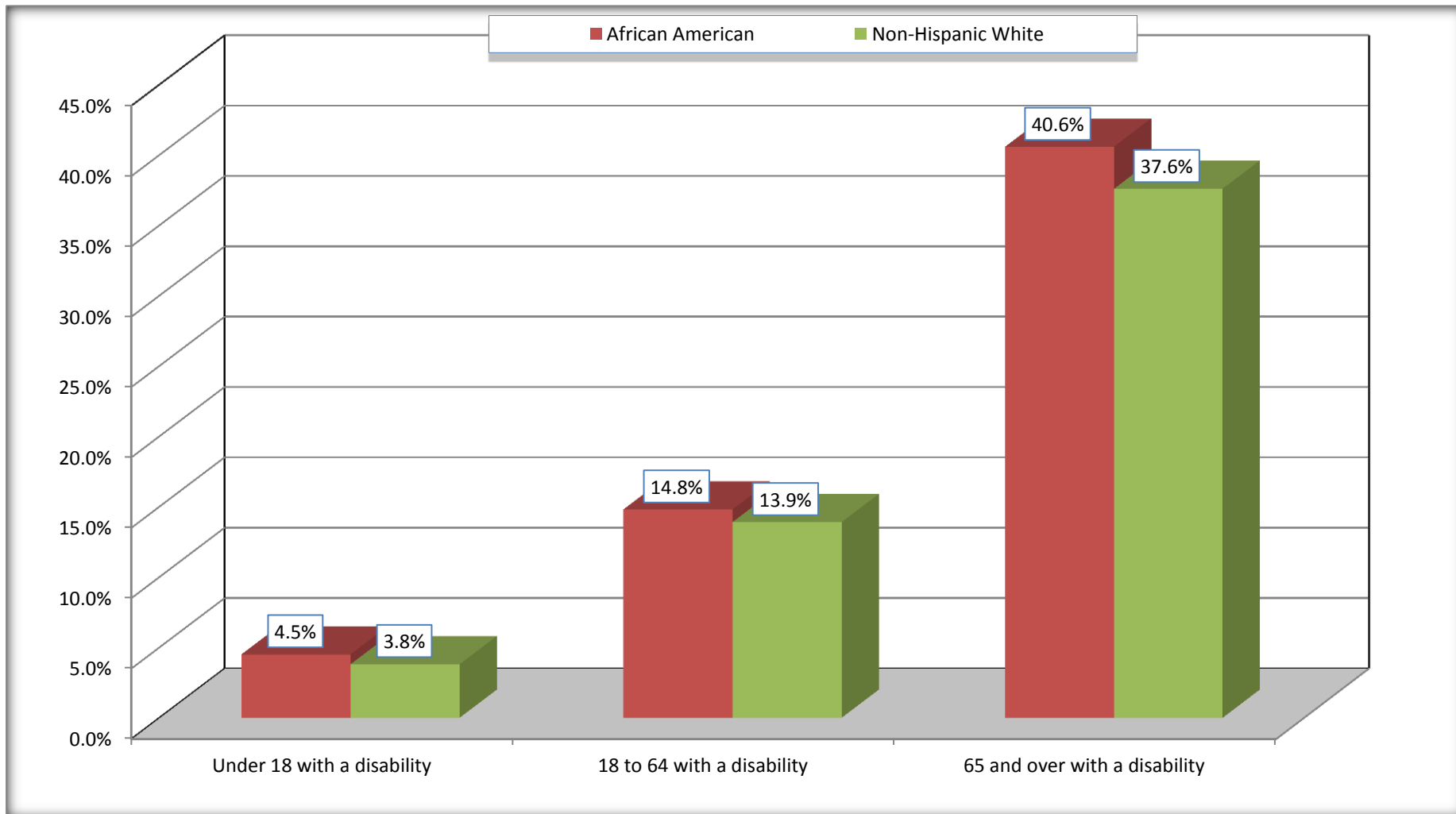
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Disability by Age -- Civilian Noninstitutionalized Population

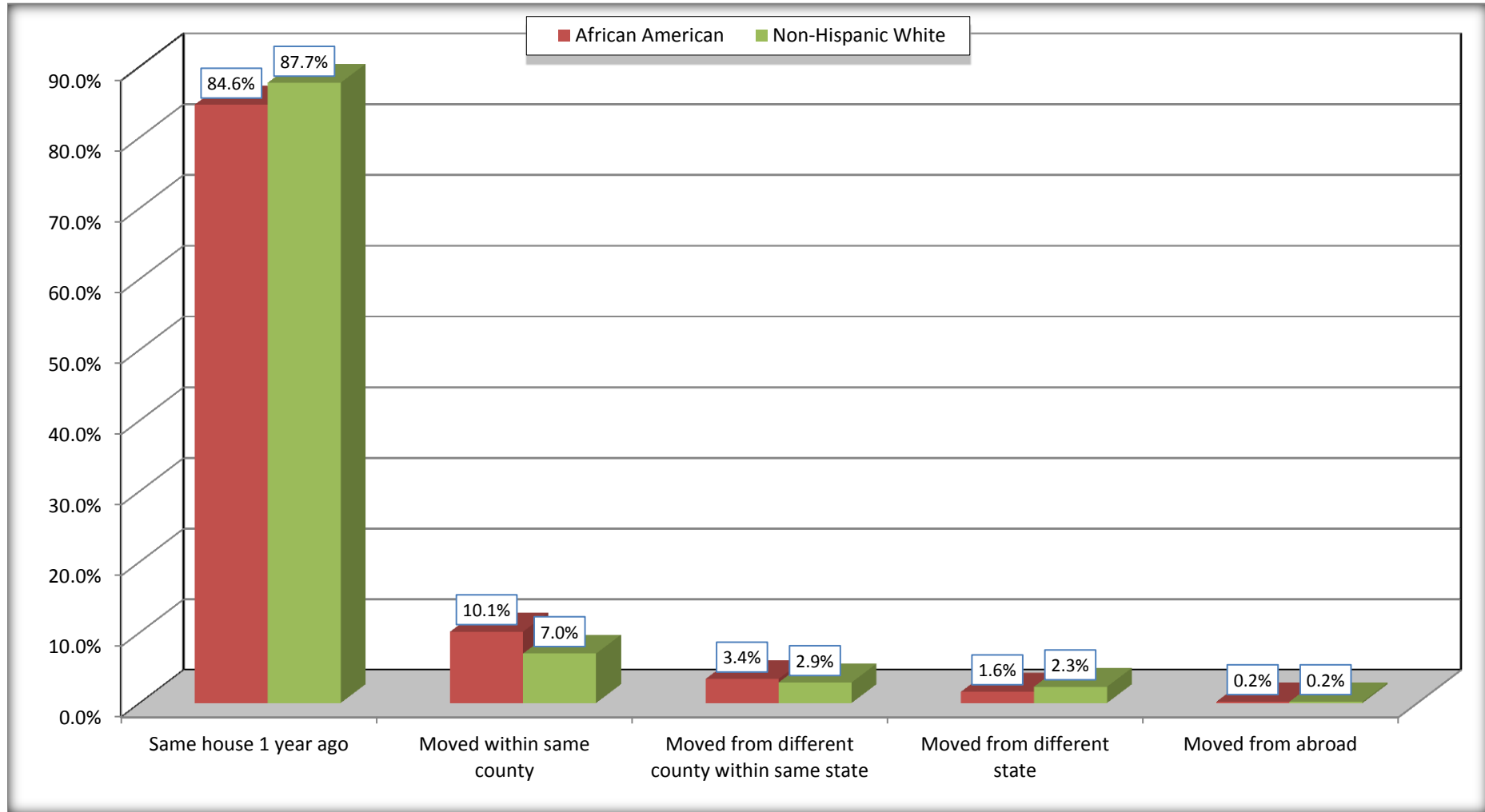
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Geographical Mobility in the Past Year (Population 1 Year and Over)

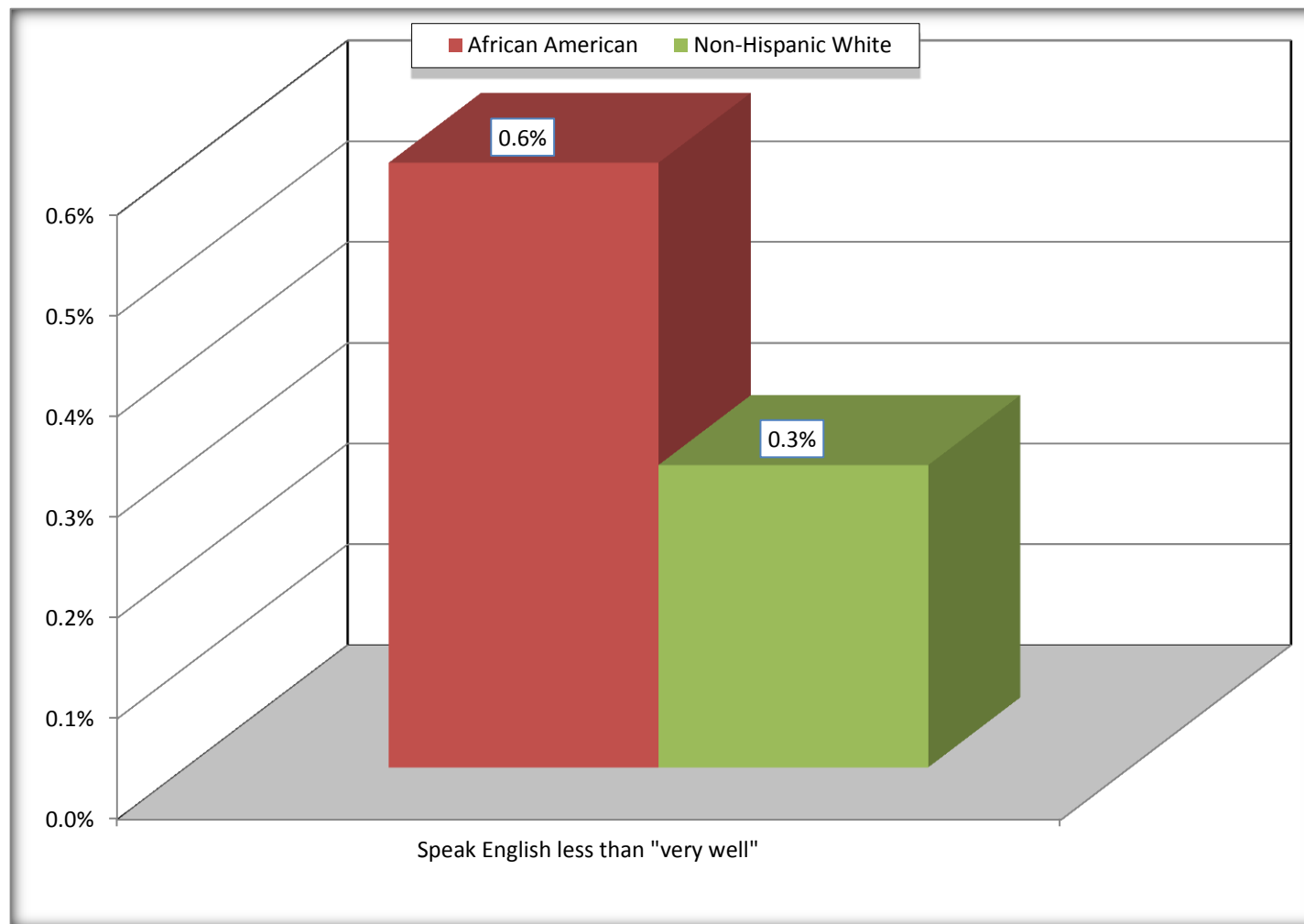
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Speak English Less than "Very Well" (Population 5 Years and Over)

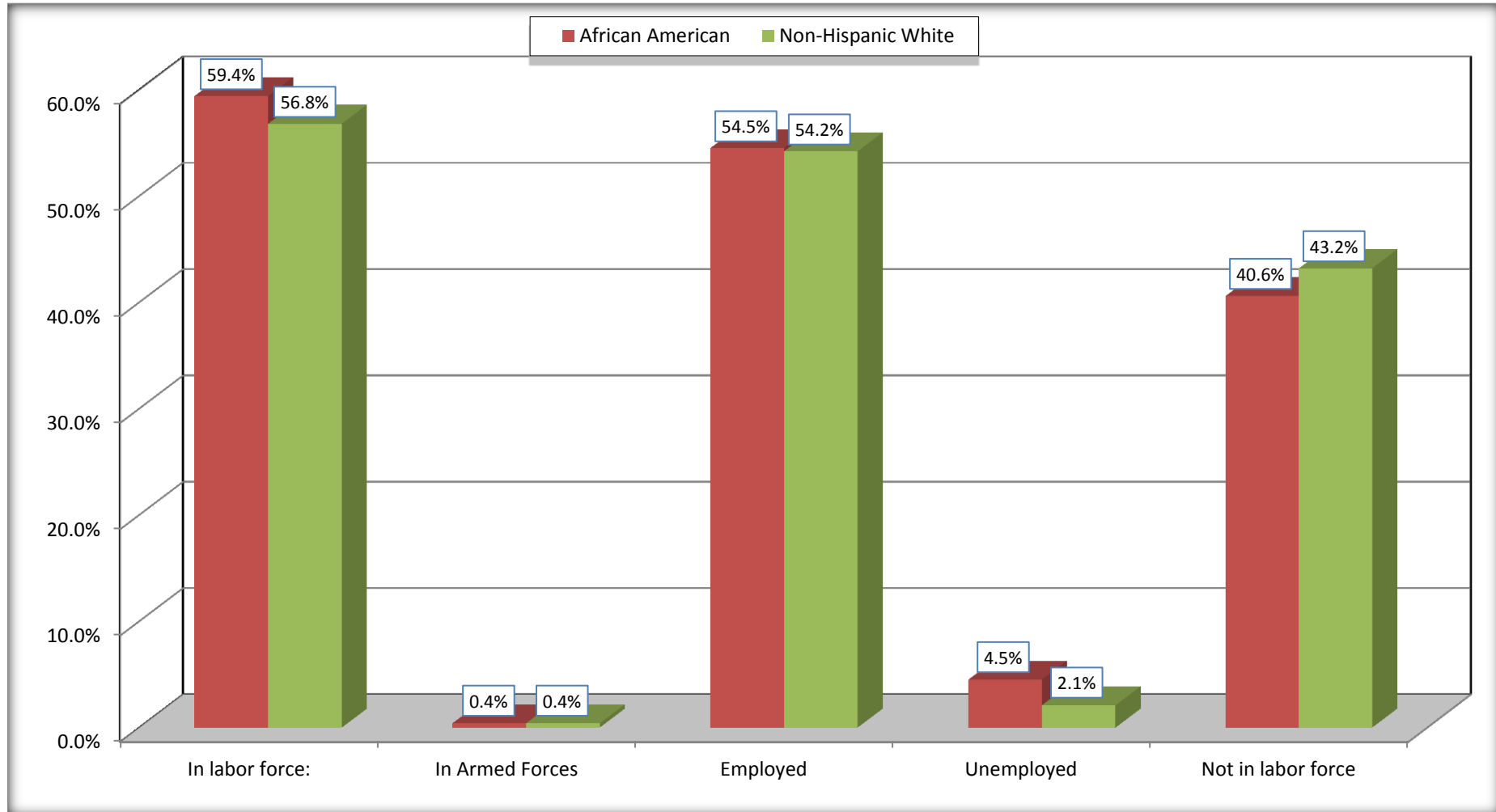
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Employment Status for the Population 16 years and over

### Alabama

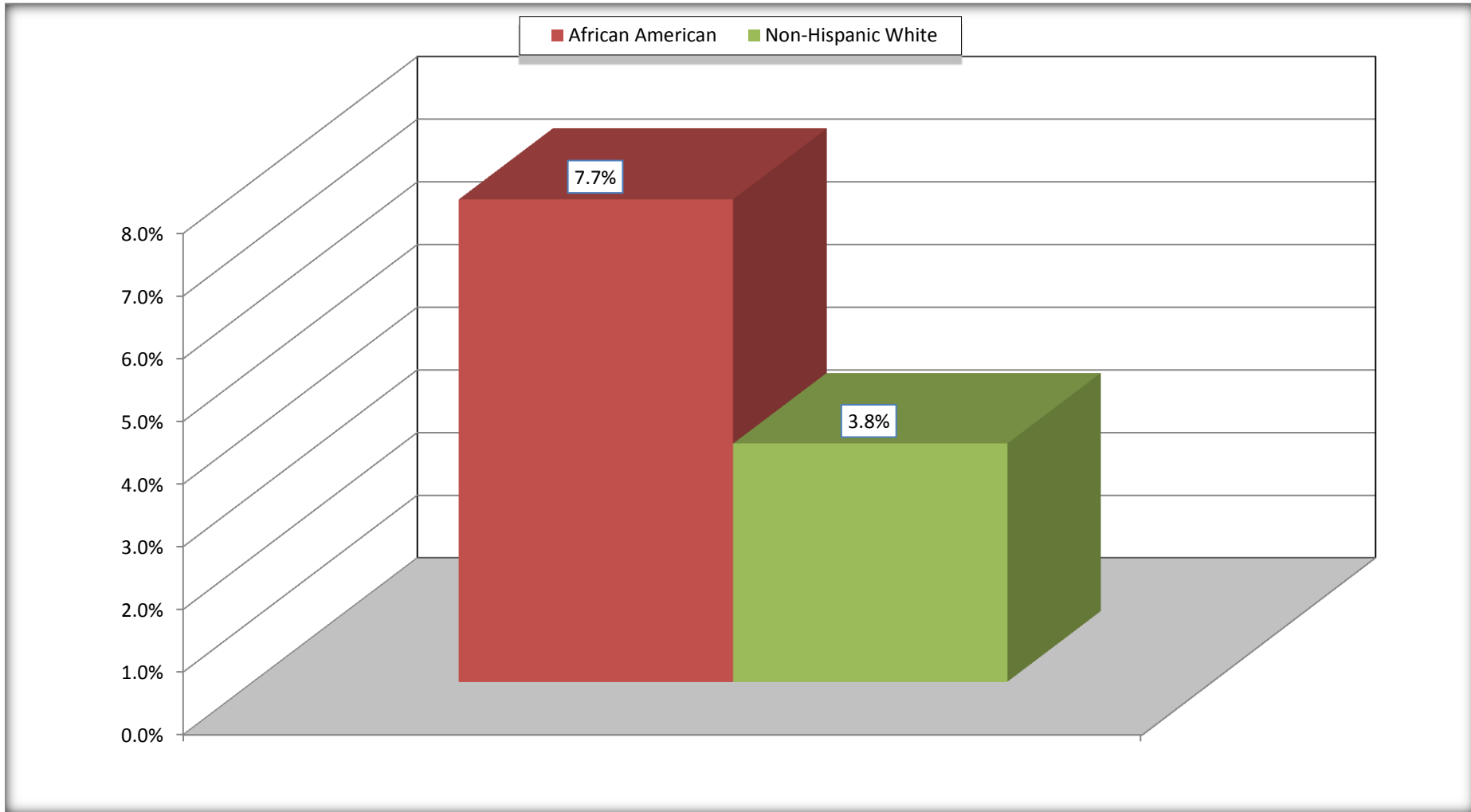


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



## Unemployment (Civilian Labor Force -- Ages 16 and Over)

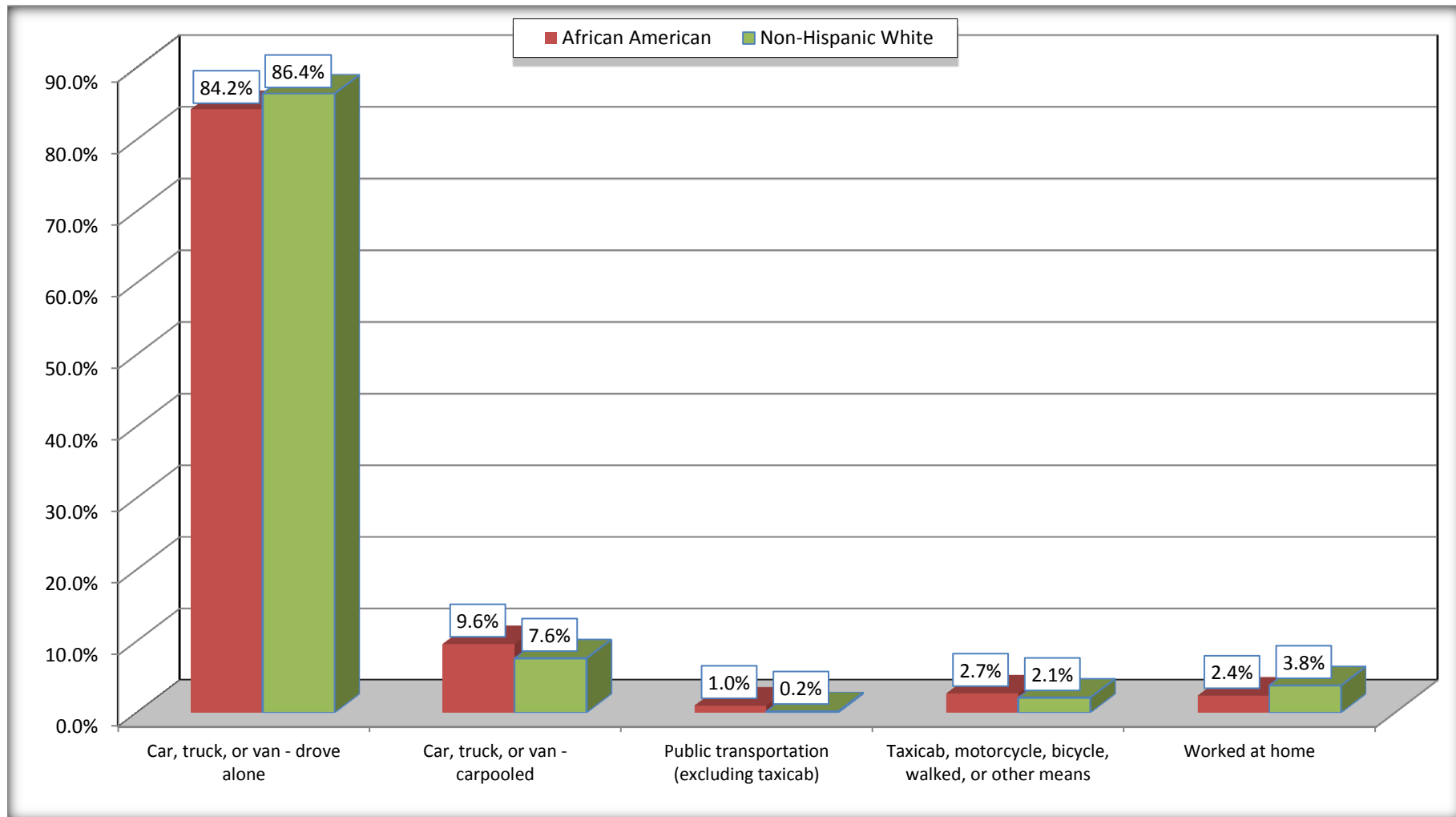
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Means of Transportation to Work (Workers 16 Years and Over)

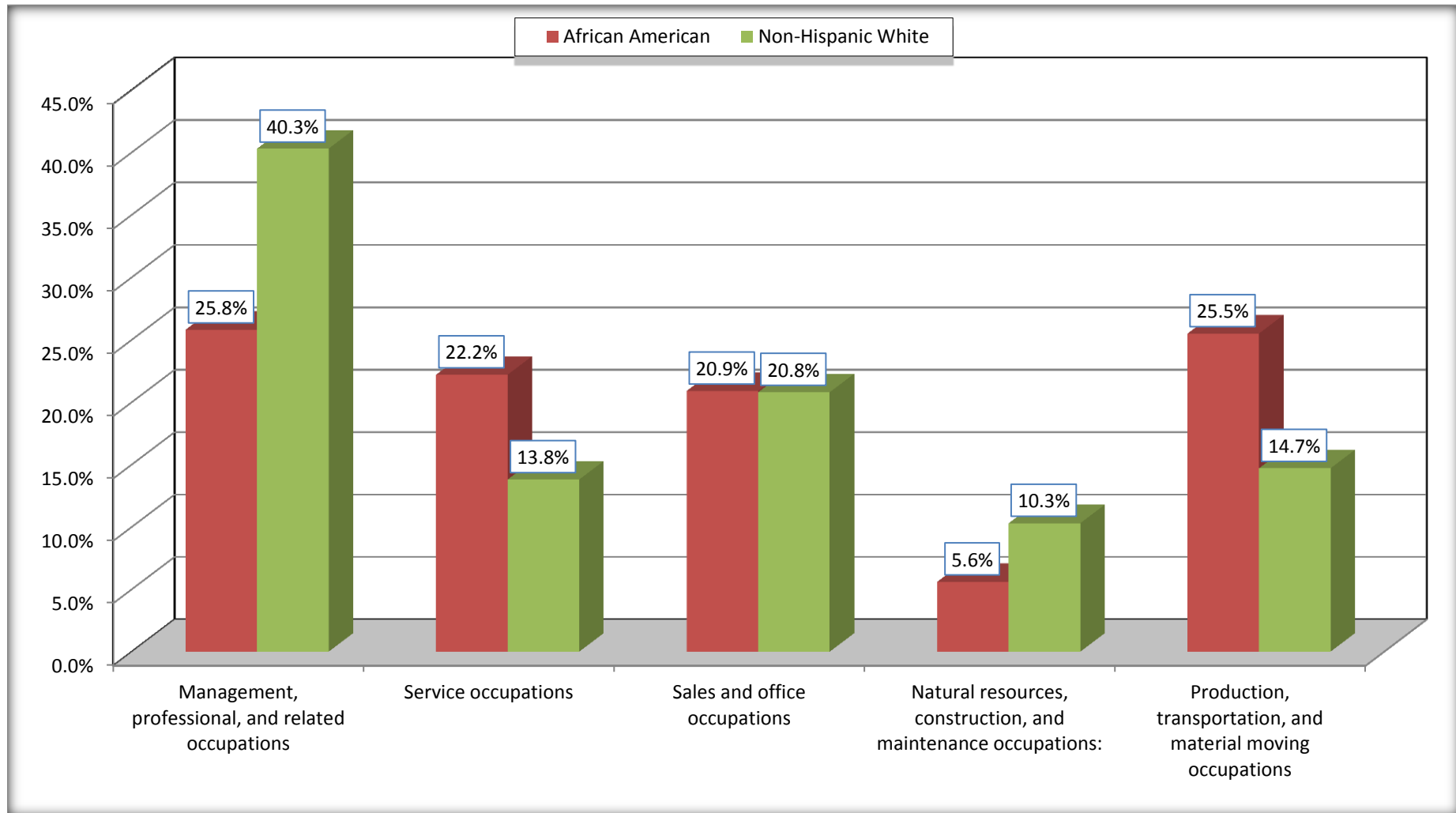
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Occupation for the Civilian Employed 16 Years and Over Population

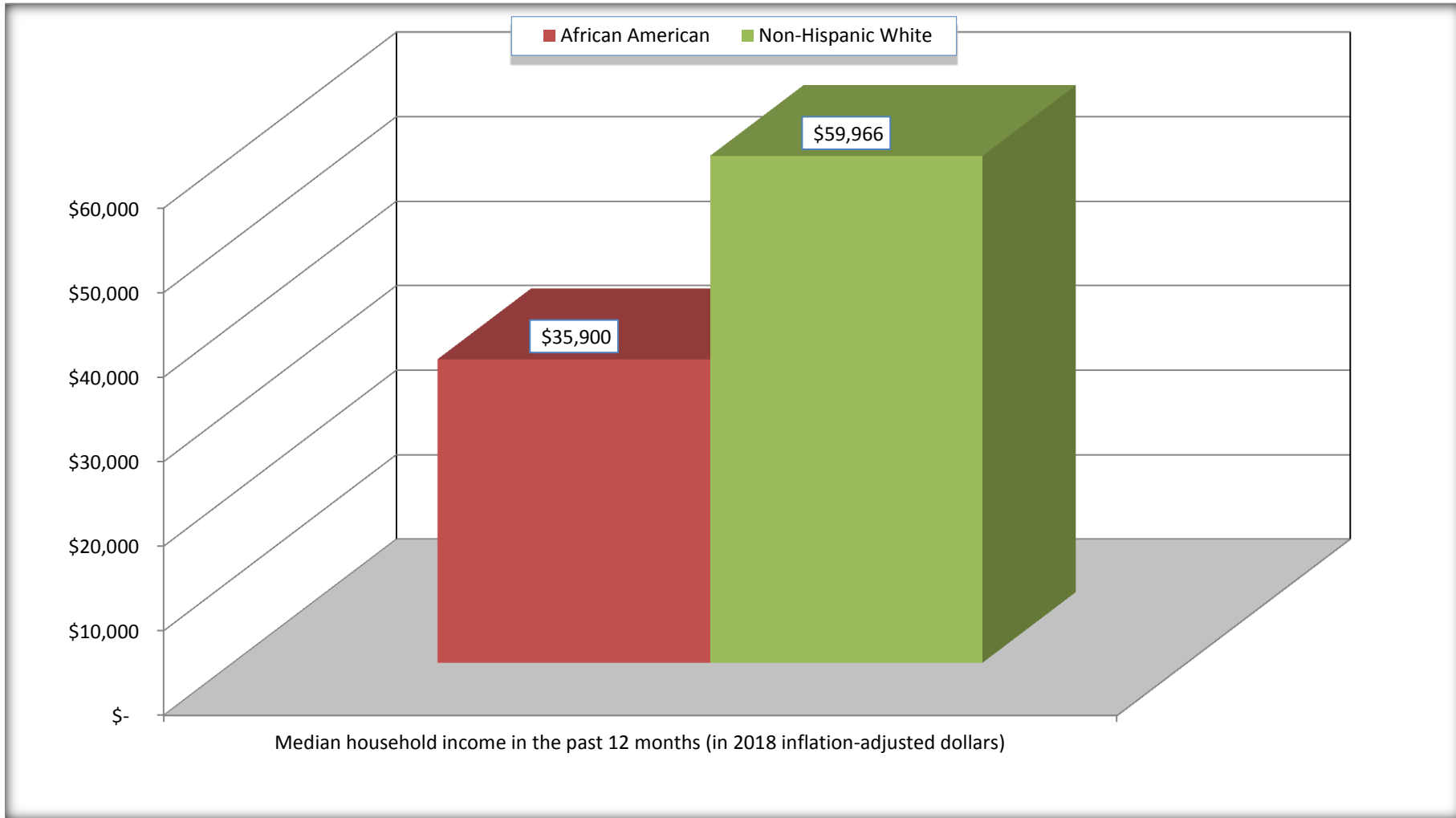
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

## Median Household Income in the Past 12 Months

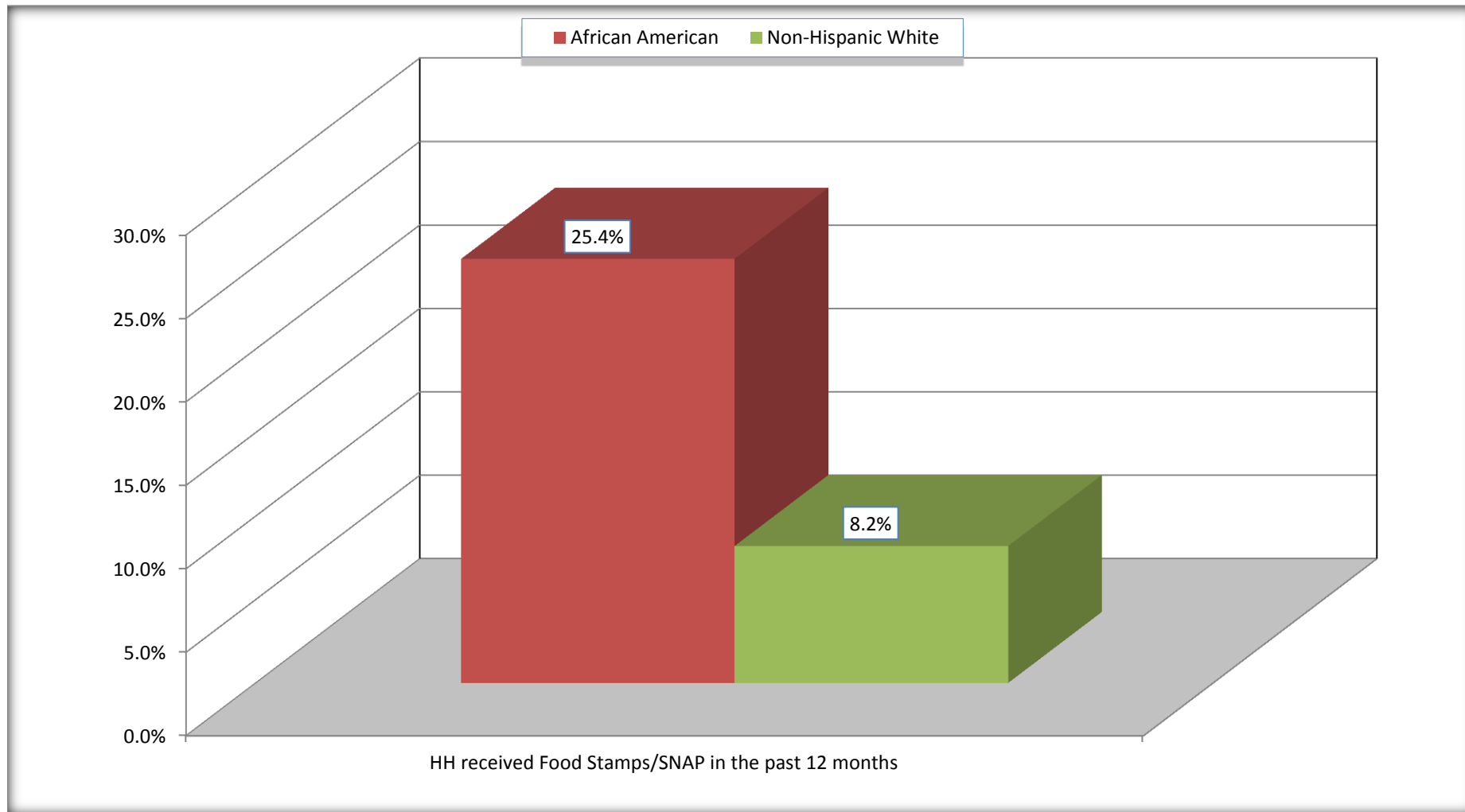
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Receipt of Food Stamps/SNAP in the Past 12 Months by Household

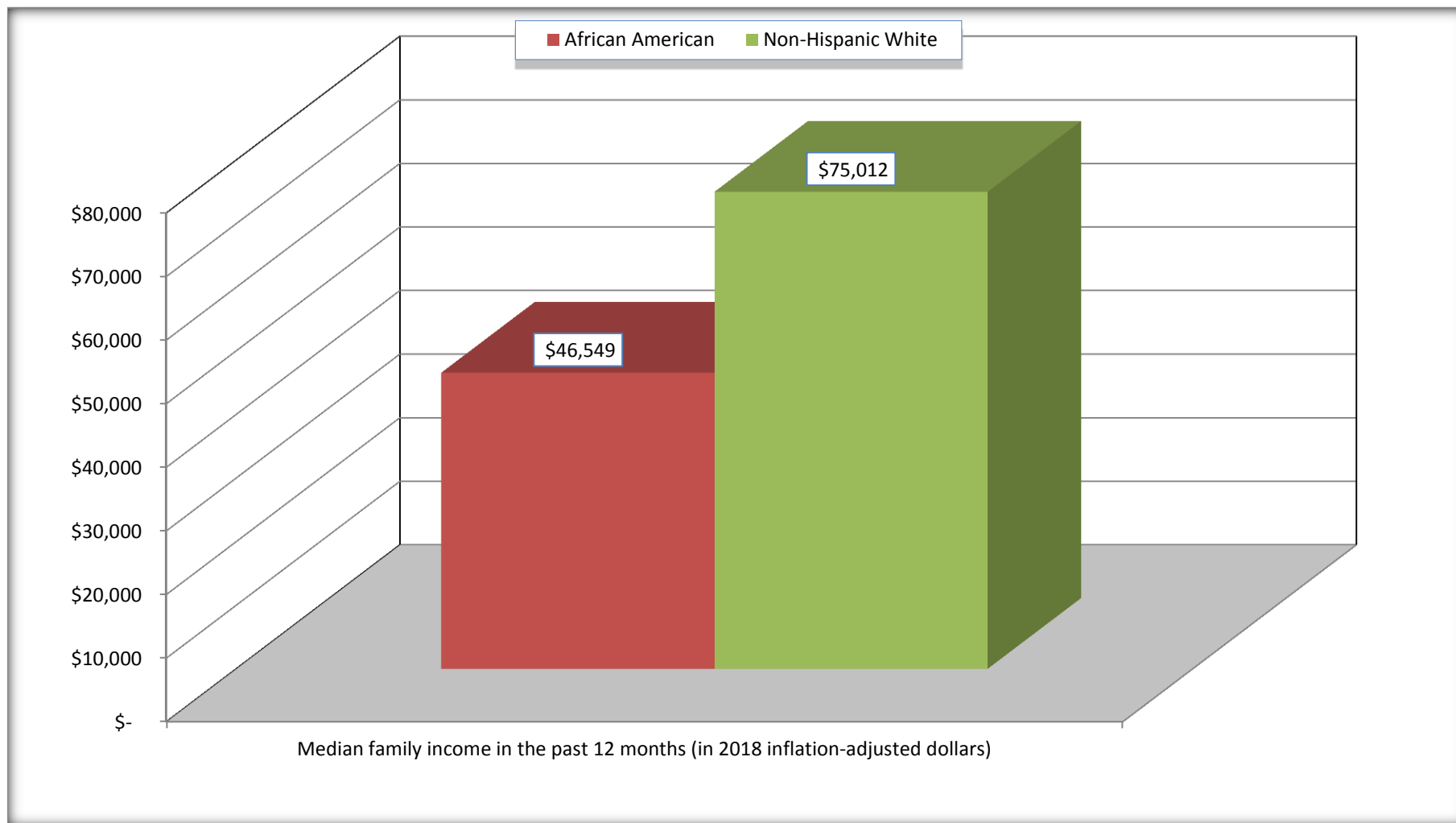
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Median Family Income in the Past 12 Months

### Alabama

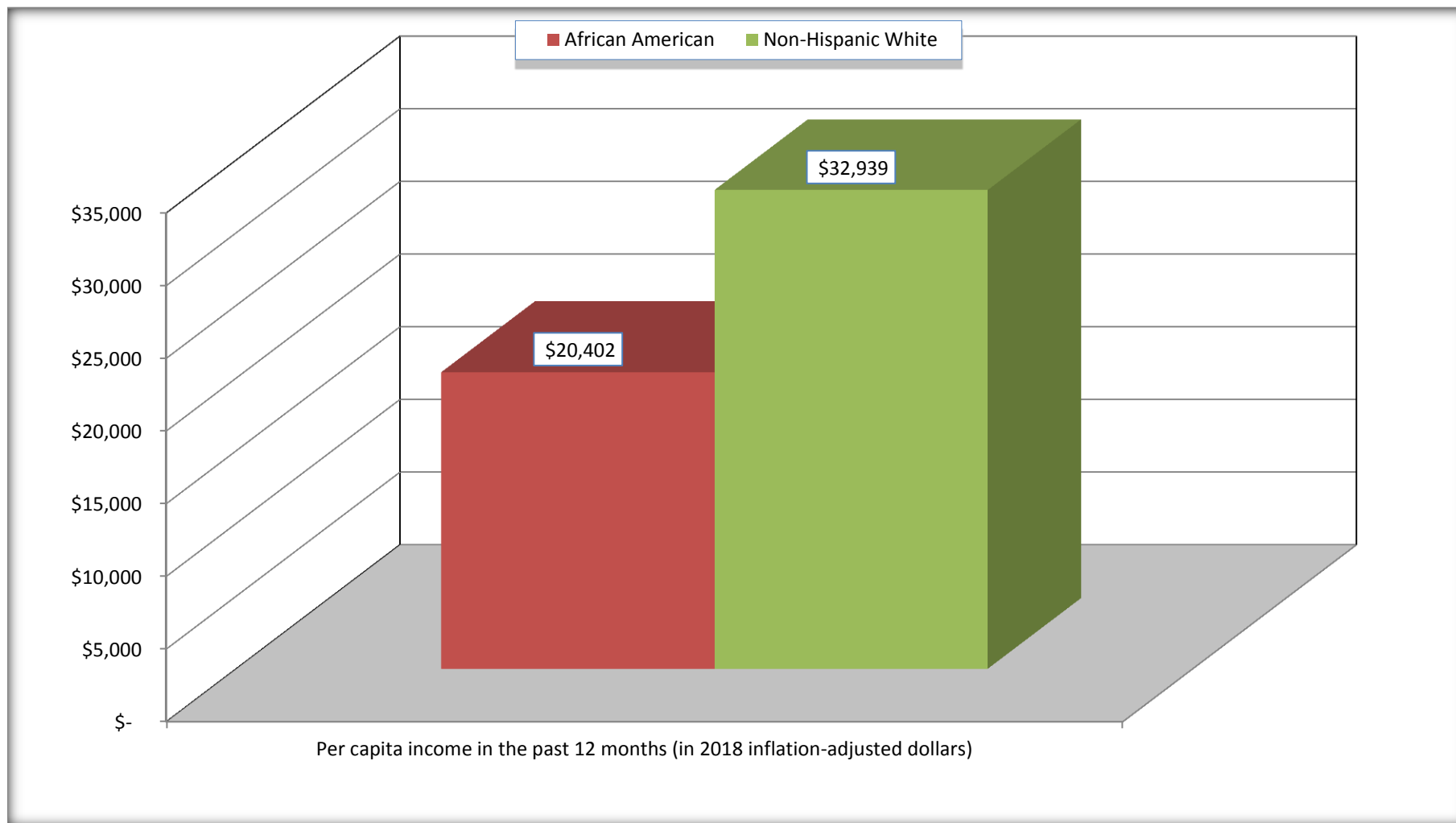


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



## Per capita Income in the Past 12 Months

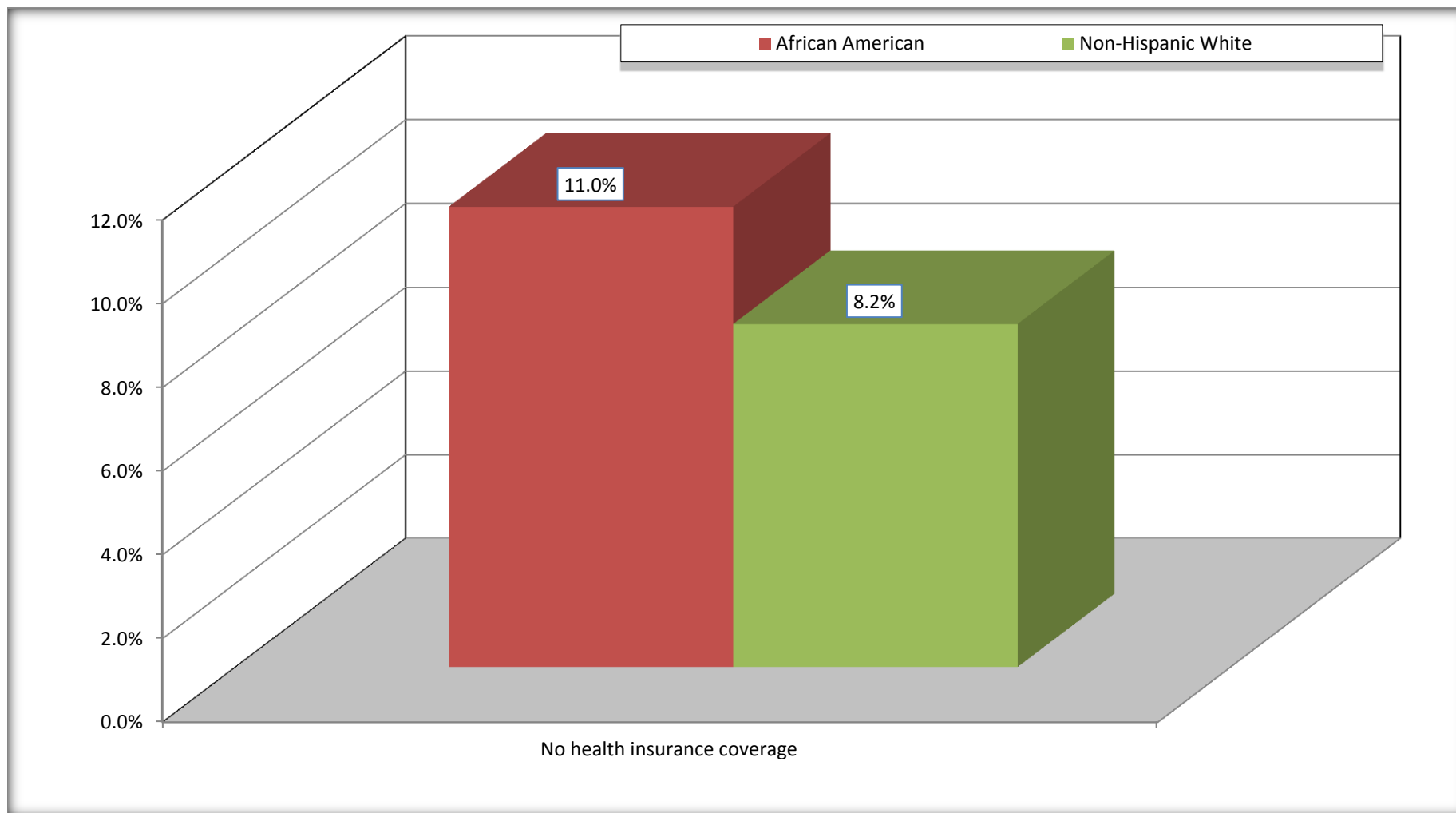
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Lack of Health Insurance Coverage -- Civilian Noninstitutionalized Population

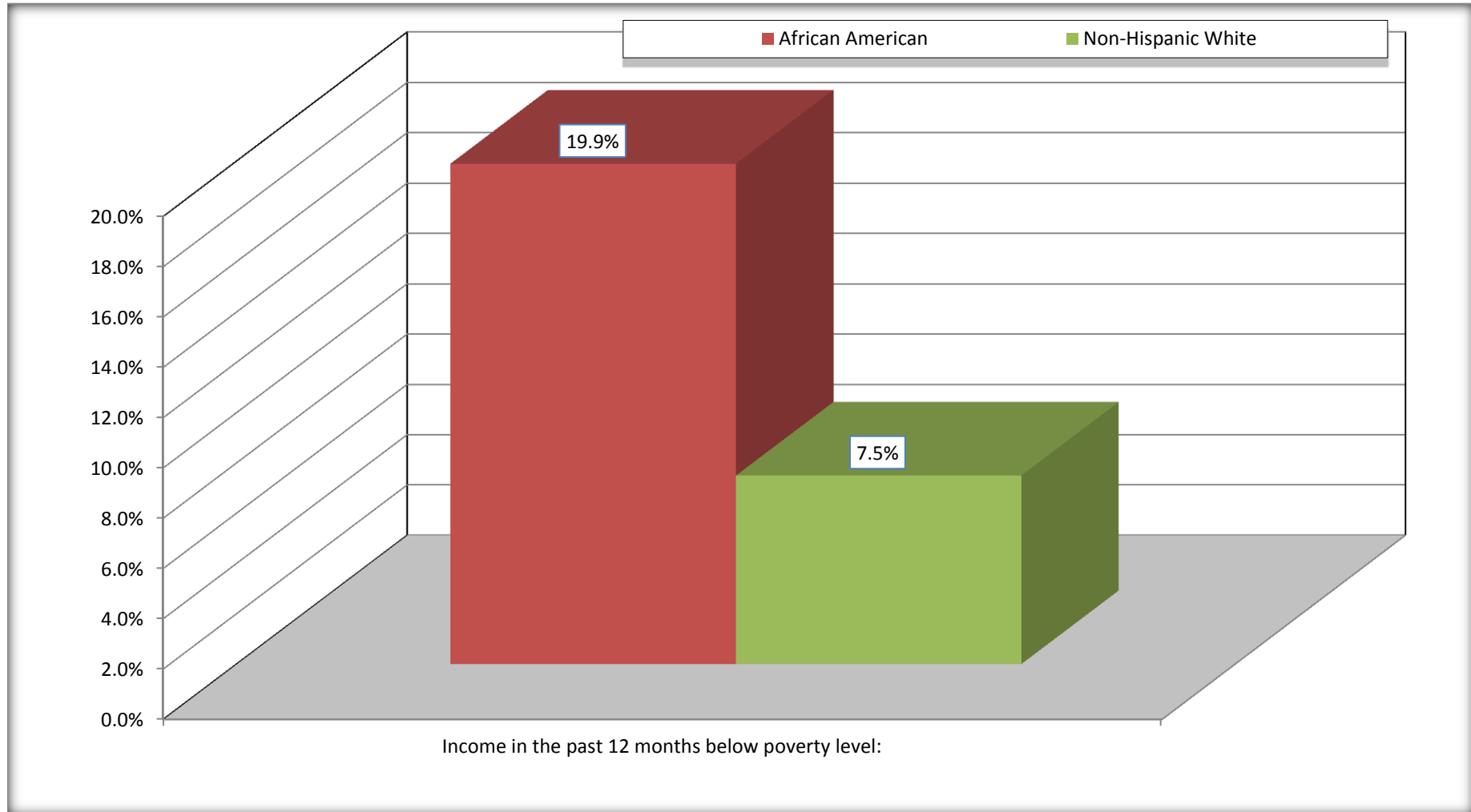
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Family Households Below Poverty in the Past 12 Months

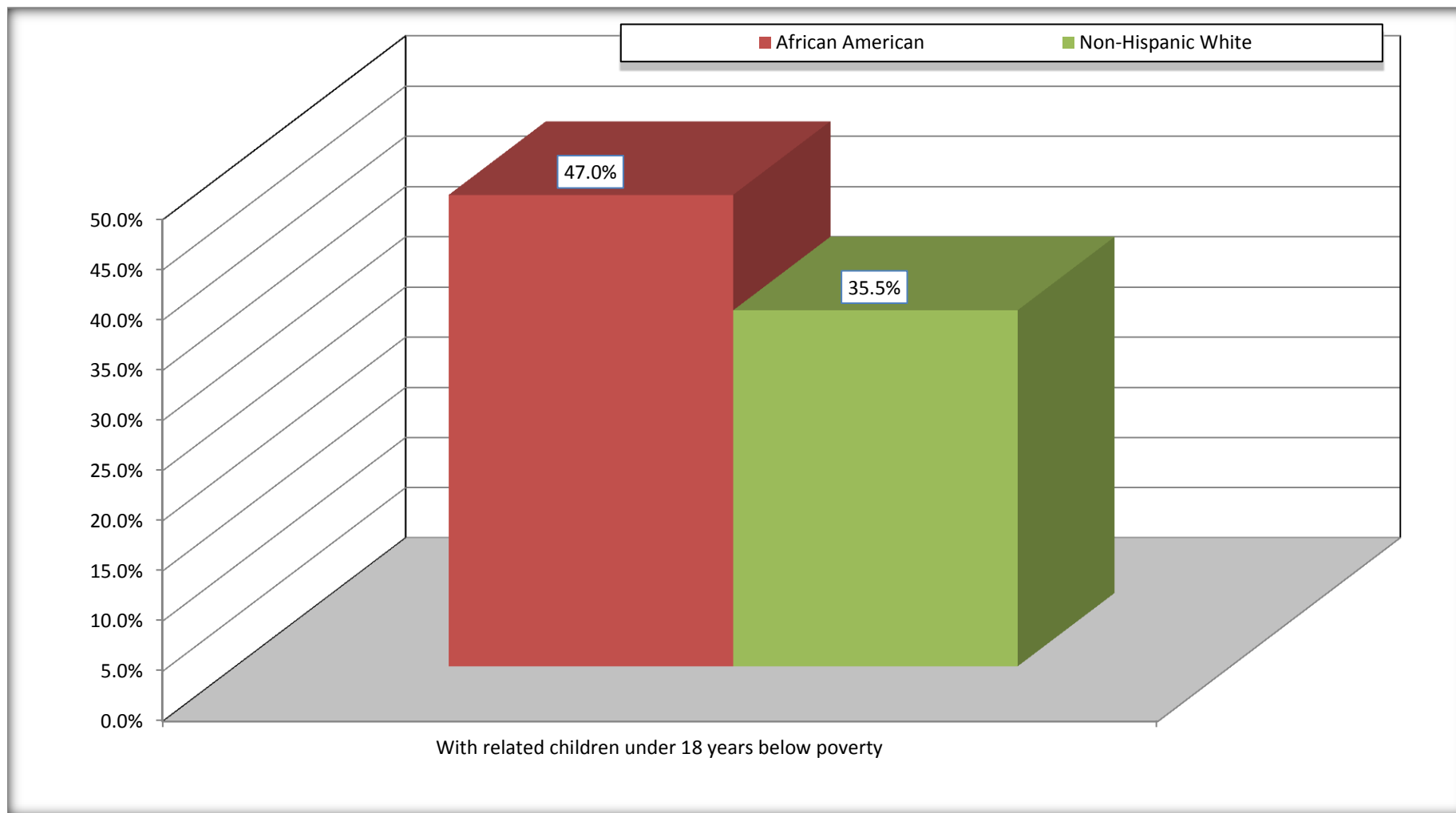
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Female-headed Households with Related Children Below Poverty in the Past 12 Months

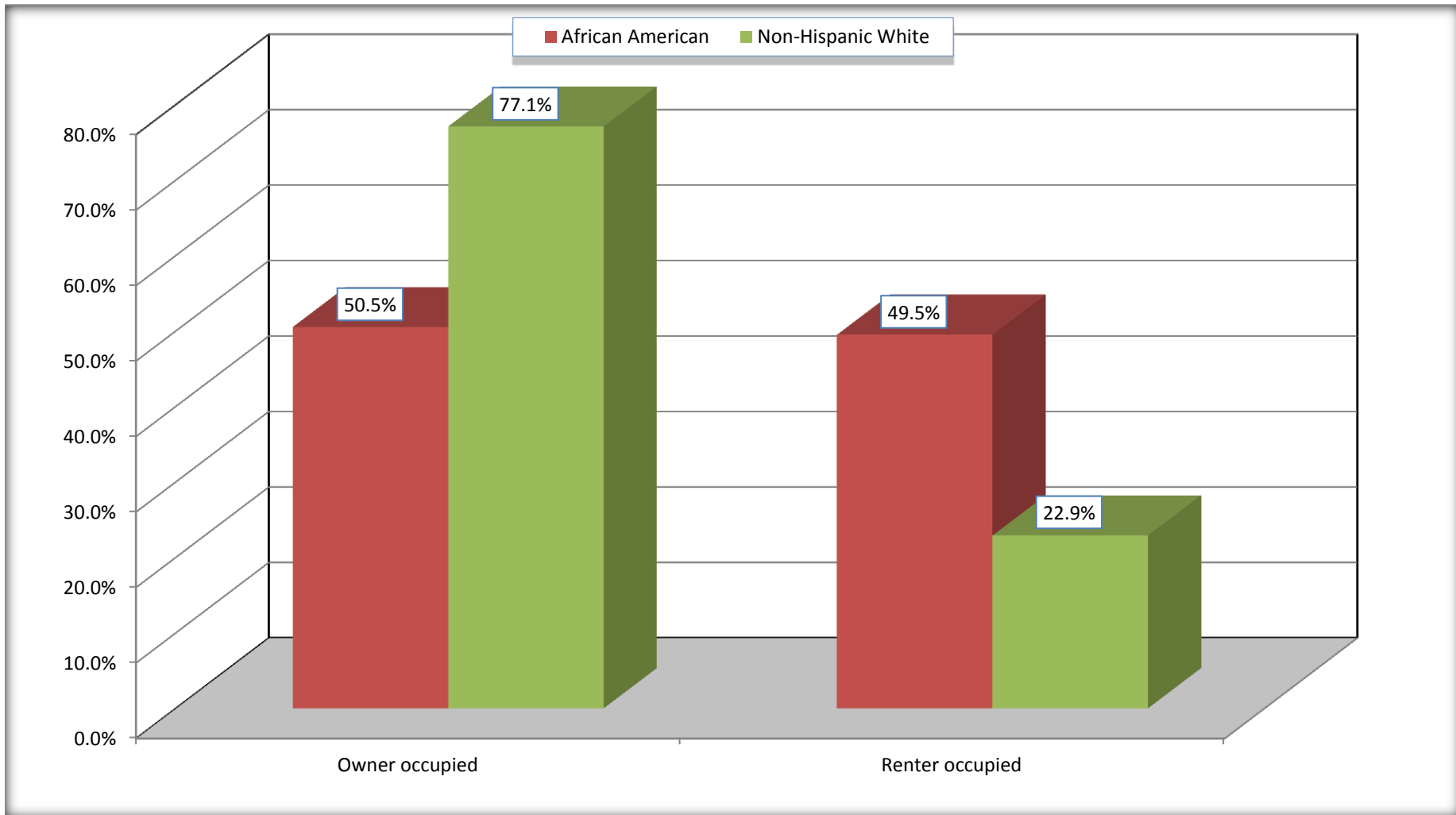
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Home Owners and Renters by Household

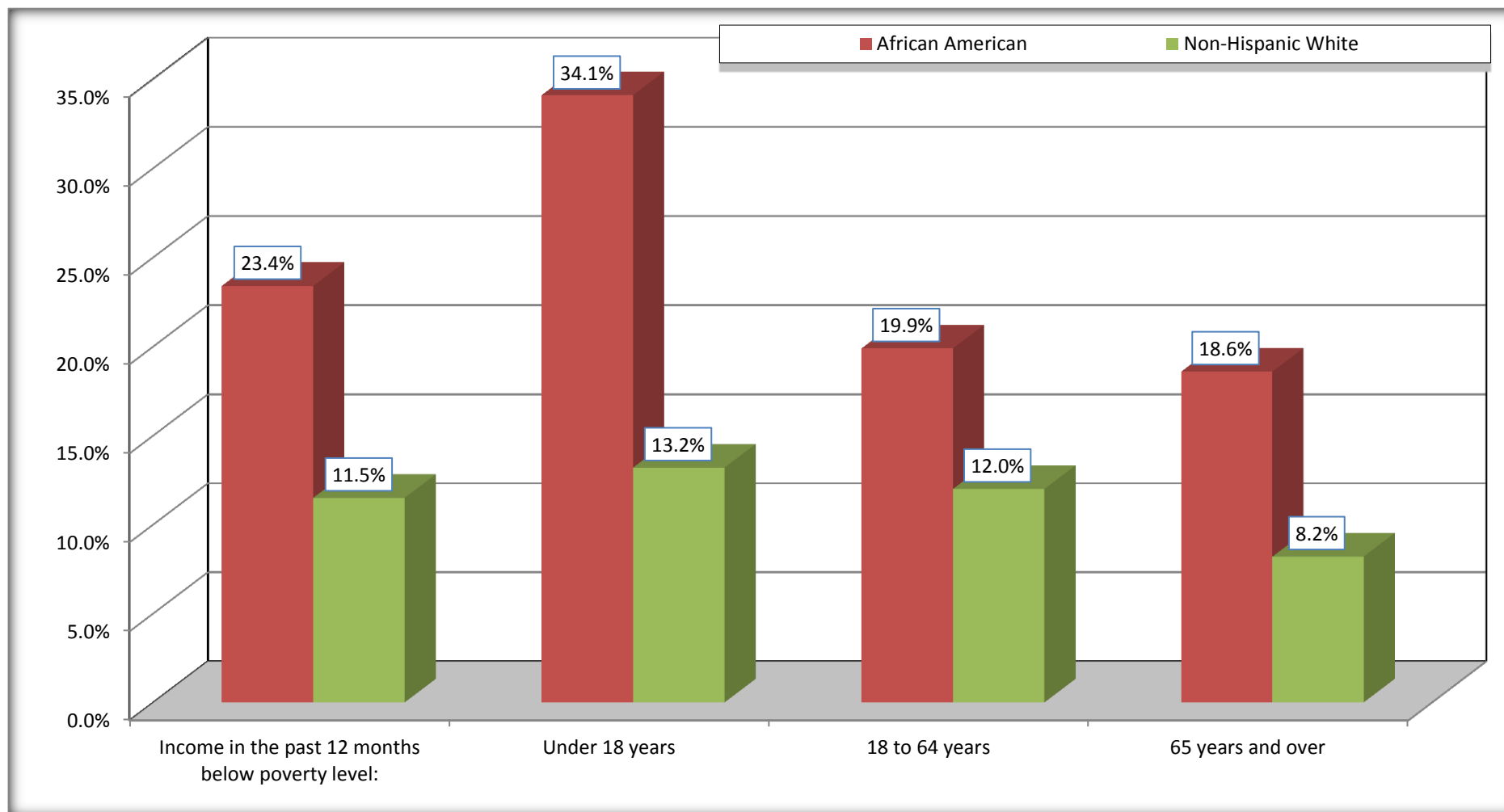
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Population Below Poverty in the Past 12 Months

### Alabama

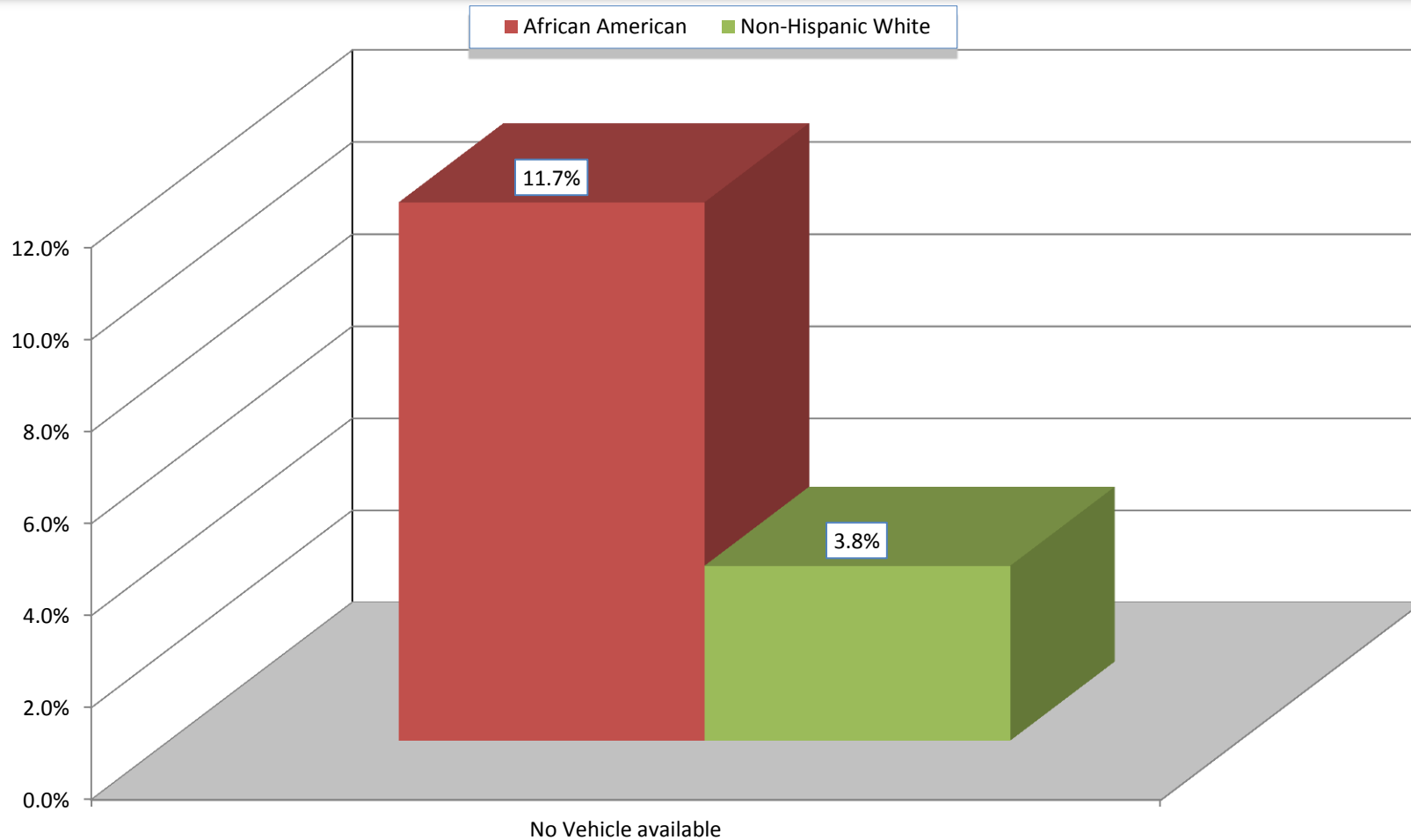


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



## No Vehicles Available by Household

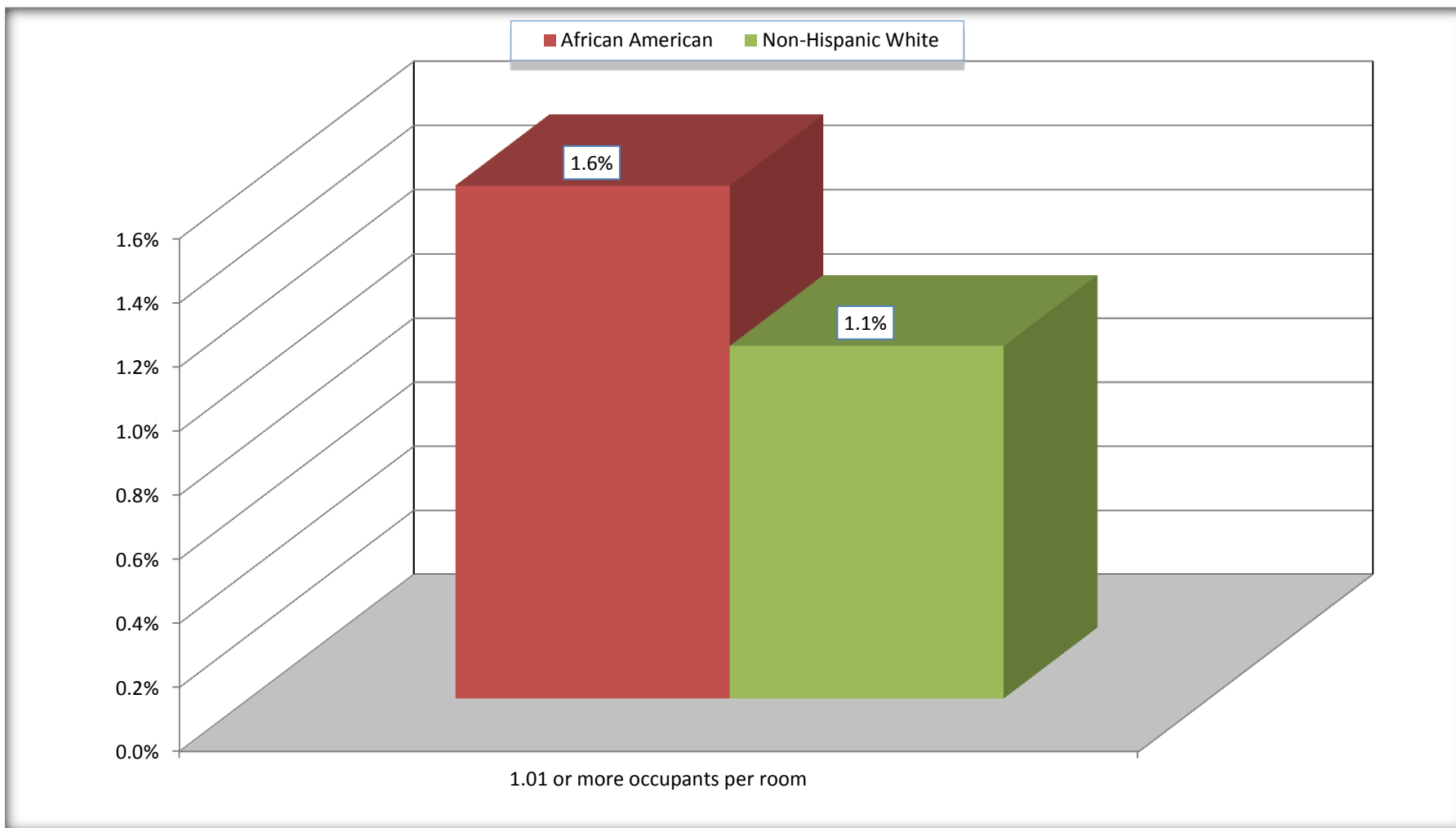
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## More than One Person per Room (Crowding) by Household

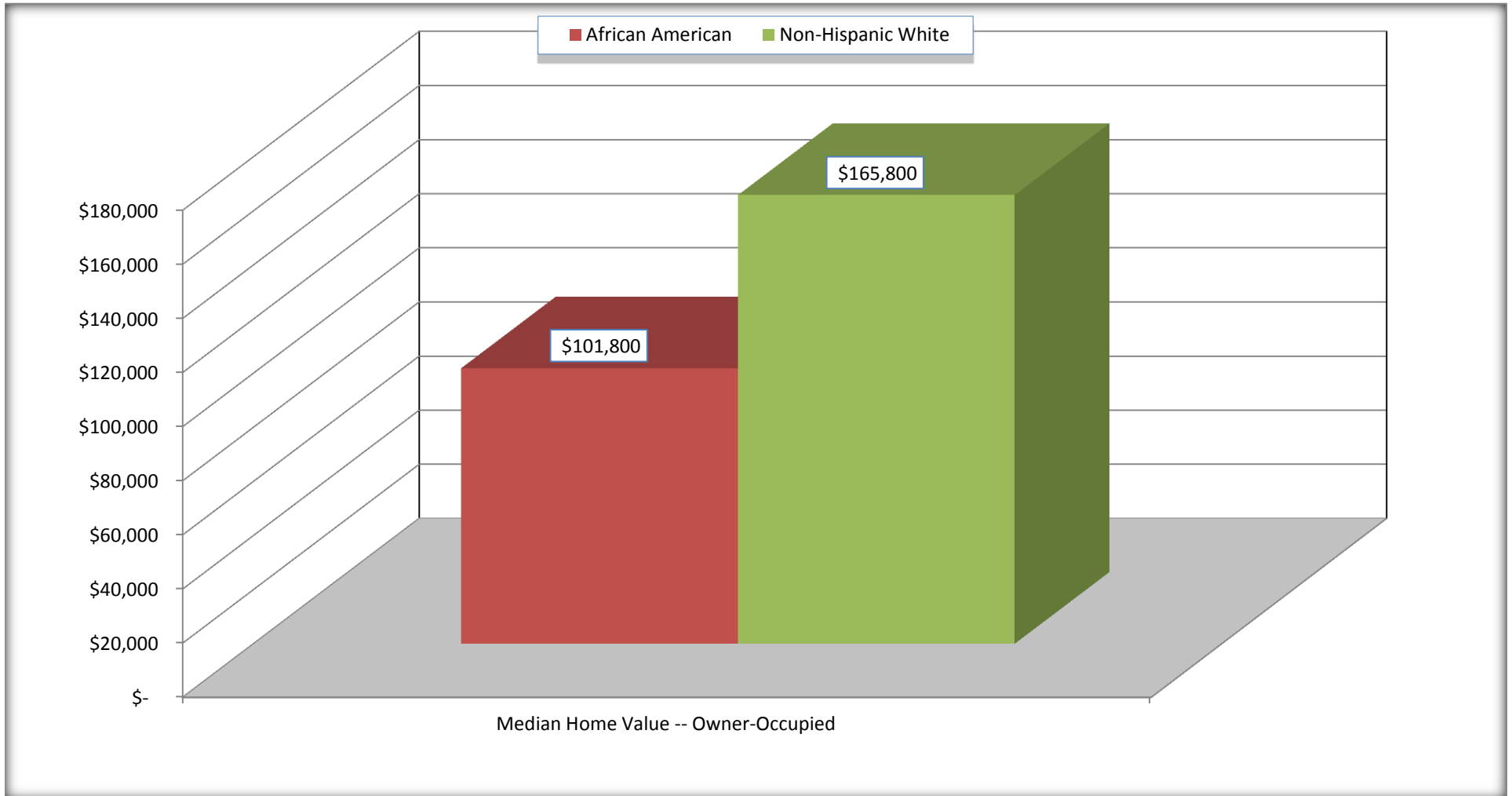
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Median Home Value -- Owner-Occupied

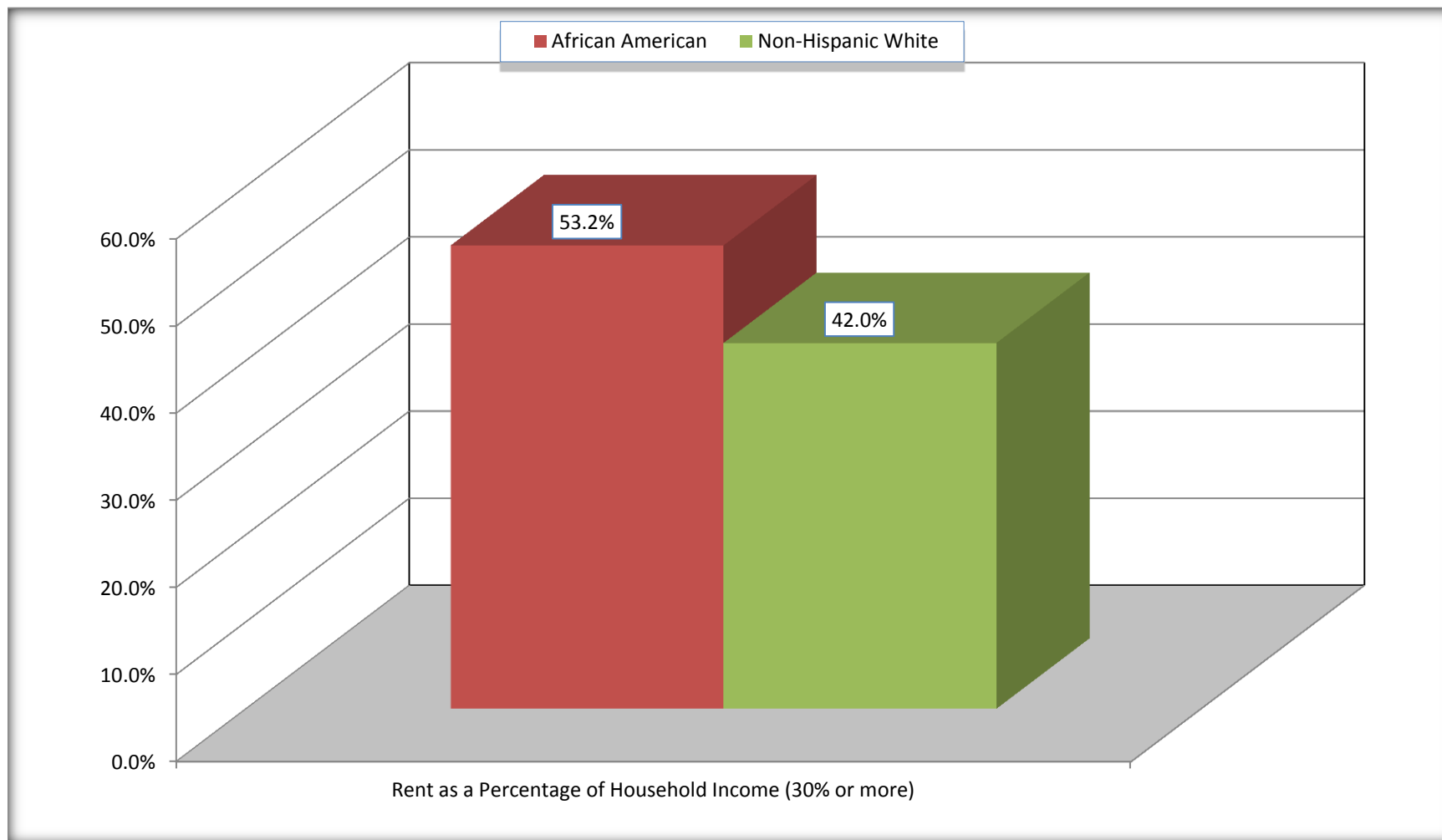
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Rent as a Percentage of Household Income (30% or more) -- Renter-Occupied

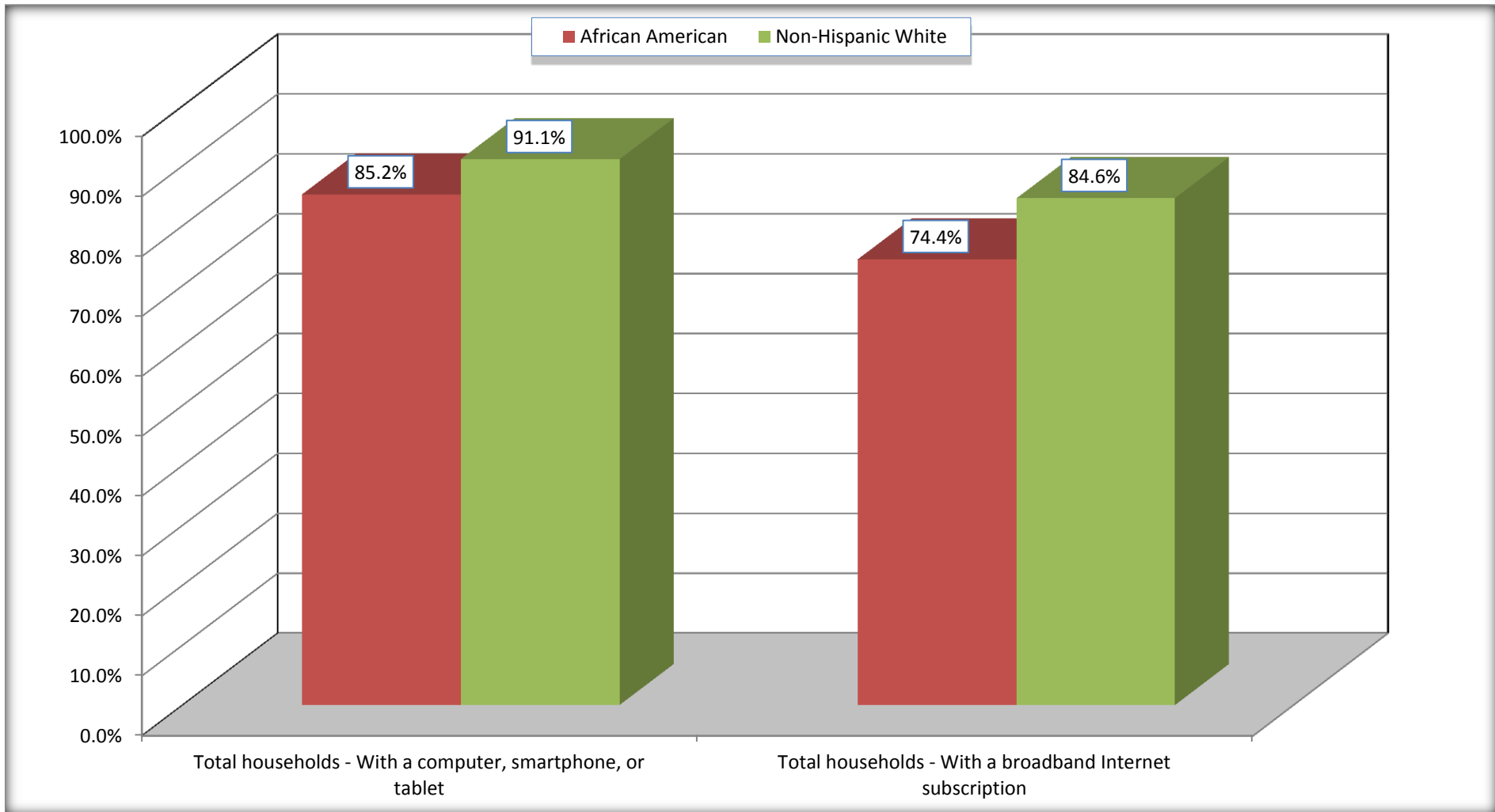
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Computers and Internet Use

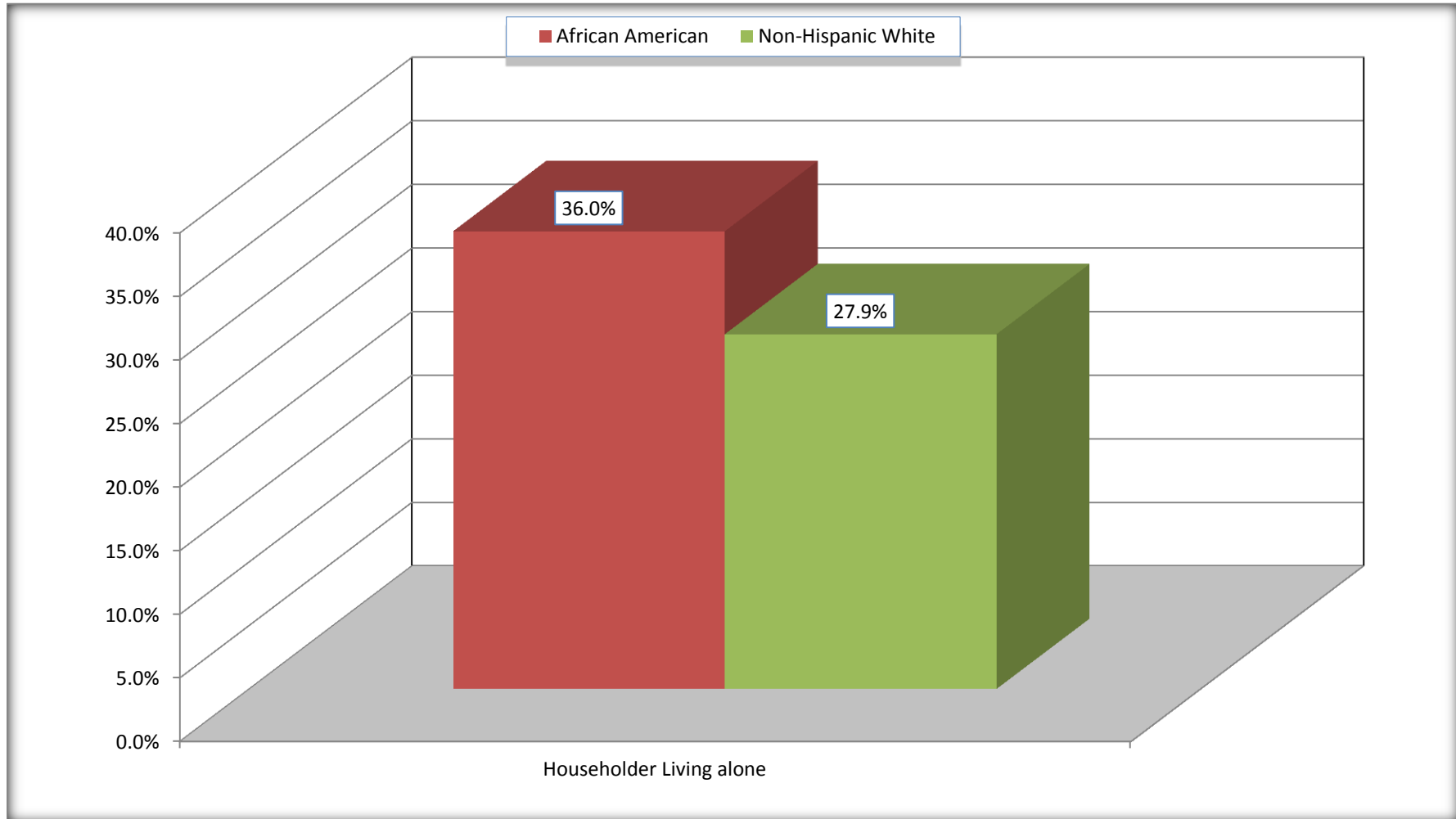
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Households with Householder Living Alone

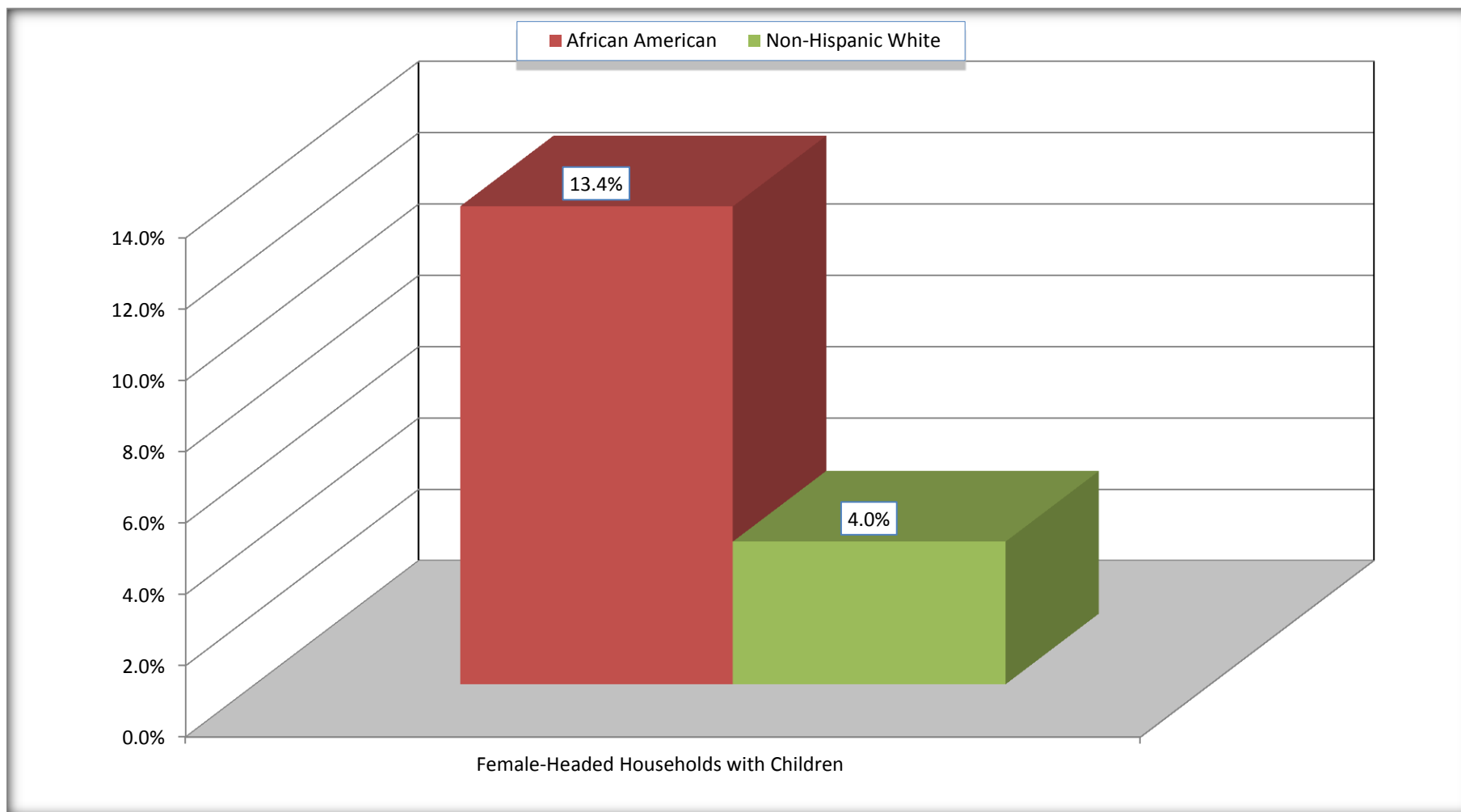
### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Female-Headed Households with Children Under 18 (As a Percentage of all Households)

### Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



	All Persons Estimate	Black or African American alone or in combination Estimate	White alone, not Hispanic or Latino Estimate
<b>TOTAL NUMBER OF RACES REPORTED</b>			
Total population	4,903,185	1,364,474	3,192,955
One race	98.1%	96.7%	100.0%
Two races	1.7%	2.9%	(X)
Three races	0.1%	0.3%	(X)
Four or more races	0.0%	0.1%	(X)
<b>SEX AND AGE</b>			
Total population	4,903,185	1,364,474	3,192,955
Male	48.3%	47.0%	48.8%
Female	51.7%	53.0%	51.2%
Under 5 years	5.8%	6.6%	5.1%
5 to 17 years	16.3%	18.7%	14.4%
18 to 24 years	9.3%	11.2%	8.4%
25 to 34 years	13.0%	14.2%	12.3%
35 to 44 years	12.4%	13.1%	11.8%
45 to 54 years	12.4%	11.5%	13.0%
55 to 64 years	13.3%	12.1%	14.5%
65 to 74 years	10.3%	8.1%	11.8%
75 years and over	7.1%	4.6%	8.7%
Median age (years)	39.4	34.5	43.2
18 years and over	77.9%	74.7%	80.4%
21 years and over	73.6%	69.4%	76.7%
62 years and over	21.4%	16.3%	24.7%
65 years and over	17.4%	12.6%	20.4%
Under 18 years	1,085,597	345,372	624,431
Male	51.3%	52.0%	51.3%
Female	48.7%	48.0%	48.7%
<b>18 years and over</b>	<b>3,817,588</b>	<b>1,019,102</b>	<b>2,568,524</b>
Male	47.5%	45.3%	48.2%
Female	52.5%	54.7%	51.8%
18 to 34 years	1,094,933	346,362	660,000
Male	49.6%	47.7%	50.2%
Female	50.4%	52.3%	49.8%
35 to 64 years	1,868,343	500,317	1,255,973
Male	48.0%	45.3%	49.1%
Female	52.0%	54.7%	50.9%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>65 years and over</b>	<b>854,312</b>	<b>172,423</b>	<b>652,551</b>
Male	43.7%	40.8%	44.5%
Female	56.3%	59.2%	55.5%
<b>RELATIONSHIP</b>			
Population in households	4,786,560	1,318,719	3,128,232
Householder or spouse	58.2%	50.4%	62.8%
Unmarried partner	1.9%	2.4%	1.7%
Child	29.0%	33.4%	26.3%
Other relatives	8.1%	11.4%	6.5%
Other nonrelatives	2.7%	2.4%	2.7%
<b>HOUSEHOLDS BY TYPE</b>			
Households	1,897,576	517,634	1,278,435
Family households	65.2%	59.5%	67.0%
With own children of the householder under 18 years	24.3%	25.2%	22.9%
Married-couple family	47.0%	28.2%	54.1%
With own children of the householder under 18 years	15.7%	9.2%	17.4%
Female householder, no spouse present, family	14.0%	25.9%	9.5%
With own children of the householder under 18 years	6.7%	13.4%	4.0%
Nonfamily households	34.8%	40.5%	33.0%
Male householder	16.2%	18.2%	15.4%
Living alone	13.3%	15.6%	12.4%
Not living alone	2.9%	2.6%	3.0%
Female householder	18.6%	22.3%	17.6%
Living alone	16.6%	20.4%	15.5%
Not living alone	2.0%	1.9%	2.1%
Average household size	2.52	2.49	2.49
Average family size	3.15	3.31	3.06
<b>MARITAL STATUS</b>			
Population 15 years and over	4,004,468	1,076,269	2,678,631
Now married, except separated	47.6%	30.2%	54.3%
Widowed	6.8%	6.0%	7.4%
Divorced	12.5%	12.7%	12.9%
Separated	2.1%	3.8%	1.4%
Never married	31.1%	47.4%	24.0%
Male 15 years and over	1,909,410	491,434	1,295,691
Now married, except separated	49.9%	33.6%	56.2%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Widowed	2.9%	2.6%	3.2%
Divorced	11.4%	10.9%	12.0%
Separated	1.8%	3.5%	1.1%
Never married	34.0%	49.4%	27.4%
Female 15 years and over	2,095,058	584,835	1,382,940
Now married, except separated	45.5%	27.3%	52.5%
Widowed	10.3%	8.8%	11.4%
Divorced	13.4%	14.2%	13.6%
Separated	2.4%	4.0%	1.6%
Never married	28.4%	45.8%	20.8%
<b>SCHOOL ENROLLMENT</b>			
Population 3 years and over enrolled in school	1,164,195	375,990	676,127
Nursery school, preschool	5.6%	6.0%	5.7%
Kindergarten	5.2%	5.7%	4.5%
Elementary school (grades 1-8)	42.0%	41.3%	41.7%
High school (grades 9-12)	21.3%	20.9%	21.6%
College or graduate school	25.9%	26.2%	26.5%
Male 3 years and over enrolled in school	575,054	184,431	334,598
Percent enrolled in kindergarten to grade 12	72.0%	73.1%	70.4%
Percent enrolled in college or graduate school	22.1%	20.9%	23.3%
Female 3 years and over enrolled in school	589,141	191,559	341,529
Percent enrolled in kindergarten to grade 12	65.1%	62.8%	65.3%
Percent enrolled in college or graduate school	29.5%	31.3%	29.7%
<b>EDUCATIONAL ATTAINMENT</b>			
Population 25 years and over	3,360,058	866,916	2,299,781
Less than high school diploma	12.9%	14.9%	10.9%
High school graduate (includes equivalency)	30.9%	35.8%	30.0%
Some college or associate's degree	29.8%	29.9%	30.3%
Bachelor's degree	16.3%	12.1%	17.8%
Graduate or professional degree	10.0%	7.2%	10.9%
High school graduate or higher	87.1%	85.1%	89.1%
Male, high school graduate or higher	85.9%	83.1%	88.2%
Female, high school graduate or higher	88.2%	86.6%	89.9%
Bachelor's degree or higher	26.3%	19.4%	28.8%
Male, bachelor's degree or higher	25.6%	16.1%	28.7%
Female, bachelor's degree or higher	27.0%	22.0%	28.9%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>FERTILITY</b>			
Women 15 to 50 years	1,142,520	354,595	698,868
Women 15 to 50 years who had a birth in the past 12 months	58,542	20,075	33,428
Unmarried women 15 to 50 years who had a birth in the past 12 months	26,127	15,341	8,880
As a percent of all women with a birth in the past 12 months	44.6%	76.4%	26.6%
<b>RESPONSIBILITY FOR GRANDCHILDREN UNDER 18 YEARS</b>			
Population 30 years and over	3,034,720	765,095	2,099,298
Grandparents living with grandchild(ren)	4.1%	5.5%	3.6%
Grandparents responsible for grandchildren as a percentage of living with grandchildren	47.9%	48.4%	48.3%
<b>VETERAN STATUS</b>			
Civilian population 18 years and over	3,800,695	1,015,281	2,557,434
Civilian veteran	8.4%	7.7%	8.9%
<b>DISABILITY STATUS</b>			
Total civilian noninstitutionalized population	4,822,514	1,335,293	3,145,214
With a disability	15.9%	15.4%	16.7%
Civilian noninstitutionalized population under 18 years	1,084,062	344,489	623,831
With a disability	4.0%	4.5%	3.8%
Civilian noninstitutionalized population 18 to 64 years	2,903,613	822,607	1,883,922
With a disability	13.8%	14.8%	13.9%
Civilian noninstitutionalized population 65 years and older	834,839	168,197	637,461
With a disability	38.3%	40.6%	37.6%
<b>RESIDENCE 1 YEAR AGO</b>			
Population 1 year and over	4,849,509	1,347,002	3,163,175
Same house	86.6%	84.6%	87.7%
Different house in the U.S.	13.2%	15.2%	12.2%
Same county	8.0%	10.1%	7.0%
Different county	5.2%	5.0%	5.2%
Same state	3.0%	3.4%	2.9%
Different state	2.2%	1.6%	2.3%
Abroad	0.3%	0.2%	0.2%
<b>PLACE OF BIRTH, CITIZENSHIP STATUS AND YEAR OF ENTRY</b>			
Native	4,728,233	1,351,222	3,161,727
Male	48.3%	47.1%	48.9%
Female	51.7%	52.9%	51.1%
Foreign born	174,952	13,252	31,228
Male	49.0%	45.4%	46.4%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female	51.0%	54.6%	53.6%
Foreign born; naturalized U.S. citizen	76,963	8,477	18,152
Male	45.8%	48.2%	46.7%
Female	54.2%	51.8%	53.3%
Foreign born; not a U.S. citizen	97,989	4,775	13,076
Male	51.5%	40.6%	46.0%
Female	48.5%	59.4%	54.0%
Population born outside the United States	174,952	13,252	31,228
Entered 2010 or later	30.3%	36.3%	25.3%
Entered 2000 to 2009	29.9%	26.6%	23.7%
Entered before 2000	39.8%	37.0%	51.0%
<b>WORLD REGION OF BIRTH OF FOREIGN BORN</b>			
Foreign-born population excluding population born at sea	174,952	13,252	31,228
Europe	11.5%	5.7%	61.1%
Asia	32.2%	0.0%	15.7%
Africa	5.5%	59.1%	5.4%
Oceania	0.4%	0.0%	1.5%
Latin America	48.1%	31.7%	6.0%
Northern America	2.3%	3.5%	10.3%
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>			
Population 5 years and over	4,616,588	1,274,505	3,028,695
English only	94.5%	98.2%	98.6%
Language other than English	5.5%	1.8%	1.4%
Speak English less than "very well"	2.2%	0.6%	0.3%
<b>EMPLOYMENT STATUS</b>			
Population 16 years and over	3,937,453	1,054,369	2,641,813
In labor force	58.0%	59.4%	56.8%
Civilian labor force	57.5%	59.1%	56.4%
Employed	54.7%	54.5%	54.2%
Unemployed	2.8%	4.5%	2.1%
Unemployment Rate	4.9%	7.7%	3.8%
Armed Forces	0.4%	0.4%	0.4%
Not in labor force	42.0%	40.6%	43.2%
Females 16 years and over	2,063,101	575,288	1,364,381
In labor force	52.7%	58.8%	50.1%
Civilian labor force	52.6%	58.6%	50.0%

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Employed	49.9%	54.4%	48.0%
Unemployed	2.7%	4.2%	2.0%
Unemployment Rate	5.1%	7.2%	3.9%
<b>COMMUTING TO WORK</b>			
Workers 16 years and over	2,134,022	566,235	1,422,548
Car, truck, or van - drove alone	85.2%	84.2%	86.4%
Car, truck, or van - carpooled	8.7%	9.6%	7.6%
Public transportation (excluding taxicab)	0.4%	1.0%	0.2%
Walked	1.2%	1.4%	1.1%
Other means	1.1%	1.3%	1.0%
Worked from home	3.4%	2.4%	3.8%
Mean travel time to work (minutes)	25.4	23.3	26.3
<b>OCCUPATION</b>			
Civilian employed population 16 years and over	2,153,467	575,016	1,432,937
Management, business, science, and arts occupations	35.9%	25.8%	40.3%
Service occupations	16.5%	22.2%	13.8%
Sales and office occupations	20.3%	20.9%	20.8%
Natural resources, construction, and maintenance occupations	9.4%	5.6%	10.3%
Production, transportation, and material moving occupations	17.9%	25.5%	14.7%
Male civilian employed population 16 years and over	1,123,381	262,156	777,925
Management, business, science, and arts occupations	30.7%	17.8%	35.3%
Service occupations	13.4%	18.4%	11.5%
Sales and office occupations	13.0%	12.7%	13.6%
Natural resources, construction, and maintenance occupations	17.2%	11.6%	18.3%
Production, transportation, and material moving occupations	25.7%	39.4%	21.4%
Female civilian employed population 16 years and over	1,030,086	312,860	655,012
Management, business, science, and arts occupations	41.6%	32.5%	46.4%
Service occupations	19.8%	25.3%	16.6%
Sales and office occupations	28.4%	27.7%	29.4%
Natural resources, construction, and maintenance occupations	0.9%	0.7%	0.7%
Production, transportation, and material moving occupations	9.3%	13.8%	6.9%
<b>INDUSTRY</b>			
Civilian employed population 16 years and over	2,153,467	575,016	1,432,937
Agriculture, forestry, fishing and hunting, and mining	1.2%	0.4%	1.4%
Construction	6.9%	3.7%	7.6%
Manufacturing	14.5%	17.6%	12.8%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Wholesale trade	2.6%	1.9%	3.0%
Retail trade	11.1%	11.5%	11.2%
Transportation and warehousing, and utilities	5.4%	5.8%	5.5%
Information	1.3%	1.0%	1.5%
Finance and insurance, and real estate and rental and leasing	5.6%	4.2%	6.3%
Professional, scientific, and management, and administrative and waste managemen	9.6%	8.5%	10.1%
Educational services, and health care and social assistance	22.5%	23.8%	22.6%
Arts, entertainment, and recreation, and accommodation and food services	8.9%	10.9%	7.5%
Other services (except public administration)	4.8%	4.1%	5.1%
Public administration	5.4%	6.6%	5.1%
<b>CLASS OF WORKER</b>			
Civilian employed population 16 years and over	2,153,467	575,016	1,432,937
Private wage and salary workers	78.5%	78.9%	78.1%
Government workers	16.2%	18.4%	15.9%
Self-employed workers in own not incorporated business	5.1%	2.7%	5.8%
Unpaid family workers	0.2%	0.0%	0.2%
<b>INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)</b>			
Households	1,897,576	517,634	1,278,435
Median household income (dollars)	51,734	35,900	59,966
With earnings	72.4%	72.6%	71.4%
Mean earnings (dollars)	73,434	51,969	82,702
With Social Security income	35.9%	33.0%	38.3%
Mean Social Security income (dollars)	19,328	15,373	20,811
With Supplemental Security Income	6.5%	10.8%	5.0%
Mean Supplemental Security Income (dollars)	9,087	8,106	9,973
With cash public assistance income	1.4%	2.1%	1.2%
Mean cash public assistance income (dollars)	3,424	3,979	3,143
With retirement income	26.4%	20.7%	29.7%
Mean retirement income (dollars)	25,004	20,952	26,037
With Food Stamp/SNAP benefits	13.0%	25.4%	8.2%
Families	1,237,883	307,904	857,008
Median family income (dollars)	66,171	46,549	75,012
Married-couple family	72.1%	47.4%	80.7%
Median income (dollars)	81,393	70,593	84,970
Male householder, no spouse present, family	6.5%	9.1%	5.2%
Median income (dollars)	44,879	39,299	47,642



		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female householder, no husband present, family	21.5%	43.5%	14.1%
Median income (dollars)	32,360	28,329	38,514
Individuals	4,903,185	1,364,474	3,192,955
Per capita income (dollars)	28,650	20,402	32,939
With earnings for full-time, year-round workers:			
Male	917,533	209,540	642,323
Female	709,437	225,708	444,458
Mean earnings (dollars) for full-time, year-round workers:			
Male	64,038	45,095	71,096
Female	45,569	37,803	49,569
Median earnings (dollars) full-time, year-round workers:			
Male	50,018	37,180	53,258
Female	37,161	31,222	40,971
<b>HEALTH INSURANCE COVERAGE</b>			
Civilian noninstitutionalized population	4,822,514	1,335,293	3,145,214
With private health insurance	66.9%	55.3%	73.1%
With public coverage	37.3%	44.4%	34.7%
No health insurance coverage	9.7%	11.0%	8.2%
<b>POVERTY RATES FOR FAMILIES AND PEOPLE FOR WHOM POVERTY STATUS IS DETERMINED</b>			
All families	11.2%	19.9%	7.5%
With related children of the householder under 18 years	18.5%	30.5%	12.0%
With related children of the householder under 5 years only	18.6%	35.5%	11.1%
Married-couple family	5.1%	6.6%	4.2%
With related children of the householder under 18 years	6.9%	7.1%	5.3%
With related children of the householder under 5 years only	6.9%	6.7%	4.9%
Female householder, no spouse present, family	29.7%	34.5%	23.6%
With related children of the householder under 18 years	42.1%	47.0%	35.5%
With related children of the householder under 5 years only	48.7%	56.9%	42.1%
All people	15.5%	23.4%	11.5%
Under 18 years	21.4%	34.1%	13.2%
Related children of the householder under 18 years	21.1%	33.9%	12.9%
Related children of the householder under 5 years	24.1%	39.9%	14.0%
Related children of the householder 5 to 17 years	20.1%	31.8%	12.6%
18 years and over	13.8%	19.7%	11.1%
18 to 64 years	14.7%	19.9%	12.0%
65 years and over	10.5%	18.6%	8.2%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
People in families	12.3%	20.8%	8.1%
Unrelated individuals 15 years and over	29.3%	33.5%	27.0%
<b>HOUSING TENURE</b>			
Occupied housing units	1,897,576	517,634	1,278,435
Owner-occupied housing units	68.8%	50.5%	77.1%
Renter-occupied housing units	31.2%	49.5%	22.9%
Average household size of owner-occupied unit	2.60	2.63	2.56
Average household size of renter-occupied unit	2.35	2.35	2.28
<b>UNITS IN STRUCTURE</b>			
Occupied housing units	1,897,576	517,634	1,278,435
1-unit, detached or attached	72.2%	63.1%	76.5%
2 to 4 units	4.6%	8.2%	3.1%
5 or more units	10.9%	19.3%	7.3%
Mobile home, boat, RV, van, etc.	12.3%	9.4%	13.1%
<b>YEAR STRUCTURE BUILT</b>			
Occupied housing units	1,897,576	517,634	1,278,435
Built 2014 or later	4.9%	3.8%	5.3%
Built 2010 to 2013	3.7%	3.6%	3.6%
Built 2000 to 2009	15.3%	10.9%	16.8%
Built 1980 to 1999	33.2%	29.5%	34.5%
Built 1960 to 1979	27.1%	32.7%	25.1%
Built 1940 to 1959	11.4%	14.6%	10.3%
Built 1939 or earlier	4.5%	4.8%	4.5%
<b>VEHICLES AVAILABLE</b>			
Occupied housing units	1,897,576	517,634	1,278,435
None	6.0%	11.7%	3.8%
1 or more	94.0%	88.3%	96.2%
<b>HOUSE HEATING FUEL</b>			
Occupied housing units	1,897,576	517,634	1,278,435
Gas	32.1%	35.5%	31.2%
Electricity	66.4%	63.6%	67.0%
All other fuels	1.1%	0.4%	1.3%
No fuel used	0.4%	0.4%	0.4%
<b>SELECTED CHARACTERISTICS</b>			
Occupied housing units	1,897,576	517,634	1,278,435
No telephone service available	1.4%	2.2%	1.0%

	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
1.01 or more occupants per room	1.5%	1.6%	1.1%
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Housing units with a mortgage (excluding units where SMOC cannot be computed)	717,054	148,959	534,135
Less than 30 percent	77.3%	68.4%	80.1%
30 percent or more	22.7%	31.6%	19.9%
<b>OWNER CHARACTERISTICS</b>			
Owner-occupied housing units	1,305,223	261,342	985,381
Median value (dollars)	154,000	101,800	165,800
Median selected monthly owner costs with a mortgage (dollars)	1,172	1,063	1,201
Median selected monthly owner costs without a mortgage (dollars)	362	352	365
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Occupied units paying rent (excluding units where GRAPL cannot be computed)	515,098	226,567	250,219
Less than 30 percent	52.9%	46.8%	58.0%
30 percent or more	47.1%	53.2%	42.0%
<b>GROSS RENT</b>			
Occupied units paying rent	530,685	233,606	256,865
Median gross rent (dollars)	807	780	827
<b>COMPUTERS AND INTERNET USE</b>			
Total households	1,897,576	517,634	1,278,435
With a computer	89.4%	85.2%	91.1%
With a broadband Internet subscription	81.6%	74.4%	84.6%

###

## **Selected Socio-Economic Data**

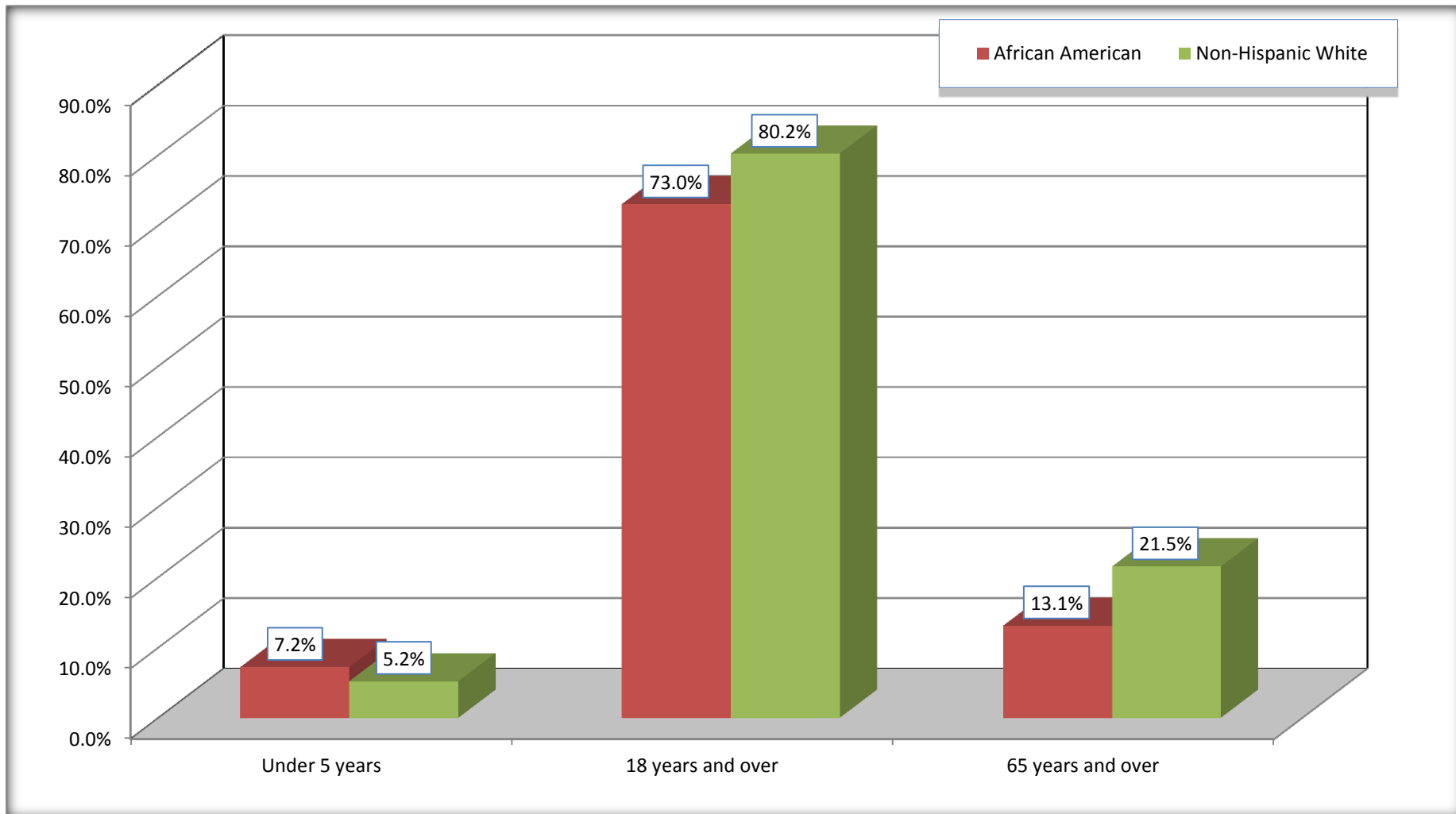
### **Congressional District 1 (116th Congress), Alabama**

**Any Part African American vis-à-vis NH White**

**Data Set: 2019 American Community Survey 1-Year Estimates**

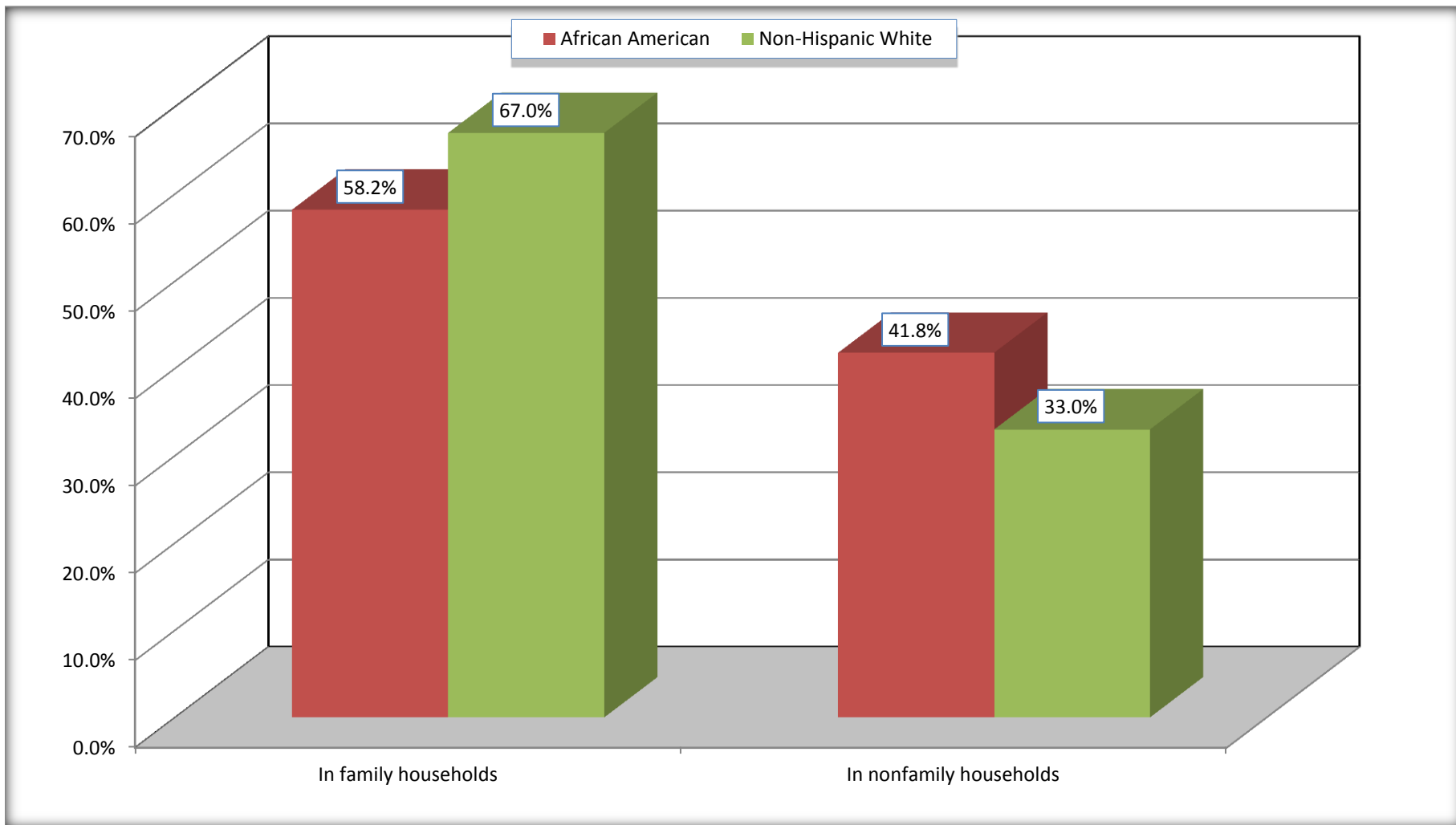
## Population by Age

### Congressional District 1 (116th Congress), Alabama



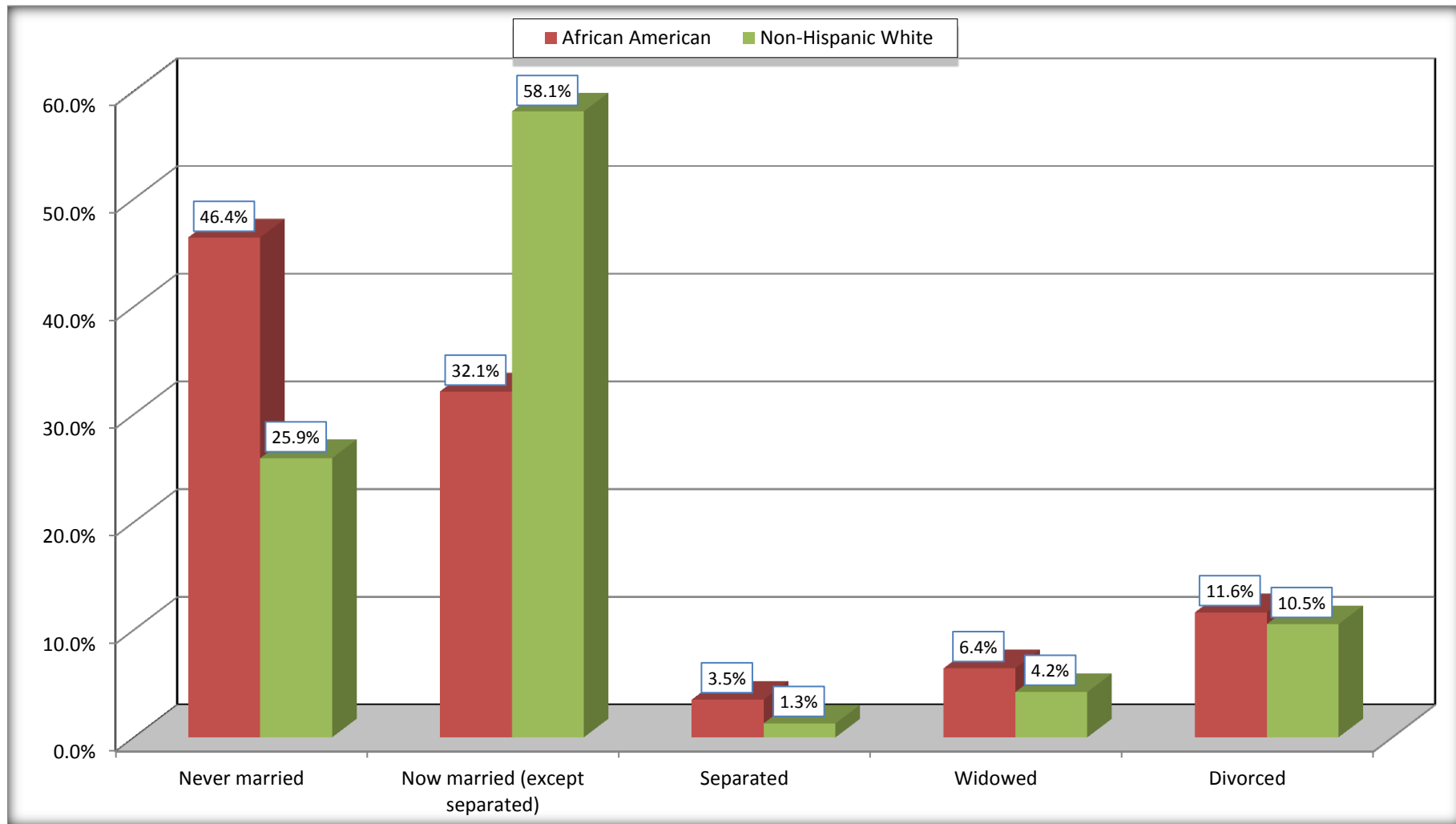
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

### Household Type for Population in Households Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

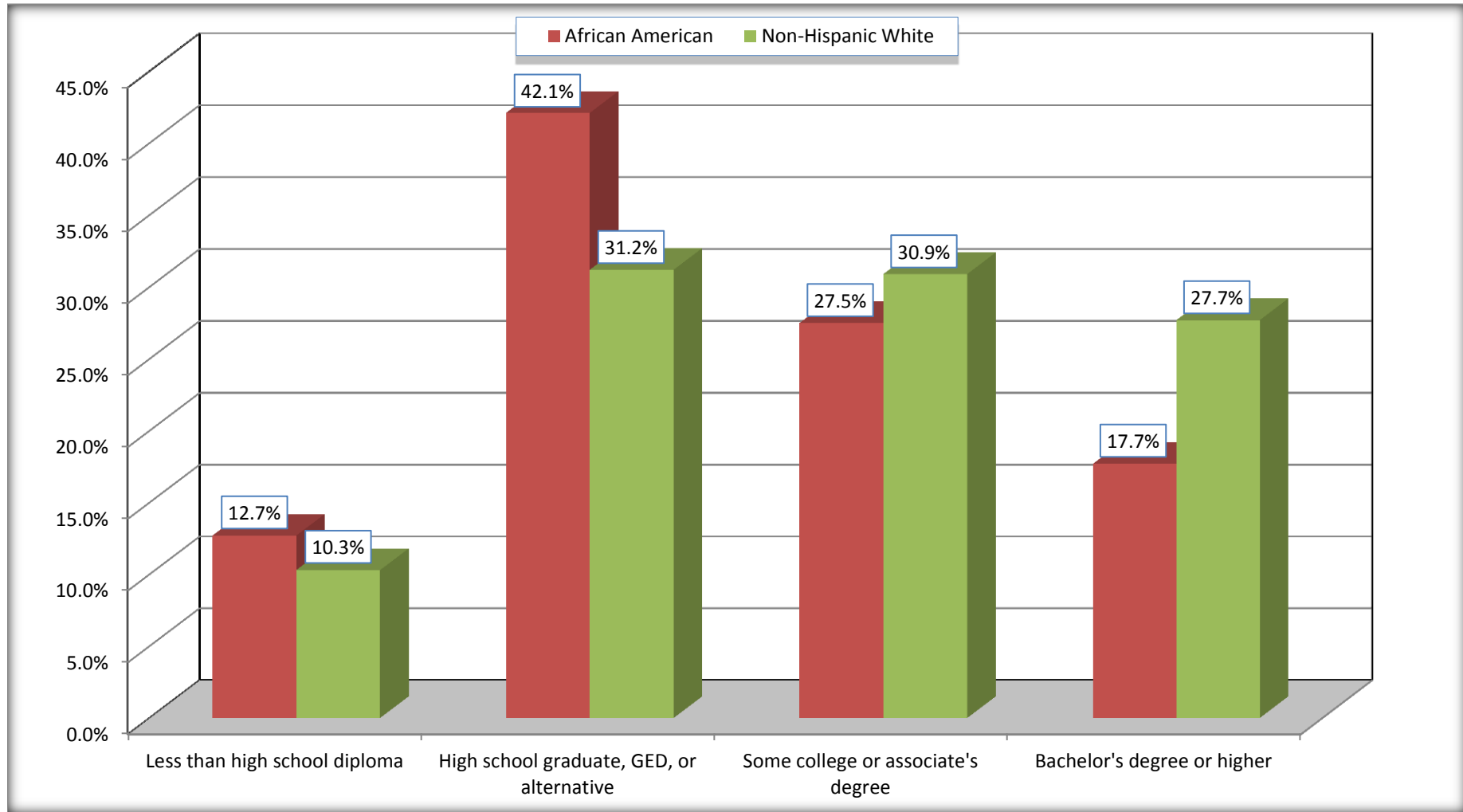
## Marital Status for the Population 15 Years and Over Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

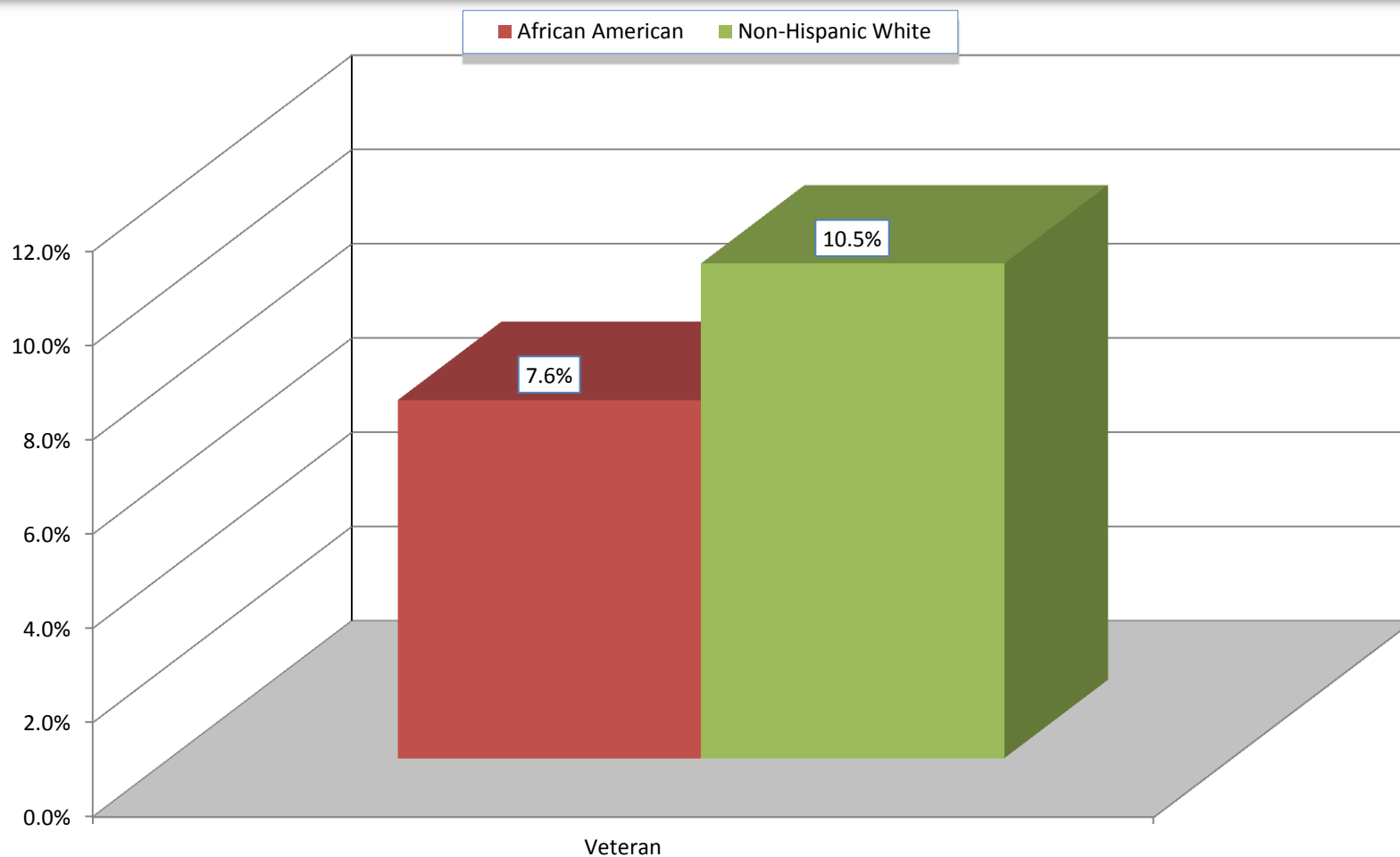


**Educational Attainment for the Population 25 Years and Older**  
**Congressional District 1 (116th Congress), Alabama**



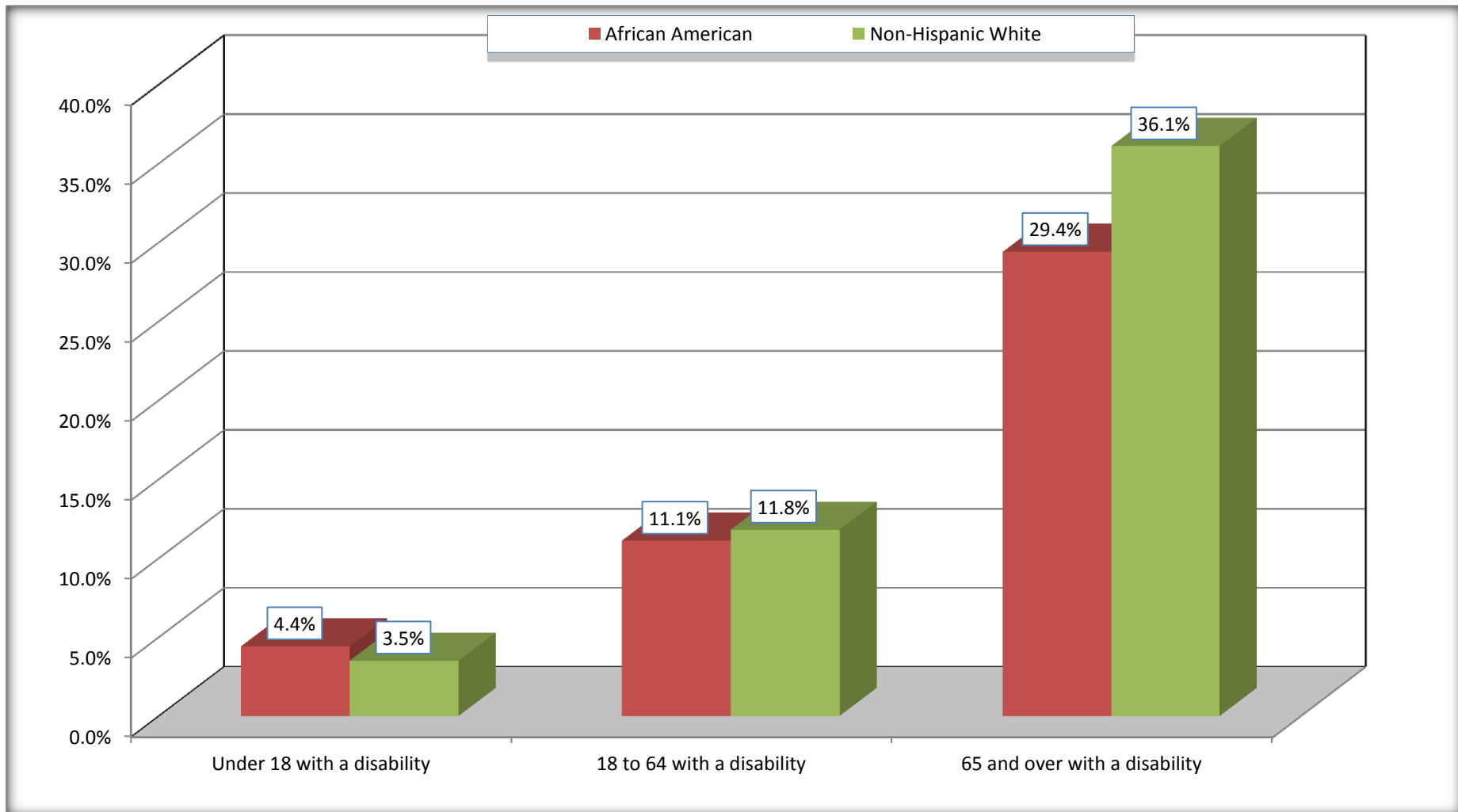
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Veterans in the Civilian Population 18 Years and Over**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

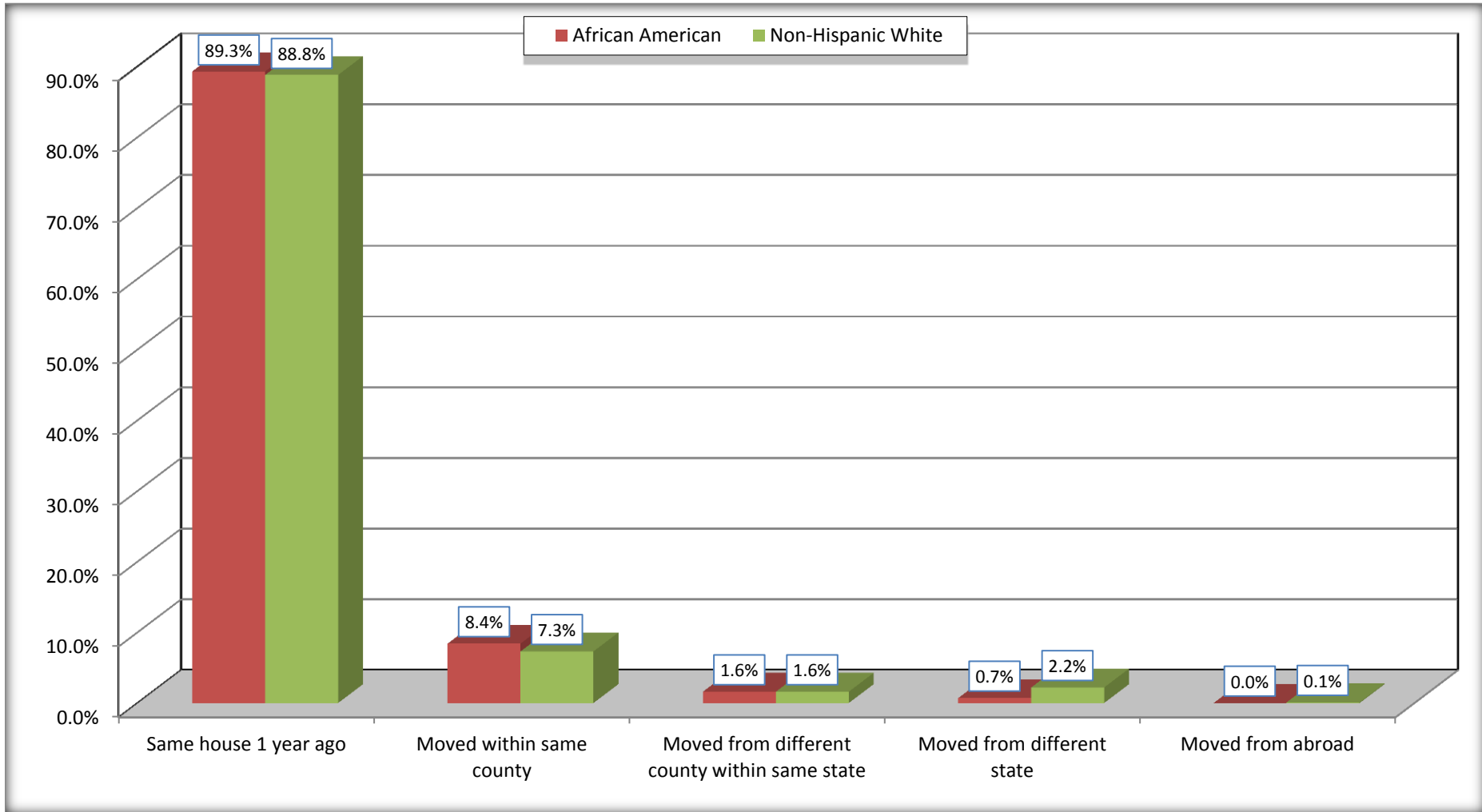
**Disability by Age -- Civilian Noninstitutionalized Population**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Geographical Mobility in the Past Year (Population 1 Year and Over)

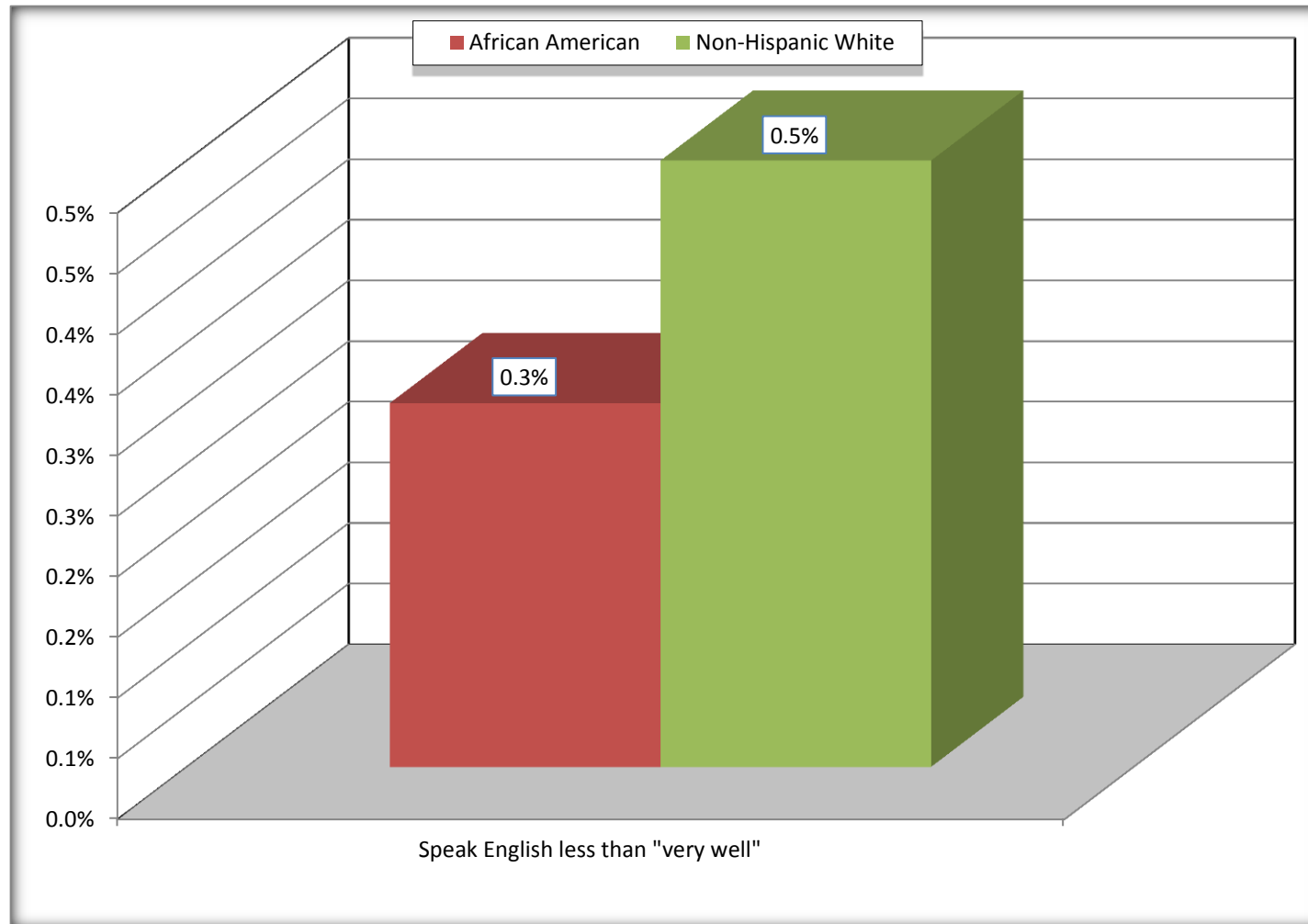
### Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

## Speak English Less than "Very Well" (Population 5 Years and Over)

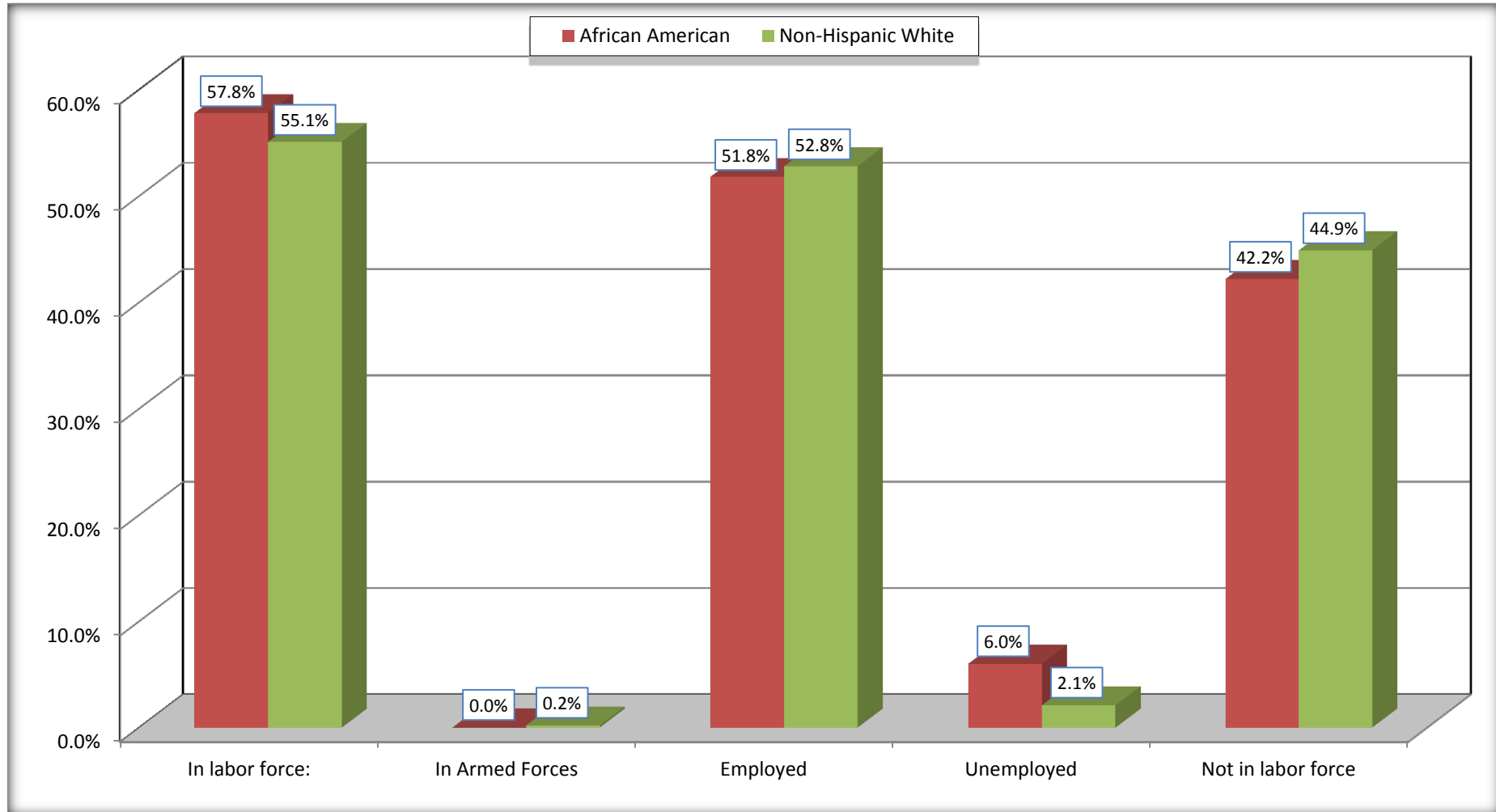
### Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

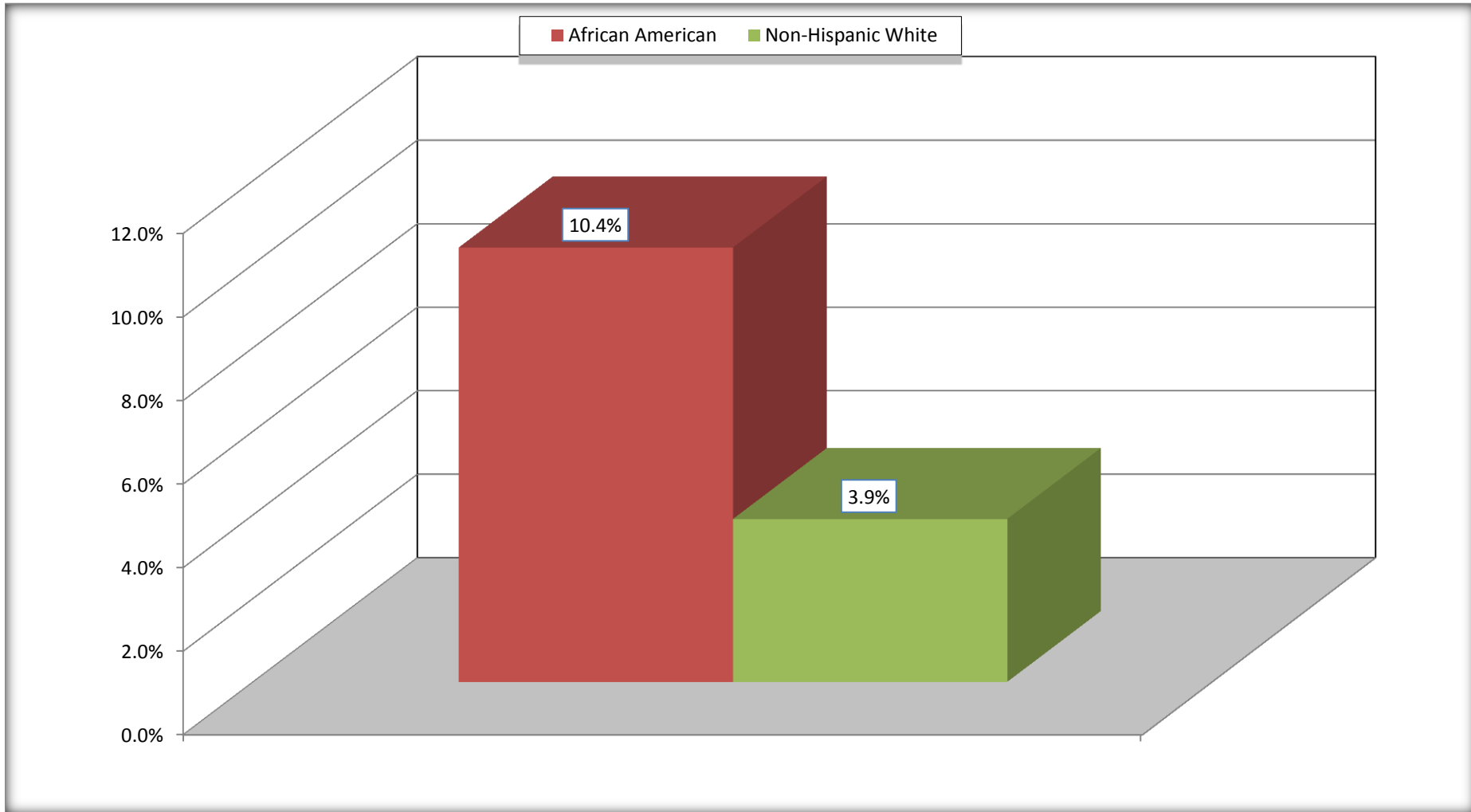
## Employment Status for the Population 16 years and over

### Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Unemployment (Civilian Labor Force -- Ages 16 and Over)**  
**Congressional District 1 (116th Congress), Alabama**

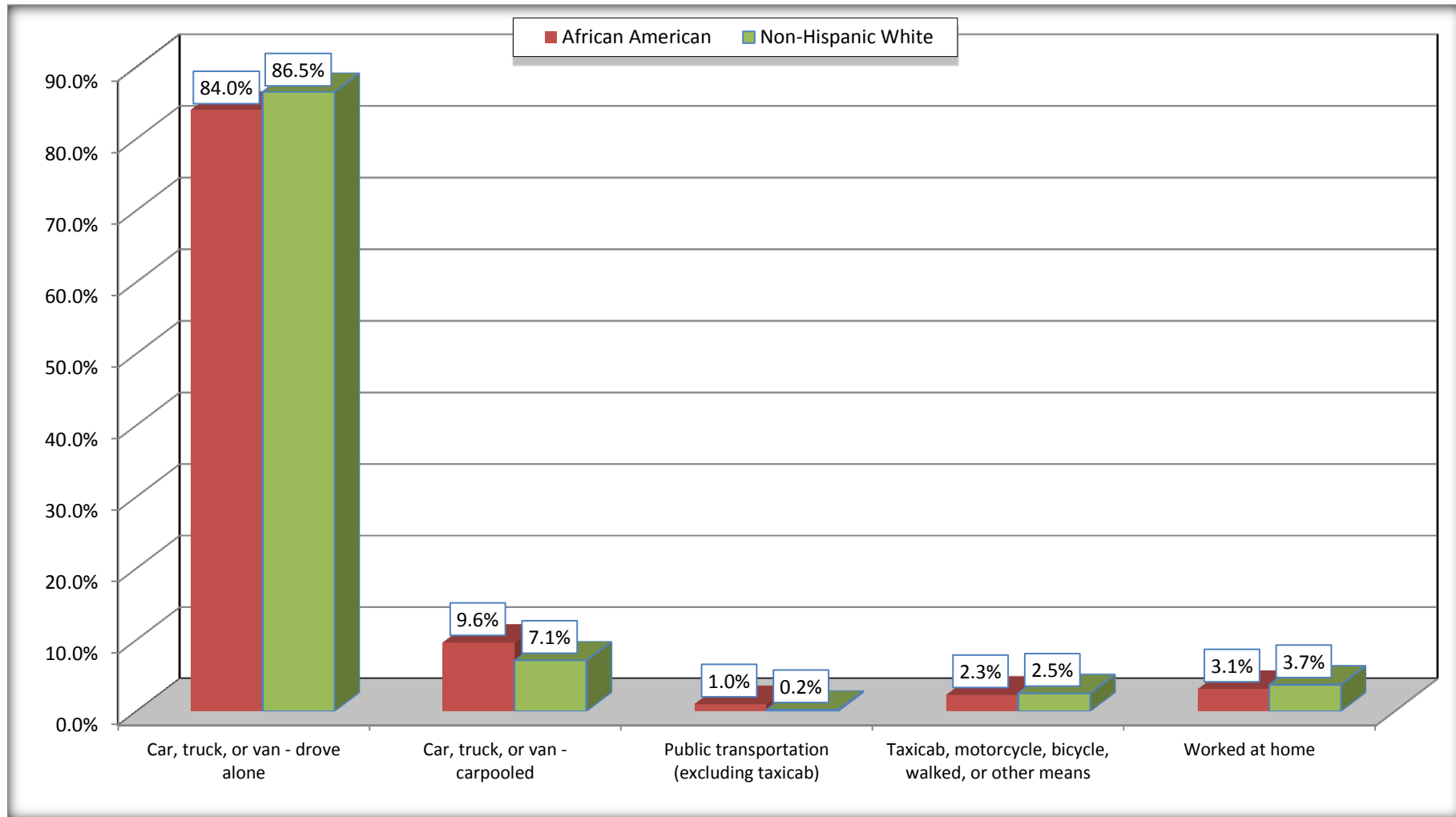


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



## Means of Transportation to Work (Workers 16 Years and Over)

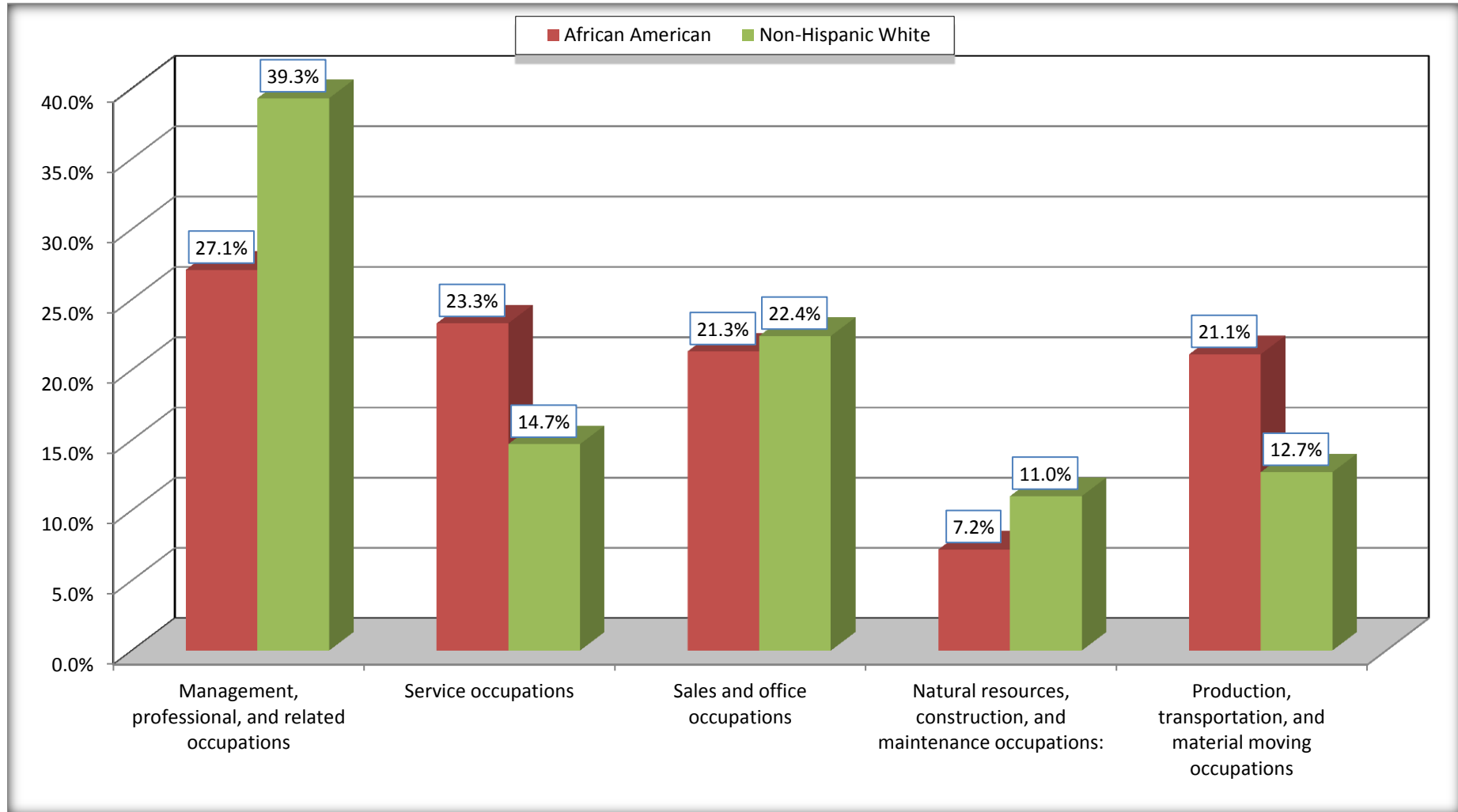
### Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

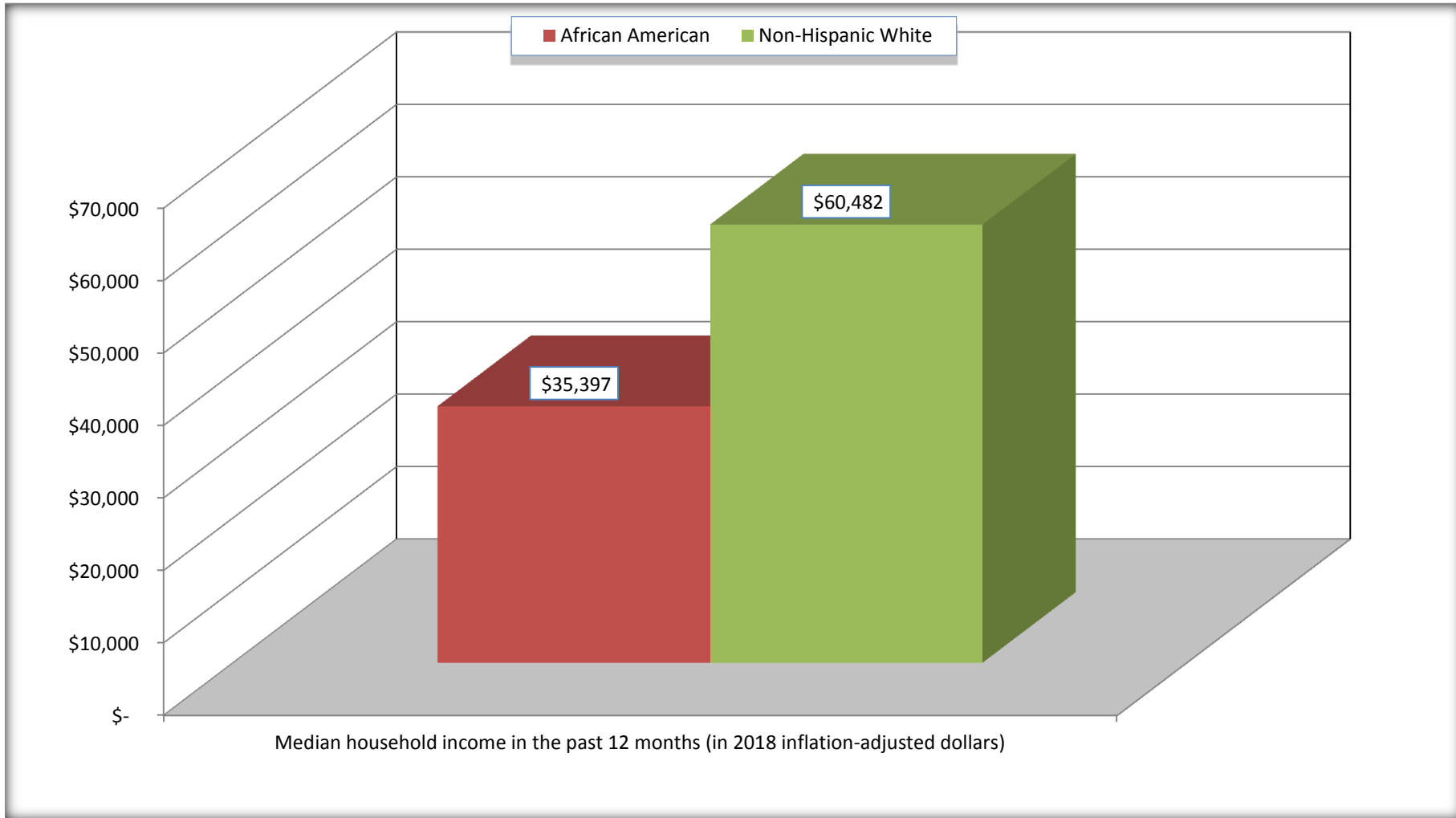
## Occupation for the Civilian Employed 16 Years and Over Population

### Congressional District 1 (116th Congress), Alabama



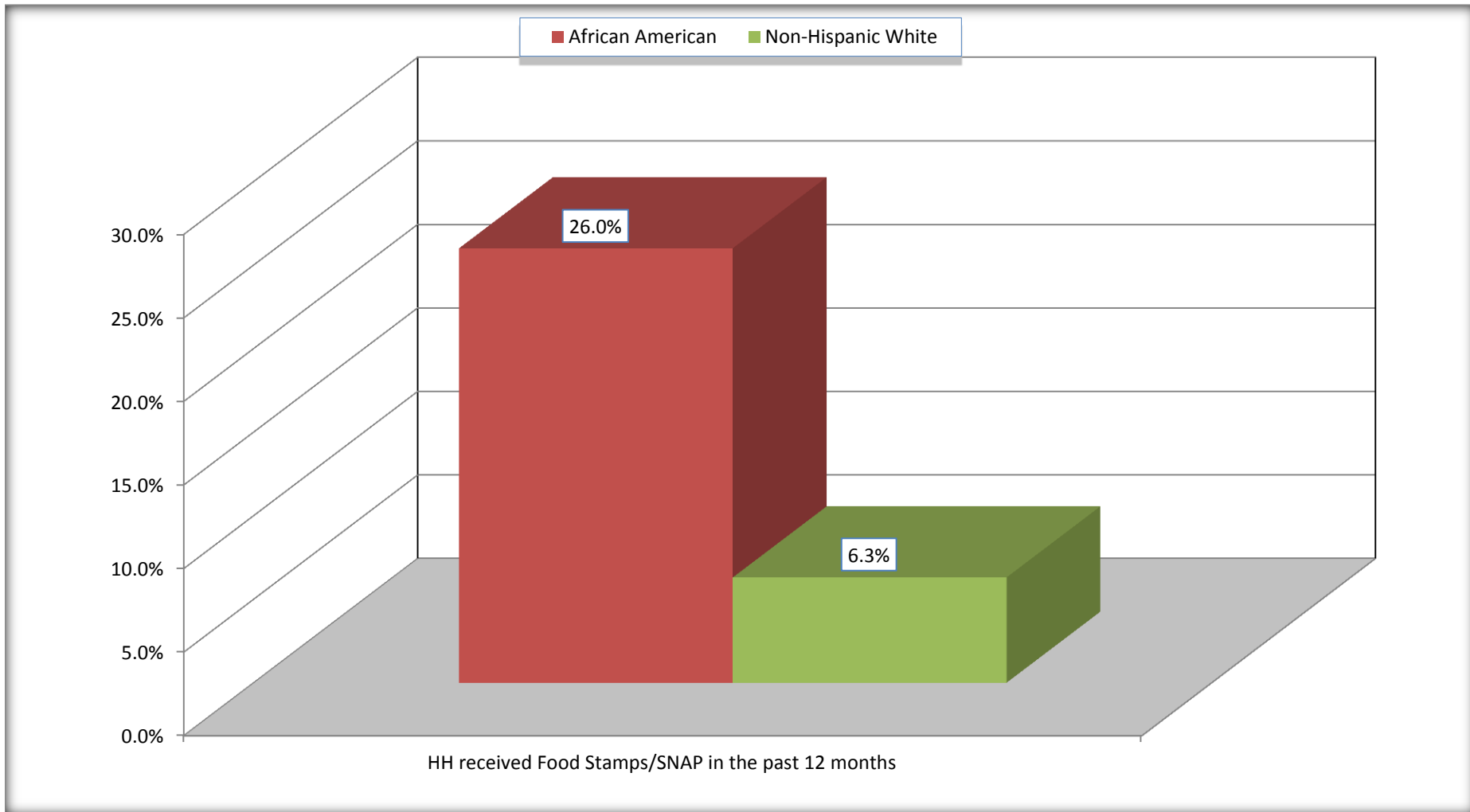
Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

**Median Household Income in the Past 12 Months**  
**Congressional District 1 (116th Congress), Alabama**



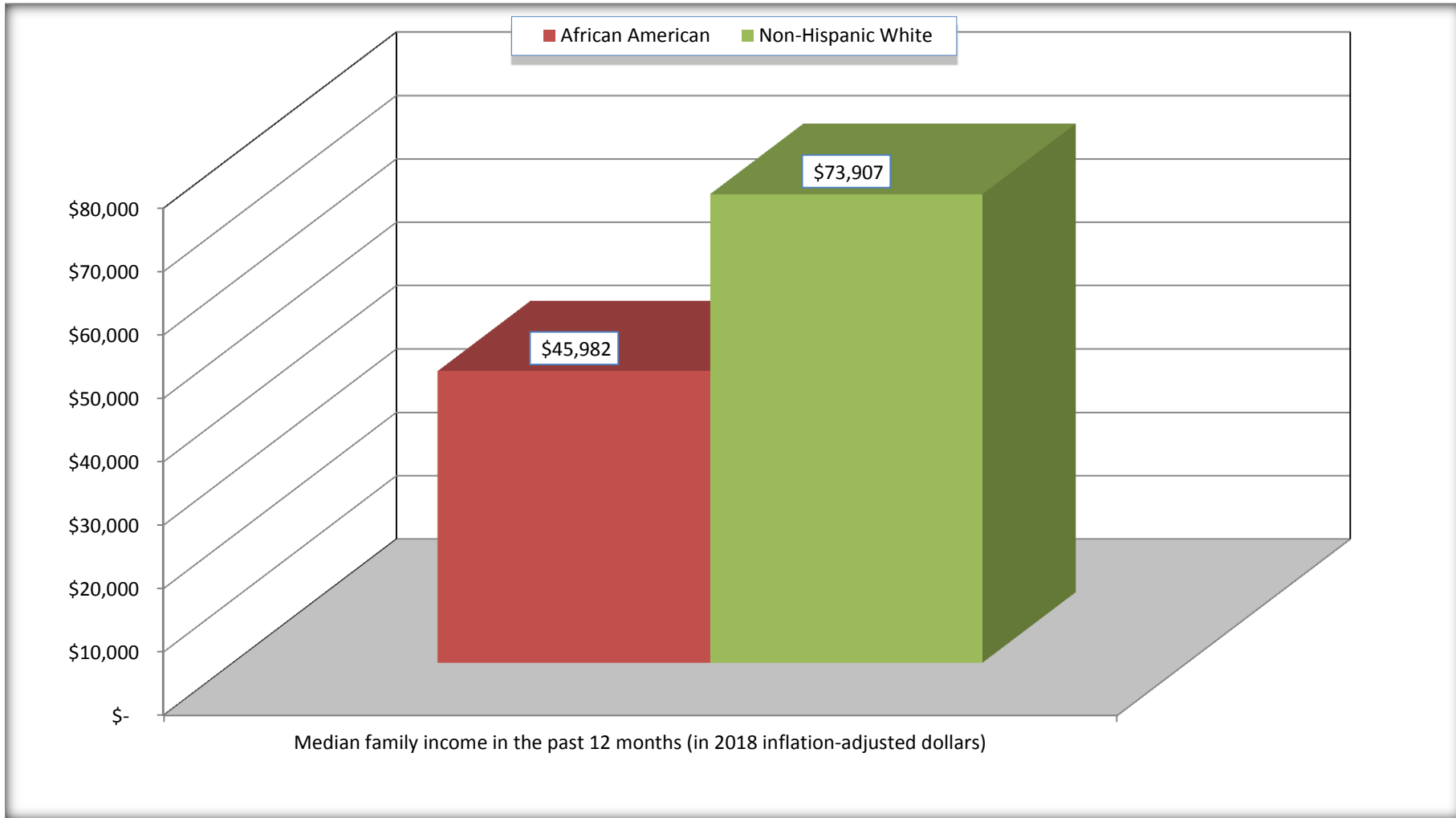
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Receipt of Food Stamps/SNAP in the Past 12 Months by Household**  
**Congressional District 1 (116th Congress), Alabama**



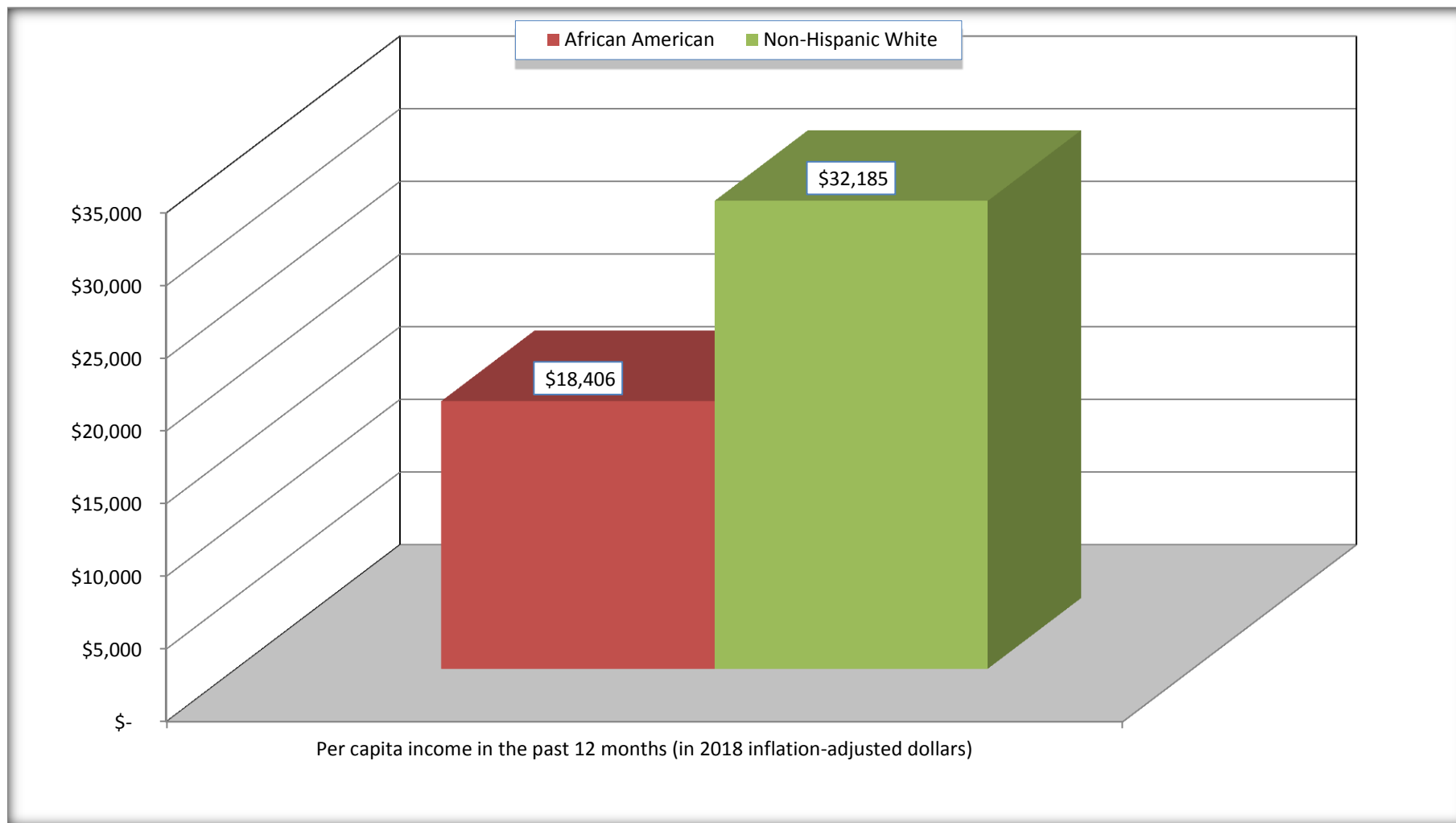
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Family Income in the Past 12 Months**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

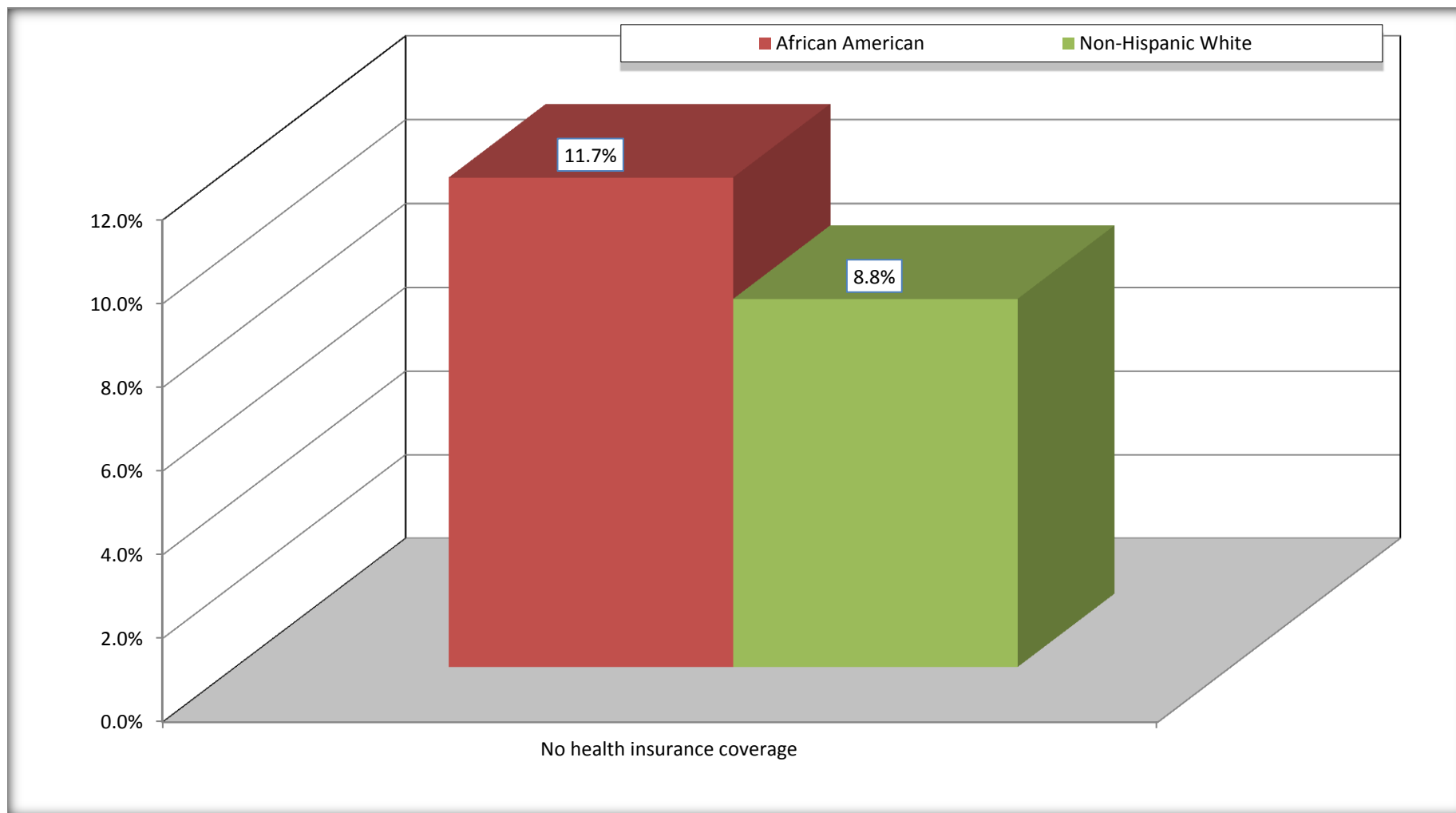
**Per capita Income in the Past 12 Months**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Lack of Health Insurance Coverage -- Civilian Noninstitutionalized Population

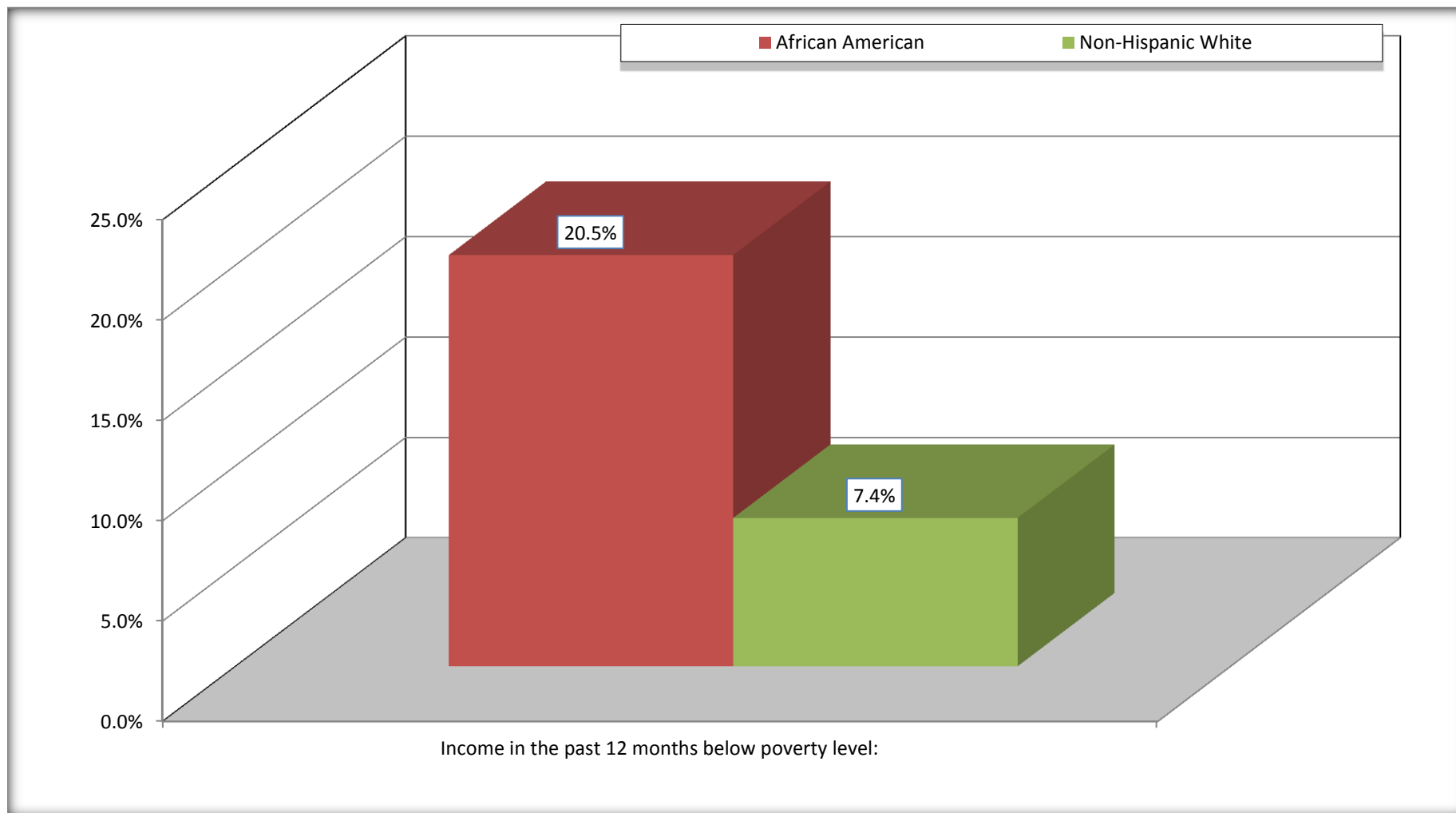
### Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

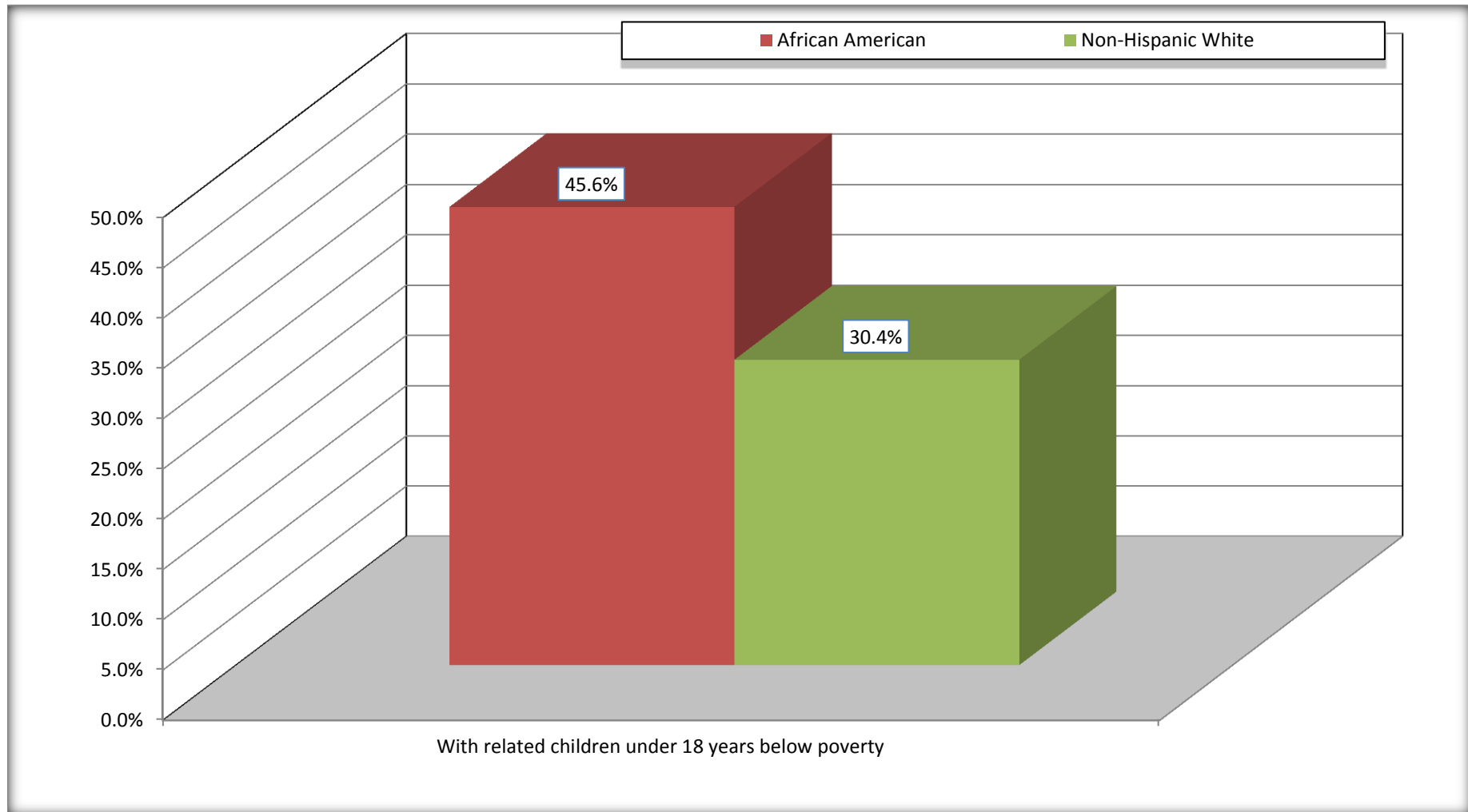


**Family Households Below Poverty in the Past 12 Months**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

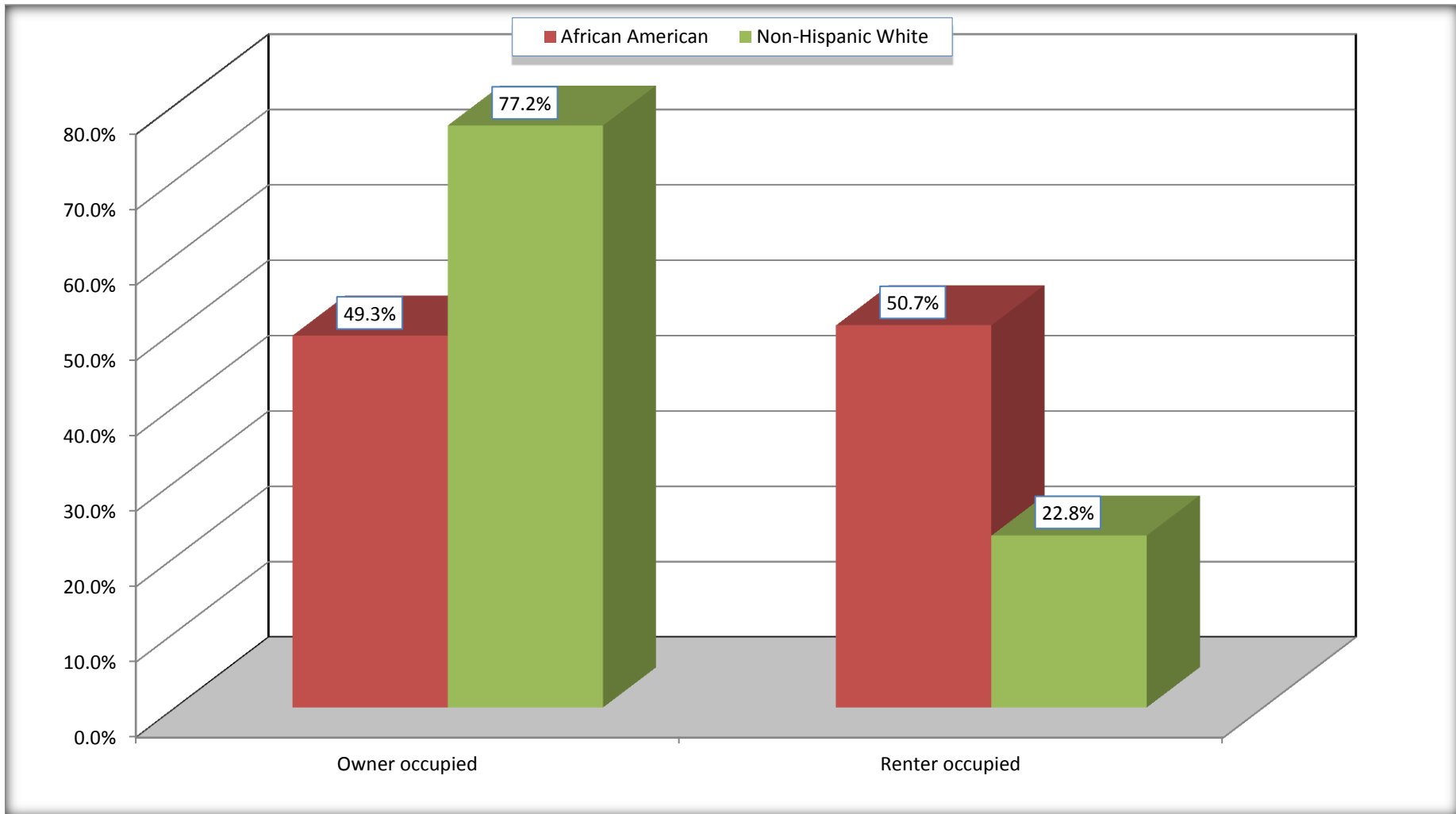
**Female-headed Households with Related Children Below Poverty in the Past 12 Months**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

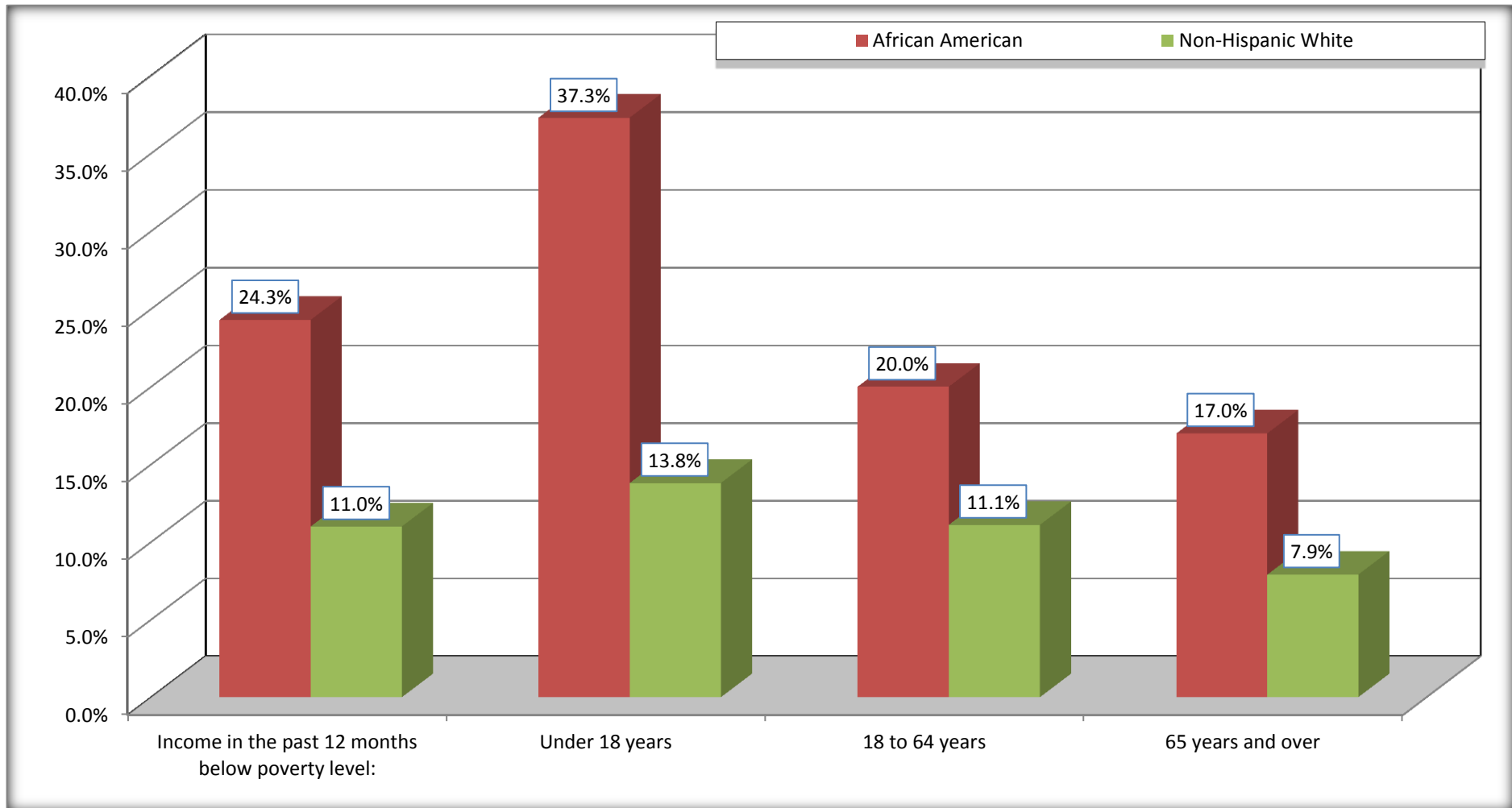
# Home Owners and Renters by Household

## Congressional District 1 (116th Congress), Alabama



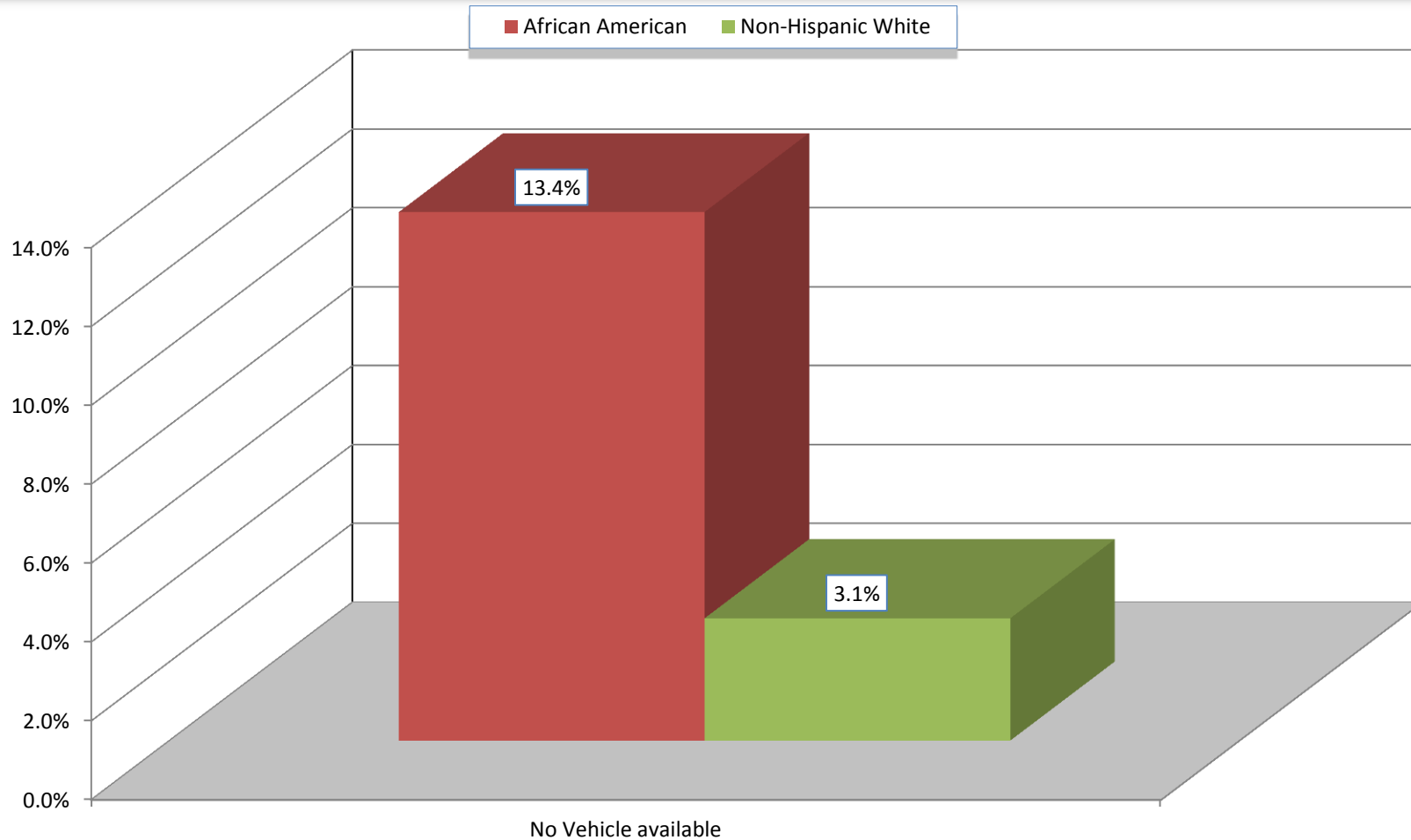
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Population Below Poverty in the Past 12 Months**  
**Congressional District 1 (116th Congress), Alabama**



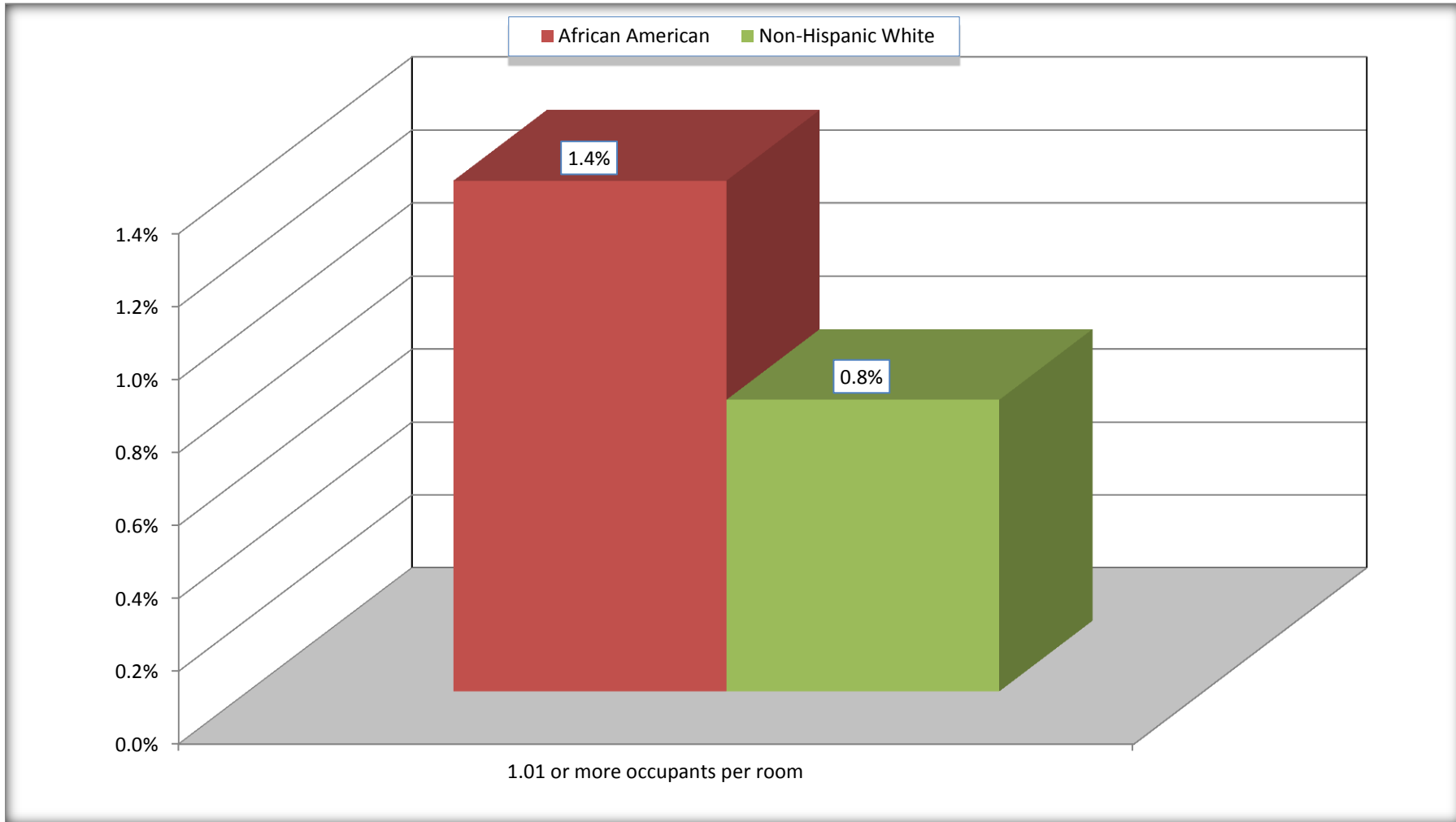
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**No Vehicles Available by Household**  
**Congressional District 1 (116th Congress), Alabama**



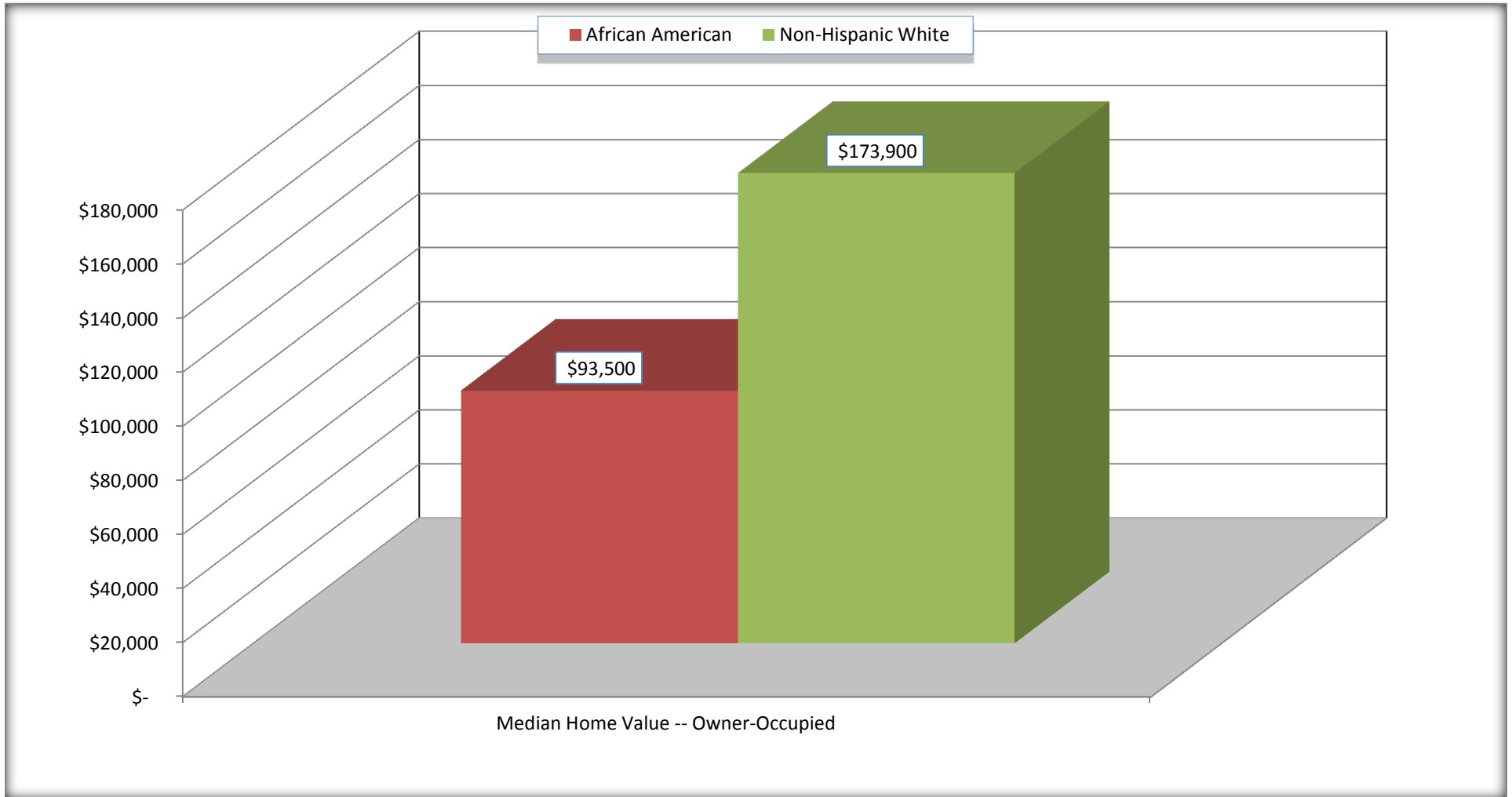
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**More than One Person per Room (Crowding) by Household**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

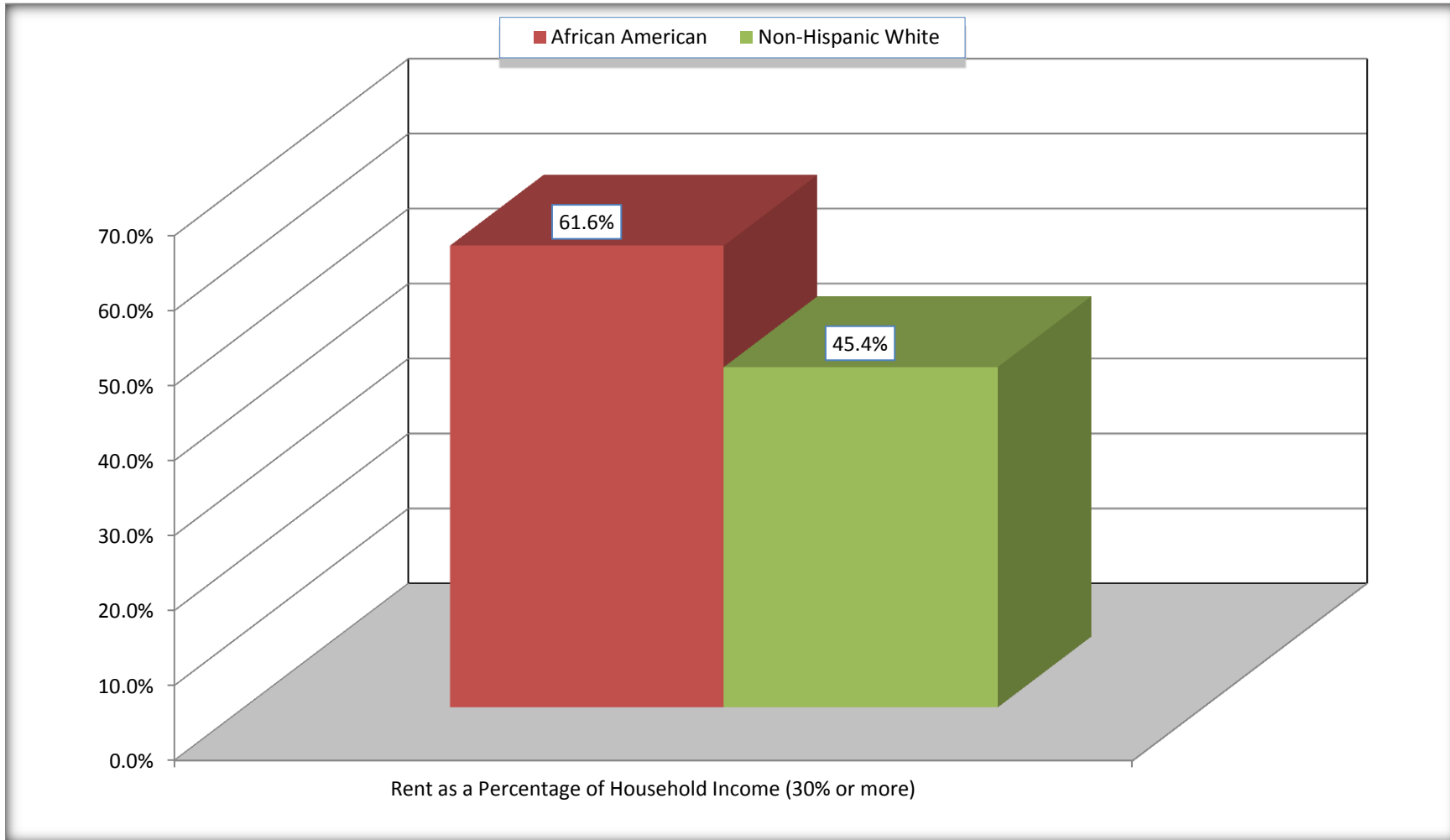
**Median Home Value -- Owner-Occupied**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



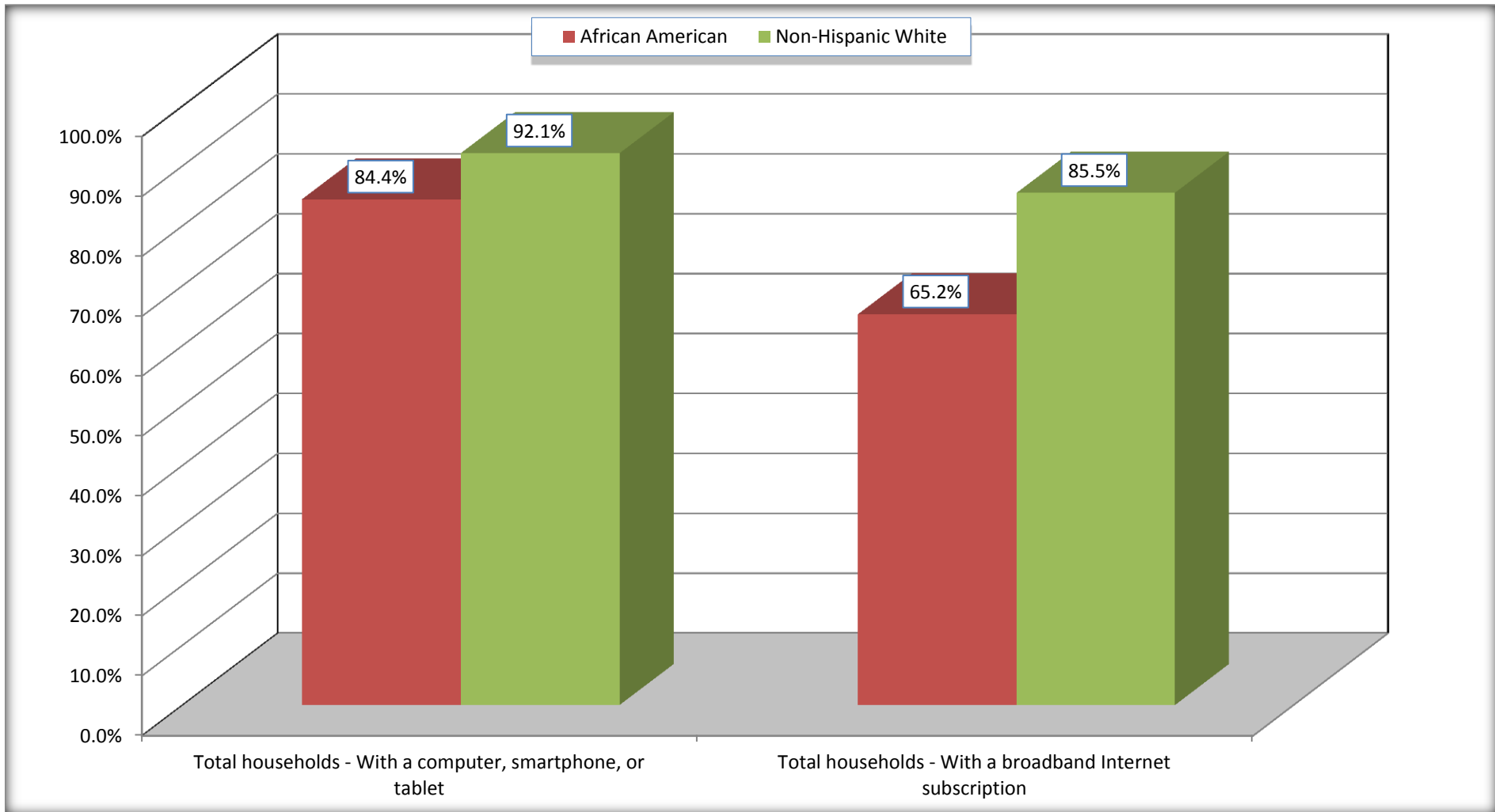
**Rent as a Percentage of Household Income (30% or more) -- Renter-Occupied  
Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

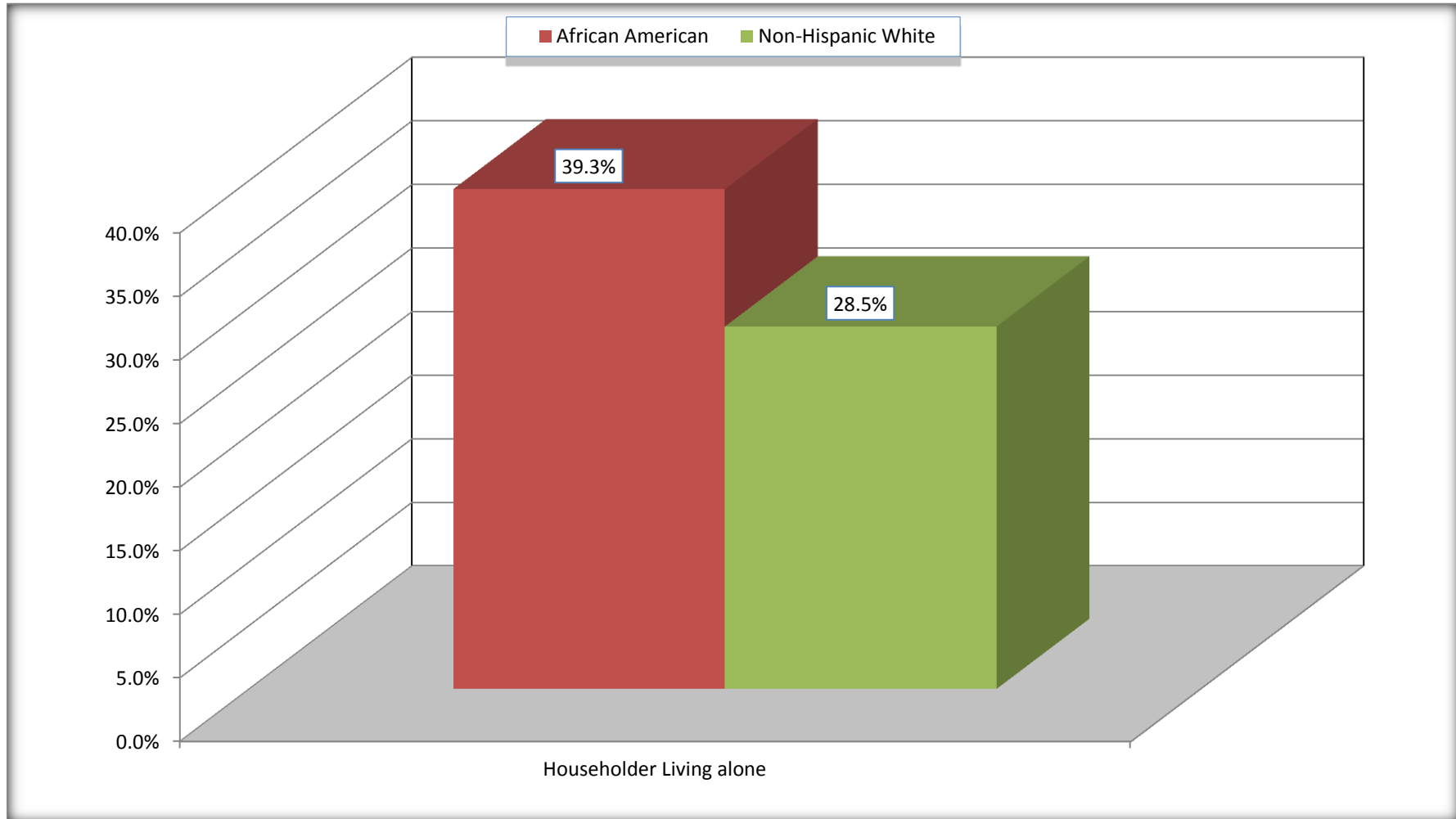
## Computers and Internet Use

### Congressional District 1 (116th Congress), Alabama



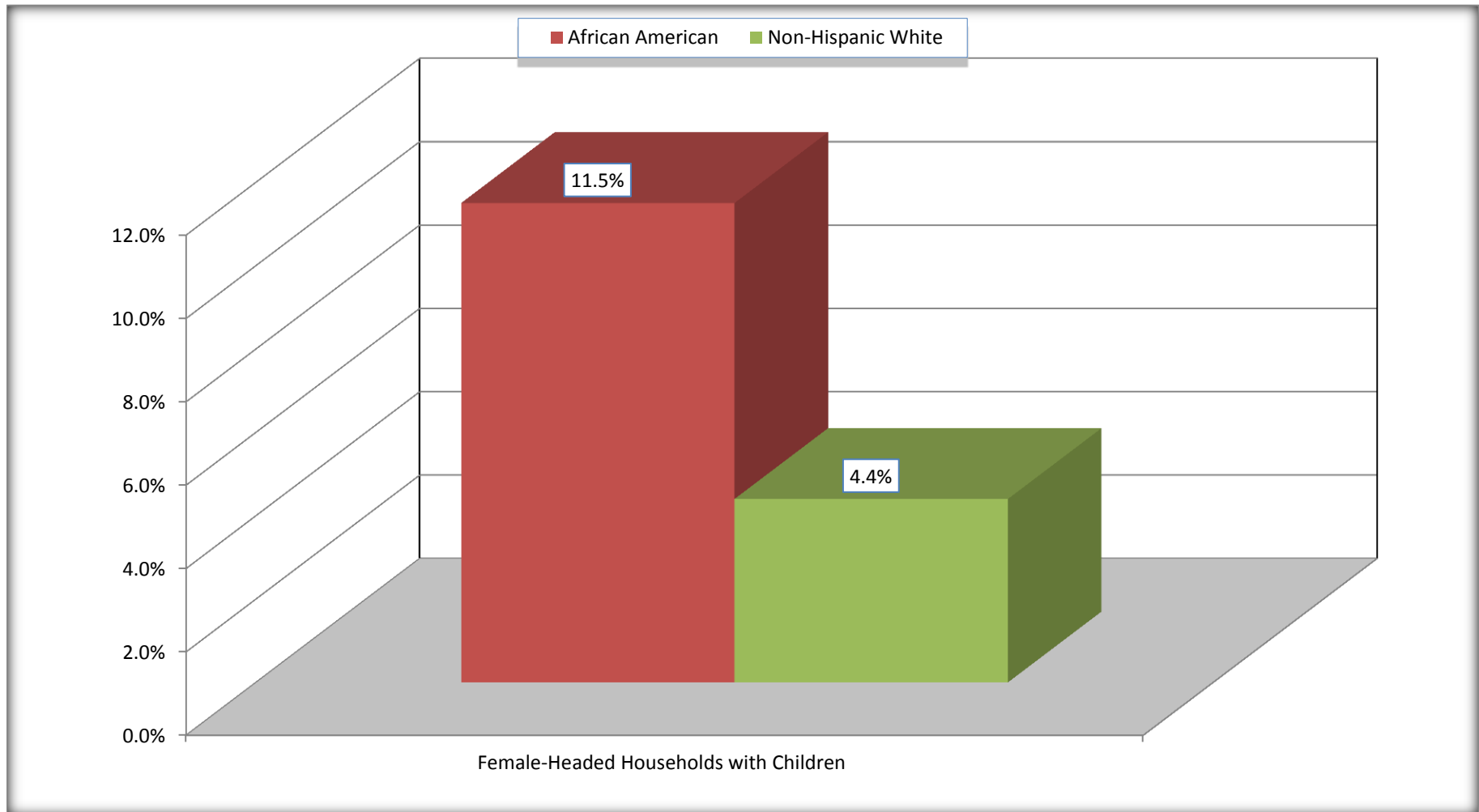
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Households with Householder Living Alone Congressional District 1 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Female-Headed Households with Children Under 18 (As a Percentage of all Households)**  
**Congressional District 1 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

	Black or African American alone or in combination		White alone, not Hispanic or Latino
All Persons	Estimate	Estimate	Estimate
<b>TOTAL NUMBER OF RACES REPORTED</b>			
Total population	717,438	203,394	466,435
One race	97.9%	96.7%	100.0%
Two races	1.9%	2.7%	(X)
Three races	0.2%	0.6%	(X)
Four or more races	0.0%	0.0%	(X)
<b>SEX AND AGE</b>			
Total population	717,438	203,394	466,435
Male	48.2%	47.4%	48.5%
Female	51.8%	52.6%	51.5%
Under 5 years	6.0%	7.2%	5.2%
5 to 17 years	16.5%	19.7%	14.6%
18 to 24 years	8.1%	9.4%	7.3%
25 to 34 years	12.9%	14.3%	11.9%
35 to 44 years	12.4%	13.3%	11.8%
45 to 54 years	12.2%	10.9%	13.0%
55 to 64 years	13.6%	12.1%	14.7%
65 to 74 years	11.0%	8.6%	12.6%
75 years and over	7.3%	4.5%	8.9%
Median age (years)	40.4	34.5	44.3
18 years and over	77.5%	73.0%	80.2%
21 years and over	74.0%	68.8%	77.2%
62 years and over	22.4%	16.8%	26.0%
65 years and over	18.3%	13.1%	21.5%
Under 18 years	161,427	54,911	92,525
Male	52.2%	55.0%	51.0%
Female	47.8%	45.0%	49.0%
<b>18 years and over</b>	<b>556,011</b>	<b>148,483</b>	<b>373,910</b>
Male	47.0%	44.6%	47.9%
Female	53.0%	55.4%	52.1%
18 to 34 years	150,667	48,125	89,729
Male	48.8%	46.3%	49.8%
Female	51.2%	53.7%	50.2%
35 to 64 years	274,193	73,790	183,828
Male	47.4%	45.1%	48.3%
Female	52.6%	54.9%	51.7%

	Black or African American alone		White alone, or in combination not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>65 years and over</b>	<b>131,151</b>	<b>26,568</b>	<b>100,353</b>
Male	44.2%	40.1%	45.3%
Female	55.8%	59.9%	54.7%
<b>RELATIONSHIP</b>			
Population in households	704,903	198,114	459,494
Householder or spouse	55.6%	48.7%	59.7%
Unmarried partner	1.6%	1.4%	1.6%
Child	29.2%	34.5%	26.5%
Other relatives	10.9%	13.7%	9.5%
Other nonrelatives	2.8%	1.7%	2.8%
<b>HOUSEHOLDS BY TYPE</b>			
Households	268,033	73,945	180,156
Family households	64.3%	58.2%	67.0%
With own children of the householder under 18 years	22.4%	22.3%	21.7%
Married-couple family	46.1%	28.8%	53.1%
With own children of the householder under 18 years	14.2%	8.9%	15.8%
Female householder, no spouse present, family	13.9%	24.8%	9.8%
With own children of the householder under 18 years	6.6%	11.5%	4.4%
Nonfamily households	35.7%	41.8%	33.0%
Male householder	15.7%	16.9%	14.8%
Living alone	13.3%	15.8%	12.2%
Not living alone	2.4%	1.1%	2.7%
Female householder	20.0%	24.9%	18.2%
Living alone	18.2%	23.5%	16.3%
Not living alone	1.8%	1.4%	1.9%
Average household size	2.63	2.63	2.62
Average family size	3.36	3.65	3.24
<b>MARITAL STATUS</b>			
Population 15 years and over	584,366	156,772	390,089
Now married, except separated	46.2%	32.1%	51.9%
Widowed	7.0%	6.4%	7.6%
Divorced	13.2%	11.6%	14.7%
Separated	2.3%	3.5%	1.7%
Never married	31.2%	46.4%	24.2%
Male 15 years and over	276,153	70,276	186,938
Now married, except separated	48.7%	35.4%	54.1%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Widowed	3.2%	2.2%	3.7%
Divorced	11.9%	11.2%	13.1%
Separated	1.8%	2.8%	1.3%
Never married	34.4%	48.4%	27.7%
Female 15 years and over	308,213	86,496	203,151
Now married, except separated	44.0%	29.5%	49.8%
Widowed	10.5%	9.7%	11.1%
Divorced	14.4%	11.9%	16.1%
Separated	2.7%	4.0%	2.0%
Never married	28.4%	44.8%	21.0%
<b>SCHOOL ENROLLMENT</b>			
Population 3 years and over enrolled in school	156,759	51,255	91,237
Nursery school, preschool	4.3%	4.7%	4.0%
Kindergarten	6.2%	4.7%	7.0%
Elementary school (grades 1-8)	44.8%	48.1%	44.4%
High school (grades 9-12)	23.9%	24.0%	22.5%
College or graduate school	20.8%	18.4%	22.2%
Male 3 years and over enrolled in school	76,847	26,048	43,583
Percent enrolled in kindergarten to grade 12	79.0%	82.2%	77.6%
Percent enrolled in college or graduate school	15.9%	12.8%	17.4%
Female 3 years and over enrolled in school	79,912	25,207	47,654
Percent enrolled in kindergarten to grade 12	71.0%	71.2%	70.4%
Percent enrolled in college or graduate school	25.6%	24.2%	26.6%
<b>EDUCATIONAL ATTAINMENT</b>			
Population 25 years and over	498,018	129,445	339,778
Less than high school diploma	11.8%	12.7%	10.3%
High school graduate (includes equivalency)	33.6%	42.1%	31.2%
Some college or associate's degree	29.6%	27.5%	30.9%
Bachelor's degree	16.1%	10.9%	18.1%
Graduate or professional degree	8.9%	6.8%	9.6%
High school graduate or higher	88.2%	87.3%	89.7%
Male, high school graduate or higher	86.3%	85.9%	88.4%
Female, high school graduate or higher	89.8%	88.4%	90.9%
Bachelor's degree or higher	25.0%	17.7%	27.7%
Male, bachelor's degree or higher	24.3%	15.5%	27.7%
Female, bachelor's degree or higher	25.5%	19.5%	27.7%



		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>FERTILITY</b>			
Women 15 to 50 years	162,225	50,700	99,153
Women 15 to 50 years who had a birth in the past 12 months	7,259	3,285	3,622
Unmarried women 15 to 50 years who had a birth in the past 12 months	3,950	2,860	1,035
As a percent of all women with a birth in the past 12 months	54.4%	87.1%	28.6%
<b>RESPONSIBILITY FOR GRANDCHILDREN UNDER 18 YEARS</b>			
Population 30 years and over	450,801	113,686	311,720
Grandparents living with grandchild(ren)	5.5%	7.3%	5.1%
Grandparents responsible for grandchildren as a percentage of living with grandchildren	49.1%	59.0%	44.4%
<b>VETERAN STATUS</b>			
Civilian population 18 years and over	555,386	148,483	373,285
Civilian veteran	9.5%	7.6%	10.5%
<b>DISABILITY STATUS</b>			
Total civilian noninstitutionalized population	707,906	199,583	460,813
With a disability	13.9%	11.7%	15.3%
Civilian noninstitutionalized population under 18 years	161,230	54,828	92,428
With a disability	3.8%	4.4%	3.5%
Civilian noninstitutionalized population 18 to 64 years	418,008	118,375	270,327
With a disability	11.6%	11.1%	11.8%
Civilian noninstitutionalized population 65 years and older	128,668	26,380	98,058
With a disability	34.2%	29.4%	36.1%
<b>RESIDENCE 1 YEAR AGO</b>			
Population 1 year and over	710,884	201,175	462,481
Same house	88.5%	89.3%	88.8%
Different house in the U.S.	11.4%	10.7%	11.1%
Same county	8.0%	8.4%	7.3%
Different county	3.4%	2.3%	3.8%
Same state	1.6%	1.6%	1.6%
Different state	1.8%	0.7%	2.2%
Abroad	0.1%	0.0%	0.1%
<b>PLACE OF BIRTH, CITIZENSHIP STATUS AND YEAR OF ENTRY</b>			
Native	694,841	201,572	461,308
Male	48.2%	47.5%	48.4%
Female	51.8%	52.5%	51.6%
Foreign born	22,597	1,822	5,127
Male	48.8%	41.1%	53.5%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female	51.2%	58.9%	46.5%
Foreign born; naturalized U.S. citizen	11,233	844	3,351
Male	41.2%	38.6%	61.2%
Female	58.8%	61.4%	38.8%
Foreign born; not a U.S. citizen	11,364	978	1,776
Male	56.3%	43.3%	38.8%
Female	43.7%	56.7%	61.2%
Population born outside the United States	22,597	1,822	5,127
Entered 2010 or later	30.7%	54.1%	20.1%
Entered 2000 to 2009	33.3%	22.7%	30.4%
Entered before 2000	36.0%	23.2%	49.5%
<b>WORLD REGION OF BIRTH OF FOREIGN BORN</b>			
Foreign-born population excluding population born at sea	22,597	1,822	5,127
Europe	14.5%	N	N
Asia	29.5%	N	N
Africa	6.1%	N	N
Oceania	0.8%	N	N
Latin America	47.3%	N	N
Northern America	1.8%	N	N
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>			
Population 5 years and over	674,348	188,650	442,038
English only	95.8%	98.6%	98.7%
Language other than English	4.2%	1.4%	1.3%
Speak English less than "very well"	1.7%	0.3%	0.5%
<b>EMPLOYMENT STATUS</b>			
Population 16 years and over	575,641	153,700	385,630
In labor force	56.2%	57.8%	55.1%
Civilian labor force	56.1%	57.8%	55.0%
Employed	52.9%	51.8%	52.8%
Unemployed	3.2%	6.0%	2.1%
Unemployment Rate	5.7%	10.4%	3.9%
Armed Forces	0.1%	0.0%	0.2%
Not in labor force	43.8%	42.2%	44.9%
Females 16 years and over	303,708	85,362	200,666
In labor force	51.2%	57.4%	48.1%
Civilian labor force	51.2%	57.4%	48.1%

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Employed	48.3%	51.8%	46.0%
Unemployed	2.9%	5.6%	2.0%
Unemployment Rate	5.7%	9.7%	4.2%
<b>COMMUTING TO WORK</b>			
Workers 16 years and over	301,308	78,453	201,778
Car, truck, or van - drove alone	85.2%	84.0%	86.5%
Car, truck, or van - carpooled	8.2%	9.6%	7.1%
Public transportation (excluding taxicab)	0.4%	1.0%	0.2%
Walked	0.8%	1.4%	0.7%
Other means	1.6%	0.9%	1.8%
Worked from home	3.8%	3.1%	3.7%
Mean travel time to work (minutes)	25.0	22.5	26.1
<b>OCCUPATION</b>			
Civilian employed population 16 years and over	304,338	79,565	203,696
Management, business, science, and arts occupations	35.2%	27.1%	39.3%
Service occupations	17.5%	23.3%	14.7%
Sales and office occupations	21.8%	21.3%	22.4%
Natural resources, construction, and maintenance occupations	10.5%	7.2%	11.0%
Production, transportation, and material moving occupations	15.1%	21.1%	12.7%
Male civilian employed population 16 years and over	157,724	35,363	111,297
Management, business, science, and arts occupations	29.5%	21.5%	33.4%
Service occupations	13.6%	15.3%	12.9%
Sales and office occupations	14.8%	14.2%	14.8%
Natural resources, construction, and maintenance occupations	18.8%	14.3%	19.6%
Production, transportation, and material moving occupations	23.3%	34.7%	19.3%
Female civilian employed population 16 years and over	146,614	44,202	92,399
Management, business, science, and arts occupations	41.2%	31.7%	46.3%
Service occupations	21.7%	29.7%	16.8%
Sales and office occupations	29.3%	27.0%	31.4%
Natural resources, construction, and maintenance occupations	1.5%	1.4%	0.6%
Production, transportation, and material moving occupations	6.3%	10.2%	4.8%
<b>INDUSTRY</b>			
Civilian employed population 16 years and over	304,338	79,565	203,696
Agriculture, forestry, fishing and hunting, and mining	1.4%	0.2%	1.7%
Construction	8.8%	5.2%	9.5%
Manufacturing	10.9%	12.5%	9.6%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Wholesale trade	2.4%	1.7%	2.9%
Retail trade	13.0%	14.6%	12.6%
Transportation and warehousing, and utilities	5.6%	6.9%	5.4%
Information	1.0%	0.1%	1.3%
Finance and insurance, and real estate and rental and leasing	5.7%	2.1%	6.8%
Professional, scientific, and management, and administrative and waste managemen	9.0%	8.5%	9.7%
Educational services, and health care and social assistance	22.3%	25.9%	22.0%
Arts, entertainment, and recreation, and accommodation and food services	9.3%	11.6%	7.7%
Other services (except public administration)	5.0%	3.9%	5.6%
Public administration	5.6%	6.8%	5.1%
<b>CLASS OF WORKER</b>			
Civilian employed population 16 years and over	304,338	79,565	203,696
Private wage and salary workers	78.7%	81.5%	78.1%
Government workers	15.7%	16.9%	15.8%
Self-employed workers in own not incorporated business	5.4%	1.6%	5.9%
Unpaid family workers	0.2%	0.1%	0.2%
<b>INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)</b>			
Households	268,033	73,945	180,156
Median household income (dollars)	50,663	35,397	60,482
With earnings	70.4%	68.6%	70.6%
Mean earnings (dollars)	71,071	46,630	82,338
With Social Security income	37.4%	33.6%	39.8%
Mean Social Security income (dollars)	19,902	16,821	21,031
With Supplemental Security Income	5.9%	10.8%	3.9%
Mean Supplemental Security Income (dollars)	9,084	8,942	9,293
With cash public assistance income	0.8%	0.9%	0.8%
Mean cash public assistance income (dollars)	2,247	3,017	2,038
With retirement income	27.1%	23.0%	29.6%
Mean retirement income (dollars)	25,028	23,114	26,073
With Food Stamp/SNAP benefits	11.8%	26.0%	6.3%
Families	172,441	43,036	120,688
Median family income (dollars)	62,805	45,982	73,907
Married-couple family	71.7%	49.5%	79.2%
Median income (dollars)	78,497	60,863	84,911
Male householder, no spouse present, family	6.7%	8.0%	6.1%
Median income (dollars)	42,416	34,396	45,519

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female householder, no husband present, family	21.7%	42.6%	14.7%
Median income (dollars)	33,937	28,656	39,485
Individuals	717,438	203,394	466,435
Per capita income (dollars)	27,463	18,406	32,185
With earnings for full-time, year-round workers:			
Male	127,508	28,363	91,523
Female	102,739	31,945	63,969
Mean earnings (dollars) for full-time, year-round workers:			
Male	61,608	42,922	69,025
Female	44,522	33,909	49,346
Median earnings (dollars) full-time, year-round workers:			
Male	47,929	36,365	52,150
Female	36,476	29,138	41,296
<b>HEALTH INSURANCE COVERAGE</b>			
Civilian noninstitutionalized population	707,906	199,583	460,813
With private health insurance	63.7%	51.0%	69.7%
With public coverage	39.0%	46.7%	36.4%
No health insurance coverage	10.2%	11.7%	8.8%
<b>POVERTY RATES FOR FAMILIES AND PEOPLE FOR WHOM POVERTY STATUS IS DETERMINED</b>			
All families	11.1%	20.5%	7.4%
With related children of the householder under 18 years	19.0%	33.5%	12.1%
With related children of the householder under 5 years only	21.8%	40.7%	14.5%
Married-couple family	4.3%	6.4%	3.6%
With related children of the householder under 18 years	6.7%	12.2%	4.5%
With related children of the householder under 5 years only	7.8%	N	N
Female householder, no spouse present, family	27.7%	34.0%	20.6%
With related children of the householder under 18 years	38.2%	45.6%	30.4%
With related children of the householder under 5 years only	45.1%	56.8%	38.2%
All people	15.4%	24.3%	11.0%
Under 18 years	22.4%	37.3%	13.8%
Related children of the householder under 18 years	22.2%	37.2%	13.4%
Related children of the householder under 5 years	27.1%	45.6%	17.0%
Related children of the householder 5 to 17 years	20.4%	34.1%	12.1%
18 years and over	13.4%	19.4%	10.3%
18 to 64 years	14.4%	20.0%	11.1%
65 years and over	10.2%	17.0%	7.9%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
People in families	12.7%	22.4%	8.2%
Unrelated individuals 15 years and over	27.8%	32.7%	24.2%
<b>HOUSING TENURE</b>			
Occupied housing units	268,033	73,945	180,156
Owner-occupied housing units	69.1%	49.3%	77.2%
Renter-occupied housing units	30.9%	50.7%	22.8%
Average household size of owner-occupied unit	2.73	2.84	2.69
Average household size of renter-occupied unit	2.40	2.42	2.38
<b>UNITS IN STRUCTURE</b>			
Occupied housing units	268,033	73,945	180,156
1-unit, detached or attached	75.4%	70.0%	78.9%
2 to 4 units	3.3%	5.1%	2.5%
5 or more units	10.8%	17.3%	8.1%
Mobile home, boat, RV, van, etc.	10.5%	7.5%	10.6%
<b>YEAR STRUCTURE BUILT</b>			
Occupied housing units	268,033	73,945	180,156
Built 2014 or later	5.3%	3.2%	5.9%
Built 2010 to 2013	3.3%	3.0%	3.2%
Built 2000 to 2009	15.2%	8.1%	18.1%
Built 1980 to 1999	33.9%	29.6%	35.2%
Built 1960 to 1979	27.8%	37.5%	24.2%
Built 1940 to 1959	10.8%	15.9%	9.0%
Built 1939 or earlier	3.8%	2.7%	4.3%
<b>VEHICLES AVAILABLE</b>			
Occupied housing units	268,033	73,945	180,156
None	6.0%	13.4%	3.1%
1 or more	94.0%	86.6%	96.9%
<b>HOUSE HEATING FUEL</b>			
Occupied housing units	268,033	73,945	180,156
Gas	27.6%	38.5%	23.6%
Electricity	70.9%	60.9%	74.6%
All other fuels	0.9%	0.2%	1.1%
No fuel used	0.6%	0.4%	0.7%
<b>SELECTED CHARACTERISTICS</b>			
Occupied housing units	268,033	73,945	180,156
No telephone service available	2.3%	5.3%	0.9%

	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
1.01 or more occupants per room	1.2%	1.4%	0.8%
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Housing units with a mortgage (excluding units where SMOC cannot be computed)	102,458	18,468	78,198
Less than 30 percent	76.3%	65.2%	80.1%
30 percent or more	23.7%	34.8%	19.9%
<b>OWNER CHARACTERISTICS</b>			
Owner-occupied housing units	185,109	36,456	139,104
Median value (dollars)	160,600	93,500	173,900
Median selected monthly owner costs with a mortgage (dollars)	1,220	1,068	1,259
Median selected monthly owner costs without a mortgage (dollars)	365	349	376
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Occupied units paying rent (excluding units where GRAPL cannot be computed)	66,285	28,837	33,832
Less than 30 percent	47.6%	38.4%	54.6%
30 percent or more	52.4%	61.6%	45.4%
<b>GROSS RENT</b>			
Occupied units paying rent	70,269	30,421	35,573
Median gross rent (dollars)	872	783	935
<b>COMPUTERS AND INTERNET USE</b>			
Total households	268,033	73,945	180,156
With a computer	90.0%	84.4%	92.1%
With a broadband Internet subscription	79.6%	65.2%	85.5%

###



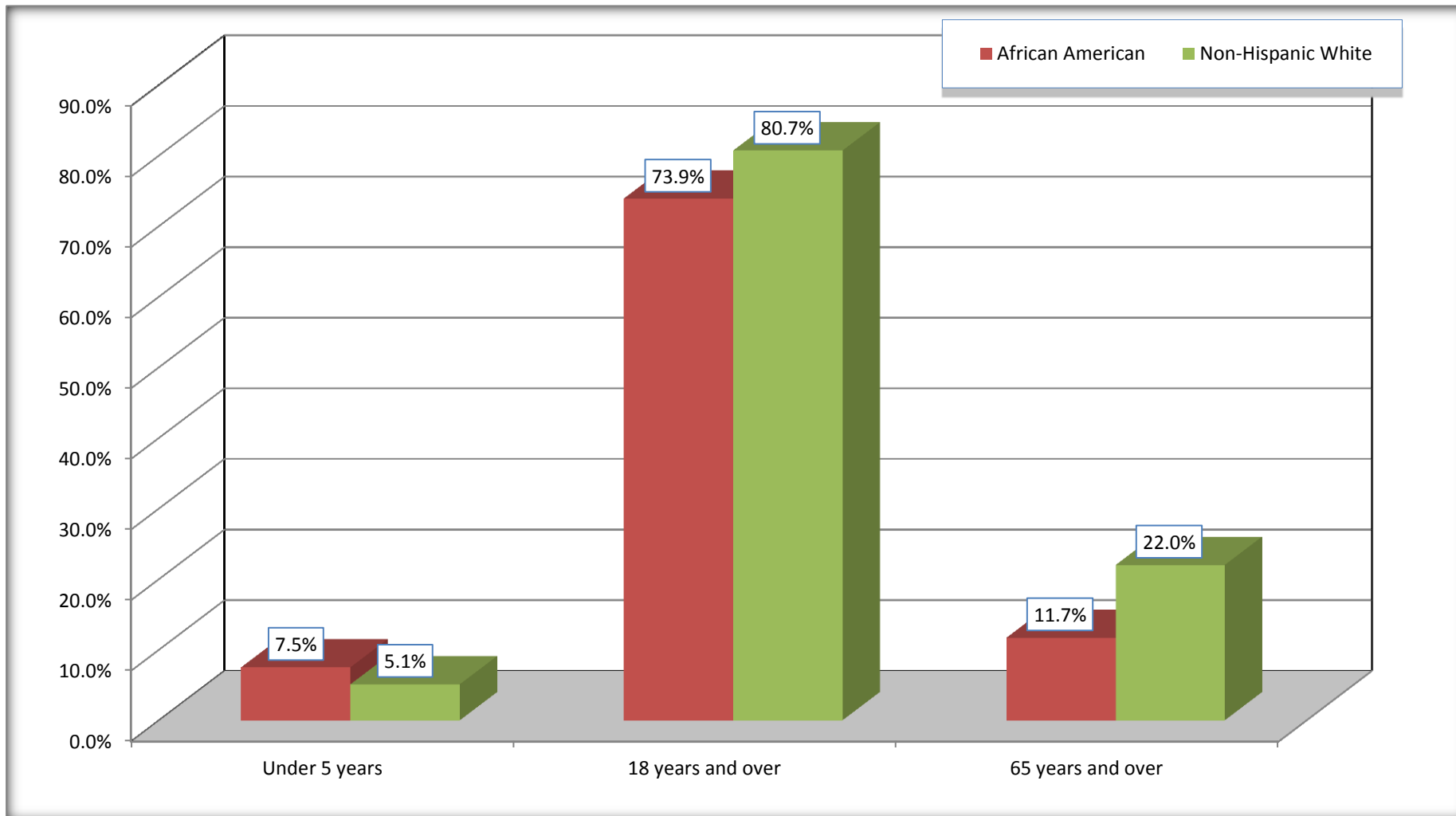
## **Selected Socio-Economic Data**

### **Congressional District 2 (116th Congress), Alabama**

**Any Part African American vis-à-vis NH White**

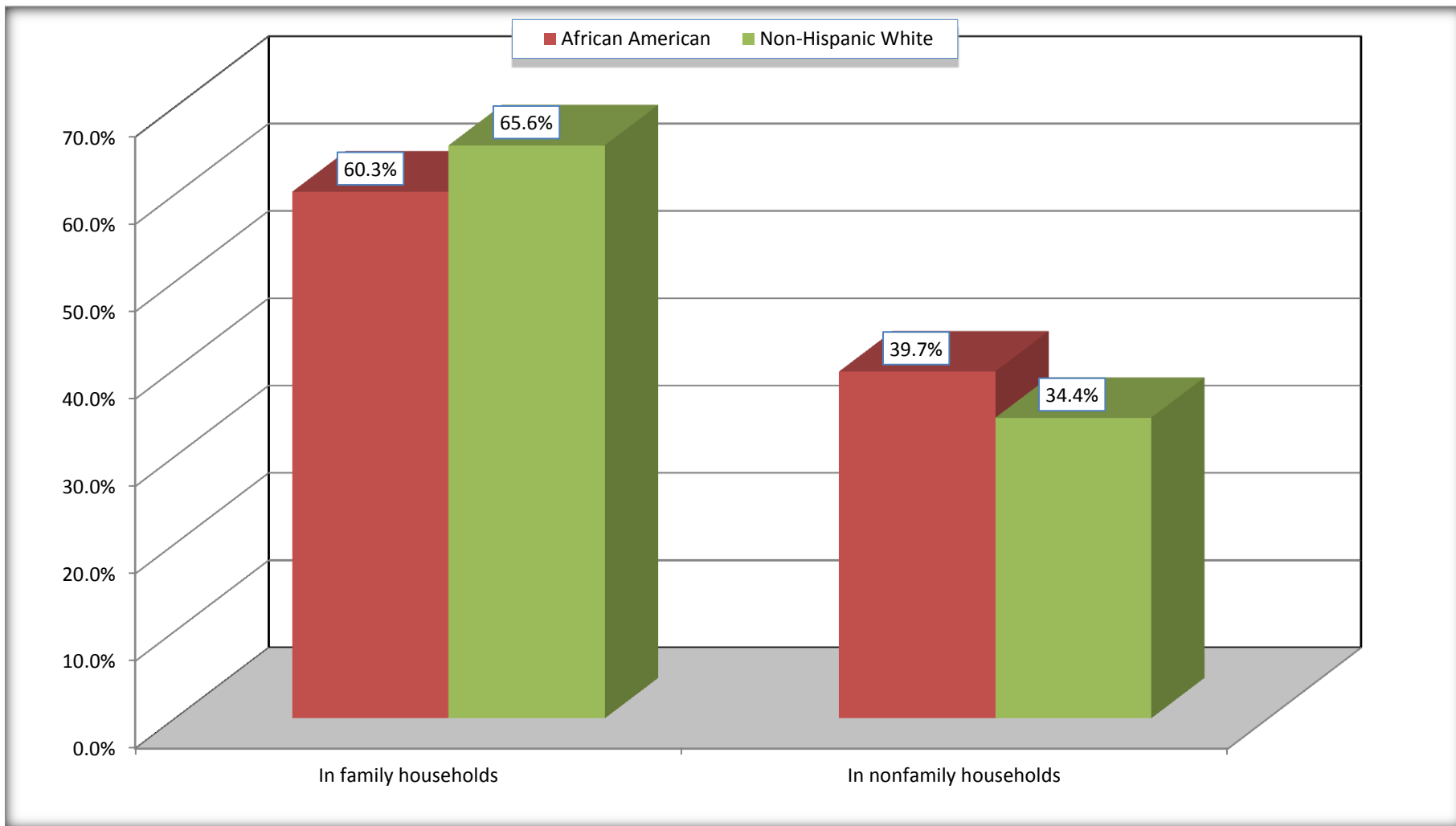
**Data Set: 2019 American Community Survey 1-Year Estimates**

**Population by Age**  
**Congressional District 2 (116th Congress), Alabama**



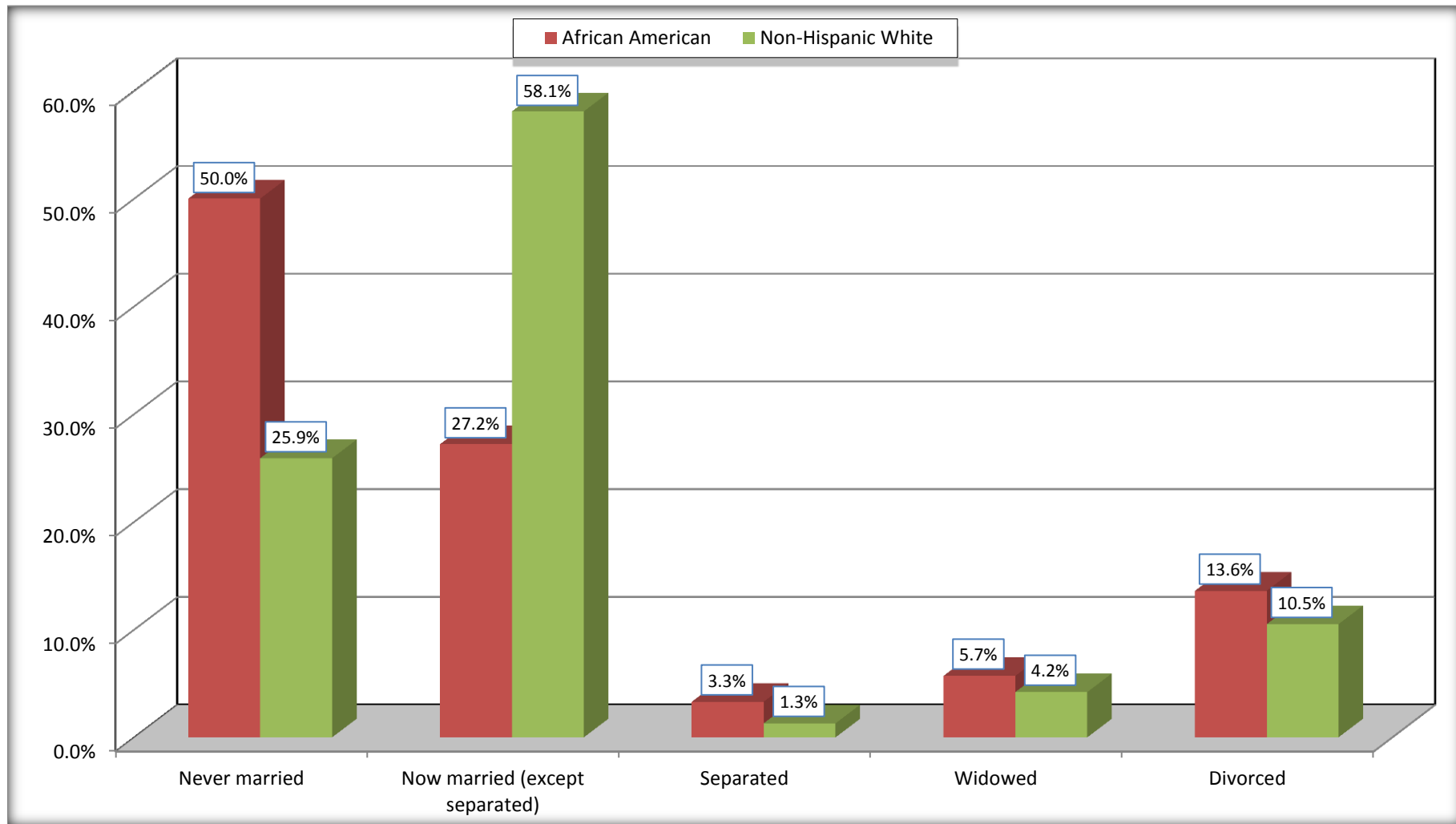
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

### Household Type for Population in Households Congressional District 2 (116th Congress), Alabama



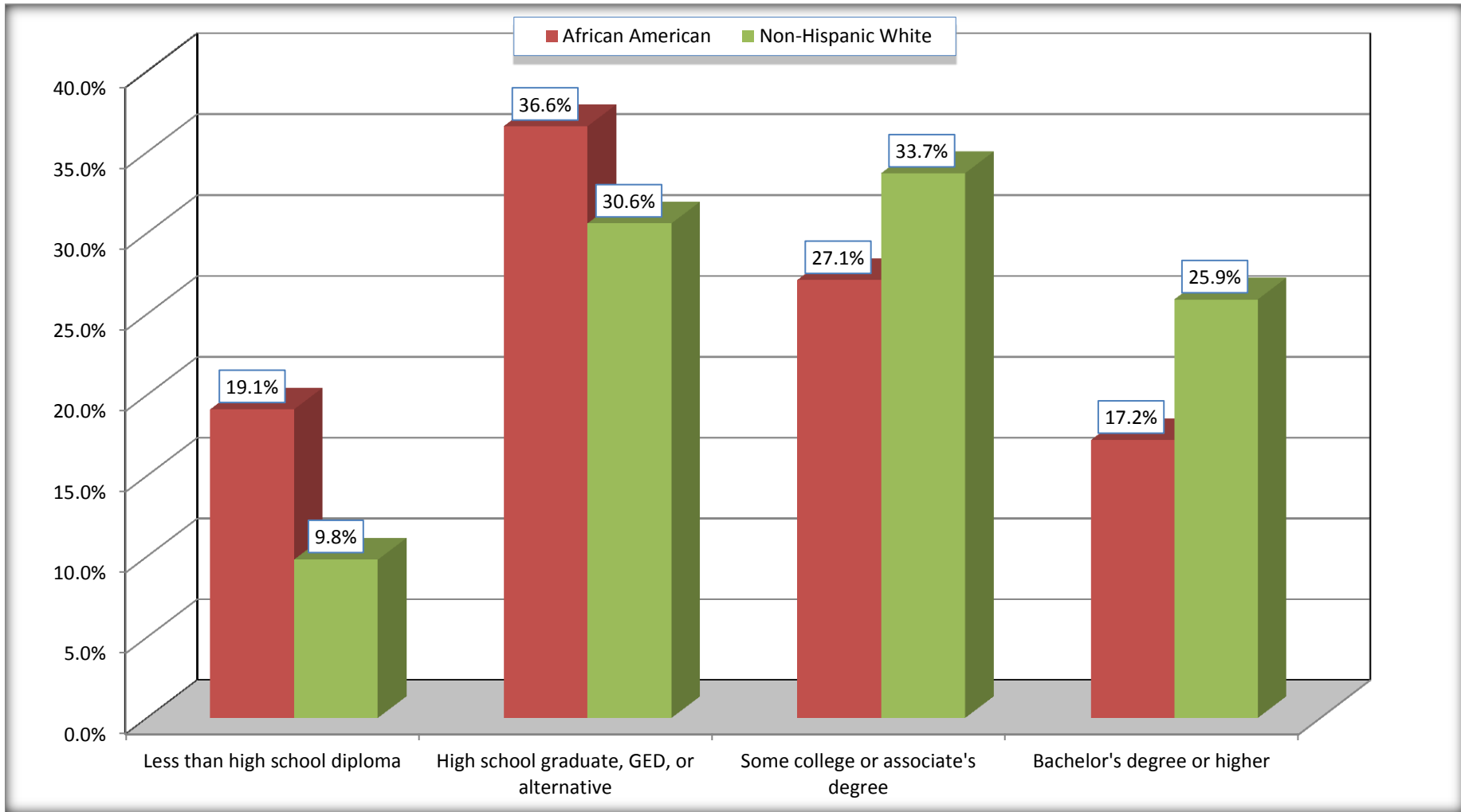
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Marital Status for the Population 15 Years and Over**  
**Congressional District 2 (116th Congress), Alabama**



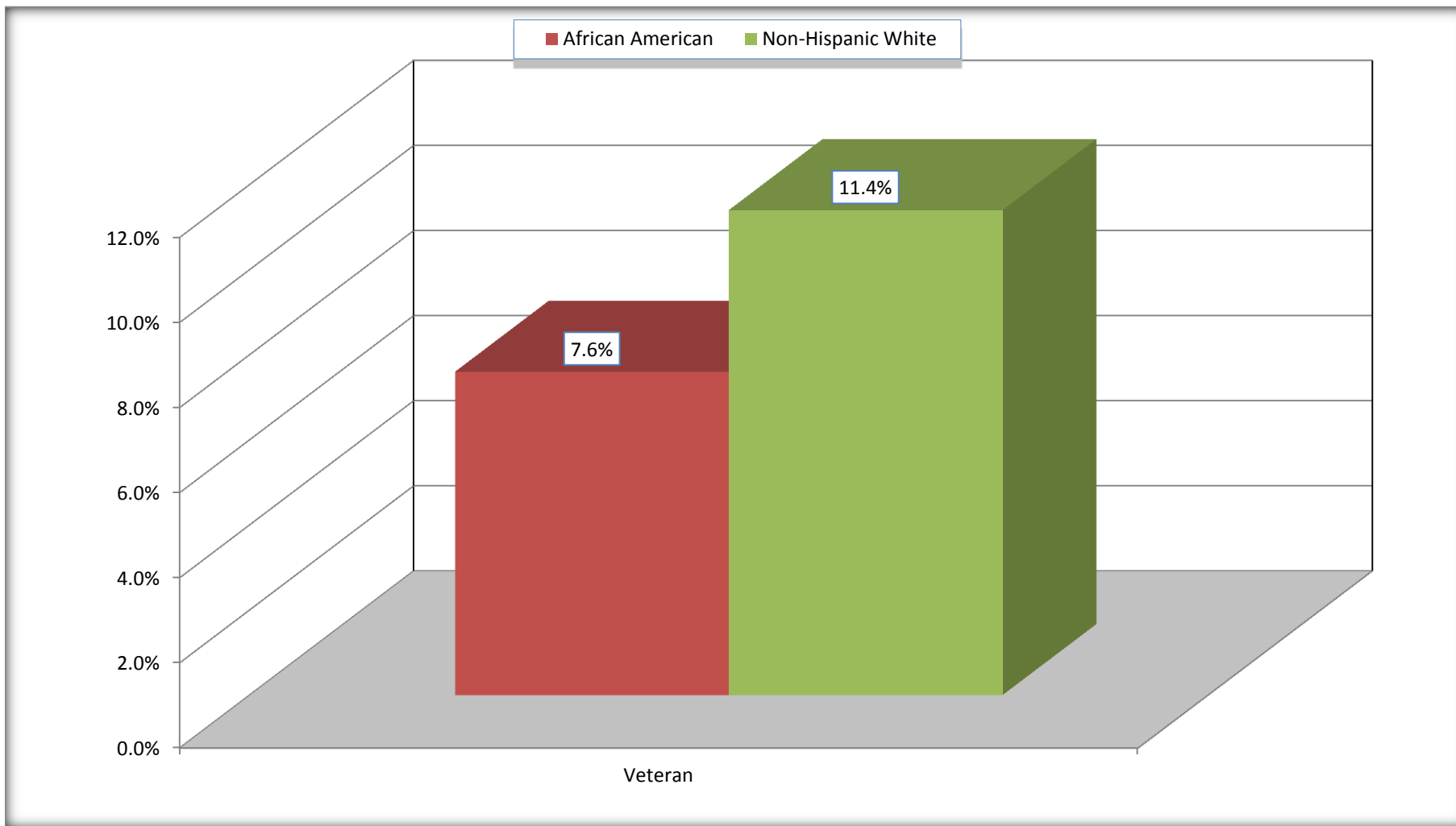
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Educational Attainment for the Population 25 Years and Older**  
**Congressional District 2 (116th Congress), Alabama**



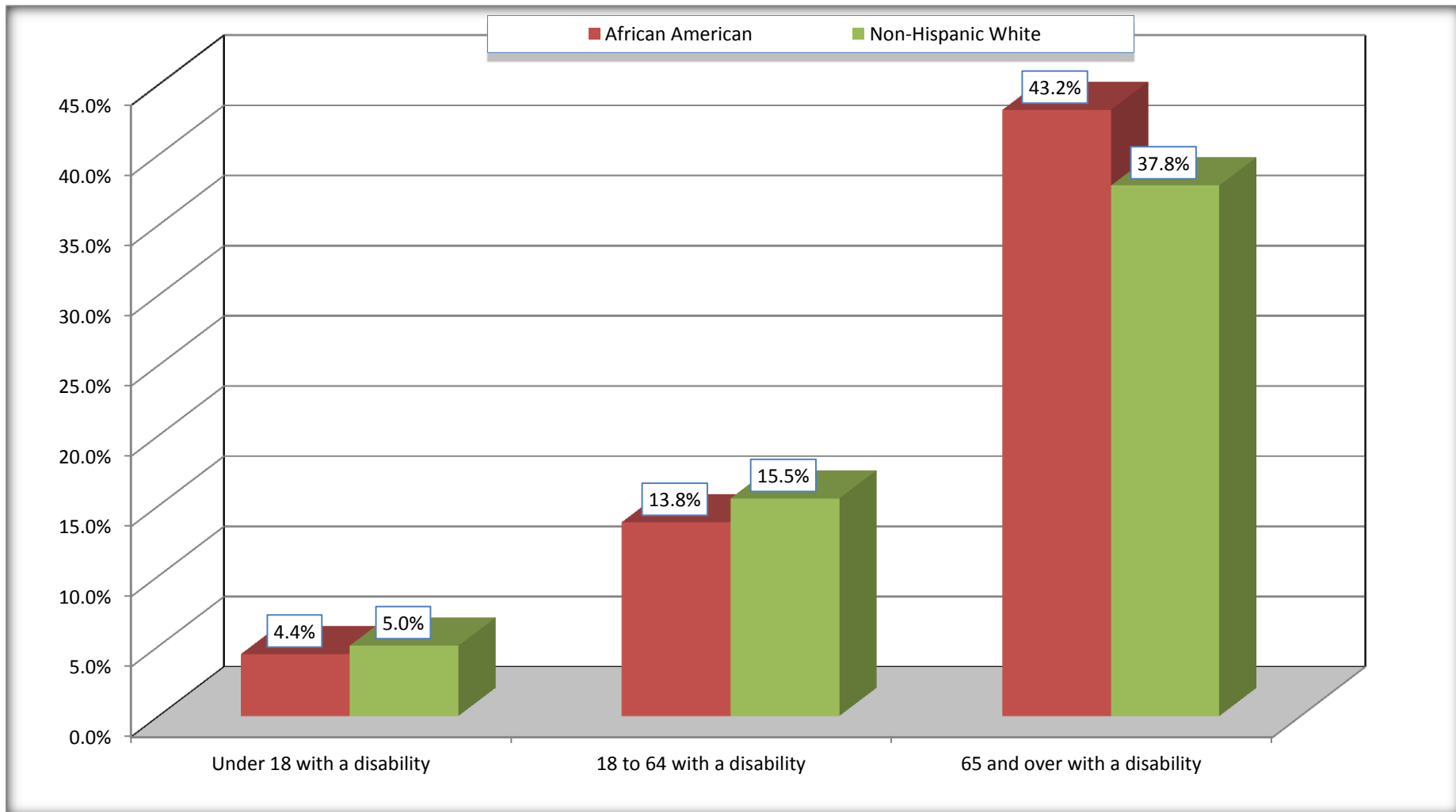
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Veterans in the Civilian Population 18 Years and Over**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Disability by Age -- Civilian Noninstitutionalized Population**  
**Congressional District 2 (116th Congress), Alabama**

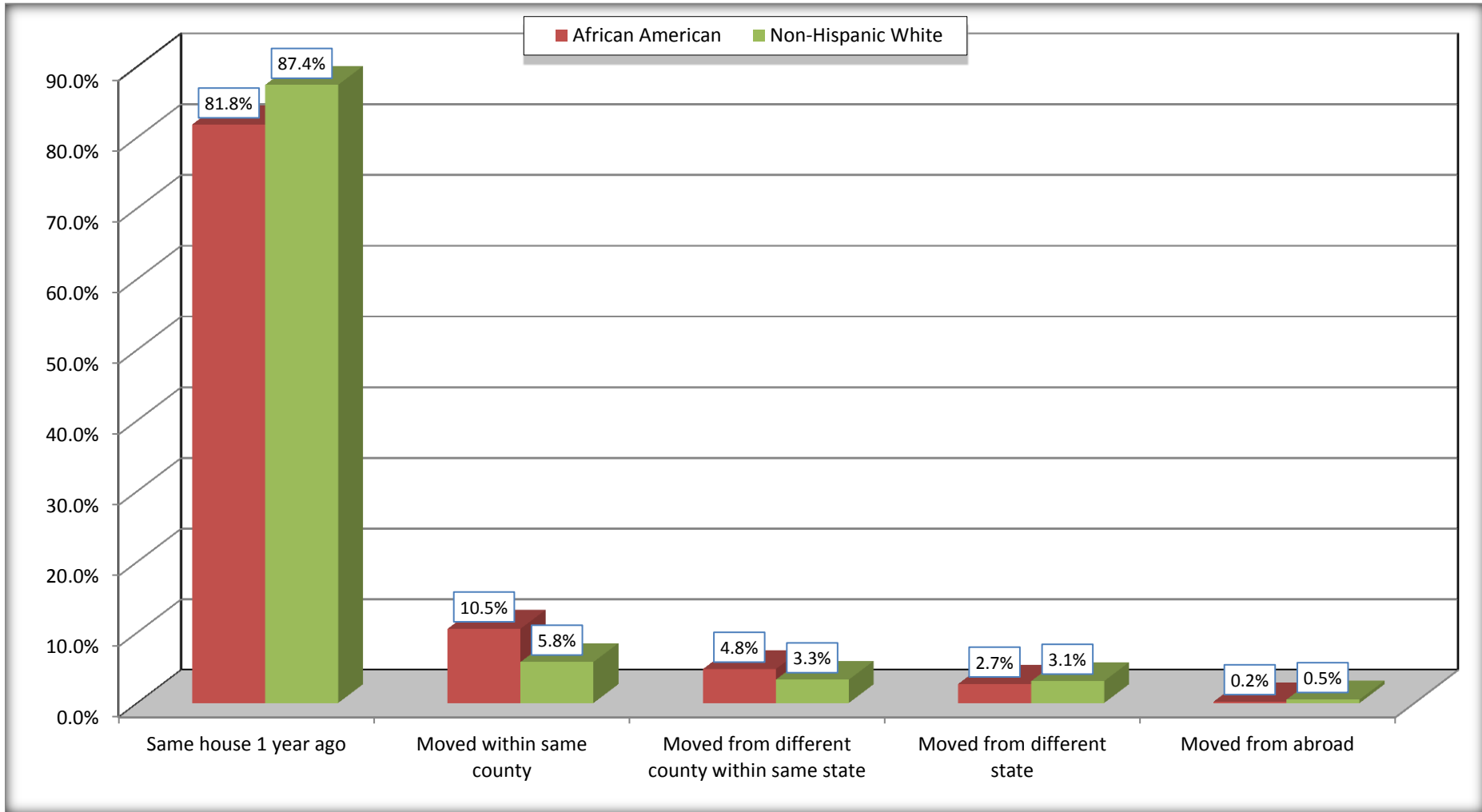


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



## Geographical Mobility in the Past Year (Population 1 Year and Over)

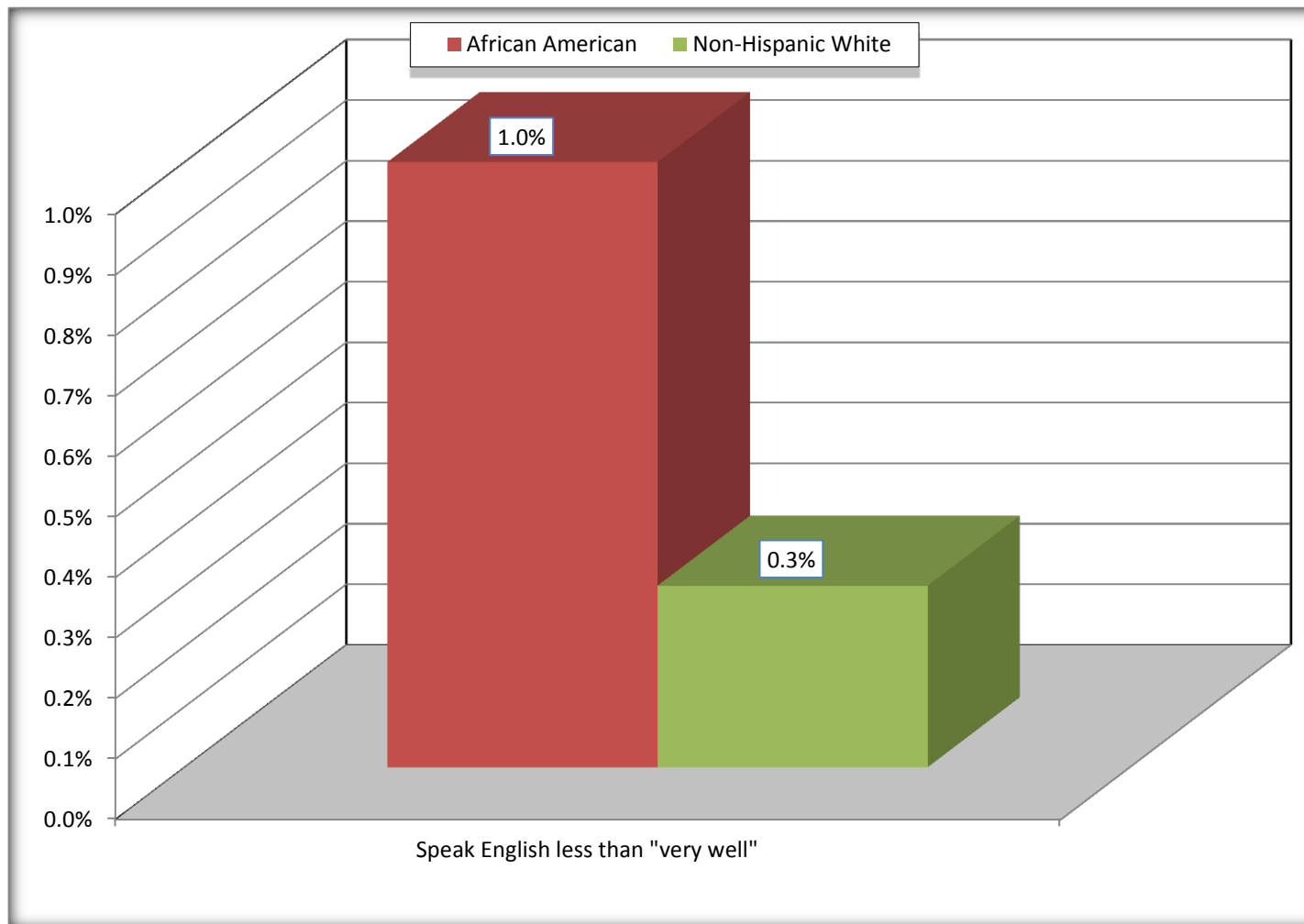
### Congressional District 2 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

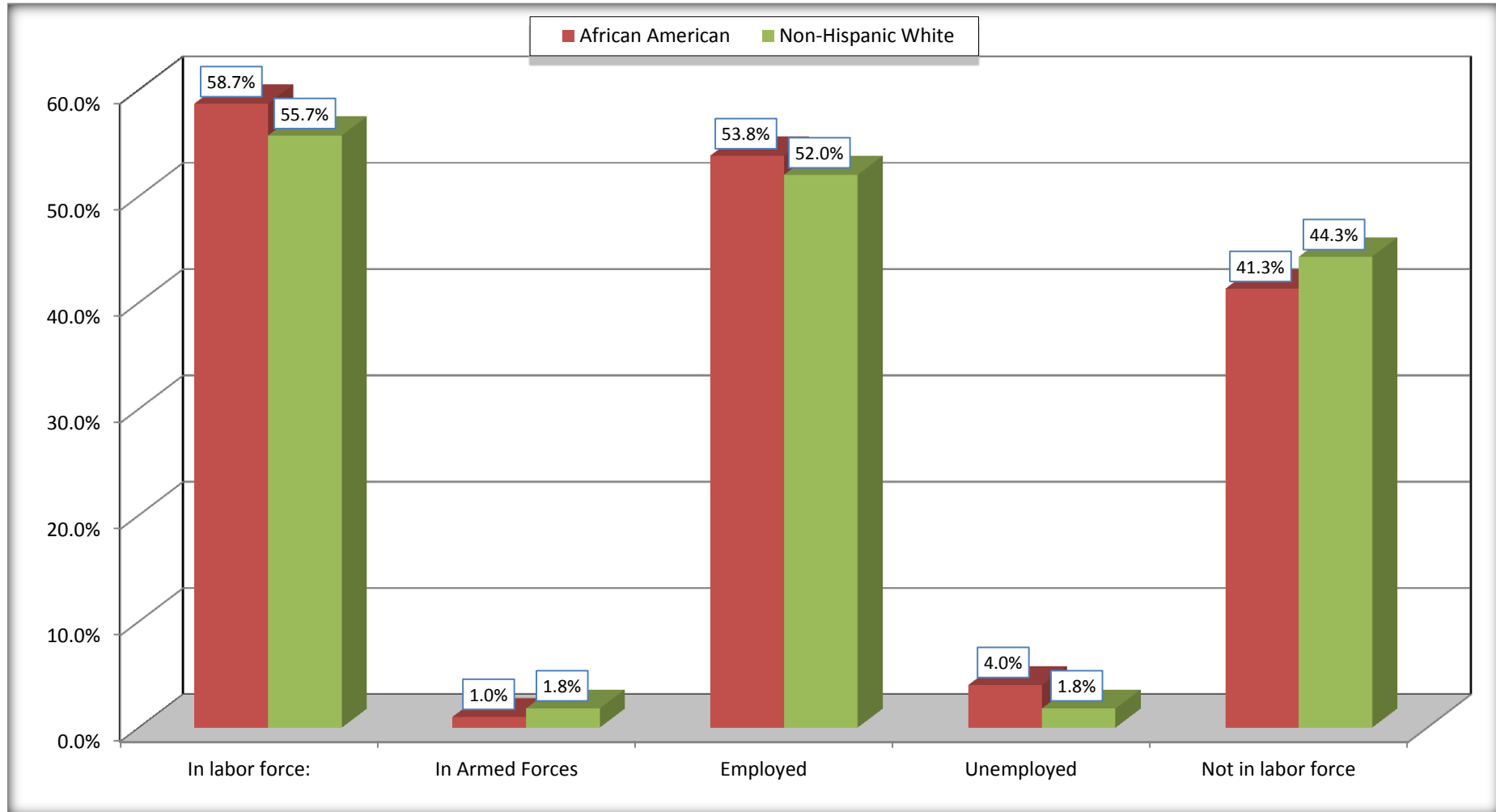
## Speak English Less than "Very Well" (Population 5 Years and Over)

### Congressional District 2 (116th Congress), Alabama



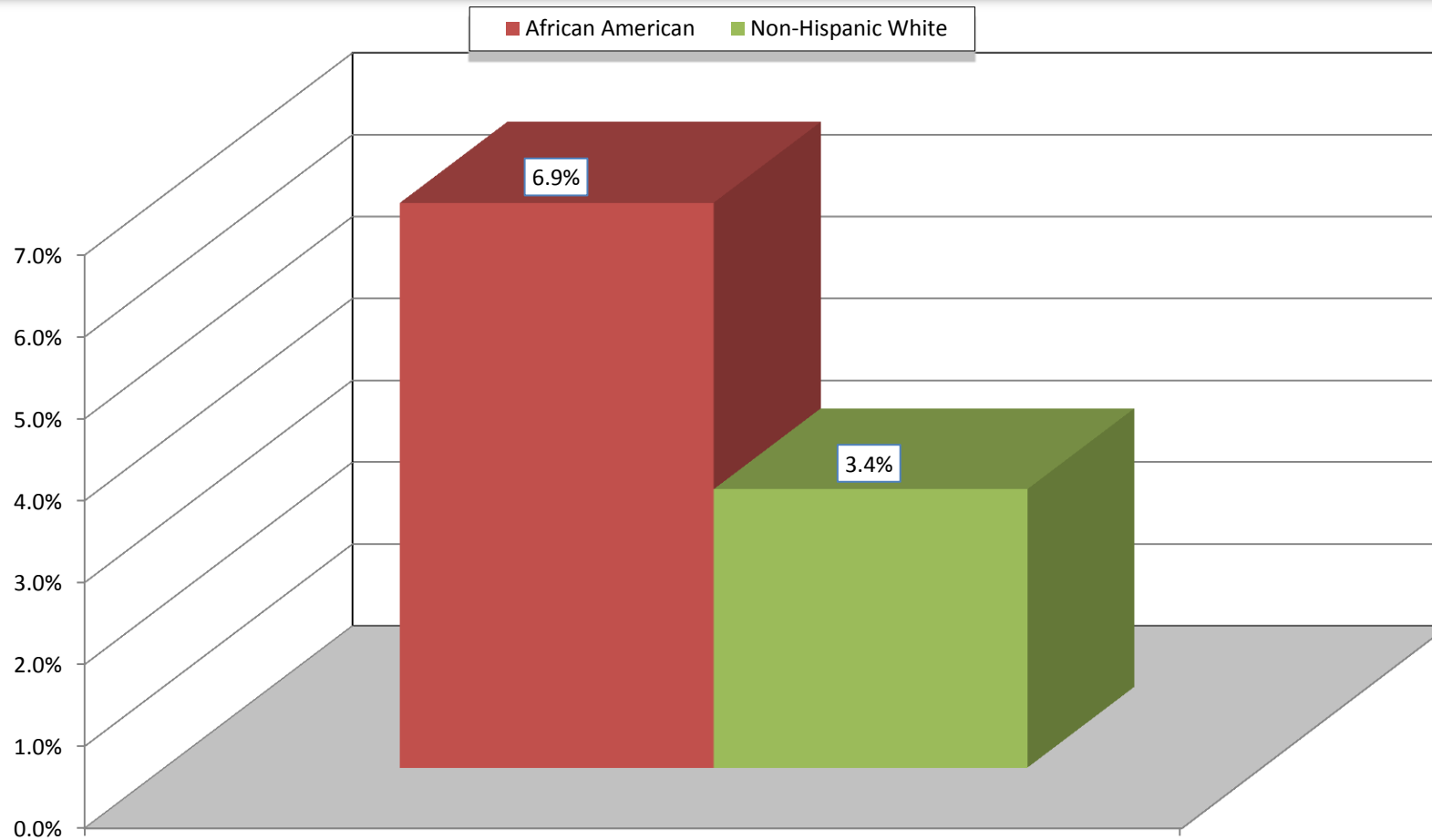
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Employment Status for the Population 16 years and over**  
**Congressional District 2 (116th Congress), Alabama**



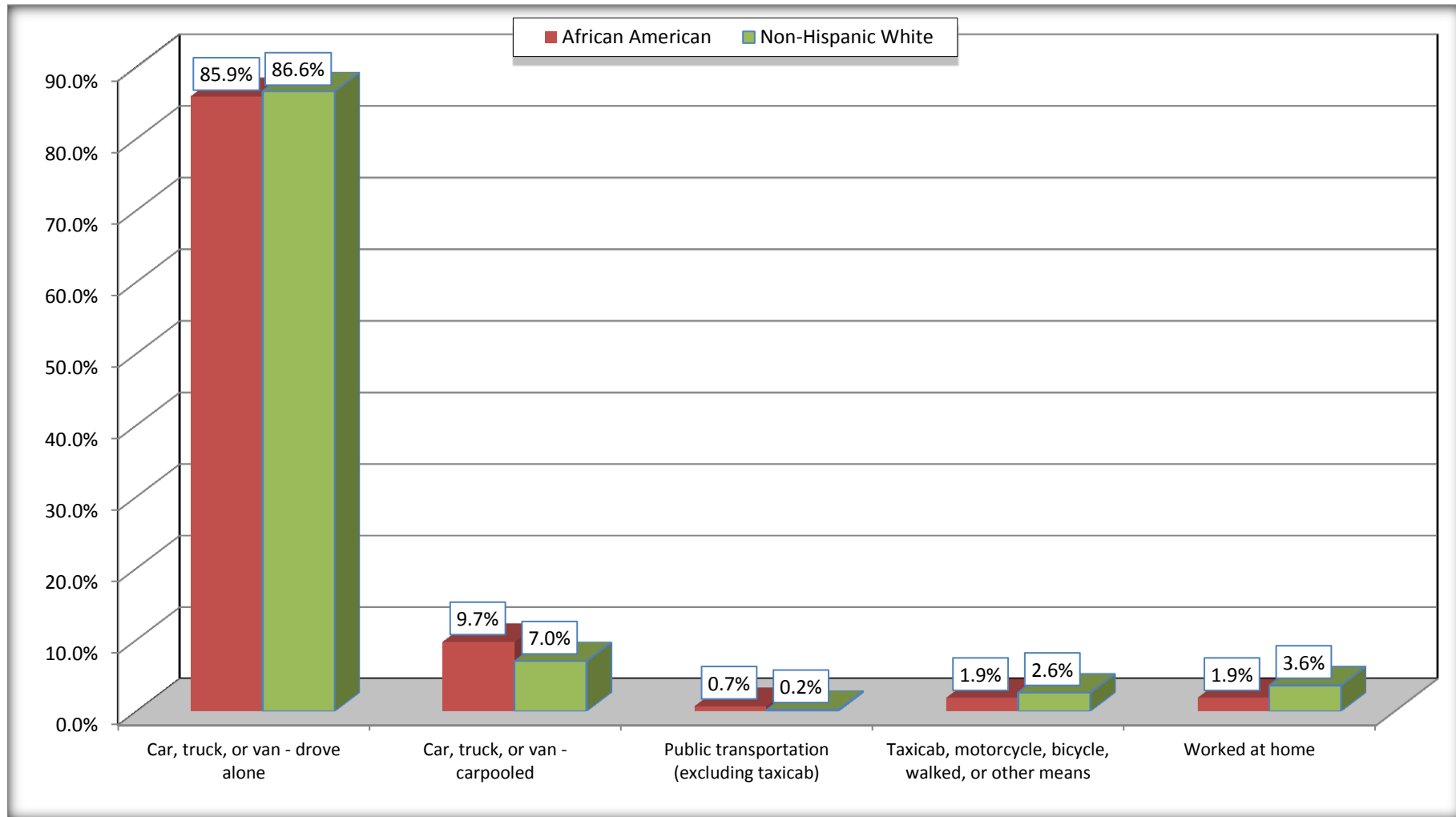
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Unemployment (Civilian Labor Force -- Ages 16 and Over)**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

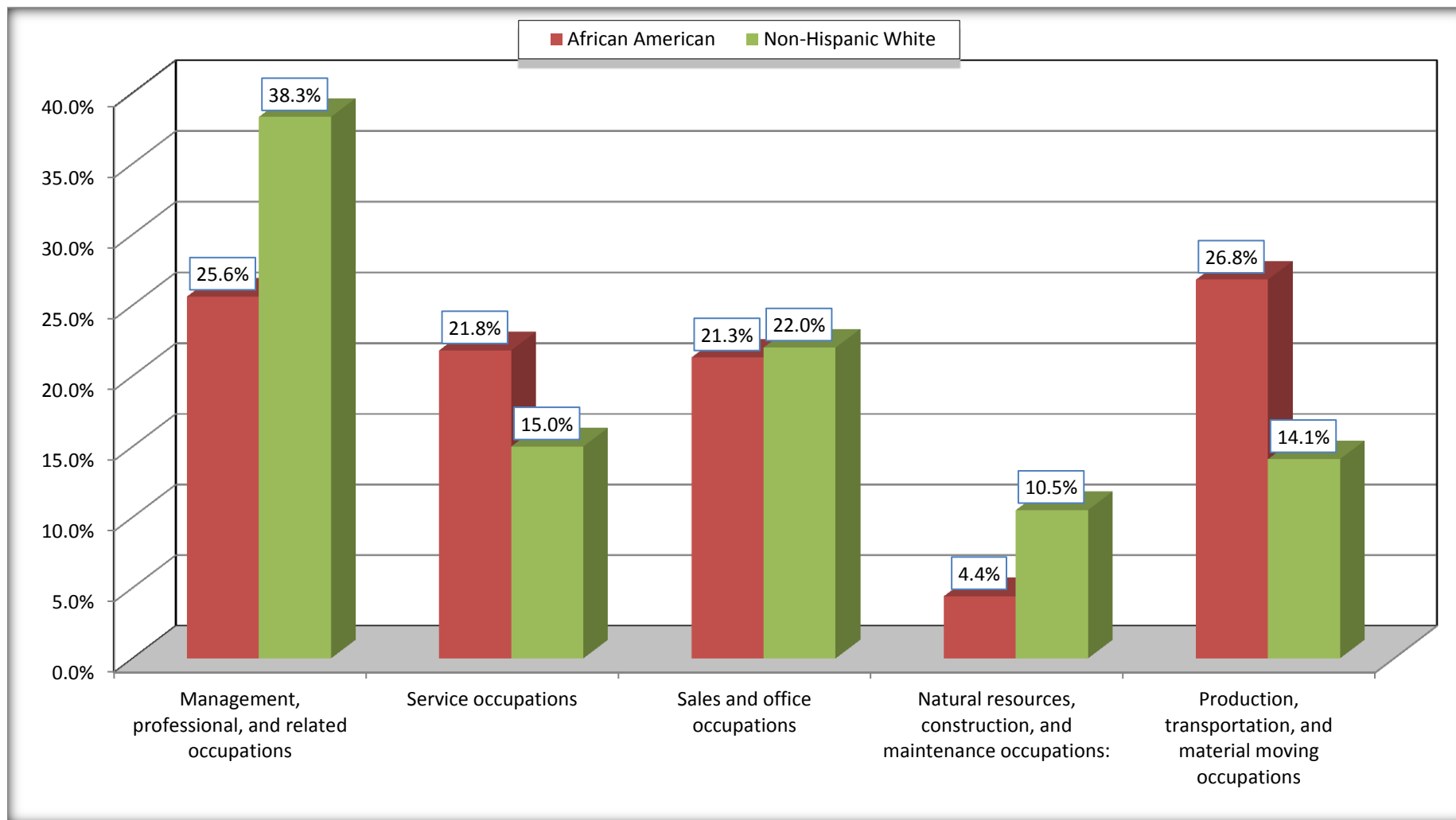
# **Means of Transportation to Work (Workers 16 Years and Over)** **Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

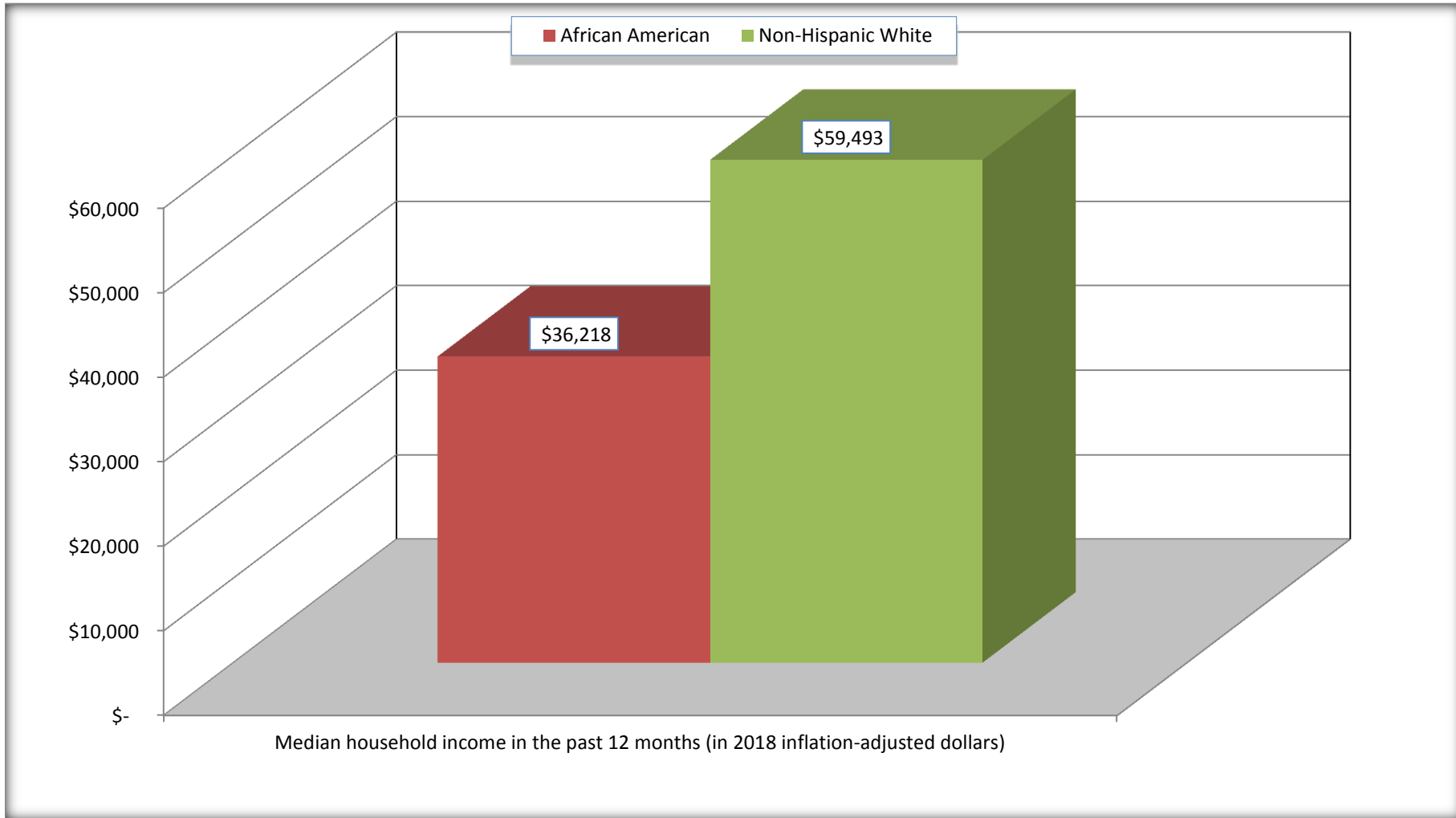
## Occupation for the Civilian Employed 16 Years and Over Population

### Congressional District 2 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

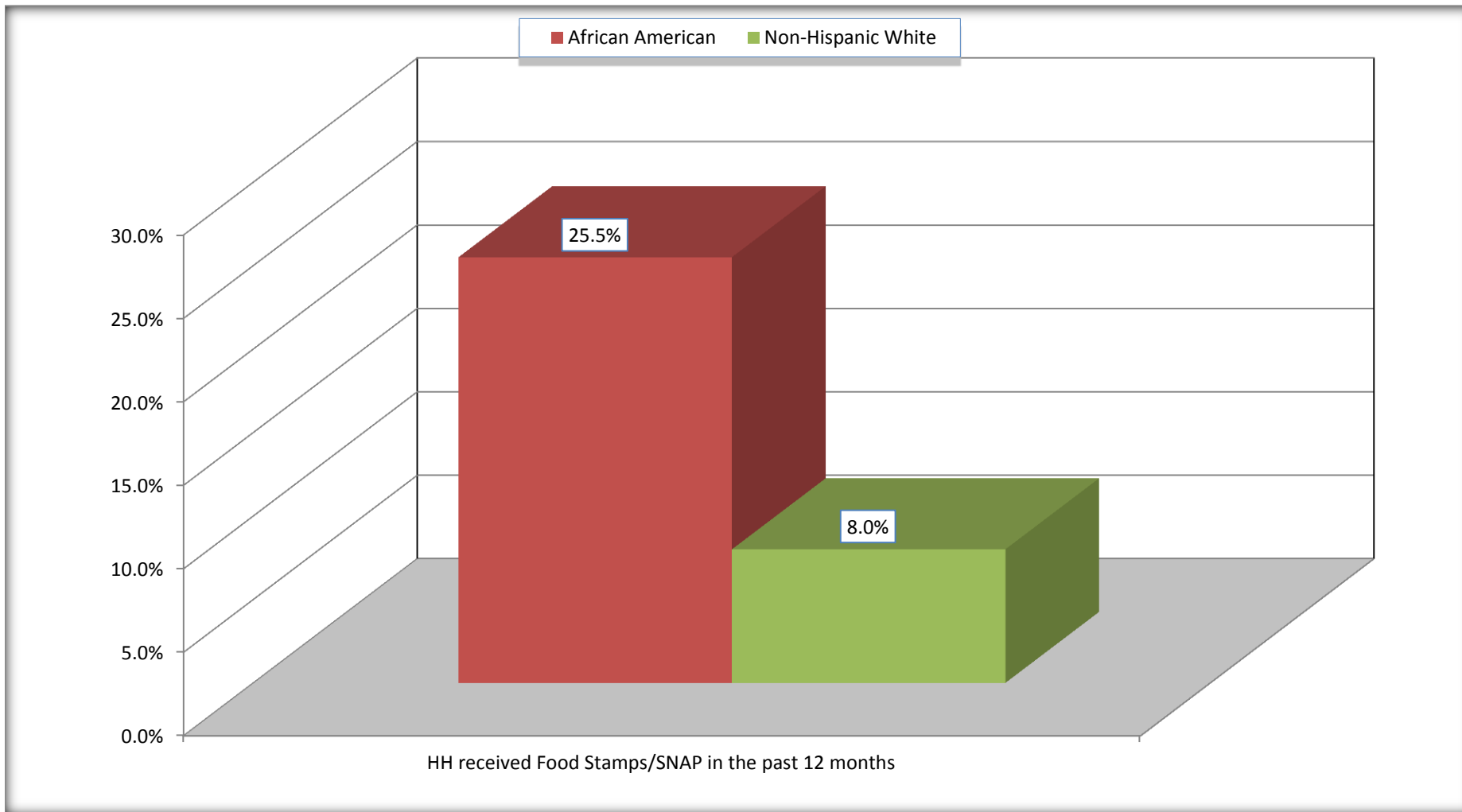
**Median Household Income in the Past 12 Months**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

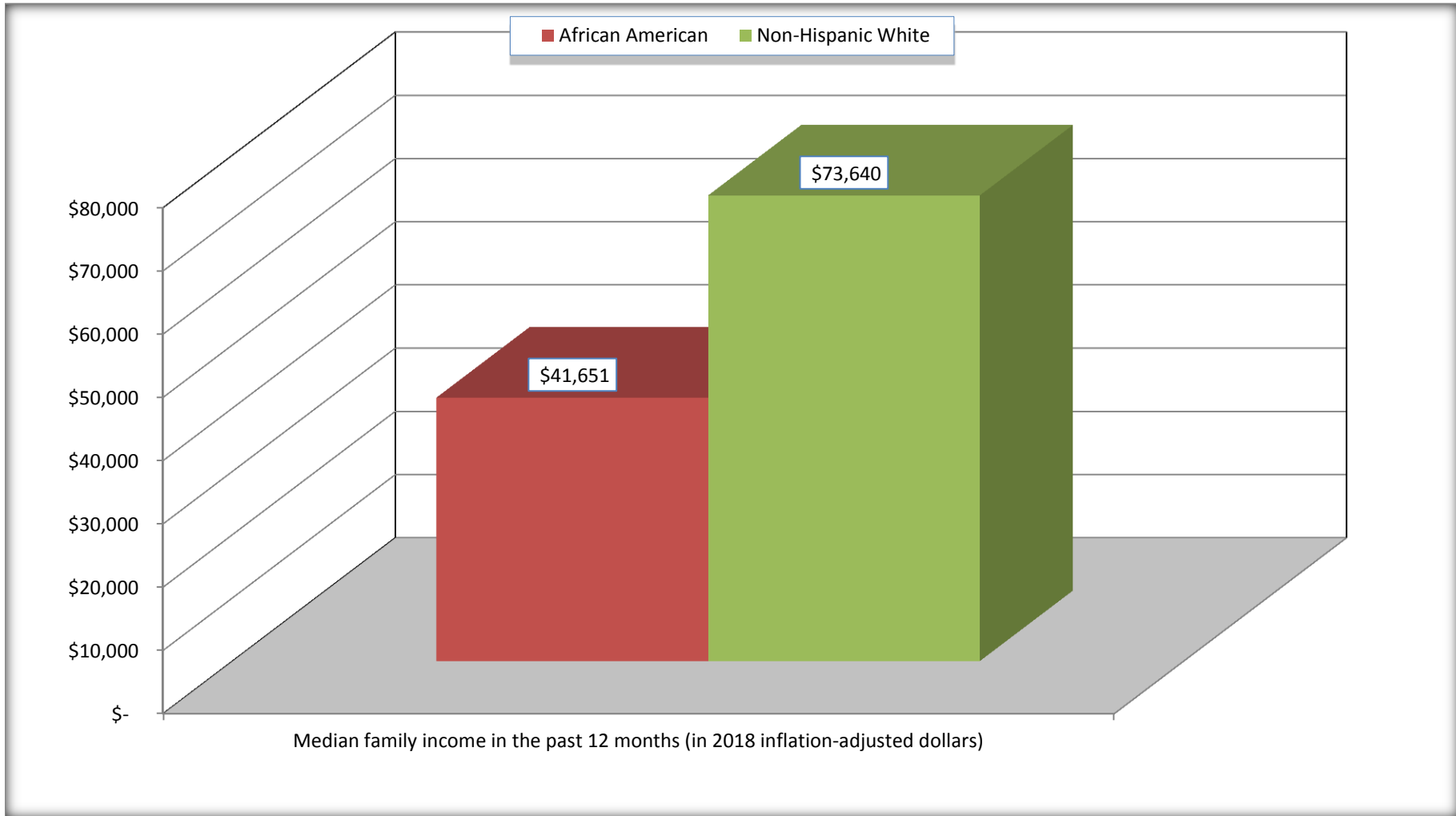


**Receipt of Food Stamps/SNAP in the Past 12 Months by Household**  
**Congressional District 2 (116th Congress), Alabama**



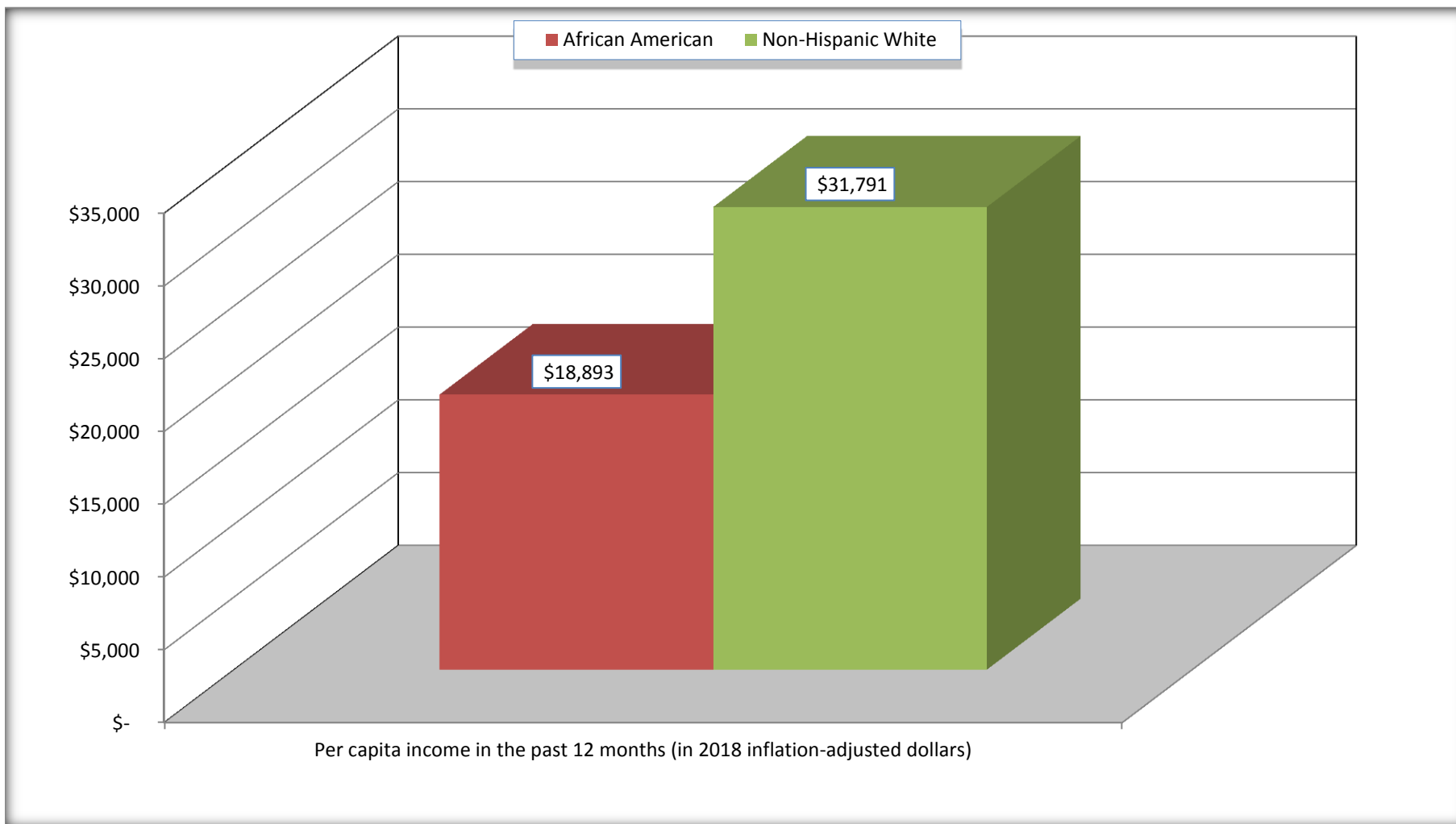
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Family Income in the Past 12 Months**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

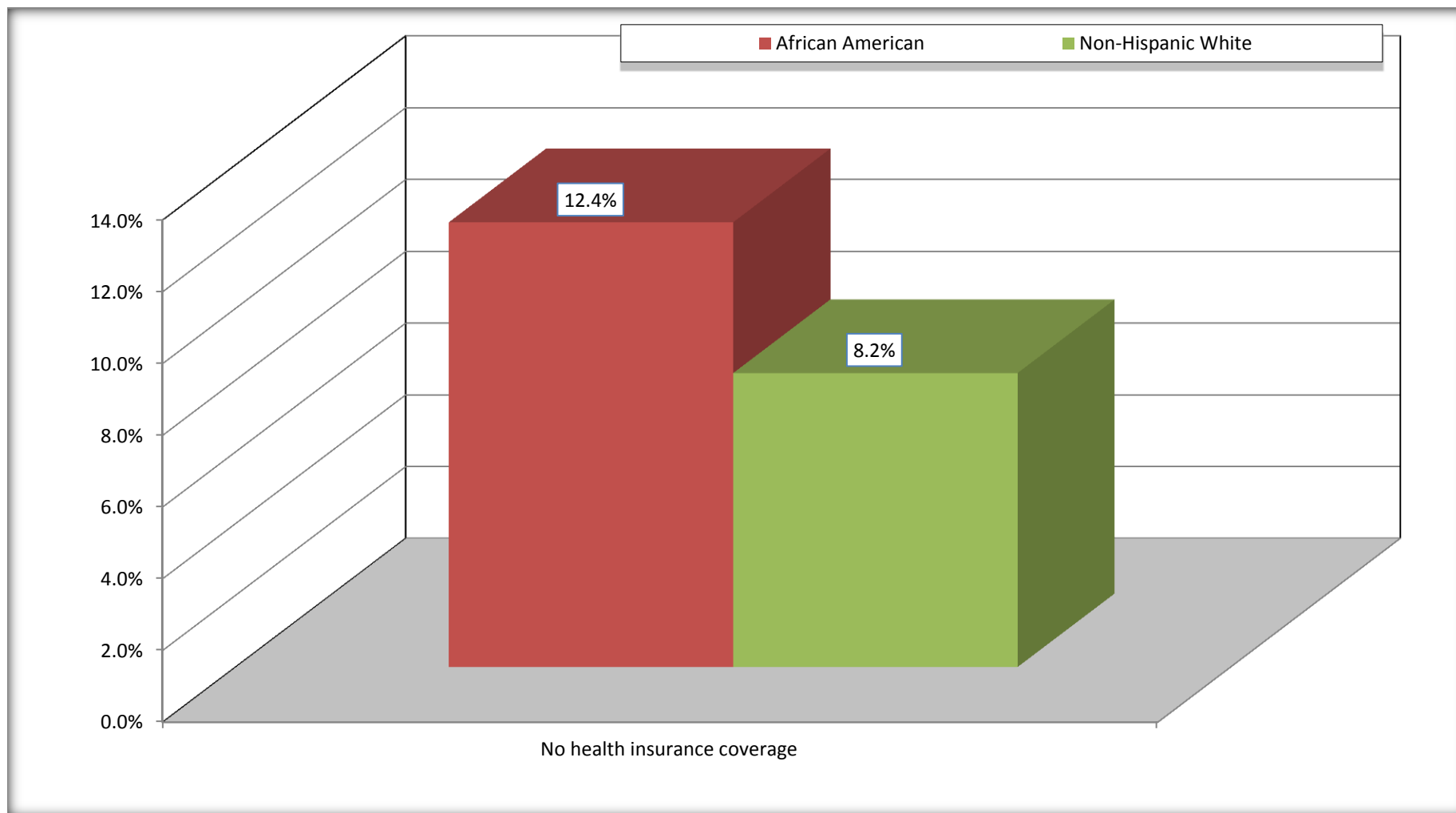
**Per capita Income in the Past 12 Months**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

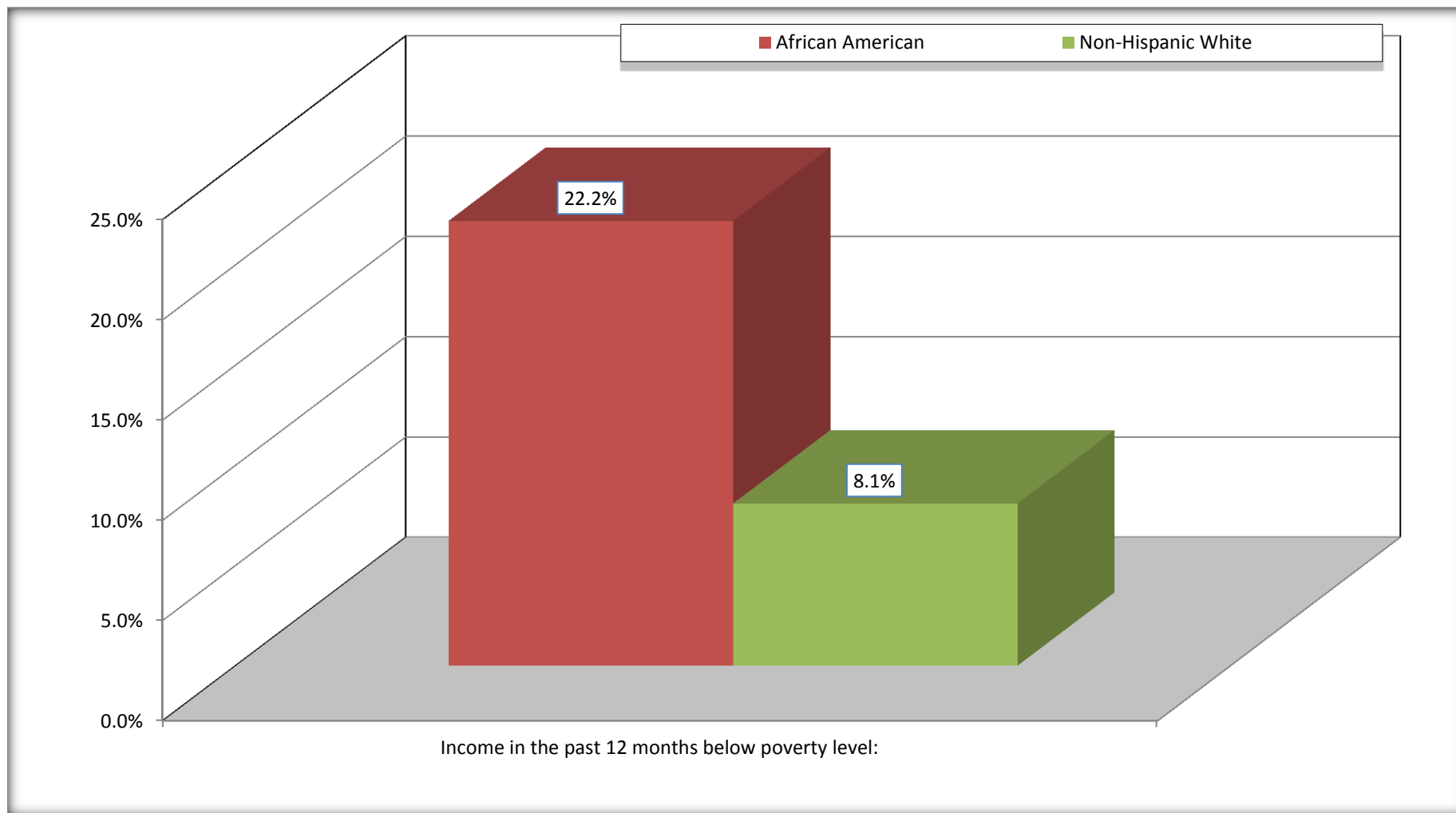
## Lack of Health Insurance Coverage -- Civilian Noninstitutionalized Population

### Congressional District 2 (116th Congress), Alabama



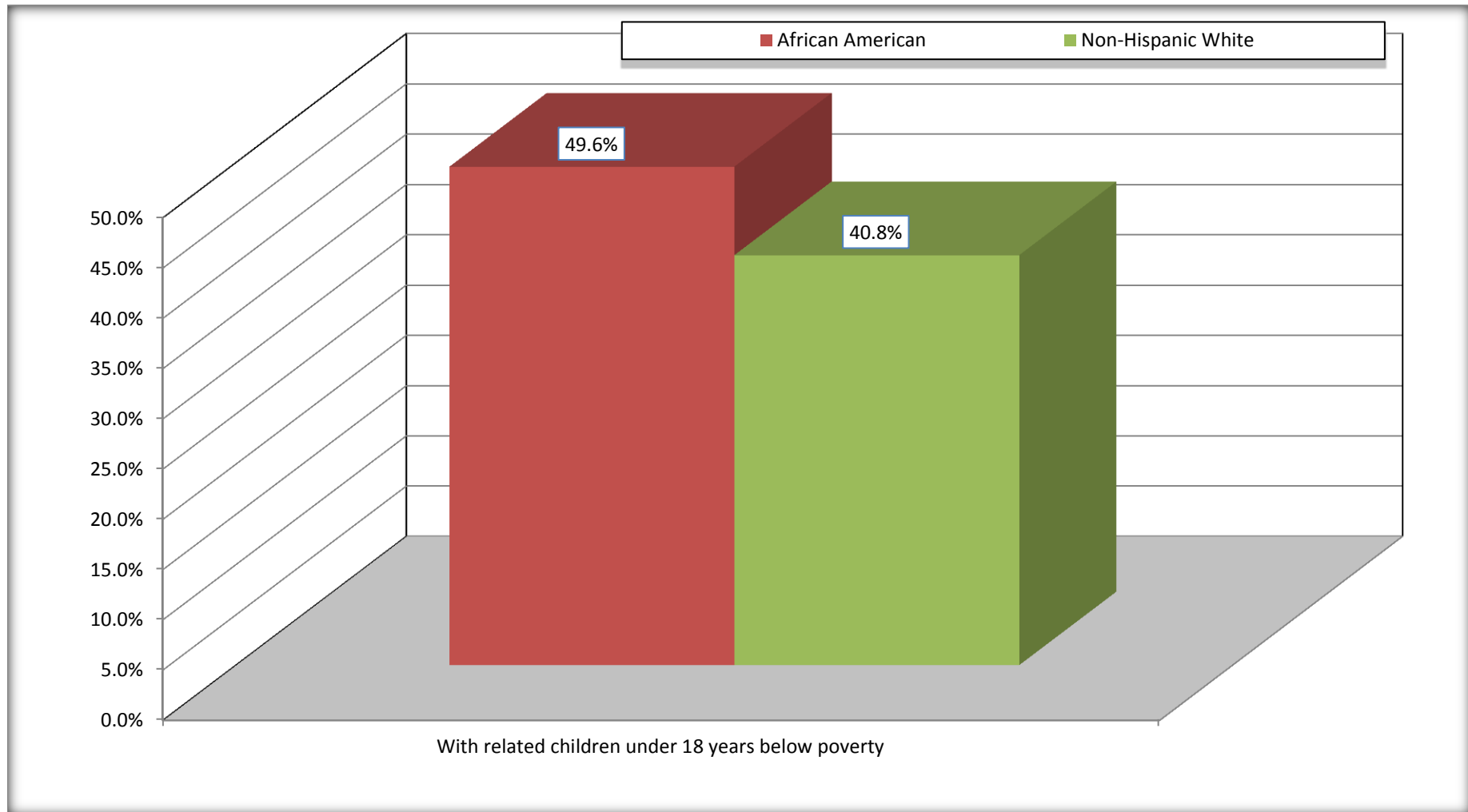
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Family Households Below Poverty in the Past 12 Months**  
**Congressional District 2 (116th Congress), Alabama**



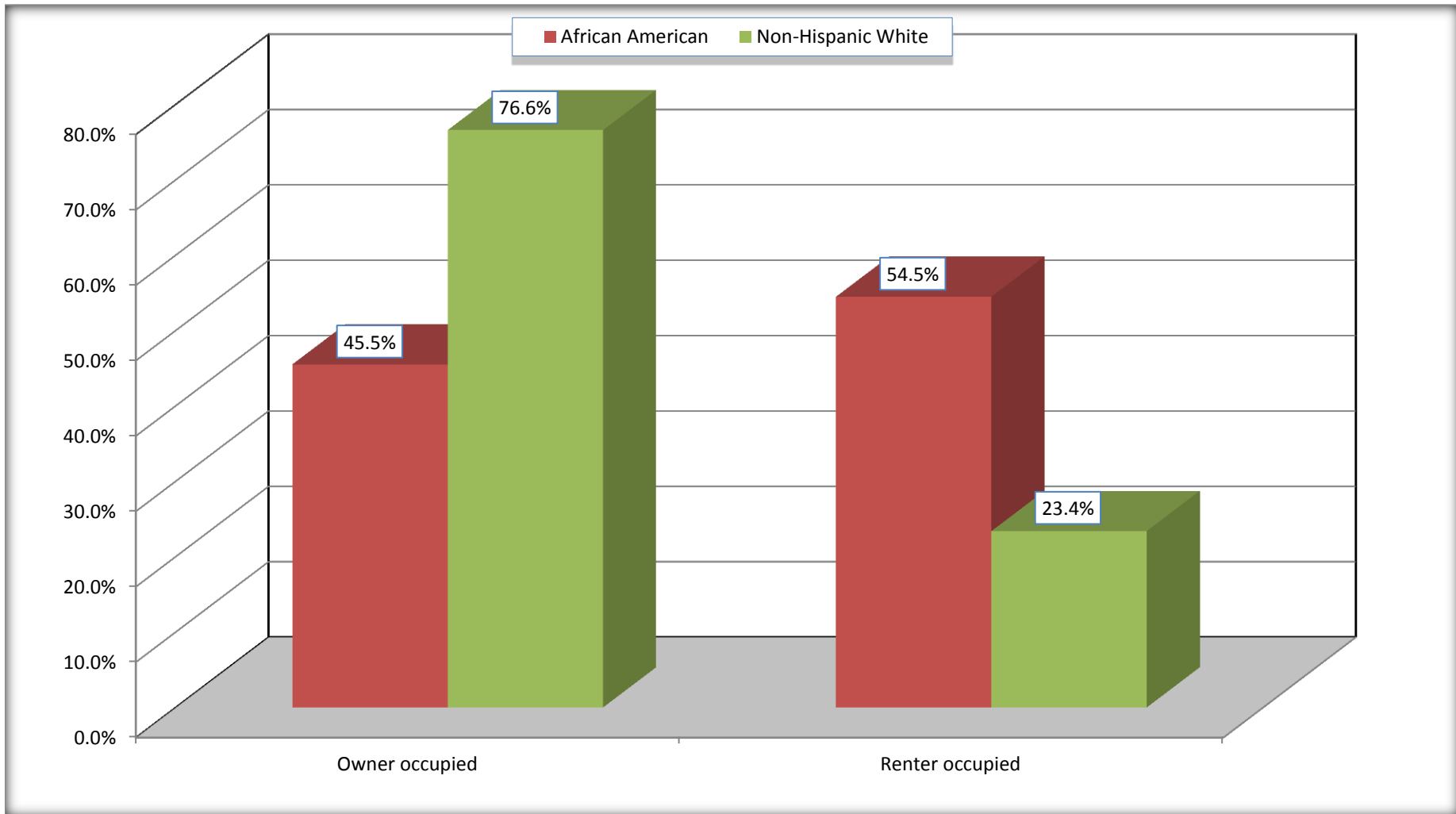
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Female-headed Households with Related Children Below Poverty in the Past 12 Months**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

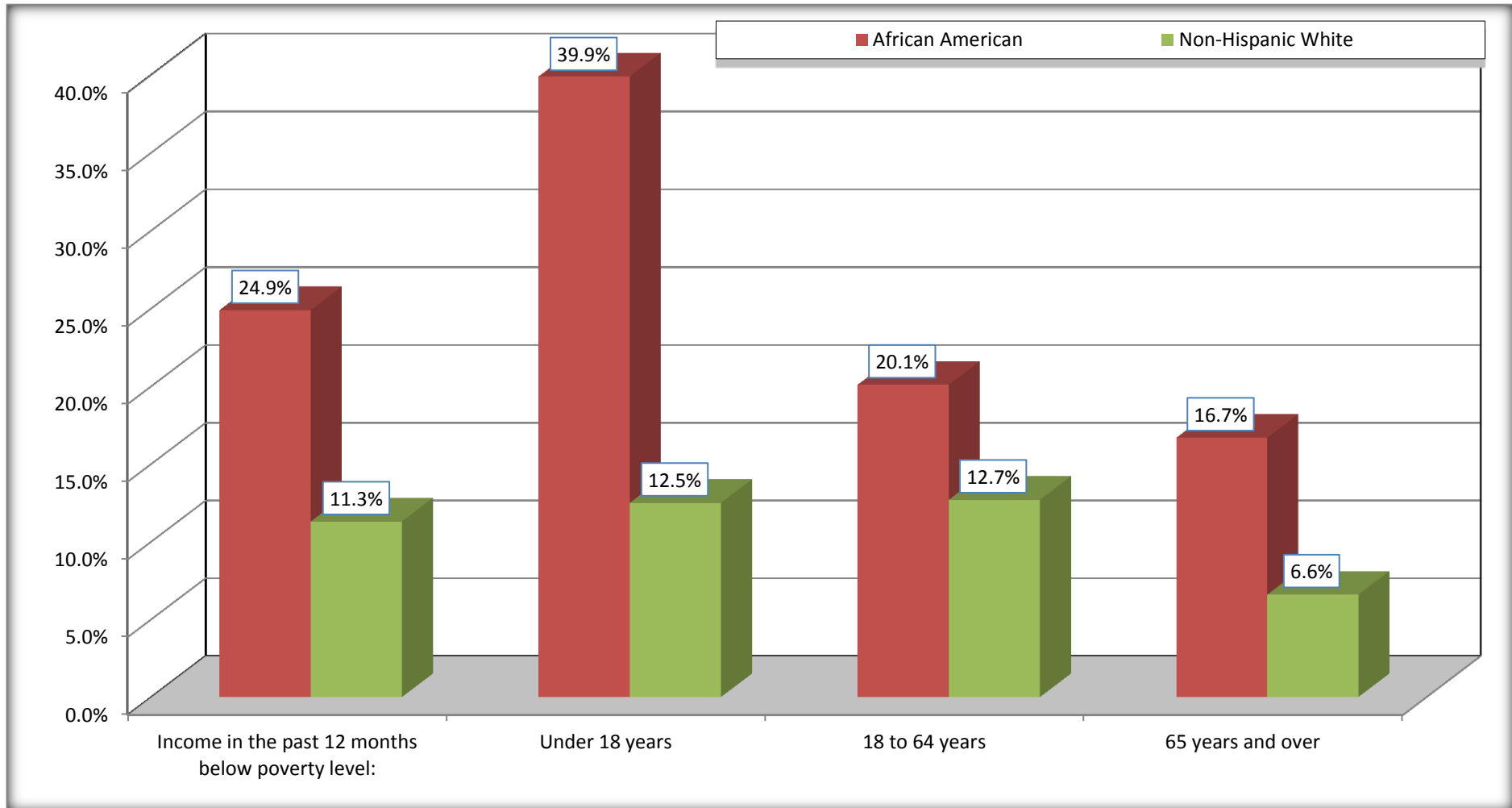
## Home Owners and Renters by Household Congressional District 2 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

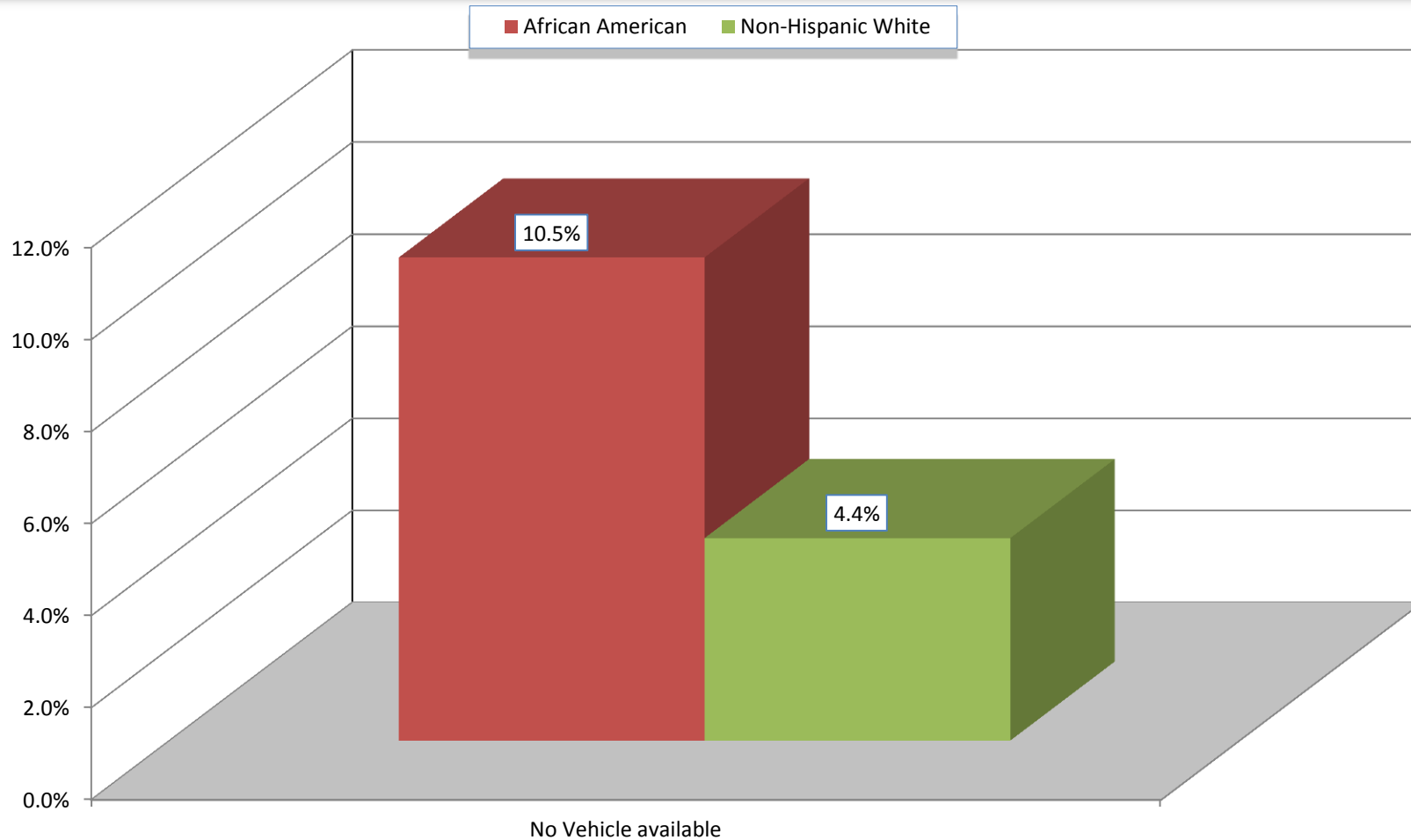


**Population Below Poverty in the Past 12 Months**  
**Congressional District 2 (116th Congress), Alabama**



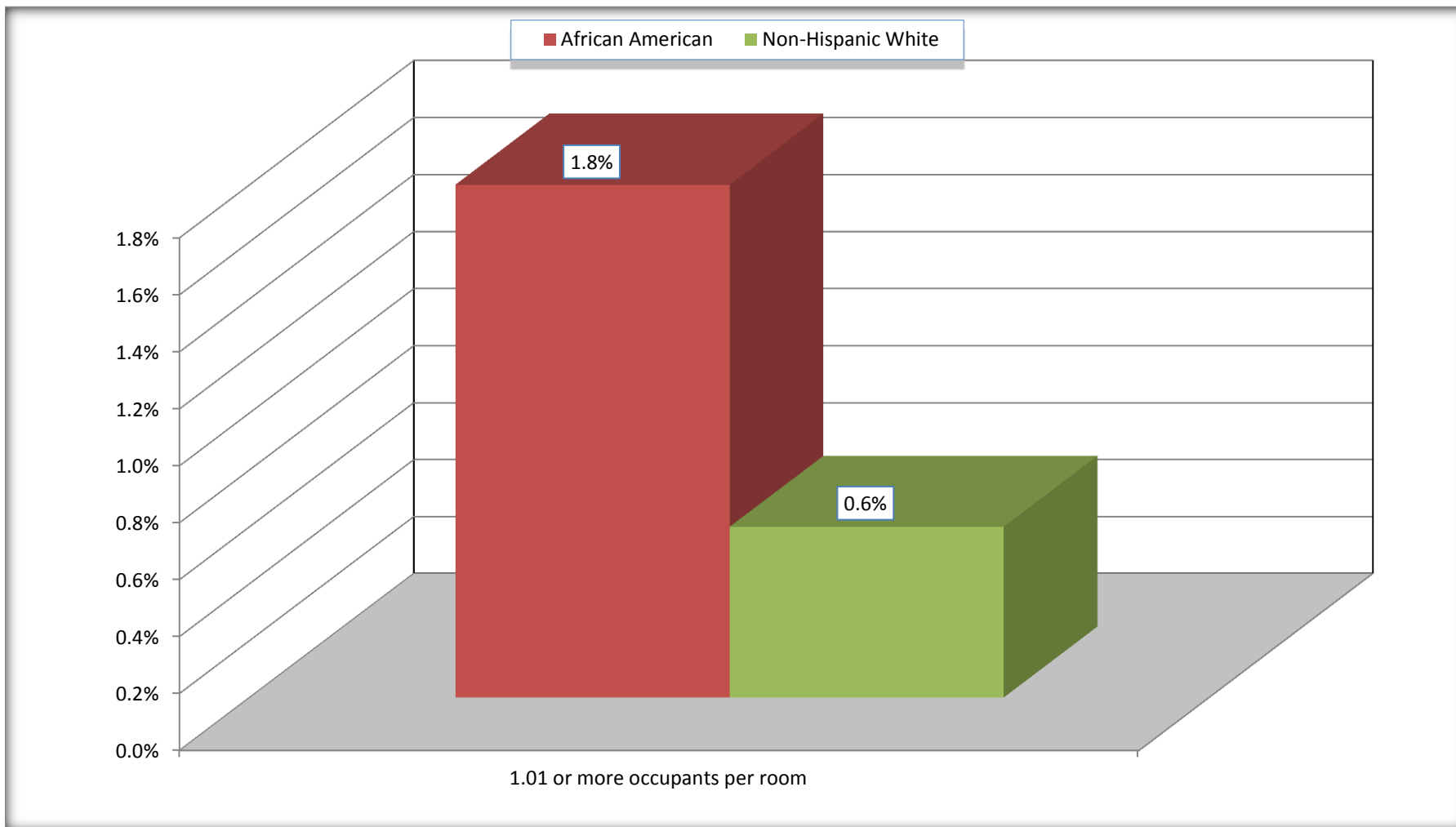
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**No Vehicles Available by Household**  
**Congressional District 2 (116th Congress), Alabama**



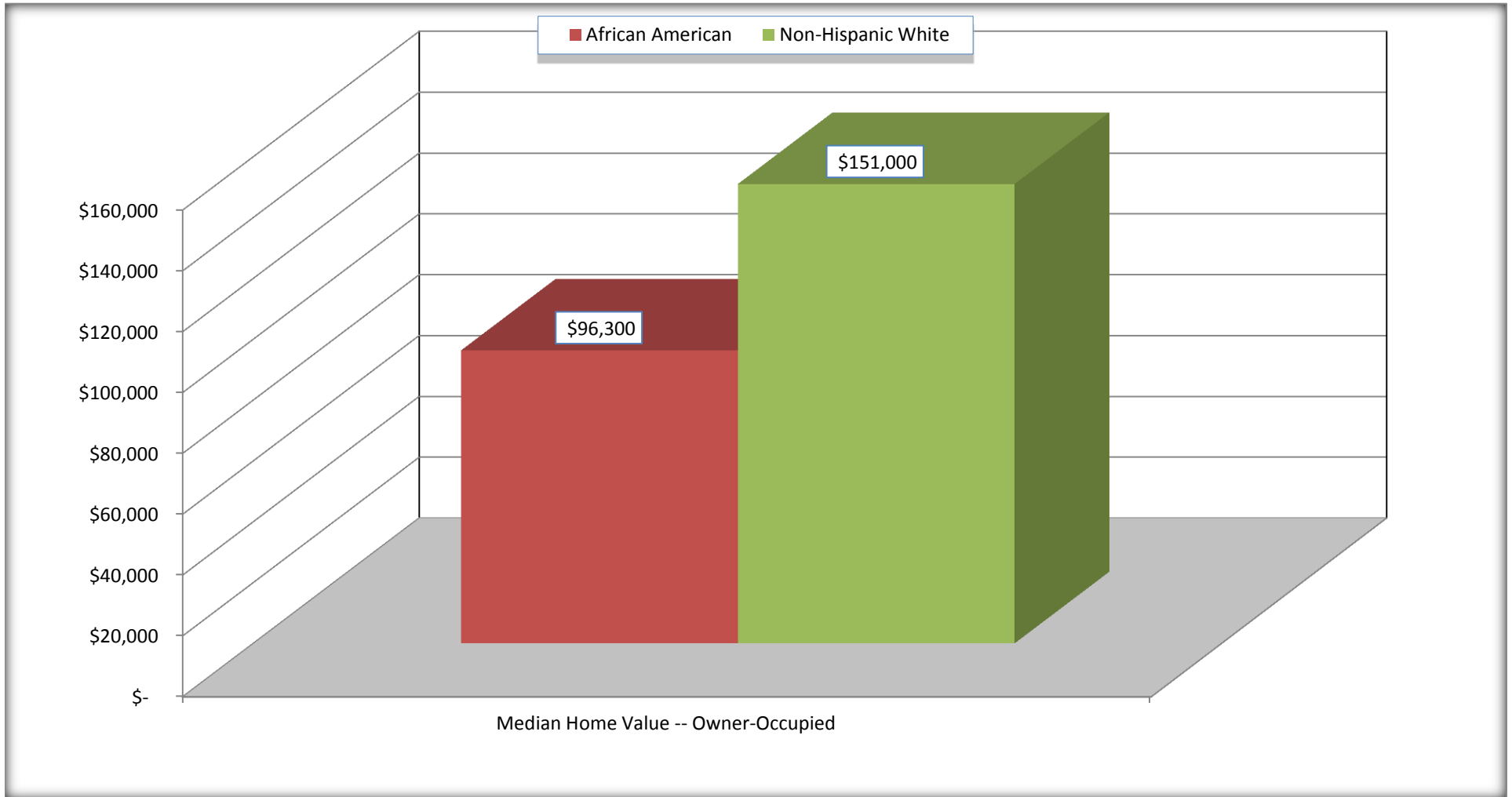
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**More than One Person per Room (Crowding) by Household**  
**Congressional District 2 (116th Congress), Alabama**



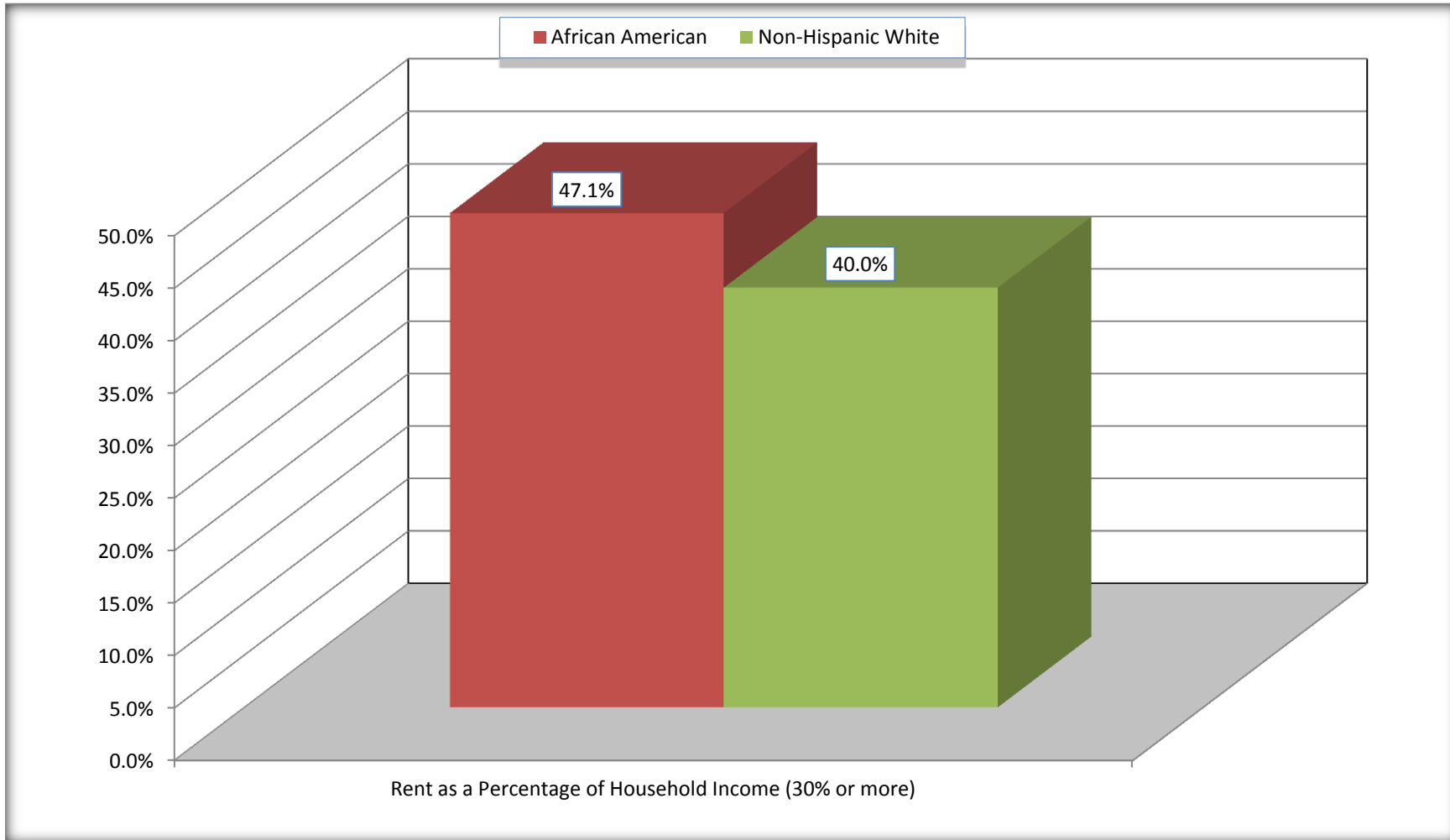
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Home Value -- Owner-Occupied**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

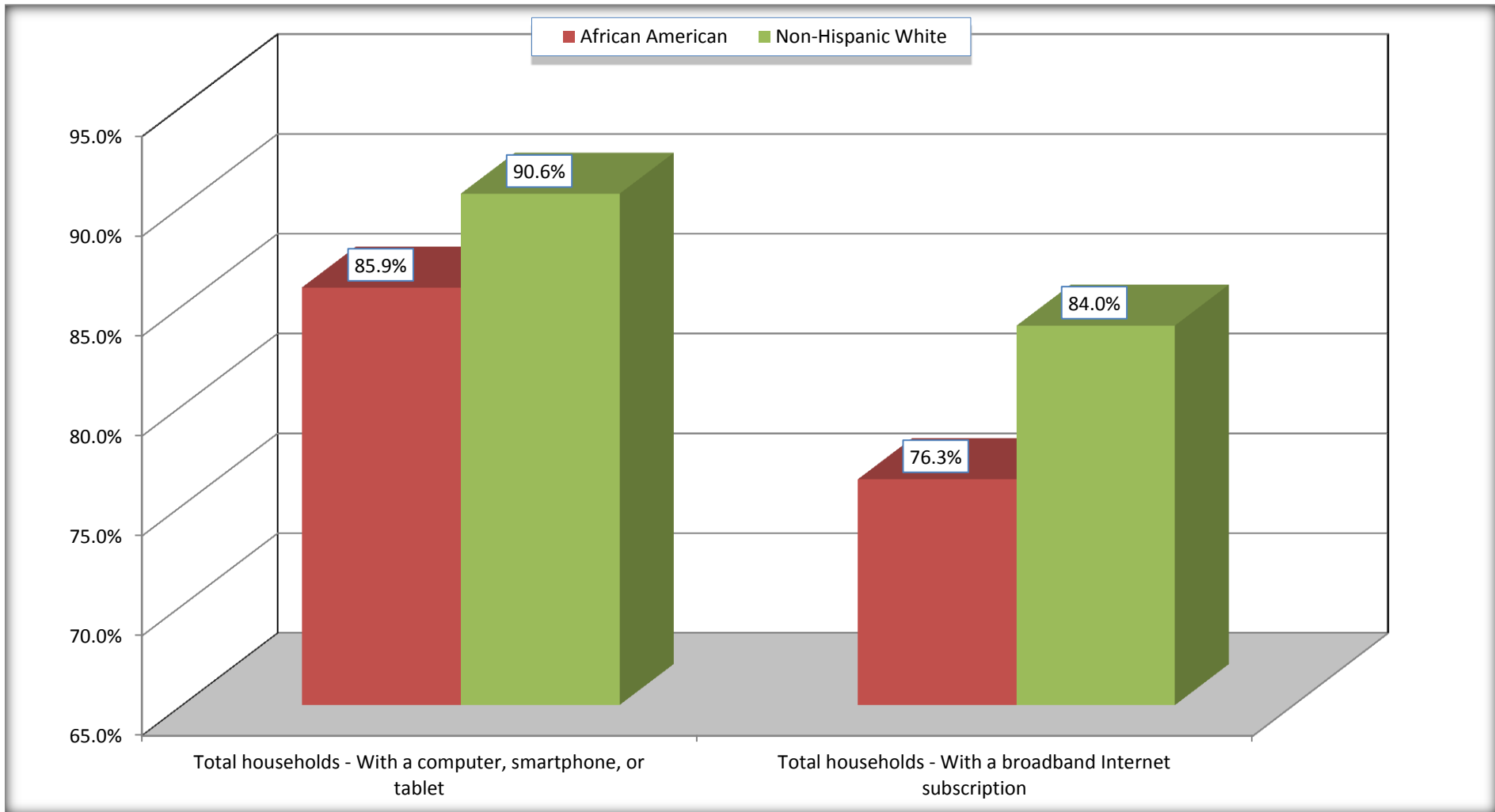
**Rent as a Percentage of Household Income (30% or more) -- Renter-Occupied**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Computers and Internet Use

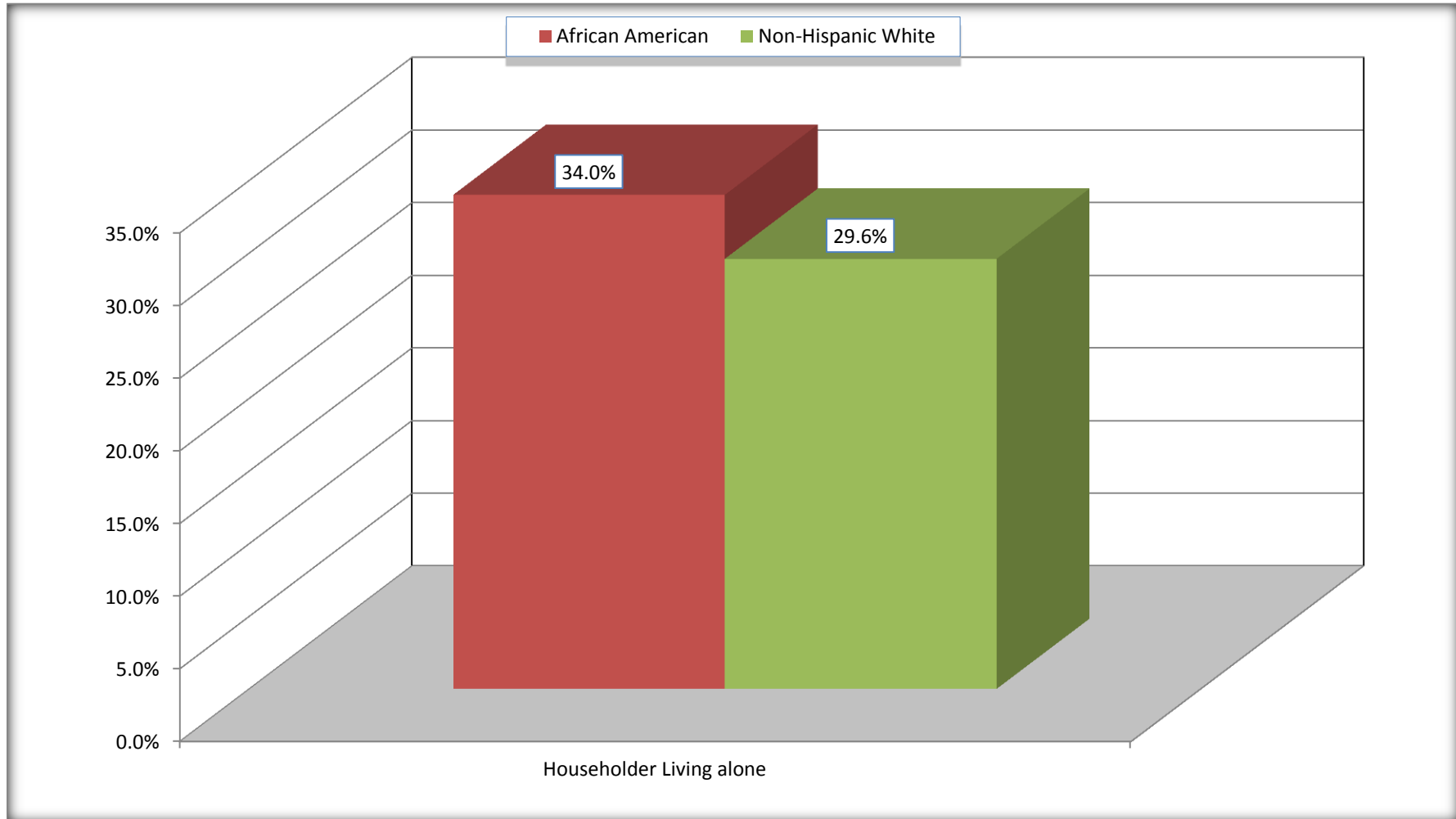
### Congressional District 2 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

# Households with Householder Living Alone

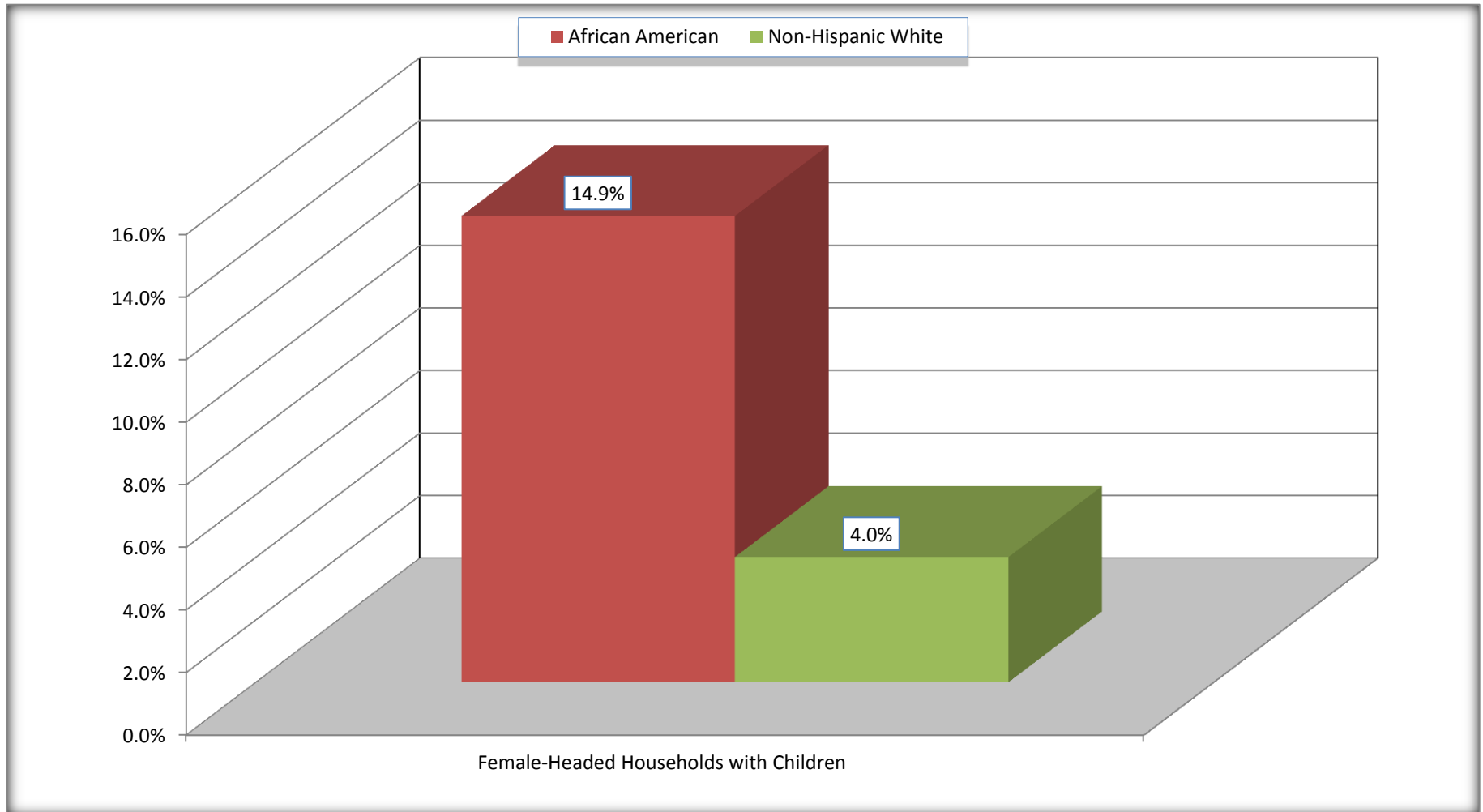
## Congressional District 2 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



**Female-Headed Households with Children Under 18 (As a Percentage of all Households)**  
**Congressional District 2 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

	All Persons Estimate	Black or African American alone or in combination Estimate	White alone, not Hispanic or Latino Estimate
<b>TOTAL NUMBER OF RACES REPORTED</b>			
Total population	674,920	224,717	407,356
One race	98.1%	96.8%	100.0%
Two races	1.8%	2.9%	(X)
Three races	0.1%	0.2%	(X)
Four or more races	0.0%	0.1%	(X)
<b>SEX AND AGE</b>			
Total population	674,920	224,717	407,356
Male	48.2%	46.3%	49.0%
Female	51.8%	53.7%	51.0%
Under 5 years	6.1%	7.5%	5.1%
5 to 17 years	16.4%	18.6%	14.2%
18 to 24 years	9.0%	11.0%	7.9%
25 to 34 years	13.6%	16.4%	11.8%
35 to 44 years	12.2%	13.2%	11.4%
45 to 54 years	12.1%	11.0%	13.0%
55 to 64 years	12.8%	10.5%	14.6%
65 to 74 years	10.4%	7.7%	12.3%
75 years and over	7.4%	4.0%	9.6%
Median age (years)	39.0	32.1	44.6
18 years and over	77.5%	73.9%	80.7%
21 years and over	73.7%	69.6%	77.3%
62 years and over	21.5%	14.4%	26.4%
65 years and over	17.8%	11.7%	22.0%
Under 18 years	151,908	58,724	78,706
Male	51.7%	48.8%	52.5%
Female	48.3%	51.2%	47.5%
<b>18 years and over</b>	<b>523,012</b>	<b>165,993</b>	<b>328,650</b>
Male	47.2%	45.4%	48.2%
Female	52.8%	54.6%	51.8%
18 to 34 years	152,800	61,557	80,334
Male	50.0%	48.9%	50.4%
Female	50.0%	51.1%	49.6%
35 to 64 years	249,879	78,136	158,815
Male	47.6%	44.2%	49.5%
Female	52.4%	55.8%	50.5%

	Black or African American alone or in combination with White alone, not Hispanic or Latino		
	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
<b>65 years and over</b>	<b>120,333</b>	<b>26,300</b>	<b>89,501</b>
Male	43.0%	40.8%	43.9%
Female	57.0%	59.2%	56.1%
<b>RELATIONSHIP</b>			
Population in households	654,522	215,361	397,439
Householder or spouse	57.4%	48.4%	63.4%
Unmarried partner	2.0%	2.7%	1.7%
Child	29.1%	34.0%	25.4%
Other relatives	8.4%	11.4%	6.7%
Other nonrelatives	3.1%	3.5%	2.8%
<b>HOUSEHOLDS BY TYPE</b>			
Households	262,180	83,494	166,007
Family households	64.1%	60.3%	65.6%
With own children of the householder under 18 years	24.1%	26.0%	22.3%
Married-couple family	43.5%	26.0%	52.2%
With own children of the householder under 18 years	14.3%	9.0%	16.4%
Female householder, no spouse present, family	16.3%	28.9%	9.8%
With own children of the householder under 18 years	7.7%	14.9%	4.0%
Nonfamily households	35.9%	39.7%	34.4%
Male householder	17.2%	18.6%	16.4%
Living alone	14.5%	15.9%	13.9%
Not living alone	2.6%	2.7%	2.4%
Female householder	18.7%	21.2%	18.0%
Living alone	16.2%	18.1%	15.7%
Not living alone	2.5%	3.0%	2.3%
Average household size	2.50	2.52	2.46
Average family size	3.13	3.29	3.04
<b>MARITAL STATUS</b>			
Population 15 years and over	548,121	175,045	342,731
Now married, except separated	44.7%	27.2%	53.3%
Widowed	7.4%	5.7%	8.3%
Divorced	13.4%	13.6%	13.6%
Separated	2.3%	3.3%	2.0%
Never married	32.1%	50.0%	22.8%
Male 15 years and over	260,315	79,620	166,311
Now married, except separated	47.0%	29.7%	55.6%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Widowed	3.0%	2.0%	3.4%
Divorced	11.6%	10.6%	12.4%
Separated	2.0%	3.2%	1.5%
Never married	36.4%	54.4%	27.1%
Female 15 years and over	287,806	95,425	176,420
Now married, except separated	42.7%	25.2%	51.2%
Widowed	11.4%	8.8%	12.9%
Divorced	15.0%	16.2%	14.8%
Separated	2.7%	3.4%	2.4%
Never married	28.3%	46.4%	18.7%
<b>SCHOOL ENROLLMENT</b>			
Population 3 years and over enrolled in school	159,113	62,114	82,464
Nursery school, preschool	6.8%	8.9%	6.1%
Kindergarten	5.3%	5.3%	4.7%
Elementary school (grades 1-8)	43.1%	42.1%	42.8%
High school (grades 9-12)	21.2%	19.7%	23.0%
College or graduate school	23.6%	23.9%	23.3%
Male 3 years and over enrolled in school	79,596	29,250	41,745
Percent enrolled in kindergarten to grade 12	72.3%	70.2%	72.3%
Percent enrolled in college or graduate school	20.0%	18.7%	21.0%
Female 3 years and over enrolled in school	79,517	32,864	40,719
Percent enrolled in kindergarten to grade 12	66.8%	64.5%	68.8%
Percent enrolled in college or graduate school	27.3%	28.6%	25.7%
<b>EDUCATIONAL ATTAINMENT</b>			
Population 25 years and over	462,069	141,386	296,499
Less than high school diploma	13.4%	19.1%	9.8%
High school graduate (includes equivalency)	31.9%	36.6%	30.6%
Some college or associate's degree	31.2%	27.1%	33.7%
Bachelor's degree	14.8%	10.8%	16.2%
Graduate or professional degree	8.7%	6.3%	9.7%
High school graduate or higher	86.6%	80.9%	90.2%
Male, high school graduate or higher	85.4%	77.8%	89.6%
Female, high school graduate or higher	87.7%	83.4%	90.7%
Bachelor's degree or higher	23.5%	17.2%	25.9%
Male, bachelor's degree or higher	22.1%	13.1%	25.4%
Female, bachelor's degree or higher	24.7%	20.4%	26.4%

	All Persons Estimate	Black or African American alone or in combination Estimate	White alone, not Hispanic or Latino Estimate
<b>FERTILITY</b>			
Women 15 to 50 years	157,100	60,943	85,662
Women 15 to 50 years who had a birth in the past 12 months	7,522	3,462	3,528
Unmarried women 15 to 50 years who had a birth in the past 12 months	3,868	2,169	1,399
As a percent of all women with a birth in the past 12 months	51.4%	62.7%	39.7%
<b>RESPONSIBILITY FOR GRANDCHILDREN UNDER 18 YEARS</b>			
Population 30 years and over	414,749	121,328	272,113
Grandparents living with grandchild(ren)	4.0%	5.2%	3.5%
Grandparents responsible for grandchildren as a percentage of living with grandchildren	45.2%	44.0%	48.8%
<b>VETERAN STATUS</b>			
Civilian population 18 years and over	514,033	164,297	322,484
Civilian veteran	10.0%	7.6%	11.4%
<b>DISABILITY STATUS</b>			
Total civilian noninstitutionalized population	651,579	215,780	394,458
With a disability	16.8%	14.7%	18.3%
Civilian noninstitutionalized population under 18 years	151,774	58,709	78,608
With a disability	4.8%	4.4%	5.0%
Civilian noninstitutionalized population 18 to 64 years	382,662	131,685	228,596
With a disability	14.6%	13.8%	15.5%
Civilian noninstitutionalized population 65 years and older	117,143	25,386	87,254
With a disability	39.8%	43.2%	37.8%
<b>RESIDENCE 1 YEAR AGO</b>			
Population 1 year and over	667,536	221,376	403,677
Same house	85.3%	81.8%	87.4%
Different house in the U.S.	14.2%	18.1%	12.1%
Same county	7.4%	10.5%	5.8%
Different county	6.8%	7.6%	6.3%
Same state	3.8%	4.8%	3.3%
Different state	3.0%	2.7%	3.1%
Abroad	0.5%	0.2%	0.5%
<b>PLACE OF BIRTH, CITIZENSHIP STATUS AND YEAR OF ENTRY</b>			
Native	655,335	223,285	403,532
Male	48.3%	46.2%	49.1%
Female	51.7%	53.8%	50.9%
Foreign born	19,585	1,432	3,824
Male	45.3%	68.9%	38.2%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female	54.7%	31.1%	61.8%
Foreign born; naturalized U.S. citizen	8,890	1,117	1,875
Male	41.3%	62.7%	40.4%
Female	58.7%	37.3%	59.6%
Foreign born; not a U.S. citizen	10,695	315	1,949
Male	48.7%	N	36.1%
Female	51.3%	N	63.9%
Population born outside the United States	19,585	1,432	3,824
Entered 2010 or later	35.2%	37.3%	35.5%
Entered 2000 to 2009	26.5%	30.0%	17.2%
Entered before 2000	38.3%	32.7%	47.3%
<b>WORLD REGION OF BIRTH OF FOREIGN BORN</b>			
Foreign-born population excluding population born at sea	19,585	1,432	3,824
Europe	15.3%	N	73.8%
Asia	42.3%	N	16.7%
Africa	5.5%	N	5.0%
Oceania	0.4%	N	1.9%
Latin America	36.2%	N	1.0%
Northern America	0.3%	N	1.6%
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>			
Population 5 years and over	633,653	207,812	386,426
English only	94.9%	98.1%	98.5%
Language other than English	5.1%	1.9%	1.5%
Speak English less than "very well"	1.9%	1.0%	0.3%
<b>EMPLOYMENT STATUS</b>			
Population 16 years and over	539,994	171,922	338,568
In labor force	57.0%	58.7%	55.7%
Civilian labor force	55.3%	57.8%	53.9%
Employed	52.8%	53.8%	52.0%
Unemployed	2.5%	4.0%	1.8%
Unemployment Rate	4.5%	6.9%	3.4%
Armed Forces	1.7%	1.0%	1.8%
Not in labor force	43.0%	41.3%	44.3%
Females 16 years and over	283,990	93,690	174,510
In labor force	52.9%	58.6%	49.9%
Civilian labor force	52.4%	57.9%	49.6%

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Employed	50.0%	53.8%	48.1%
Unemployed	2.4%	4.1%	1.5%
Unemployment Rate	4.6%	7.1%	3.0%
<b>COMMUTING TO WORK</b>			
Workers 16 years and over	287,263	91,071	179,385
Car, truck, or van - drove alone	86.1%	85.9%	86.6%
Car, truck, or van - carpooled	8.0%	9.7%	7.0%
Public transportation (excluding taxicab)	0.4%	0.7%	0.2%
Walked	1.6%	1.3%	1.6%
Other means	0.8%	0.6%	1.0%
Worked from home	3.1%	1.9%	3.6%
Mean travel time to work (minutes)	23.5	21.8	24.3
<b>OCCUPATION</b>			
Civilian employed population 16 years and over	285,238	92,497	176,124
Management, business, science, and arts occupations	33.7%	25.6%	38.3%
Service occupations	17.9%	21.8%	15.0%
Sales and office occupations	21.6%	21.3%	22.0%
Natural resources, construction, and maintenance occupations	8.6%	4.4%	10.5%
Production, transportation, and material moving occupations	18.2%	26.8%	14.1%
Male civilian employed population 16 years and over	143,232	42,063	92,119
Management, business, science, and arts occupations	26.2%	15.8%	30.7%
Service occupations	16.5%	24.0%	12.3%
Sales and office occupations	14.2%	12.5%	15.5%
Natural resources, construction, and maintenance occupations	15.9%	8.4%	19.1%
Production, transportation, and material moving occupations	27.1%	39.3%	22.4%
Female civilian employed population 16 years and over	142,006	50,434	84,005
Management, business, science, and arts occupations	41.3%	33.8%	46.6%
Service occupations	19.2%	20.0%	17.9%
Sales and office occupations	29.0%	28.7%	29.2%
Natural resources, construction, and maintenance occupations	1.2%	1.1%	1.2%
Production, transportation, and material moving occupations	9.3%	16.4%	5.1%
<b>INDUSTRY</b>			
Civilian employed population 16 years and over	285,238	92,497	176,124
Agriculture, forestry, fishing and hunting, and mining	1.9%	0.4%	2.6%
Construction	5.3%	3.2%	6.2%
Manufacturing	13.5%	18.6%	10.8%



		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Wholesale trade	2.6%	2.0%	3.0%
Retail trade	12.0%	12.1%	12.0%
Transportation and warehousing, and utilities	6.5%	6.1%	7.1%
Information	1.1%	0.4%	1.5%
Finance and insurance, and real estate and rental and leasing	4.7%	3.1%	5.8%
Professional, scientific, and management, and administrative and waste managemen	8.5%	7.9%	8.5%
Educational services, and health care and social assistance	22.2%	22.8%	22.6%
Arts, entertainment, and recreation, and accommodation and food services	9.5%	11.8%	7.4%
Other services (except public administration)	4.2%	3.8%	4.6%
Public administration	7.9%	7.9%	7.9%
<b>CLASS OF WORKER</b>			
Civilian employed population 16 years and over	285,238	92,497	176,124
Private wage and salary workers	75.7%	75.4%	75.6%
Government workers	19.5%	22.1%	18.6%
Self-employed workers in own not incorporated business	4.8%	2.5%	5.8%
Unpaid family workers	0.1%	0.0%	0.0%
<b>INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)</b>			
Households	262,180	83,494	166,007
Median household income (dollars)	50,494	36,218	59,493
With earnings	72.3%	75.3%	70.1%
Mean earnings (dollars)	66,311	48,091	76,513
With Social Security income	35.9%	30.4%	39.7%
Mean Social Security income (dollars)	18,828	14,347	20,605
With Supplemental Security Income	7.2%	11.9%	4.9%
Mean Supplemental Security Income (dollars)	8,807	8,046	9,962
With cash public assistance income	1.3%	1.3%	1.4%
Mean cash public assistance income (dollars)	2,594	2,346	2,719
With retirement income	26.3%	17.2%	31.3%
Mean retirement income (dollars)	25,380	19,016	26,826
With Food Stamp/SNAP benefits	13.7%	25.5%	8.0%
Families	168,129	50,307	108,910
Median family income (dollars)	61,524	41,651	73,640
Married-couple family	67.8%	43.1%	79.6%
Median income (dollars)	79,997	65,919	84,789
Male householder, no spouse present, family	6.8%	9.0%	5.5%
Median income (dollars)	37,799	32,469	43,333

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female householder, no husband present, family	25.4%	47.9%	14.9%
Median income (dollars)	31,300	26,662	38,032
Individuals	674,920	224,717	407,356
Per capita income (dollars)	26,790	18,893	31,791
With earnings for full-time, year-round workers:			
Male	124,679	34,238	82,398
Female	99,987	37,133	58,338
Mean earnings (dollars) for full-time, year-round workers:			
Male	55,855	38,279	63,886
Female	42,801	36,054	47,202
Median earnings (dollars) full-time, year-round workers:			
Male	44,736	31,627	50,803
Female	36,424	30,499	40,711
<b>HEALTH INSURANCE COVERAGE</b>			
Civilian noninstitutionalized population	651,579	215,780	394,458
With private health insurance	64.8%	52.3%	72.3%
With public coverage	39.9%	46.2%	37.4%
No health insurance coverage	10.4%	12.4%	8.2%
<b>POVERTY RATES FOR FAMILIES AND PEOPLE FOR WHOM POVERTY STATUS IS DETERMINED</b>			
All families	13.0%	22.2%	8.1%
With related children of the householder under 18 years	23.0%	36.4%	13.8%
With related children of the householder under 5 years only	23.7%	32.4%	15.5%
Married-couple family	5.1%	6.1%	4.1%
With related children of the householder under 18 years	7.8%	9.8%	5.6%
With related children of the householder under 5 years only	13.7%	N	N
Female householder, no spouse present, family	32.5%	36.0%	26.2%
With related children of the householder under 18 years	46.7%	49.6%	40.8%
With related children of the householder under 5 years only	43.3%	40.8%	51.8%
All people	16.4%	24.9%	11.3%
Under 18 years	24.6%	39.9%	12.5%
Related children of the householder under 18 years	24.3%	39.8%	12.1%
Related children of the householder under 5 years	26.2%	40.6%	14.0%
Related children of the householder 5 to 17 years	23.6%	39.4%	11.4%
18 years and over	14.0%	19.5%	11.0%
18 to 64 years	15.6%	20.1%	12.7%
65 years and over	8.8%	16.7%	6.6%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
People in families	14.2%	24.2%	8.1%
Unrelated individuals 15 years and over	25.9%	27.5%	25.3%
<b>HOUSING TENURE</b>			
Occupied housing units	262,180	83,494	166,007
Owner-occupied housing units	65.6%	45.5%	76.6%
Renter-occupied housing units	34.4%	54.5%	23.4%
Average household size of owner-occupied unit	2.52	2.62	2.48
Average household size of renter-occupied unit	2.45	2.43	2.38
<b>UNITS IN STRUCTURE</b>			
Occupied housing units	262,180	83,494	166,007
1-unit, detached or attached	70.5%	59.1%	76.9%
2 to 4 units	4.7%	7.7%	3.0%
5 or more units	9.5%	18.8%	4.4%
Mobile home, boat, RV, van, etc.	15.3%	14.4%	15.8%
<b>YEAR STRUCTURE BUILT</b>			
Occupied housing units	262,180	83,494	166,007
Built 2014 or later	4.3%	2.5%	5.0%
Built 2010 to 2013	3.6%	4.2%	3.4%
Built 2000 to 2009	14.7%	10.8%	16.4%
Built 1980 to 1999	35.3%	36.6%	34.0%
Built 1960 to 1979	27.5%	31.4%	26.0%
Built 1940 to 1959	11.0%	11.8%	11.0%
Built 1939 or earlier	3.6%	2.6%	4.2%
<b>VEHICLES AVAILABLE</b>			
Occupied housing units	262,180	83,494	166,007
None	6.3%	10.5%	4.4%
1 or more	93.7%	89.5%	95.6%
<b>HOUSE HEATING FUEL</b>			
Occupied housing units	262,180	83,494	166,007
Gas	25.0%	26.6%	24.4%
Electricity	74.0%	72.8%	74.3%
All other fuels	0.6%	0.3%	0.9%
No fuel used	0.4%	0.3%	0.5%
<b>SELECTED CHARACTERISTICS</b>			
Occupied housing units	262,180	83,494	166,007
No telephone service available	1.0%	1.5%	0.8%

	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
1.01 or more occupants per room	1.2%	1.8%	0.6%
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Housing units with a mortgage (excluding units where SMOC cannot be computed)	90,711	21,347	65,907
Less than 30 percent	78.9%	69.6%	82.4%
30 percent or more	21.1%	30.4%	17.6%
<b>OWNER CHARACTERISTICS</b>			
Owner-occupied housing units	171,869	38,008	127,238
Median value (dollars)	135,500	96,300	151,000
Median selected monthly owner costs with a mortgage (dollars)	1,092	1,036	1,110
Median selected monthly owner costs without a mortgage (dollars)	347	343	347
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Occupied units paying rent (excluding units where GRAPL cannot be computed)	79,064	41,269	32,593
Less than 30 percent	56.7%	52.9%	60.0%
30 percent or more	43.3%	47.1%	40.0%
<b>GROSS RENT</b>			
Occupied units paying rent	80,966	42,199	33,163
Median gross rent (dollars)	815	795	836
<b>COMPUTERS AND INTERNET USE</b>			
Total households	262,180	83,494	166,007
With a computer	89.3%	85.9%	90.6%
With a broadband Internet subscription	81.7%	76.3%	84.0%

###

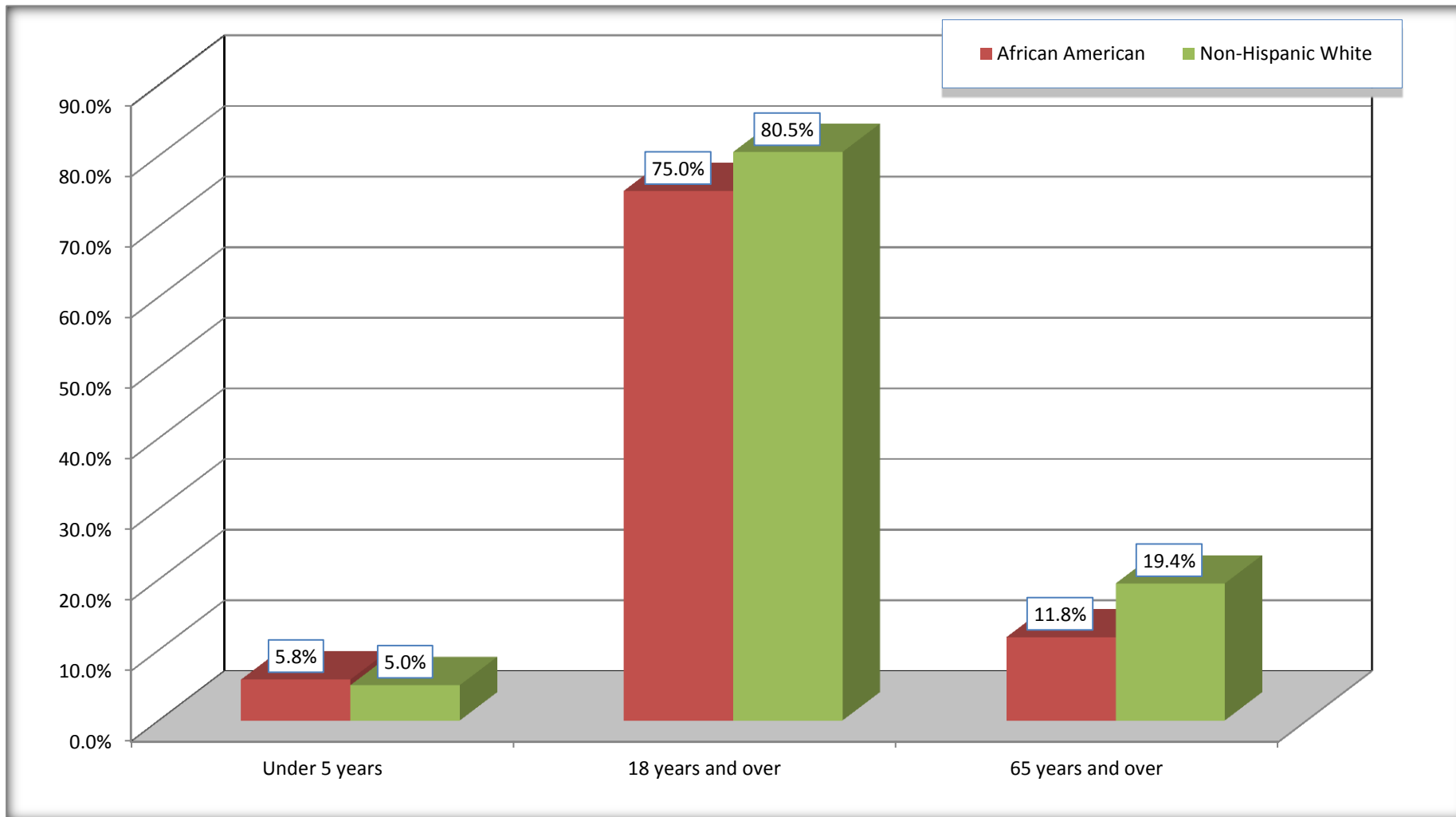
## **Selected Socio-Economic Data**

### **Congressional District 3 (116th Congress), Alabama**

**Any Part African American vis-à-vis NH White**

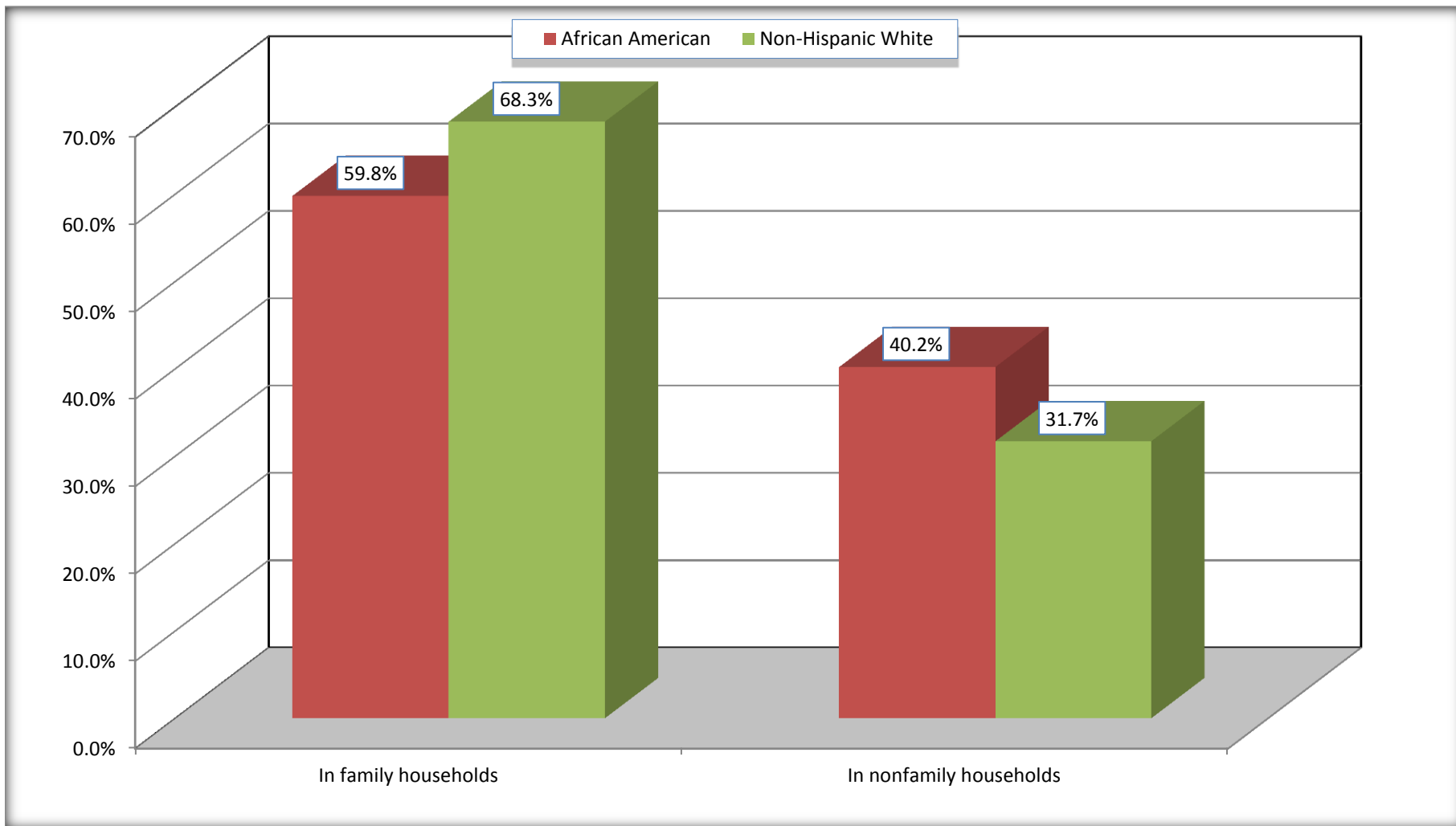
**Data Set: 2019 American Community Survey 1-Year Estimates**

**Population by Age**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

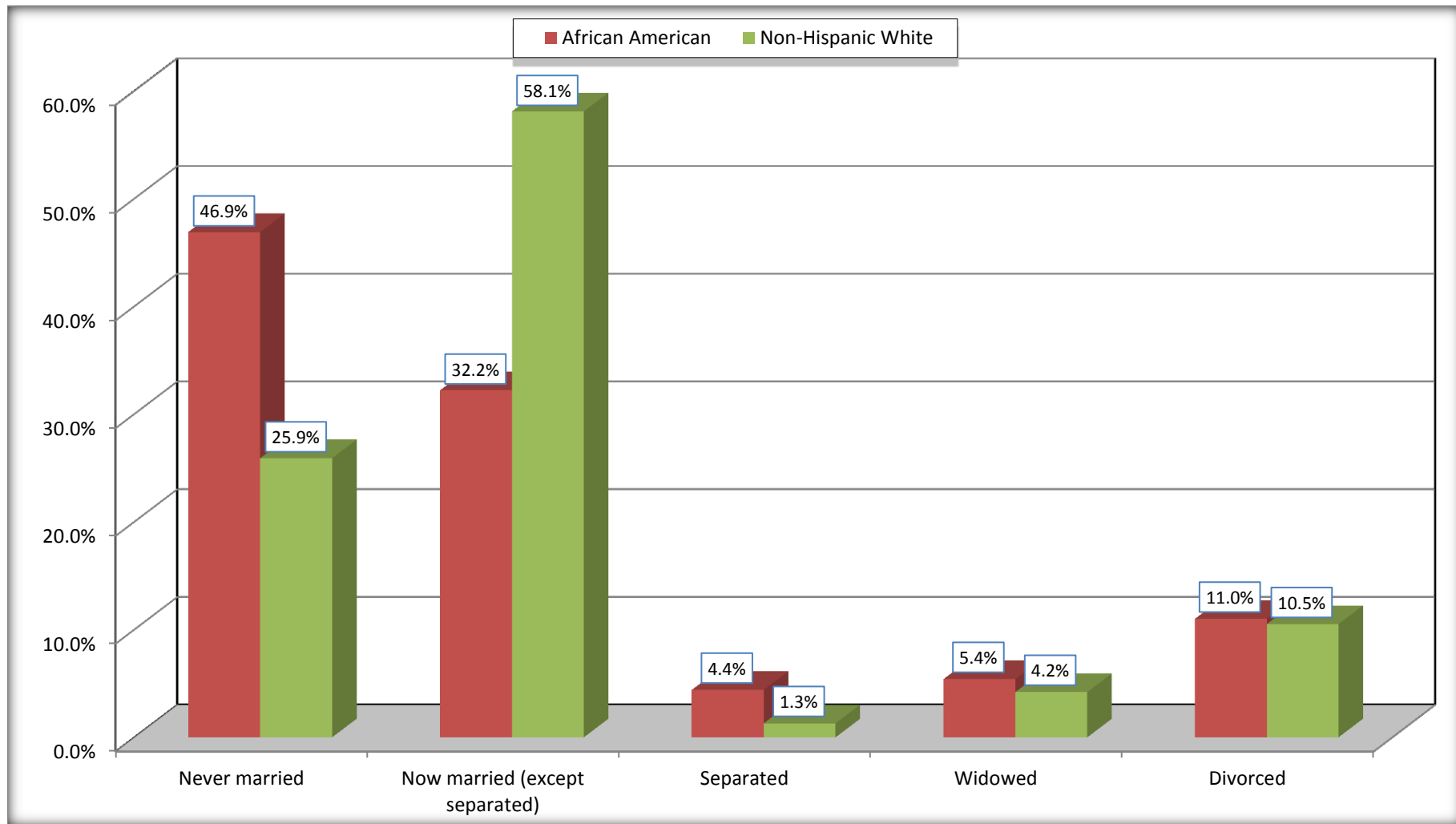
### Household Type for Population in Households Congressional District 3 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

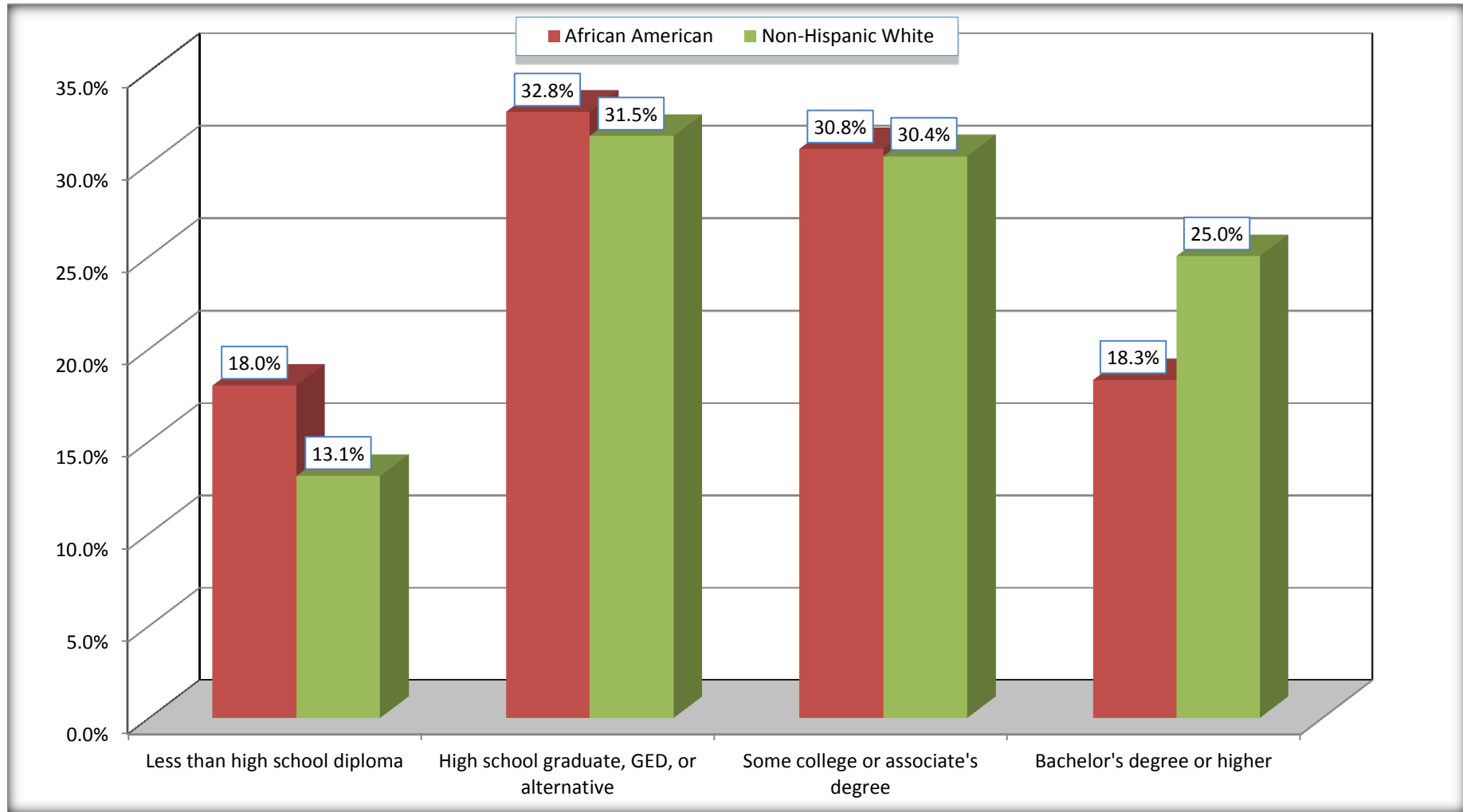


## Marital Status for the Population 15 Years and Over Congressional District 3 (116th Congress), Alabama



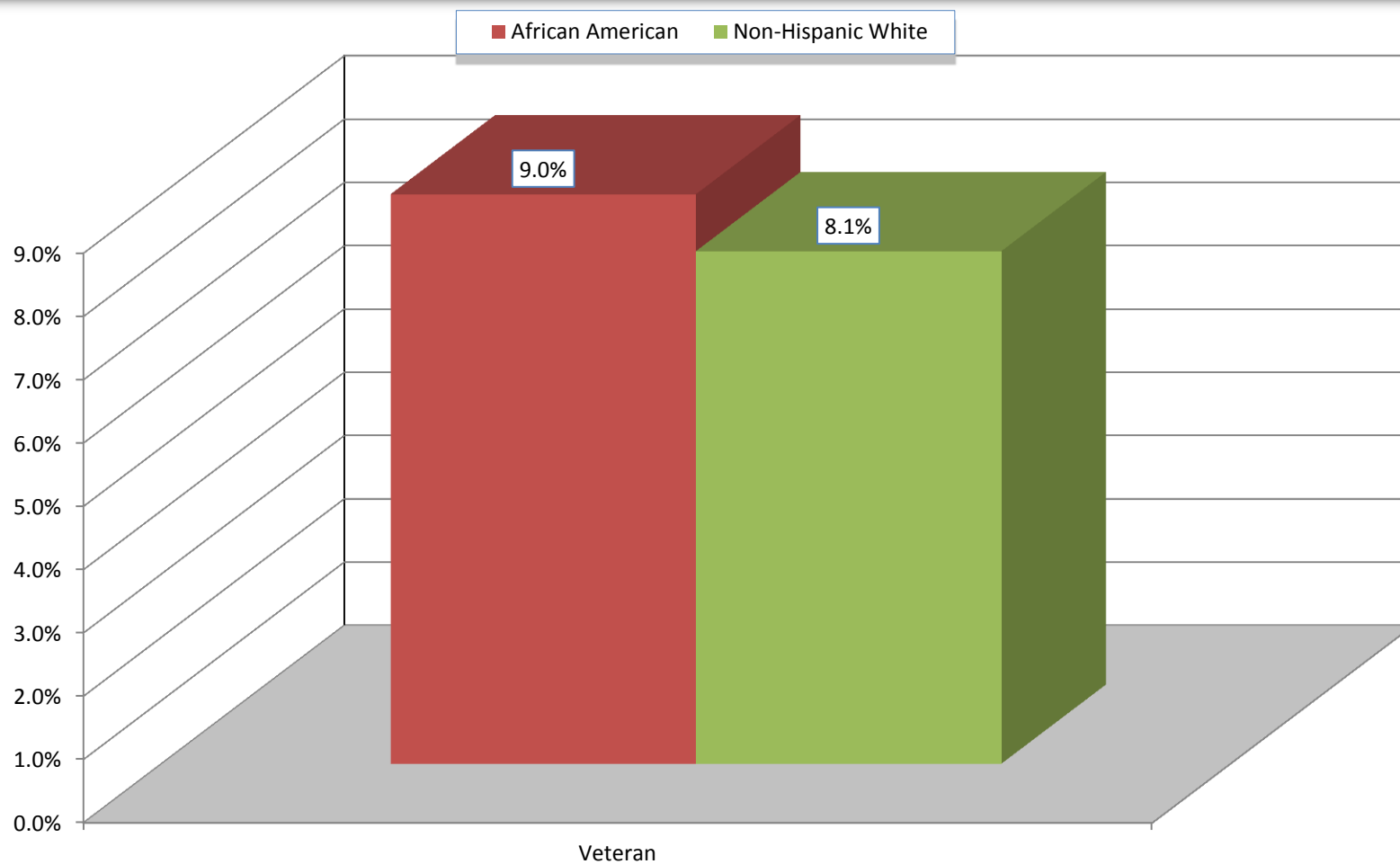
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Educational Attainment for the Population 25 Years and Older**  
**Congressional District 3 (116th Congress), Alabama**



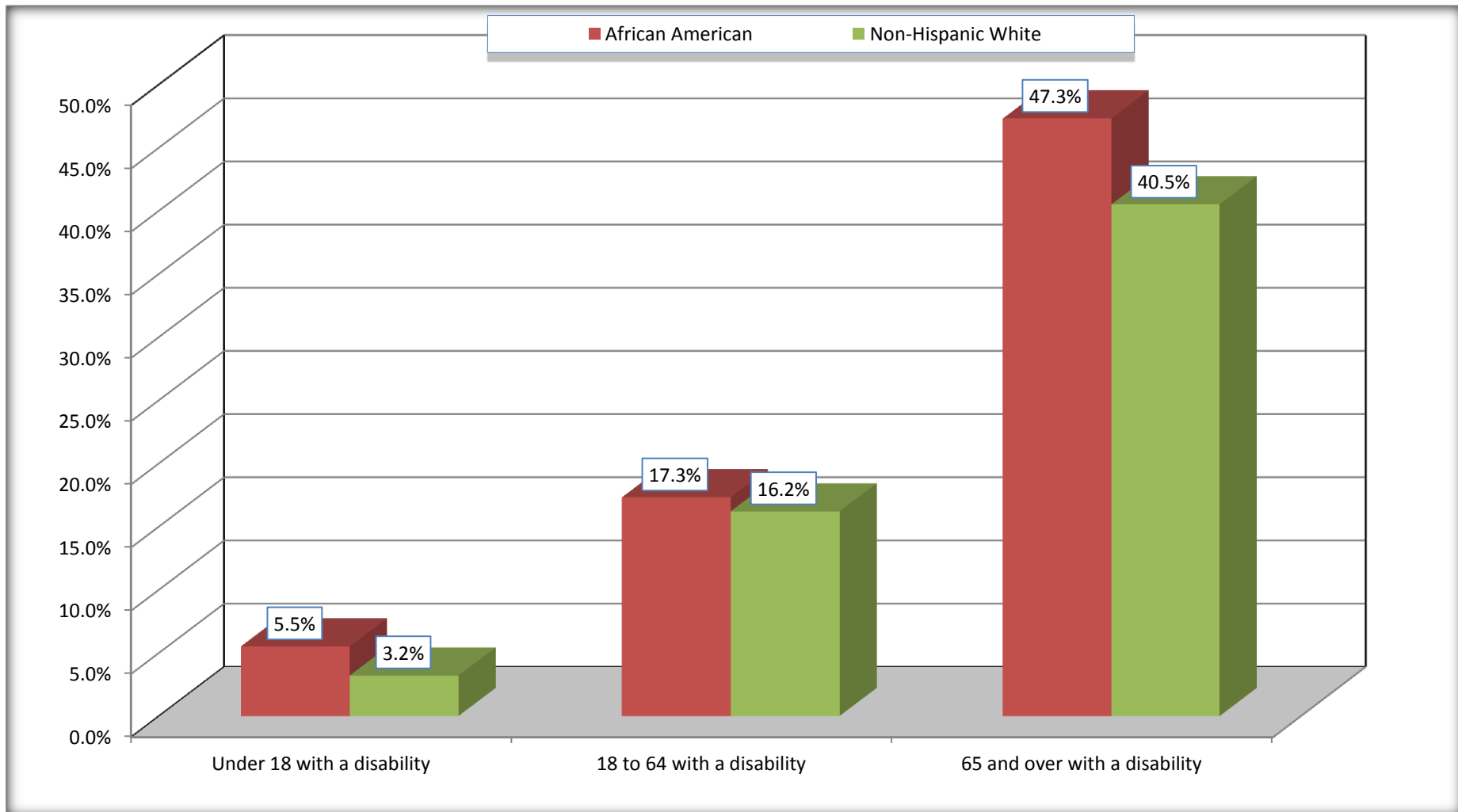
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Veterans in the Civilian Population 18 Years and Over**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

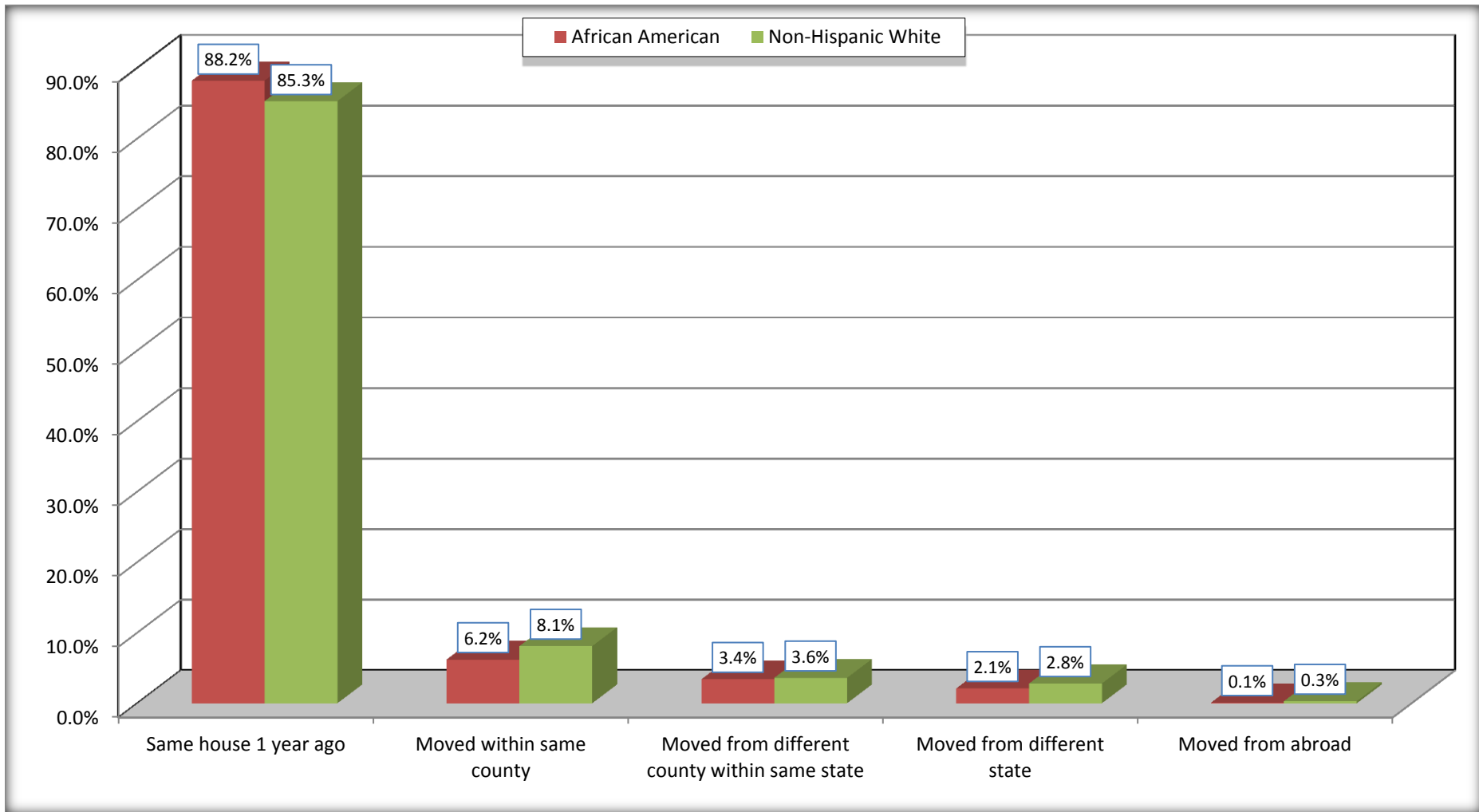
**Disability by Age -- Civilian Noninstitutionalized Population**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Geographical Mobility in the Past Year (Population 1 Year and Over)

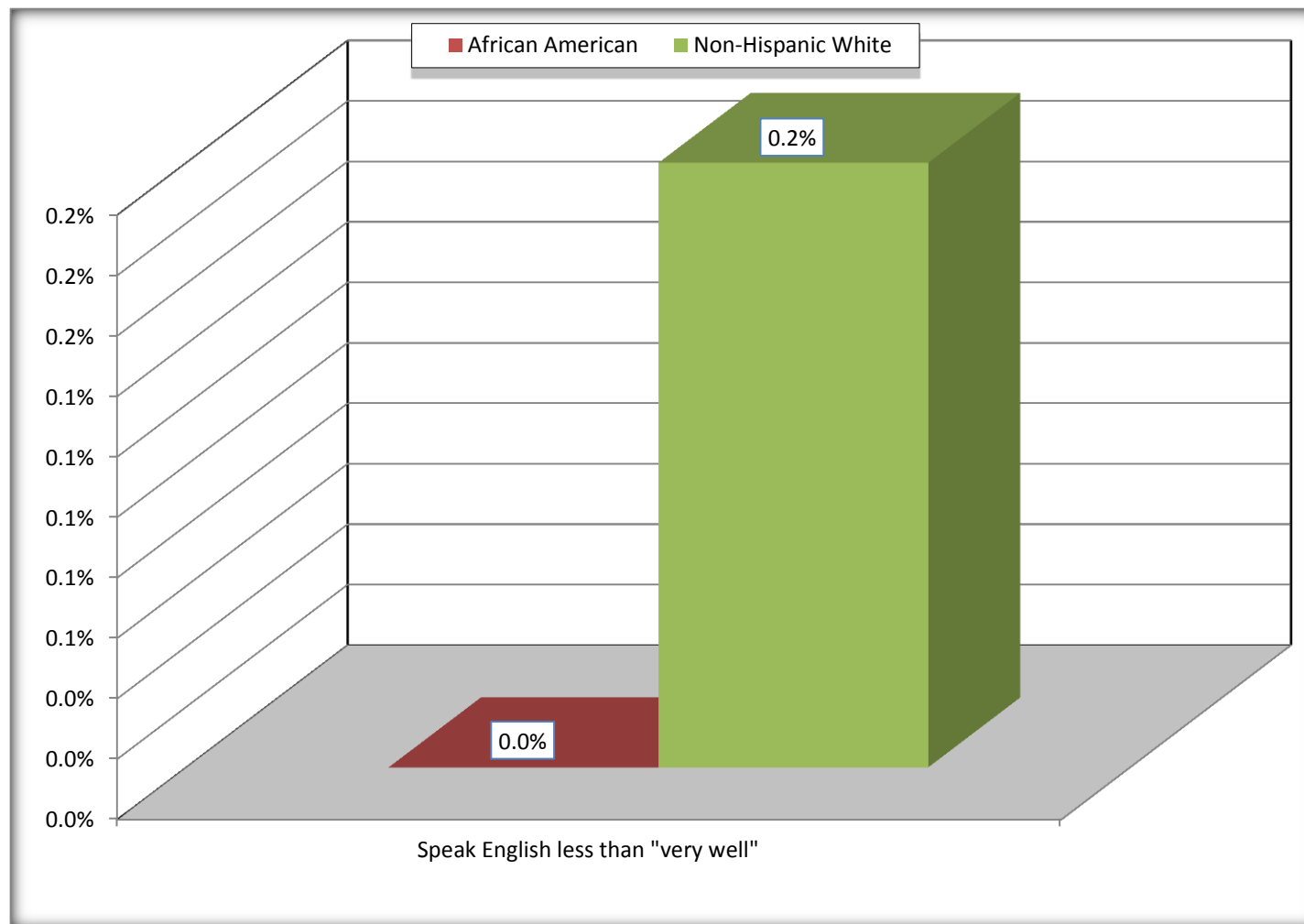
### Congressional District 3 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

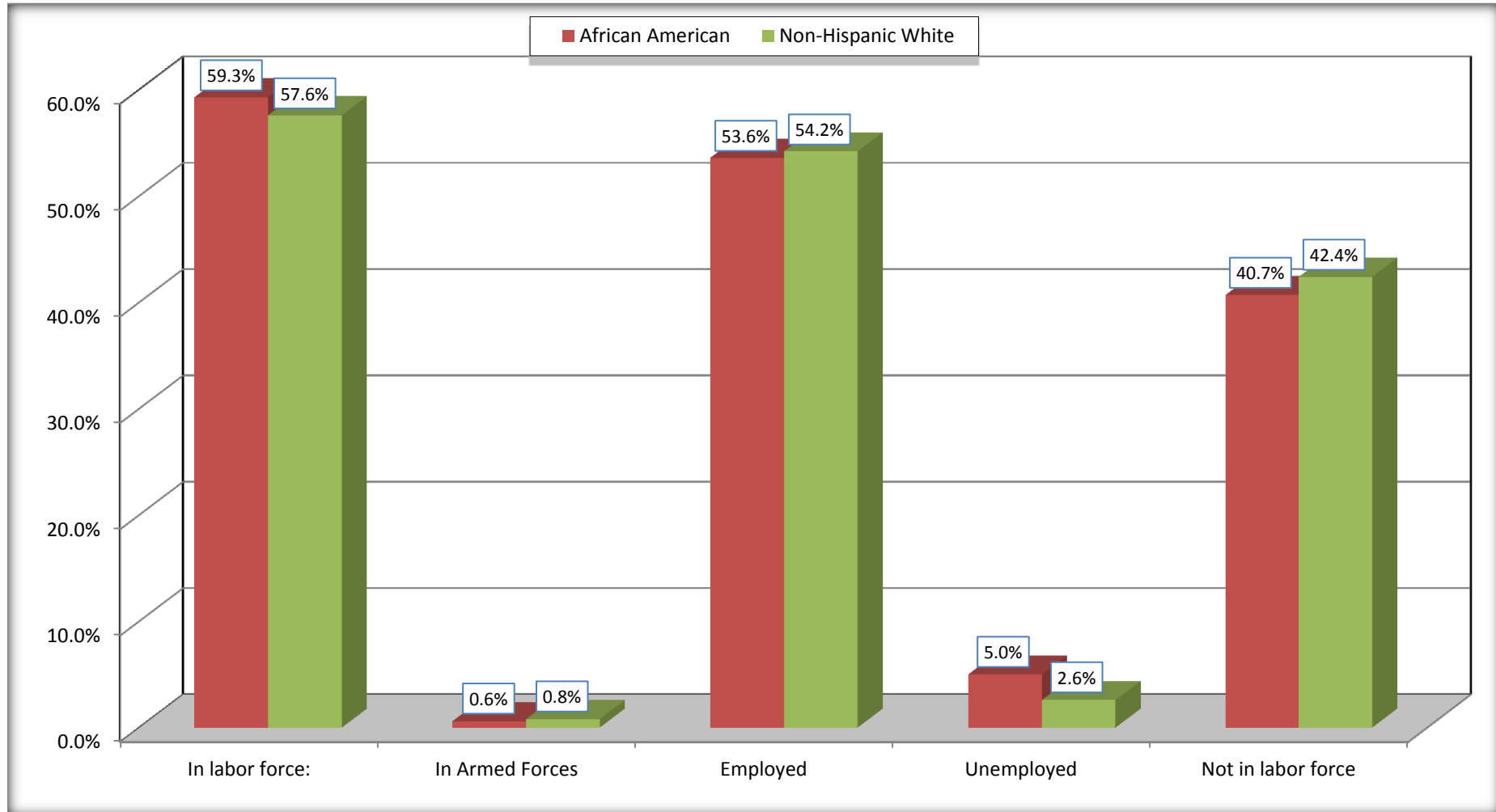
## Speak English Less than "Very Well" (Population 5 Years and Over)

### Congressional District 3 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

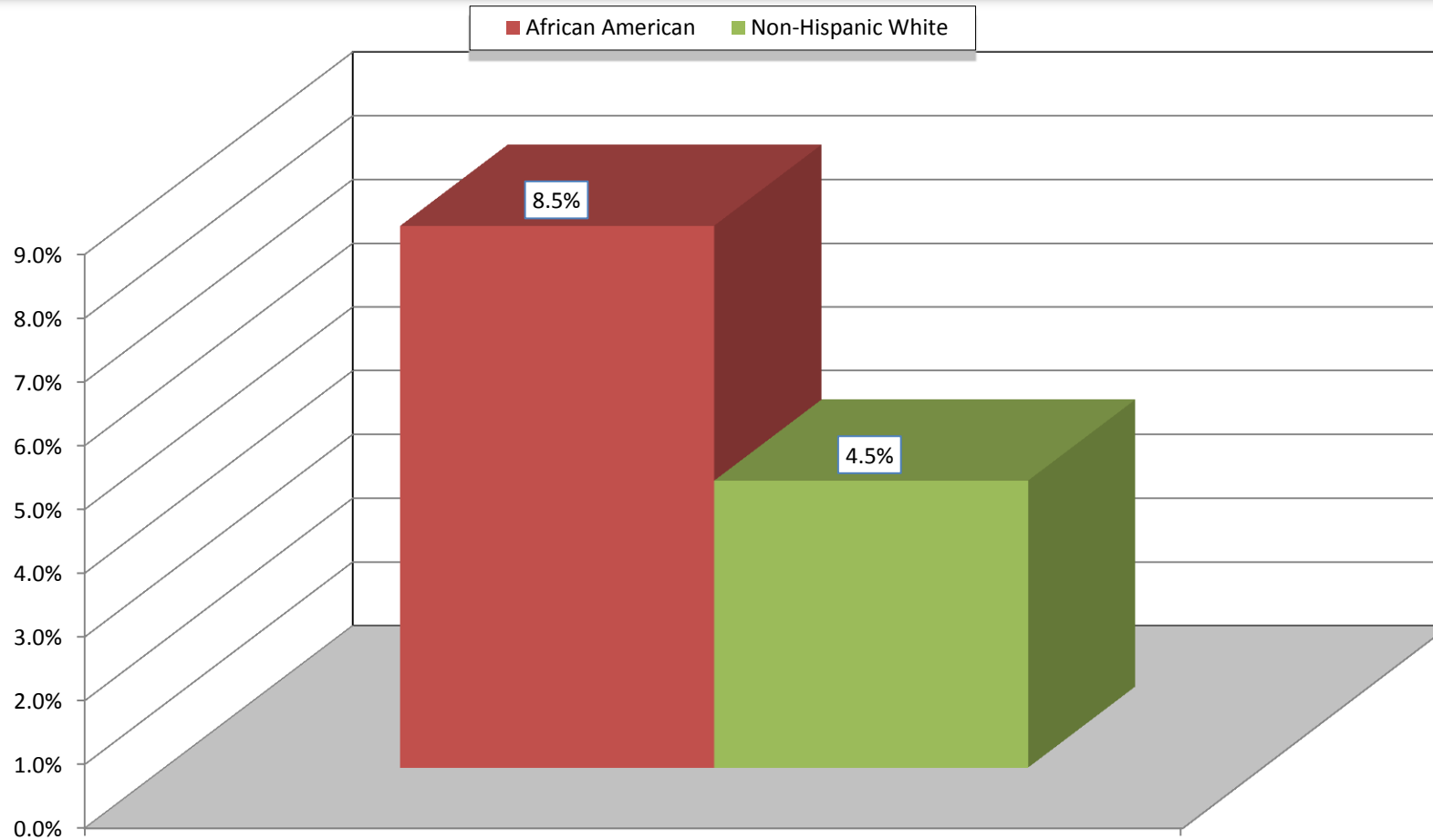
**Employment Status for the Population 16 years and over**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



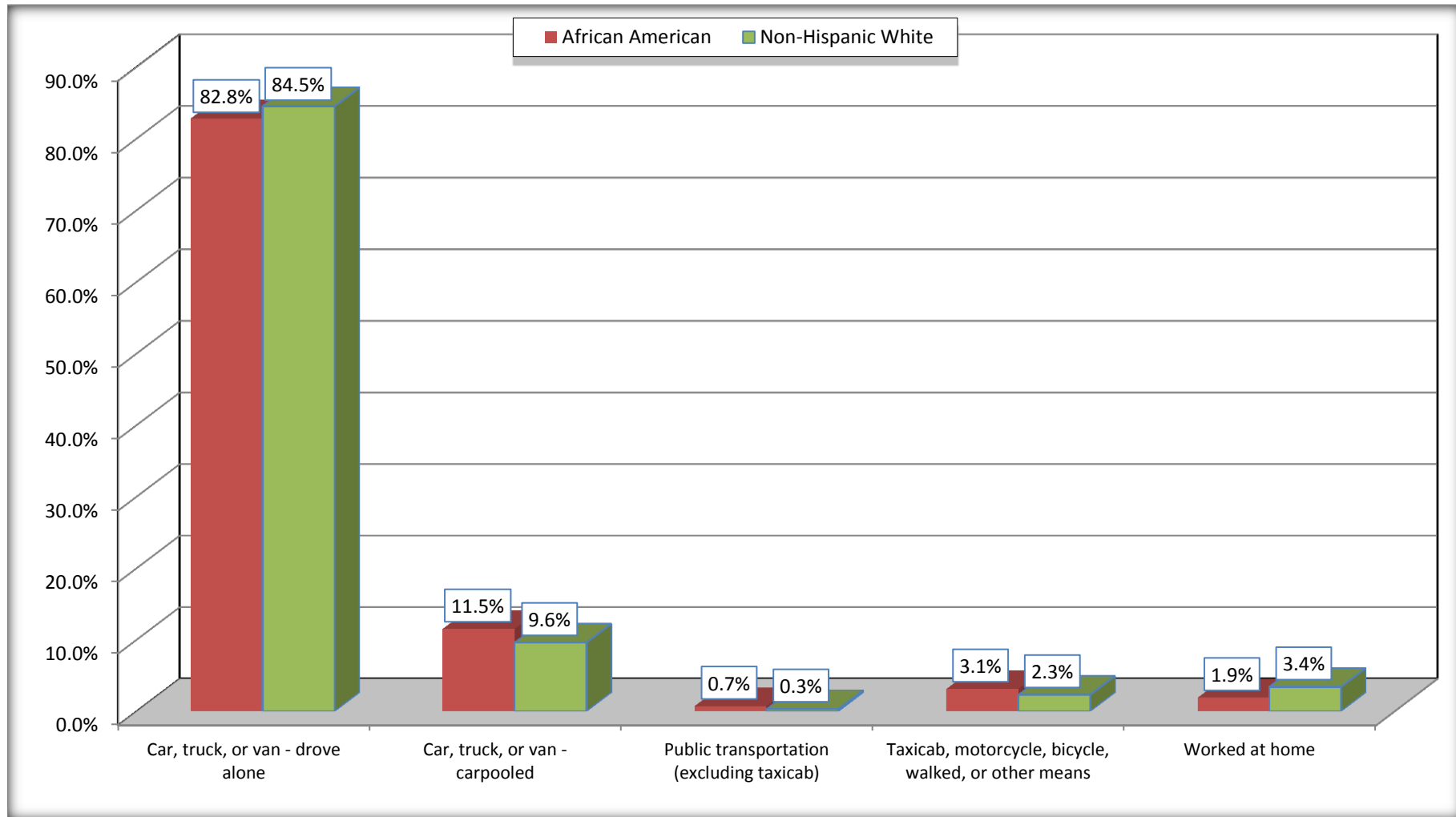
**Unemployment (Civilian Labor Force -- Ages 16 and Over)**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

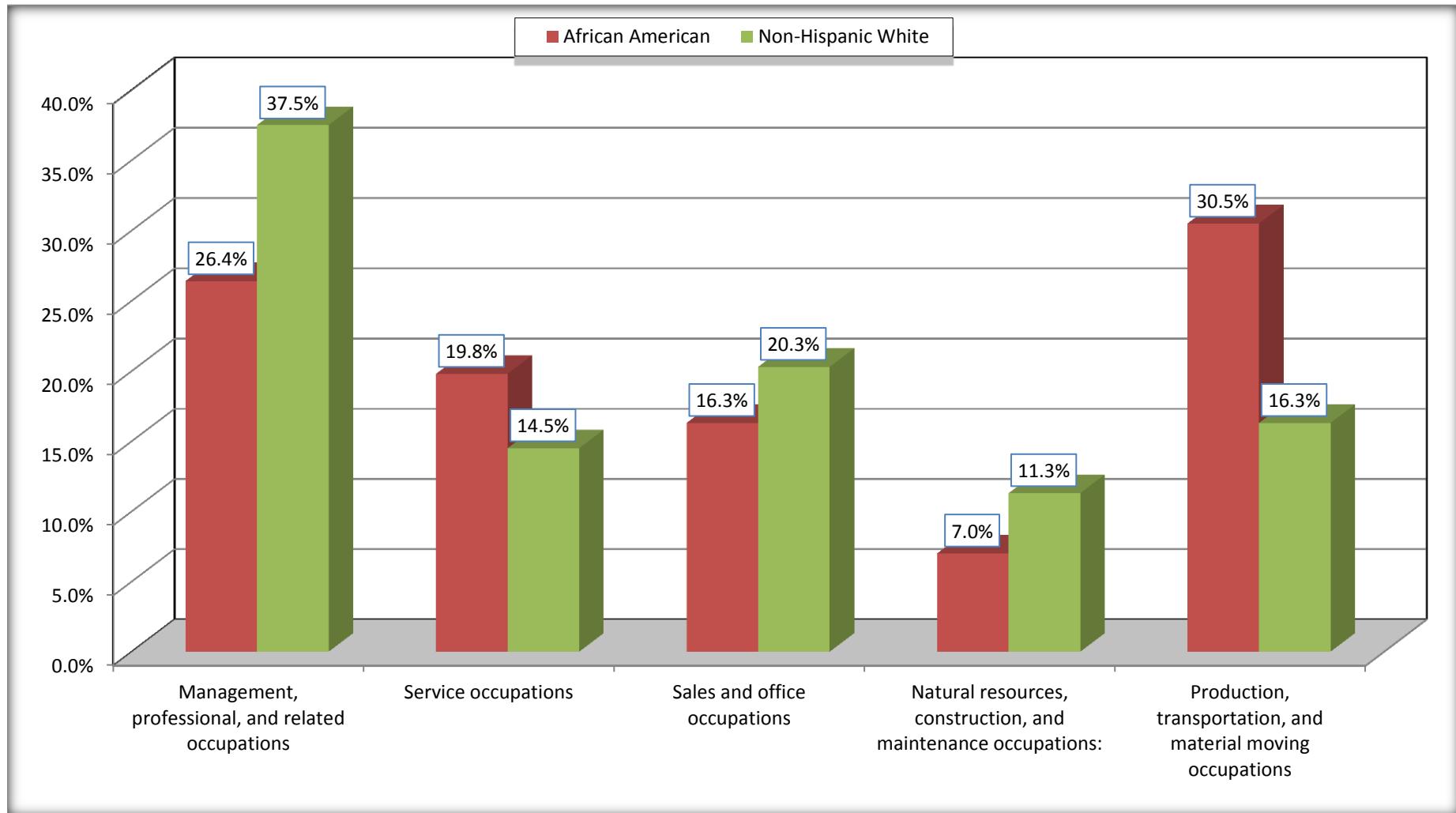
## Means of Transportation to Work (Workers 16 Years and Over)

### Congressional District 3 (116th Congress), Alabama



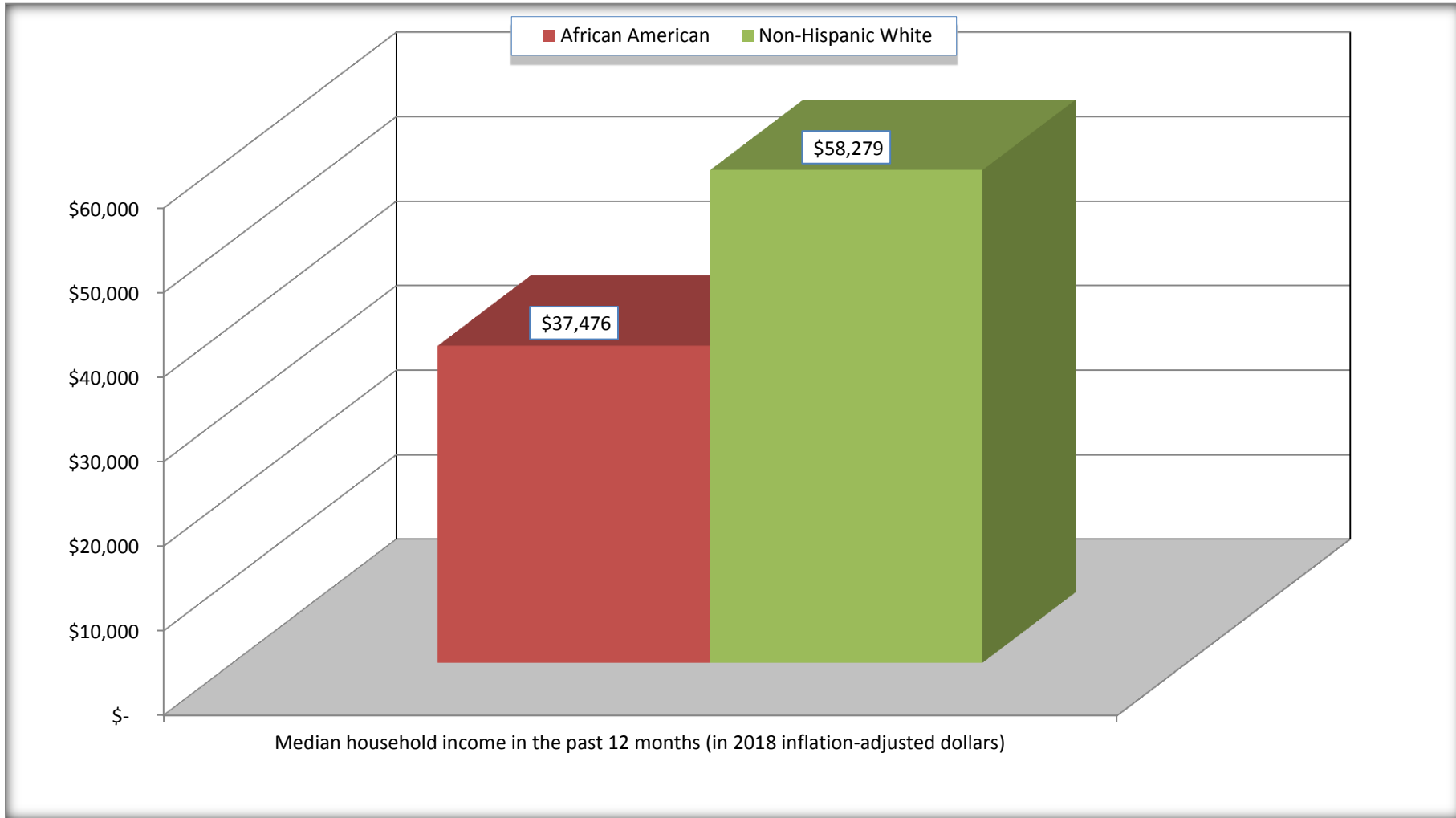
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Occupation for the Civilian Employed 16 Years and Over Population Congressional District 3 (116th Congress), Alabama



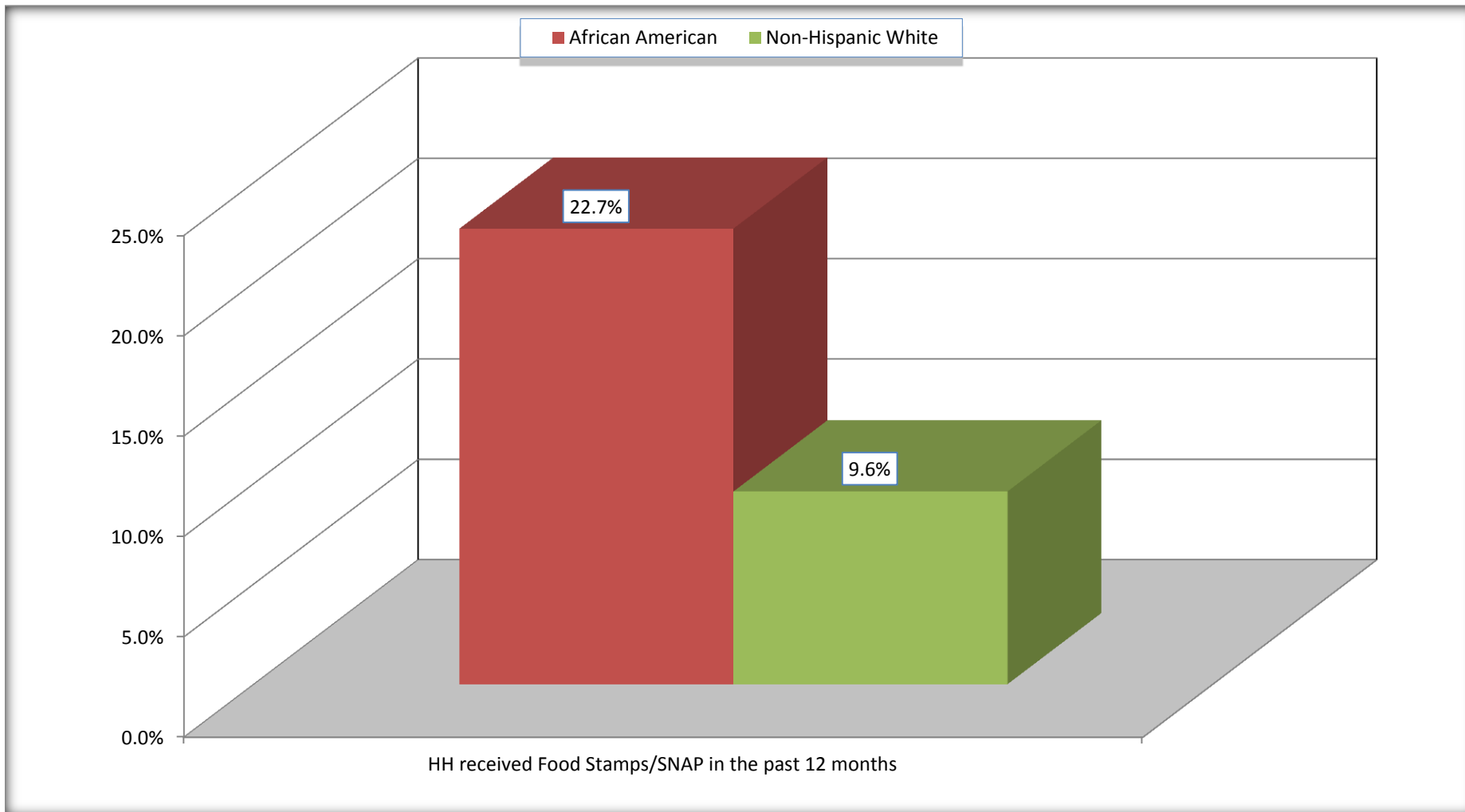
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Household Income in the Past 12 Months**  
**Congressional District 3 (116th Congress), Alabama**



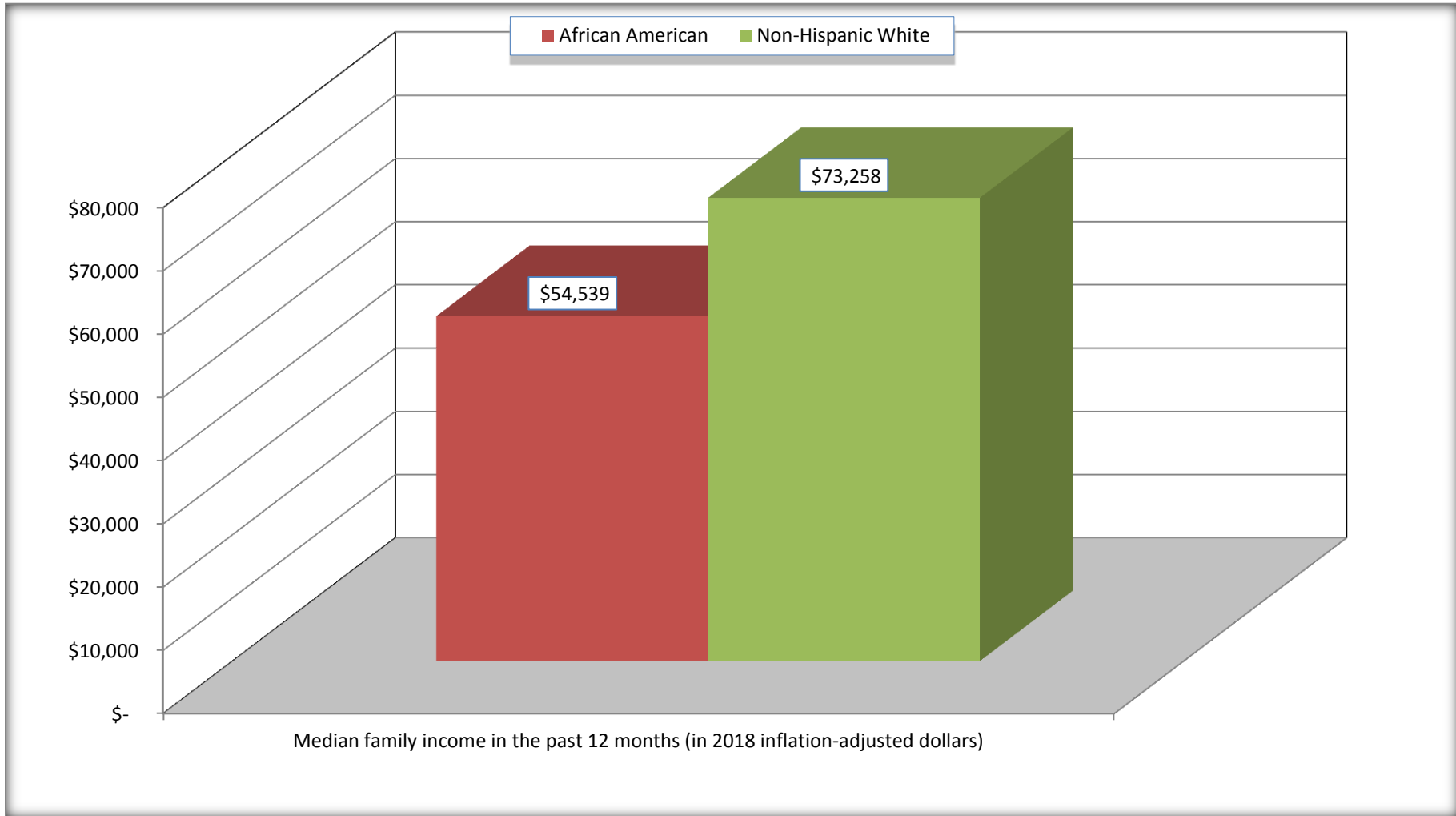
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Receipt of Food Stamps/SNAP in the Past 12 Months by Household**  
**Congressional District 3 (116th Congress), Alabama**



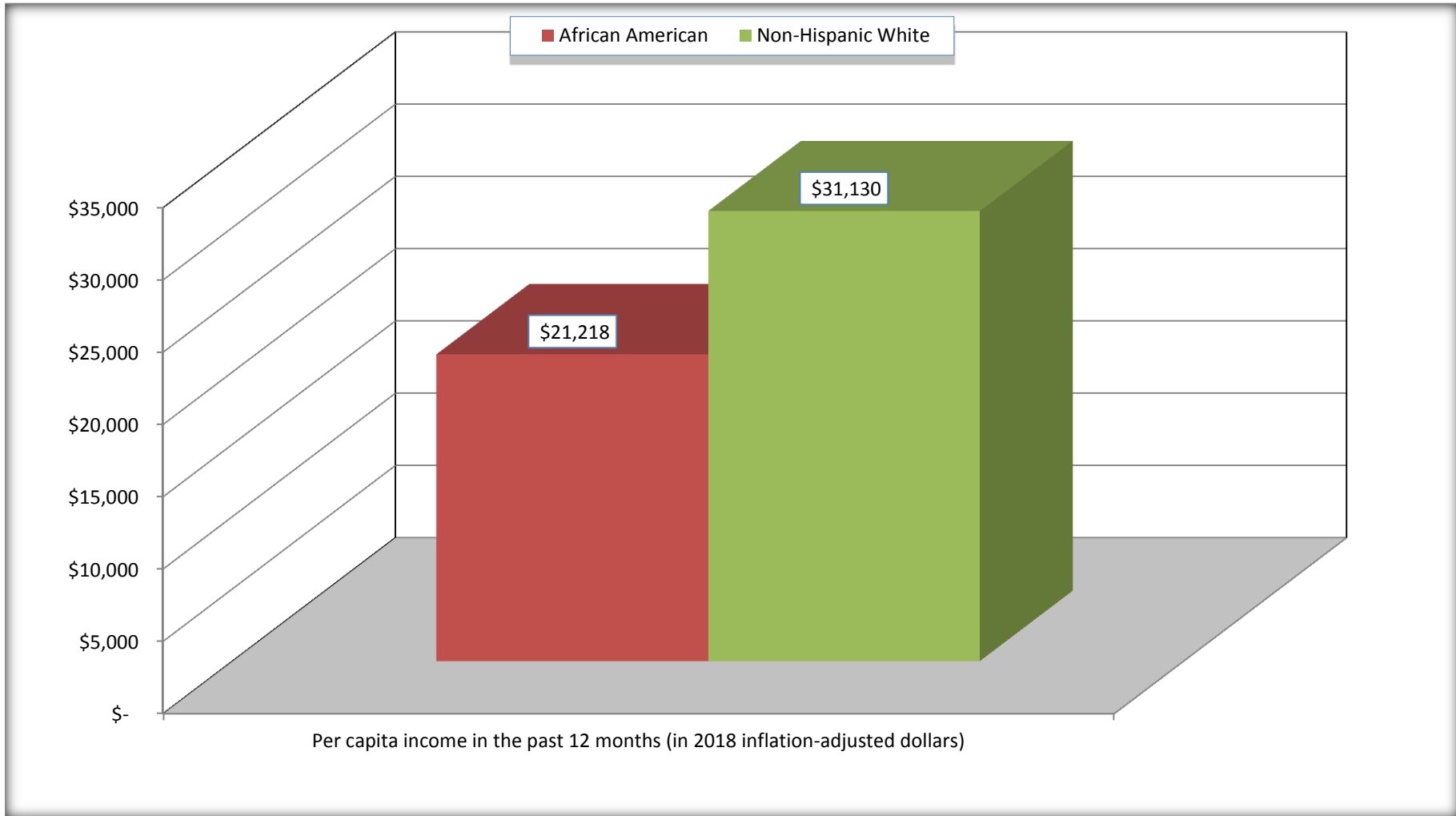
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

### Median Family Income in the Past 12 Months Congressional District 3 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Per capita Income in the Past 12 Months**  
**Congressional District 3 (116th Congress), Alabama**

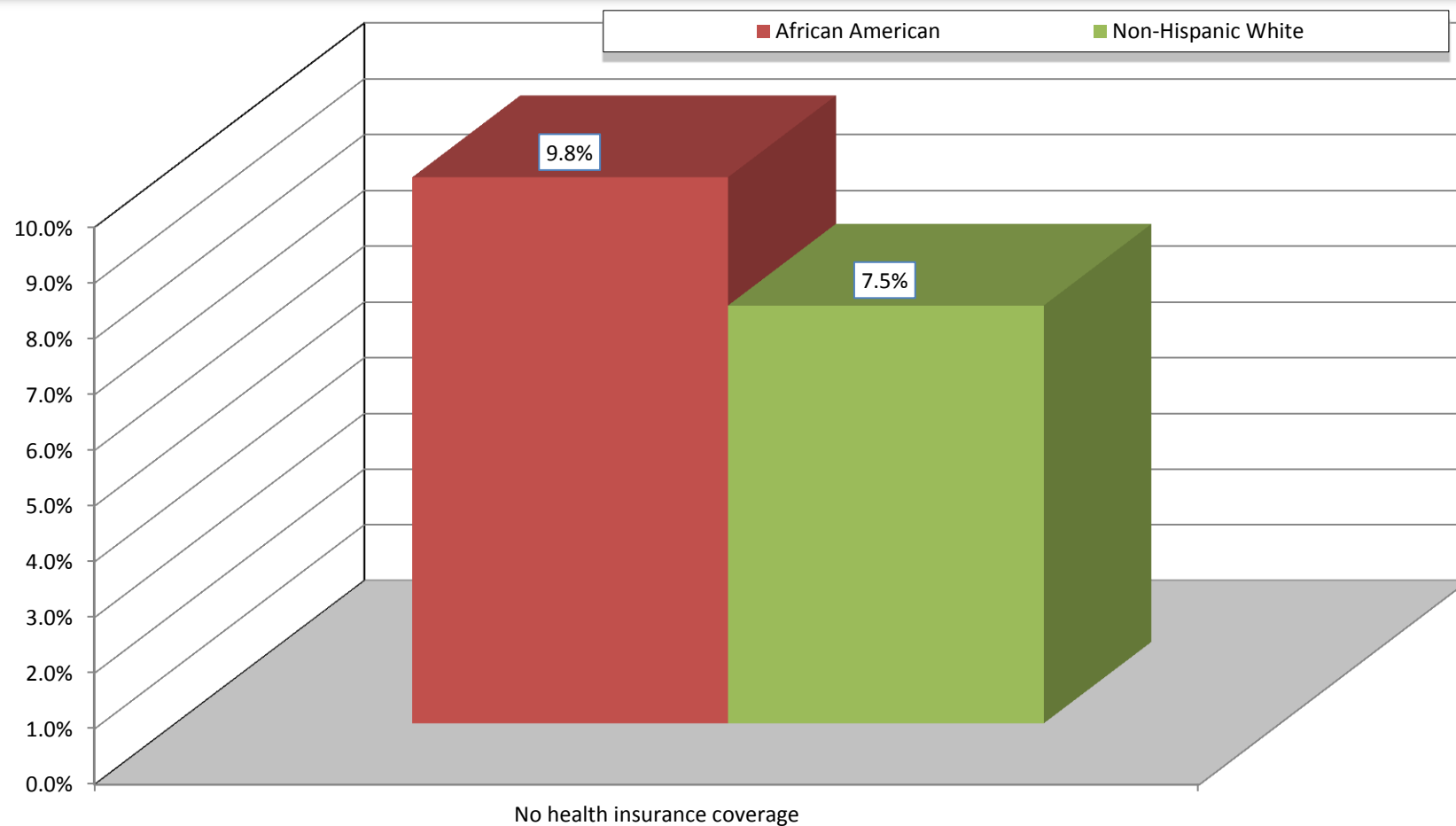


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



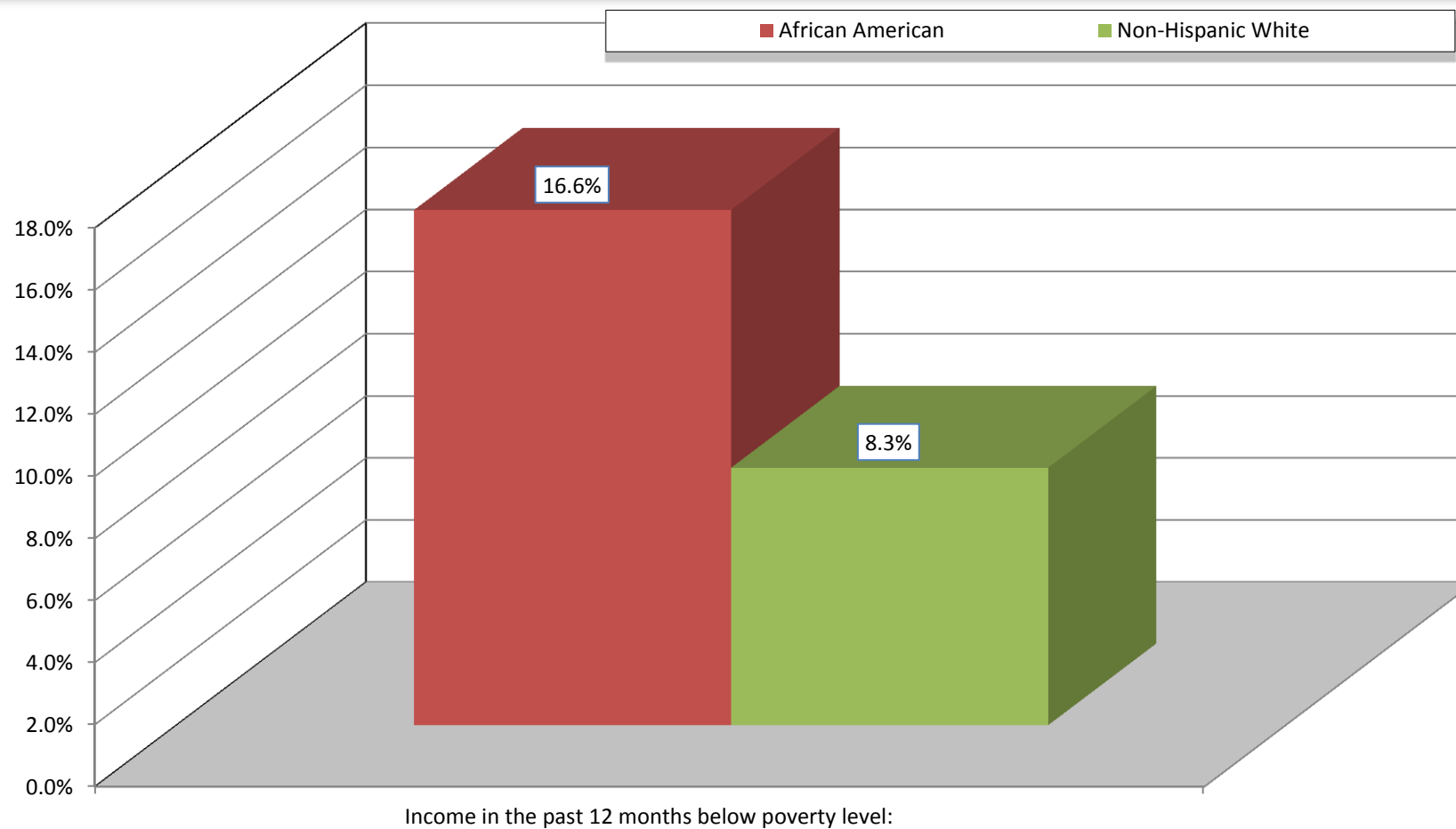
## Lack of Health Insurance Coverage -- Civilian Noninstitutionalized Population

### Congressional District 3 (116th Congress), Alabama



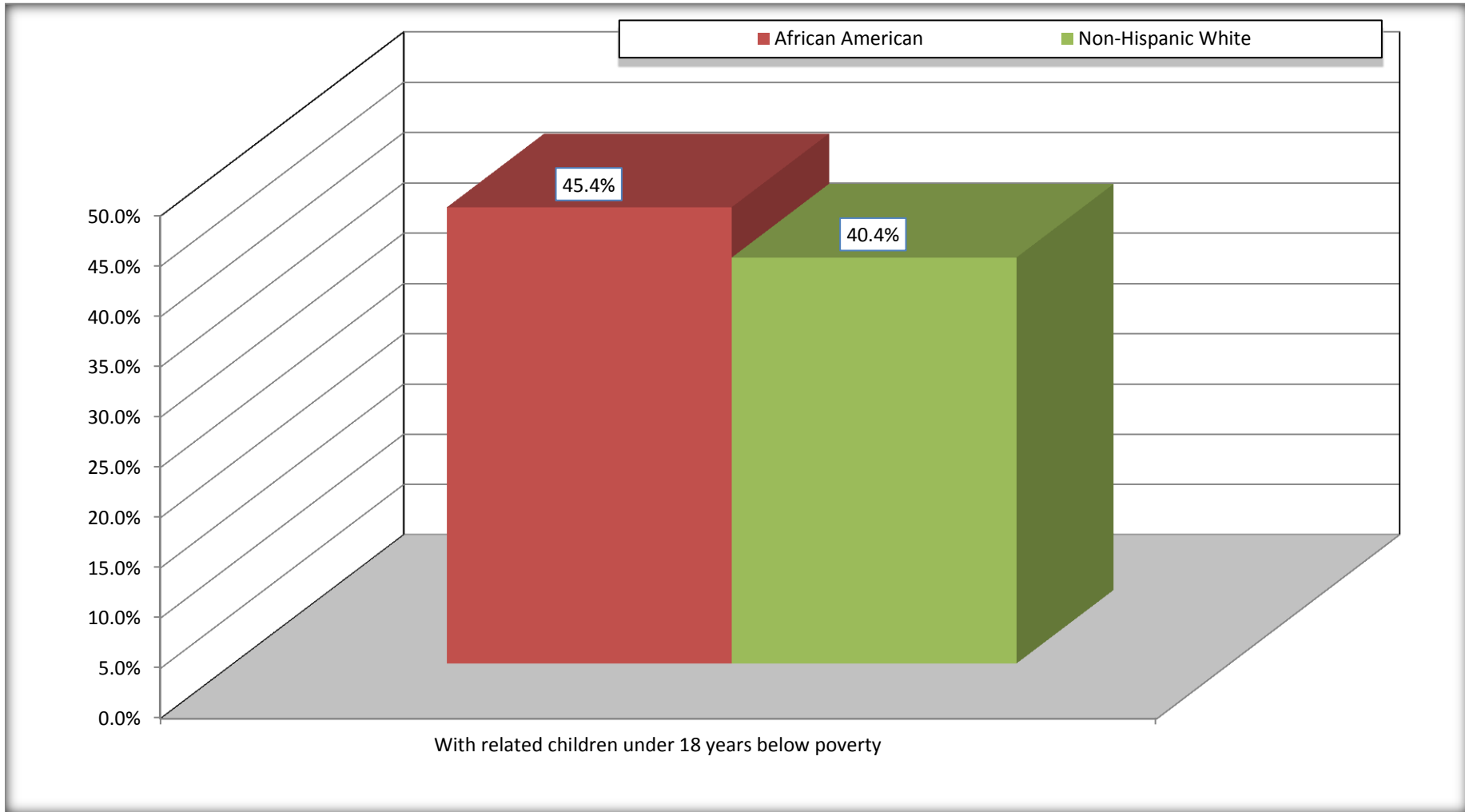
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Family Households Below Poverty in the Past 12 Months**  
**Congressional District 3 (116th Congress), Alabama**



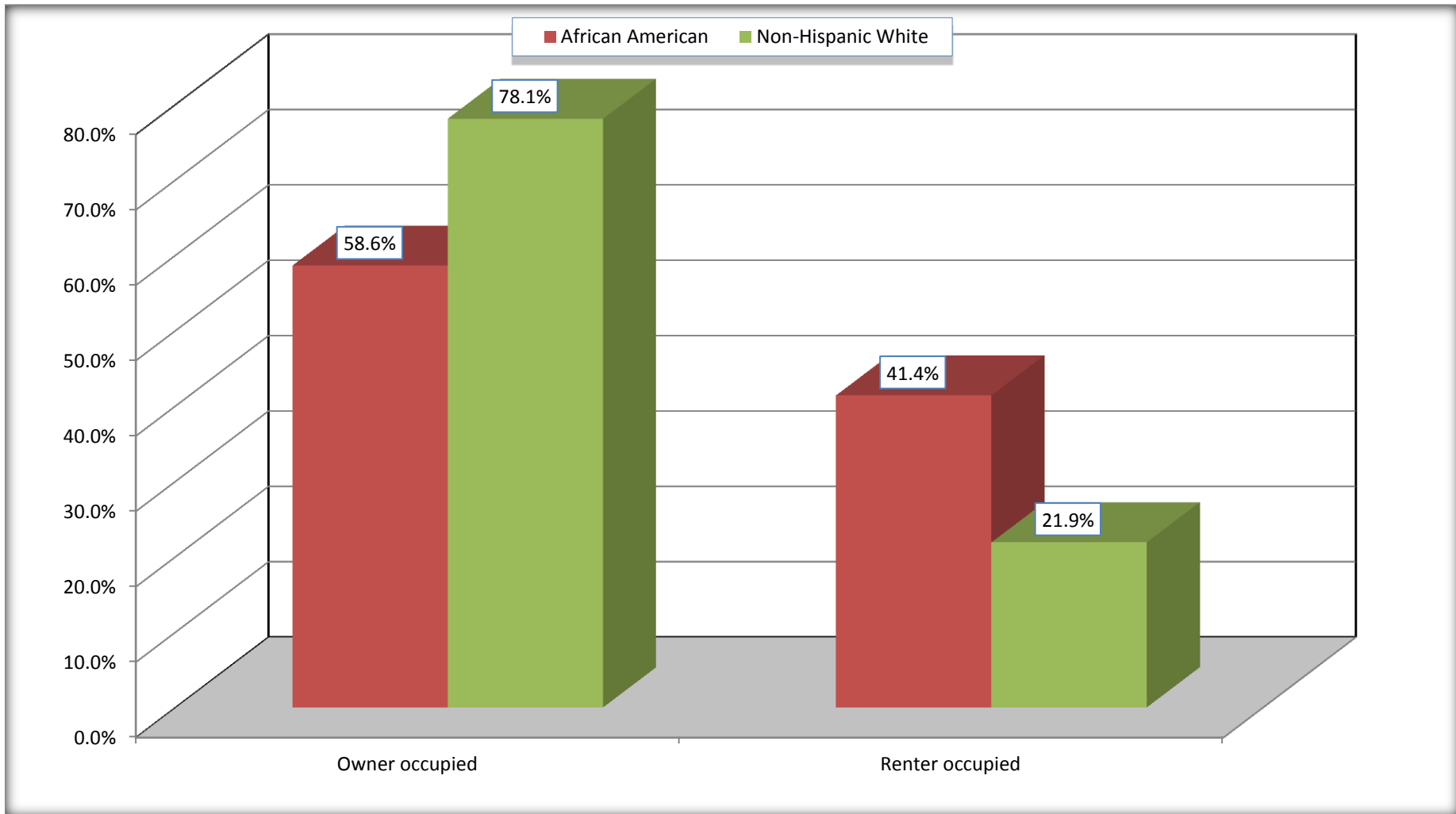
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Female-headed Households with Related Children Below Poverty in the Past 12 Months**  
**Congressional District 3 (116th Congress), Alabama**



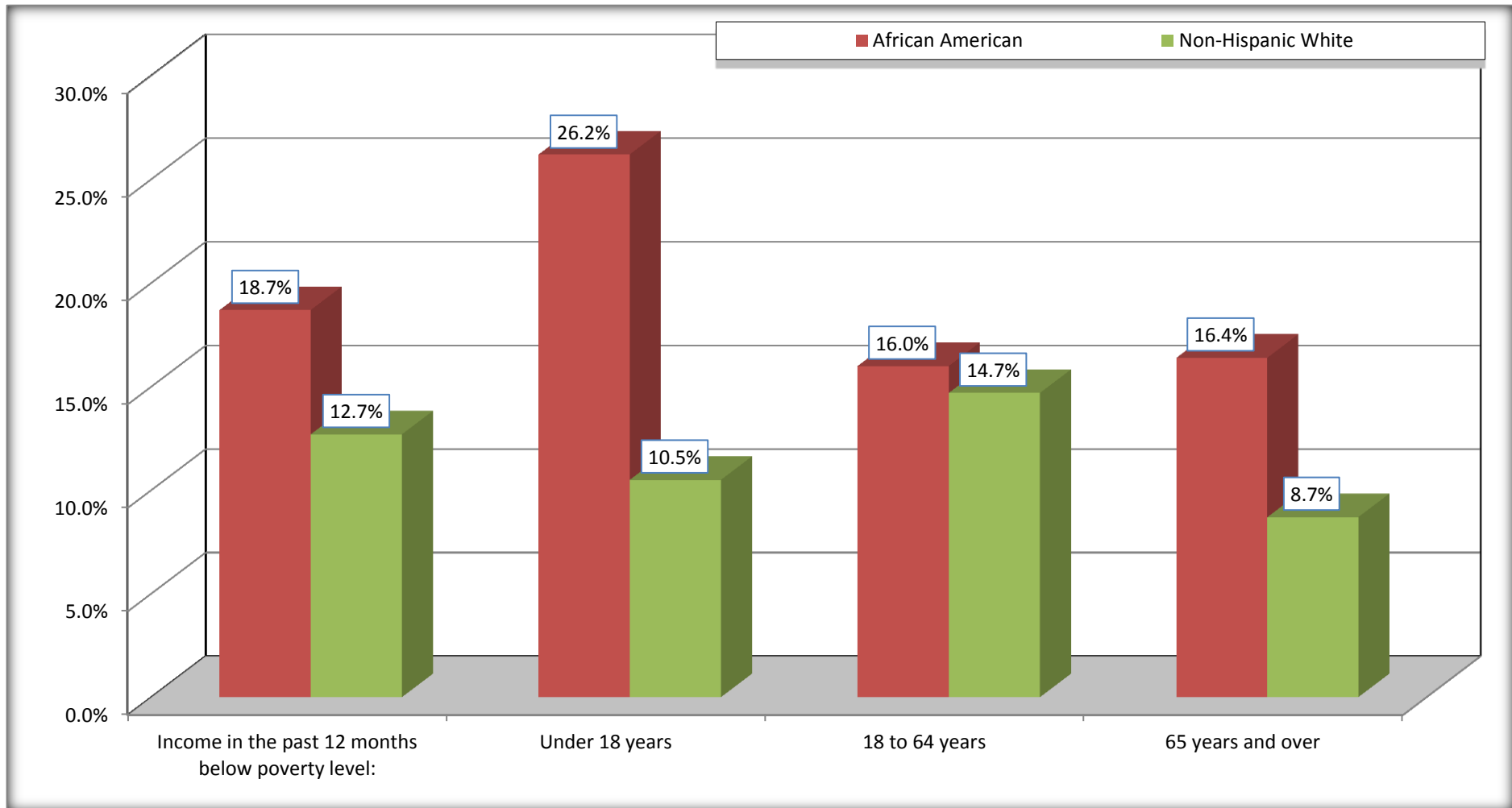
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Home Owners and Renters by Household Congressional District 3 (116th Congress), Alabama



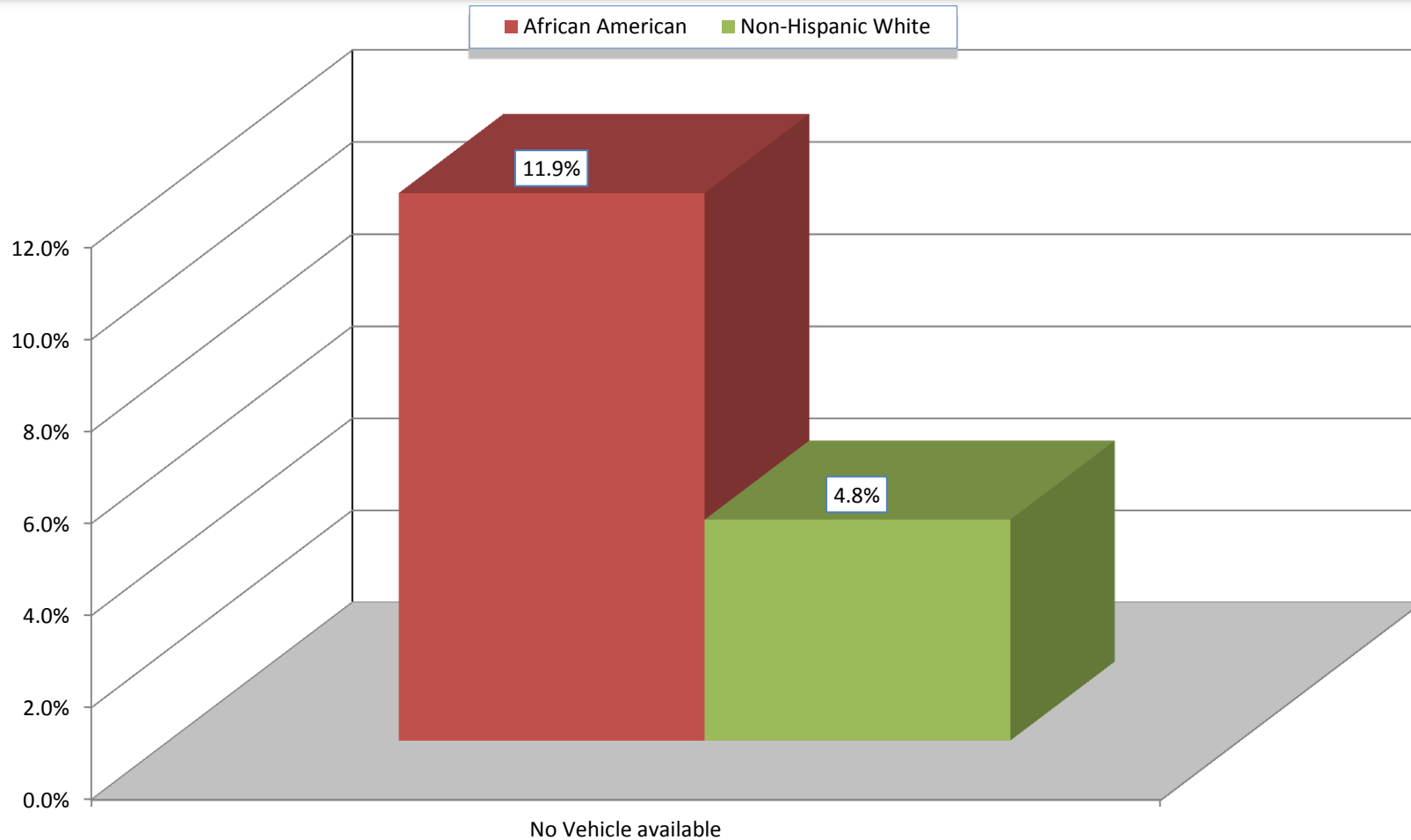
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Population Below Poverty in the Past 12 Months**  
**Congressional District 3 (116th Congress), Alabama**



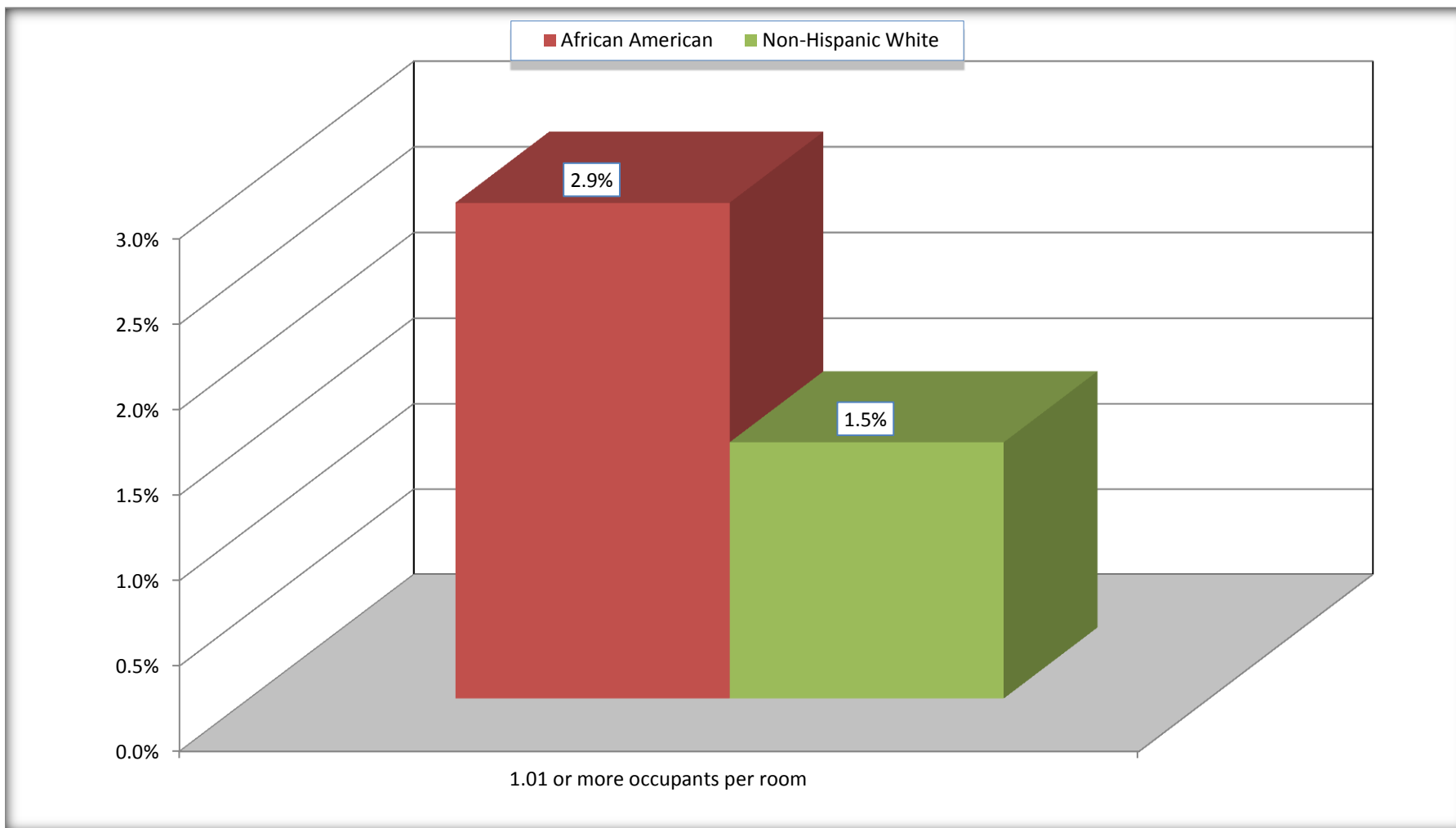
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**No Vehicles Available by Household**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

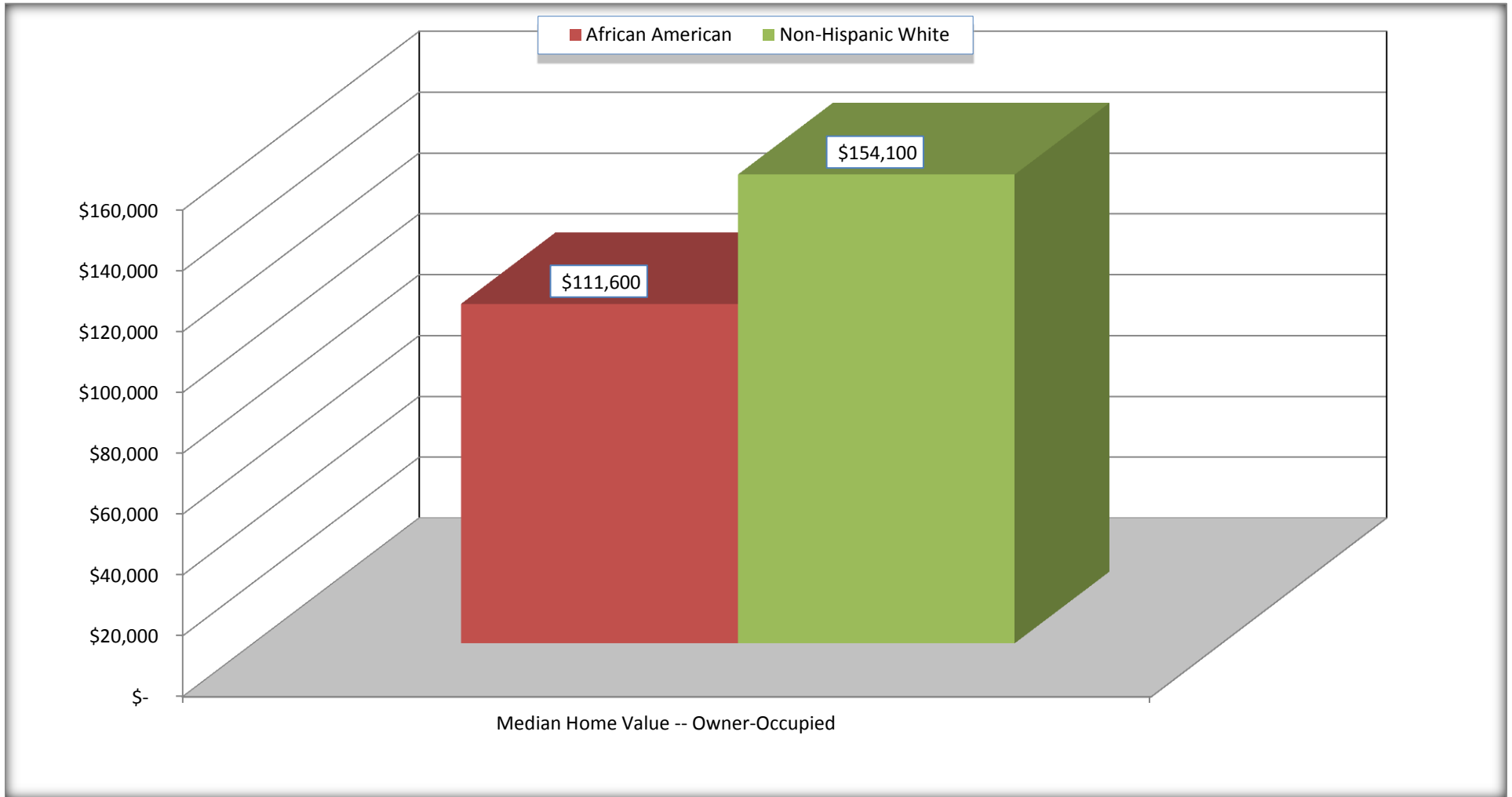
**More than One Person per Room (Crowding) by Household**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

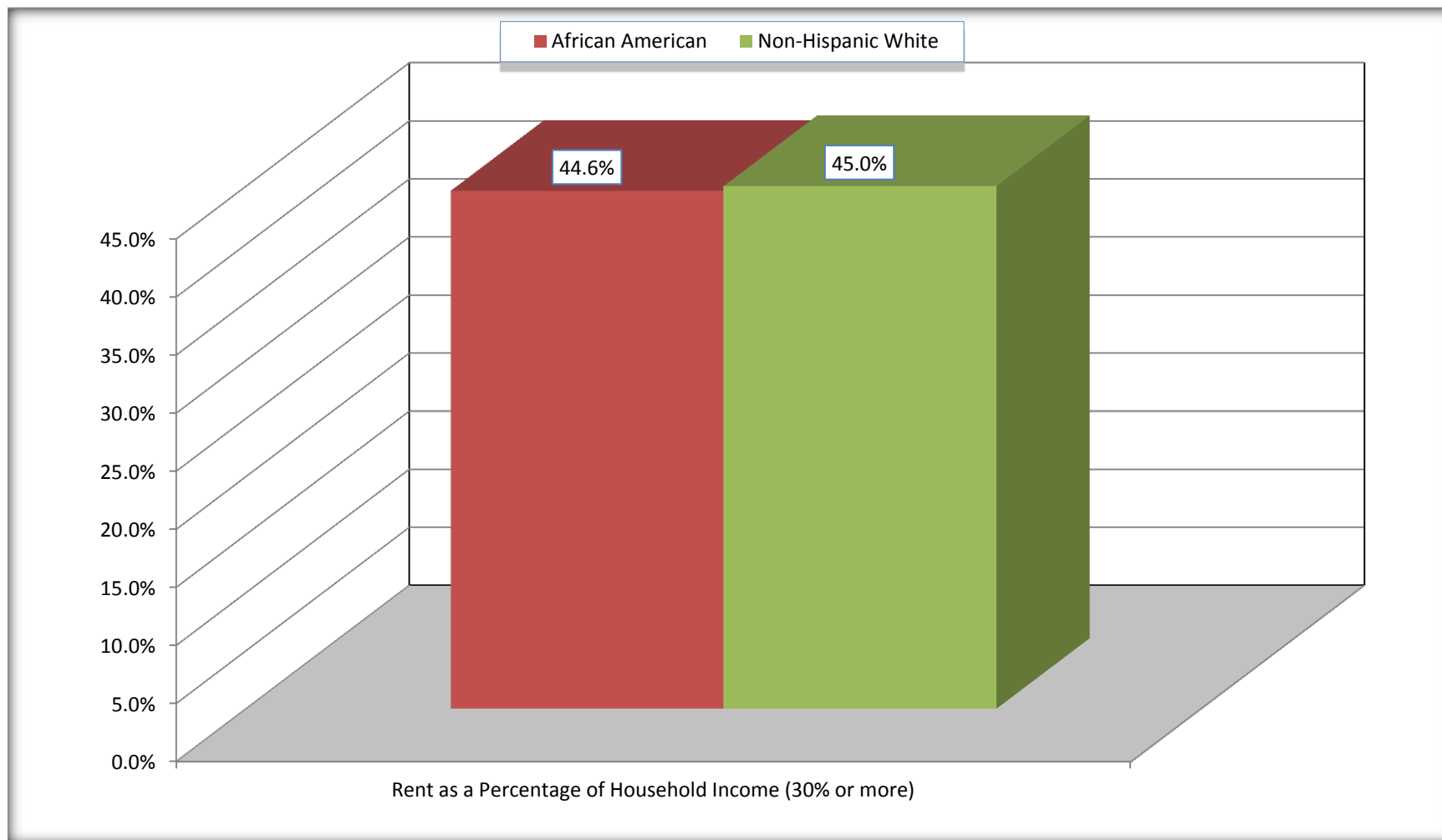


**Median Home Value -- Owner-Occupied**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

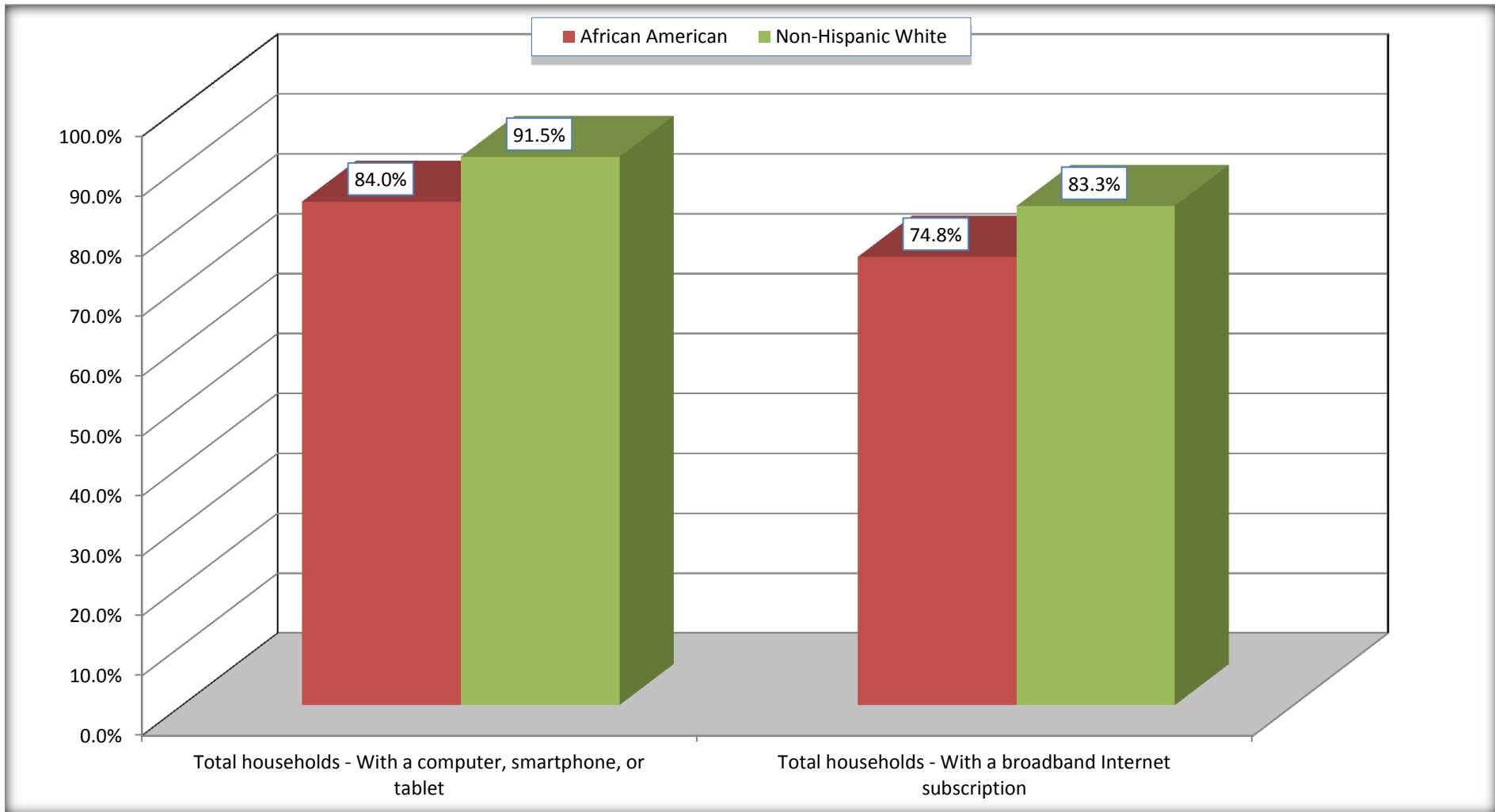
**Rent as a Percentage of Household Income (30% or more) -- Renter-Occupied**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Computers and Internet Use

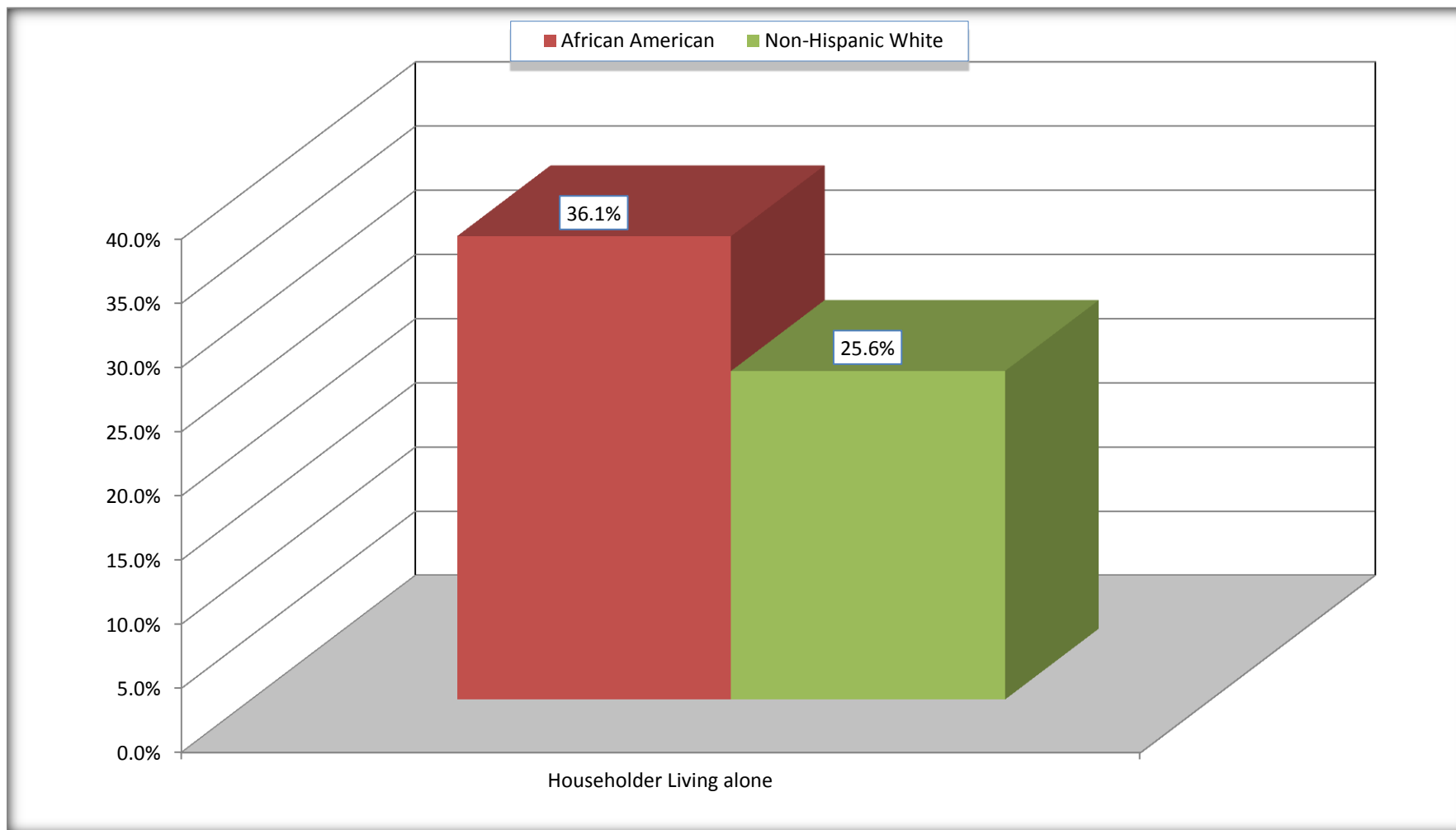
### Congressional District 3 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

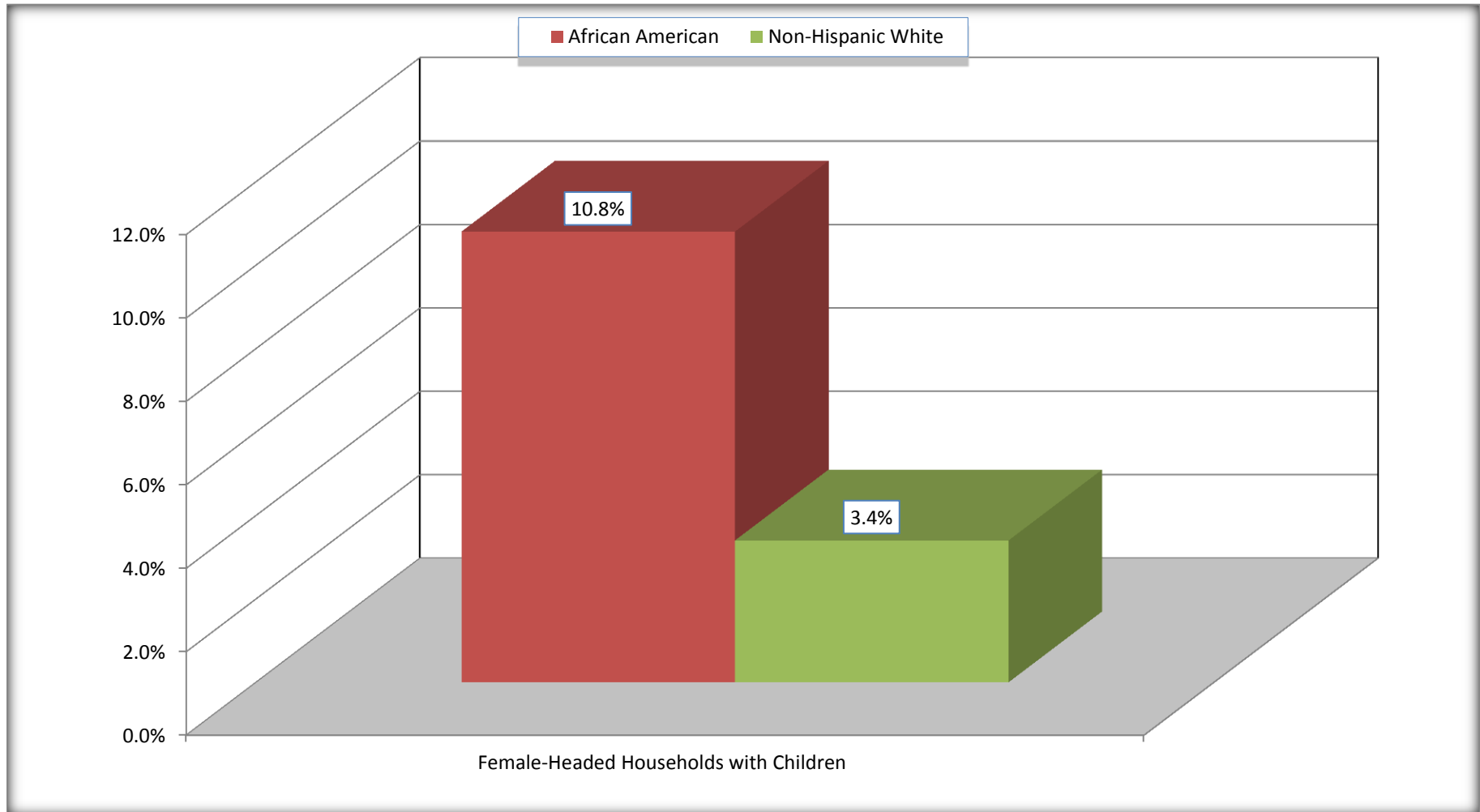
# Households with Householder Living Alone

## Congressional District 3 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Female-Headed Households with Children Under 18 (As a Percentage of all Households)**  
**Congressional District 3 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

	Black or African American alone or in combination		White alone, not Hispanic or Latino
All Persons	Estimate	Estimate	Estimate
<b>TOTAL NUMBER OF RACES REPORTED</b>			
Total population	717,896	196,443	481,246
One race	98.3%	96.0%	100.0%
Two races	1.5%	3.4%	(X)
Three races	0.2%	0.5%	(X)
Four or more races	0.0%	0.0%	(X)
<b>SEX AND AGE</b>			
Total population	717,896	196,443	481,246
Male	48.7%	47.8%	49.0%
Female	51.3%	52.2%	51.0%
Under 5 years	5.4%	5.8%	5.0%
5 to 17 years	16.2%	19.1%	14.5%
18 to 24 years	10.6%	11.6%	10.2%
25 to 34 years	12.7%	13.3%	12.1%
35 to 44 years	12.4%	13.1%	11.7%
45 to 54 years	12.4%	12.3%	12.8%
55 to 64 years	13.4%	13.0%	14.3%
65 to 74 years	10.1%	7.4%	11.5%
75 years and over	6.6%	4.4%	7.9%
Median age (years)	38.9	35.2	41.8
18 years and over	78.3%	75.0%	80.5%
21 years and over	73.2%	68.7%	75.9%
62 years and over	20.9%	15.9%	23.9%
65 years and over	16.7%	11.8%	19.4%
Under 18 years	155,655	49,040	93,726
Male	52.5%	54.6%	51.4%
Female	47.5%	45.4%	48.6%
<b>18 years and over</b>	<b>562,241</b>	<b>147,403</b>	<b>387,520</b>
Male	47.7%	45.5%	48.4%
Female	52.3%	54.5%	51.6%
18 to 34 years	167,367	48,848	107,689
Male	49.5%	45.0%	50.5%
Female	50.5%	55.0%	49.5%
35 to 64 years	274,982	75,395	186,448
Male	48.0%	47.2%	49.0%
Female	52.0%	52.8%	51.0%

	Black or African American alone		White alone, or in combination not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>65 years and over</b>	<b>119,892</b>	<b>23,160</b>	<b>93,383</b>
Male	44.2%	40.9%	44.9%
Female	55.8%	59.1%	55.1%
<b>RELATIONSHIP</b>			
Population in households	697,214	186,439	471,419
Householder or spouse	59.7%	51.8%	63.5%
Unmarried partner	2.2%	3.3%	1.7%
Child	27.8%	33.0%	25.2%
Other relatives	7.6%	10.4%	6.2%
Other nonrelatives	2.7%	1.5%	3.4%
<b>HOUSEHOLDS BY TYPE</b>			
Households	279,236	72,819	193,275
Family households	66.0%	59.8%	68.3%
With own children of the householder under 18 years	24.5%	24.2%	23.7%
Married-couple family	49.5%	31.5%	56.3%
With own children of the householder under 18 years	16.8%	10.5%	18.5%
Female householder, no spouse present, family	12.4%	23.2%	8.2%
With own children of the householder under 18 years	5.5%	10.8%	3.4%
Nonfamily households	34.0%	40.2%	31.7%
Male householder	15.8%	18.7%	14.3%
Living alone	12.2%	16.1%	10.4%
Not living alone	3.6%	2.6%	4.0%
Female householder	18.2%	21.5%	17.3%
Living alone	16.2%	20.0%	15.2%
Not living alone	2.0%	1.5%	2.2%
Average household size	2.50	2.47	2.49
Average family size	3.08	3.28	3.00
<b>MARITAL STATUS</b>			
Population 15 years and over	588,556	156,505	403,162
Now married, except separated	49.5%	32.2%	56.2%
Widowed	6.0%	5.4%	6.5%
Divorced	11.0%	11.0%	11.2%
Separated	2.3%	4.4%	1.5%
Never married	31.2%	46.9%	24.6%
Male 15 years and over	282,149	72,134	195,366
Now married, except separated	51.6%	36.4%	57.8%



		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Widowed	2.6%	2.6%	2.8%
Divorced	9.6%	8.2%	10.4%
Separated	1.9%	4.7%	1.0%
Never married	34.2%	48.1%	28.0%
Female 15 years and over	306,407	84,371	207,796
Now married, except separated	47.5%	28.5%	54.6%
Widowed	9.2%	7.8%	10.1%
Divorced	12.3%	13.5%	11.9%
Separated	2.6%	4.2%	2.0%
Never married	28.5%	45.9%	21.4%
<b>SCHOOL ENROLLMENT</b>			
Population 3 years and over enrolled in school	184,664	60,062	111,412
Nursery school, preschool	4.8%	3.4%	5.6%
Kindergarten	5.6%	7.7%	4.3%
Elementary school (grades 1-8)	38.4%	36.6%	38.0%
High school (grades 9-12)	18.2%	18.6%	18.5%
College or graduate school	33.1%	33.7%	33.6%
Male 3 years and over enrolled in school	89,602	28,139	55,450
Percent enrolled in kindergarten to grade 12	66.1%	72.5%	62.0%
Percent enrolled in college or graduate school	28.9%	23.4%	32.2%
Female 3 years and over enrolled in school	95,062	31,923	55,962
Percent enrolled in kindergarten to grade 12	58.3%	54.4%	59.6%
Percent enrolled in college or graduate school	37.0%	42.8%	35.0%
<b>EDUCATIONAL ATTAINMENT</b>			
Population 25 years and over	485,973	124,658	338,290
Less than high school diploma	14.9%	18.0%	13.1%
High school graduate (includes equivalency)	30.9%	32.8%	31.5%
Some college or associate's degree	30.2%	30.8%	30.4%
Bachelor's degree	13.6%	11.3%	14.1%
Graduate or professional degree	10.4%	7.0%	10.9%
High school graduate or higher	85.1%	82.0%	86.9%
Male, high school graduate or higher	84.0%	79.3%	86.1%
Female, high school graduate or higher	86.1%	84.3%	87.8%
Bachelor's degree or higher	24.0%	18.3%	25.0%
Male, bachelor's degree or higher	22.8%	16.4%	23.9%
Female, bachelor's degree or higher	25.0%	20.0%	26.1%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>FERTILITY</b>			
Women 15 to 50 years	169,810	51,602	108,523
Women 15 to 50 years who had a birth in the past 12 months	11,065	3,618	6,775
Unmarried women 15 to 50 years who had a birth in the past 12 months	5,793	2,775	2,888
As a percent of all women with a birth in the past 12 months	52.4%	76.7%	42.6%
<b>RESPONSIBILITY FOR GRANDCHILDREN UNDER 18 YEARS</b>			
Population 30 years and over	440,470	112,941	308,075
Grandparents living with grandchild(ren)	4.2%	4.4%	4.3%
Grandparents responsible for grandchildren as a percentage of living with grandchildren	43.5%	46.8%	43.6%
<b>VETERAN STATUS</b>			
Civilian population 18 years and over	557,970	146,436	384,525
Civilian veteran	8.3%	9.0%	8.1%
<b>DISABILITY STATUS</b>			
Total civilian noninstitutionalized population	703,954	190,849	473,445
With a disability	17.7%	17.8%	18.3%
Civilian noninstitutionalized population under 18 years	155,196	48,745	93,562
With a disability	3.9%	5.5%	3.2%
Civilian noninstitutionalized population 18 to 64 years	431,480	119,682	288,352
With a disability	16.1%	17.3%	16.2%
Civilian noninstitutionalized population 65 years and older	117,278	22,422	91,531
With a disability	41.6%	47.3%	40.5%
<b>RESIDENCE 1 YEAR AGO</b>			
Population 1 year and over	709,848	193,883	476,638
Same house	86.0%	88.2%	85.3%
Different house in the U.S.	13.7%	11.6%	14.4%
Same county	7.7%	6.2%	8.1%
Different county	6.0%	5.5%	6.3%
Same state	3.5%	3.4%	3.6%
Different state	2.5%	2.1%	2.8%
Abroad	0.3%	0.1%	0.3%
<b>PLACE OF BIRTH, CITIZENSHIP STATUS AND YEAR OF ENTRY</b>			
Native	694,605	194,025	476,705
Male	48.8%	48.1%	49.0%
Female	51.2%	51.9%	51.0%
Foreign born	23,291	2,418	4,541
Male	45.5%	22.0%	46.1%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female	54.5%	78.0%	53.9%
Foreign born; naturalized U.S. citizen	9,067	1,614	2,690
Male	43.4%	23.6%	45.5%
Female	56.6%	76.4%	54.5%
Foreign born; not a U.S. citizen	14,224	804	1,851
Male	46.8%	18.8%	47.1%
Female	53.2%	81.2%	52.9%
Population born outside the United States	23,291	2,418	4,541
Entered 2010 or later	44.4%	33.1%	25.8%
Entered 2000 to 2009	21.2%	26.1%	11.1%
Entered before 2000	34.3%	40.8%	63.2%
<b>WORLD REGION OF BIRTH OF FOREIGN BORN</b>			
Foreign-born population excluding population born at sea	23,291	2,418	4,541
Europe	13.9%	N	64.7%
Asia	49.9%	N	20.2%
Africa	6.7%	N	10.3%
Oceania	0.0%	N	0.0%
Latin America	26.9%	N	0.0%
Northern America	2.6%	N	4.8%
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>			
Population 5 years and over	678,872	184,993	457,381
English only	94.5%	97.4%	98.1%
Language other than English	5.5%	2.6%	1.9%
Speak English less than "very well"	1.6%	N	0.2%
<b>EMPLOYMENT STATUS</b>			
Population 16 years and over	578,746	152,898	397,665
In labor force	58.2%	59.3%	57.6%
Civilian labor force	57.4%	58.6%	56.8%
Employed	54.1%	53.6%	54.2%
Unemployed	3.4%	5.0%	2.6%
Unemployment Rate	5.9%	8.5%	4.5%
Armed Forces	0.7%	0.6%	0.8%
Not in labor force	41.8%	40.7%	42.4%
Females 16 years and over	301,854	83,018	204,770
In labor force	52.7%	56.9%	51.0%
Civilian labor force	52.5%	56.7%	50.8%

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Employed	49.2%	51.7%	48.4%
Unemployed	3.3%	5.0%	2.5%
Unemployment Rate	6.4%	8.9%	4.8%
<b>COMMUTING TO WORK</b>			
Workers 16 years and over	311,410	79,872	216,120
Car, truck, or van - drove alone	83.7%	82.8%	84.5%
Car, truck, or van - carpooled	10.3%	11.5%	9.6%
Public transportation (excluding taxicab)	0.4%	0.7%	0.3%
Walked	1.8%	2.0%	1.4%
Other means	1.0%	1.1%	0.9%
Worked from home	2.9%	1.9%	3.4%
Mean travel time to work (minutes)	26.0	23.4	27.0
<b>OCCUPATION</b>			
Civilian employed population 16 years and over	312,851	81,976	215,648
Management, business, science, and arts occupations	35.1%	26.4%	37.5%
Service occupations	16.3%	19.8%	14.5%
Sales and office occupations	18.7%	16.3%	20.3%
Natural resources, construction, and maintenance occupations	10.1%	7.0%	11.3%
Production, transportation, and material moving occupations	19.8%	30.5%	16.3%
Male civilian employed population 16 years and over	164,425	39,068	116,585
Management, business, science, and arts occupations	30.4%	19.4%	32.7%
Service occupations	13.5%	17.4%	12.2%
Sales and office occupations	10.2%	7.9%	11.0%
Natural resources, construction, and maintenance occupations	18.5%	13.7%	20.5%
Production, transportation, and material moving occupations	27.5%	41.6%	23.5%
Female civilian employed population 16 years and over	148,426	42,908	99,063
Management, business, science, and arts occupations	40.4%	32.8%	43.2%
Service occupations	19.4%	21.9%	17.3%
Sales and office occupations	28.2%	24.0%	31.3%
Natural resources, construction, and maintenance occupations	0.6%	0.9%	0.5%
Production, transportation, and material moving occupations	11.4%	20.4%	7.8%
<b>INDUSTRY</b>			
Civilian employed population 16 years and over	312,851	81,976	215,648
Agriculture, forestry, fishing and hunting, and mining	1.1%	0.9%	1.1%
Construction	7.7%	4.6%	8.9%
Manufacturing	17.2%	24.2%	14.0%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Wholesale trade	3.0%	2.0%	3.5%
Retail trade	10.1%	10.2%	10.5%
Transportation and warehousing, and utilities	4.5%	4.2%	4.8%
Information	1.2%	1.2%	1.2%
Finance and insurance, and real estate and rental and leasing	6.0%	5.4%	6.4%
Professional, scientific, and management, and administrative and waste managemen	8.2%	6.0%	8.4%
Educational services, and health care and social assistance	23.0%	22.5%	23.3%
Arts, entertainment, and recreation, and accommodation and food services	8.1%	9.1%	7.6%
Other services (except public administration)	4.0%	2.5%	4.7%
Public administration	6.0%	7.3%	5.6%
<b>CLASS OF WORKER</b>			
Civilian employed population 16 years and over	312,851	81,976	215,648
Private wage and salary workers	75.5%	75.9%	75.4%
Government workers	19.0%	21.8%	17.8%
Self-employed workers in own not incorporated business	5.3%	2.3%	6.4%
Unpaid family workers	0.2%	0.0%	0.3%
<b>INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)</b>			
Households	279,236	72,819	193,275
Median household income (dollars)	51,925	37,476	58,279
With earnings	72.7%	72.9%	72.1%
Mean earnings (dollars)	69,461	52,308	76,298
With Social Security income	35.9%	34.2%	37.4%
Mean Social Security income (dollars)	19,017	14,238	20,792
With Supplemental Security Income	6.7%	8.8%	6.3%
Mean Supplemental Security Income (dollars)	9,017	7,850	9,685
With cash public assistance income	0.9%	1.2%	0.7%
Mean cash public assistance income (dollars)	2,732	3,890	2,154
With retirement income	26.7%	23.2%	29.1%
Mean retirement income (dollars)	24,448	19,998	25,610
With Food Stamp/SNAP benefits	13.2%	22.7%	9.6%
Families	184,320	43,577	132,059
Median family income (dollars)	67,624	54,539	73,258
Married-couple family	74.9%	52.6%	82.5%
Median income (dollars)	80,204	71,663	82,650
Male householder, no spouse present, family	6.3%	8.7%	5.6%
Median income (dollars)	51,580	60,944	38,946

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female householder, no husband present, family	18.7%	38.7%	12.0%
Median income (dollars)	31,175	31,009	31,582
Individuals	717,896	196,443	481,246
Per capita income (dollars)	27,867	21,218	31,130
With earnings for full-time, year-round workers:			
Male	135,041	31,383	96,120
Female	102,661	29,459	69,675
Mean earnings (dollars) for full-time, year-round workers:			
Male	61,102	46,387	66,083
Female	43,044	35,741	46,019
Median earnings (dollars) full-time, year-round workers:			
Male	50,151	40,283	52,527
Female	37,234	32,094	40,175
<b>HEALTH INSURANCE COVERAGE</b>			
Civilian noninstitutionalized population	703,954	190,849	473,445
With private health insurance	68.7%	60.4%	72.9%
With public coverage	36.8%	40.6%	35.4%
No health insurance coverage	8.5%	9.8%	7.5%
<b>POVERTY RATES FOR FAMILIES AND PEOPLE FOR WHOM POVERTY STATUS IS DETERMINED</b>			
All families	10.8%	16.6%	8.3%
With related children of the householder under 18 years	15.9%	24.8%	11.2%
With related children of the householder under 5 years only	13.8%	17.1%	11.4%
Married-couple family	6.1%	8.6%	5.3%
With related children of the householder under 18 years	6.5%	7.0%	5.4%
With related children of the householder under 5 years only	7.4%	N	N
Female householder, no spouse present, family	30.1%	29.1%	28.9%
With related children of the householder under 18 years	44.2%	45.4%	40.4%
With related children of the householder under 5 years only	50.3%	49.2%	48.6%
All people	15.0%	18.7%	12.7%
Under 18 years	17.4%	26.2%	10.5%
Related children of the householder under 18 years	17.3%	26.2%	10.3%
Related children of the householder under 5 years	19.9%	30.4%	11.2%
Related children of the householder 5 to 17 years	16.4%	24.9%	10.0%
18 years and over	14.3%	16.0%	13.2%
18 to 64 years	15.4%	16.0%	14.7%
65 years and over	10.2%	16.4%	8.7%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
People in families	10.8%	16.1%	7.8%
Unrelated individuals 15 years and over	33.4%	28.9%	34.7%
<b>HOUSING TENURE</b>			
Occupied housing units	279,236	72,819	193,275
Owner-occupied housing units	71.6%	58.6%	78.1%
Renter-occupied housing units	28.4%	41.4%	21.9%
Average household size of owner-occupied unit	2.55	2.53	2.54
Average household size of renter-occupied unit	2.36	2.38	2.31
<b>UNITS IN STRUCTURE</b>			
Occupied housing units	279,236	72,819	193,275
1-unit, detached or attached	69.3%	65.8%	71.8%
2 to 4 units	4.1%	8.4%	2.3%
5 or more units	9.2%	11.8%	7.3%
Mobile home, boat, RV, van, etc.	17.5%	14.0%	18.6%
<b>YEAR STRUCTURE BUILT</b>			
Occupied housing units	279,236	72,819	193,275
Built 2014 or later	6.3%	4.3%	6.7%
Built 2010 to 2013	4.2%	4.5%	3.9%
Built 2000 to 2009	18.2%	14.5%	19.0%
Built 1980 to 1999	32.9%	28.6%	34.9%
Built 1960 to 1979	23.2%	29.7%	21.1%
Built 1940 to 1959	11.1%	14.2%	10.3%
Built 1939 or earlier	4.0%	4.2%	4.0%
<b>VEHICLES AVAILABLE</b>			
Occupied housing units	279,236	72,819	193,275
None	6.9%	11.9%	4.8%
1 or more	93.1%	88.1%	95.2%
<b>HOUSE HEATING FUEL</b>			
Occupied housing units	279,236	72,819	193,275
Gas	29.2%	33.4%	28.2%
Electricity	68.8%	66.0%	69.4%
All other fuels	1.6%	0.5%	2.1%
No fuel used	0.3%	0.1%	0.4%
<b>SELECTED CHARACTERISTICS</b>			
Occupied housing units	279,236	72,819	193,275
No telephone service available	1.3%	1.6%	1.1%



	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
1.01 or more occupants per room	2.0%	2.9%	1.5%
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Housing units with a mortgage (excluding units where SMOC cannot be computed)	109,894	23,552	82,128
Less than 30 percent	75.3%	68.1%	77.0%
30 percent or more	24.7%	31.9%	23.0%
<b>OWNER CHARACTERISTICS</b>			
Owner-occupied housing units	200,055	42,645	150,913
Median value (dollars)	144,700	111,600	154,100
Median selected monthly owner costs with a mortgage (dollars)	1,141	1,019	1,166
Median selected monthly owner costs without a mortgage (dollars)	350	357	349
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Occupied units paying rent (excluding units where GRAPL cannot be computed)	70,294	27,096	37,098
Less than 30 percent	55.0%	55.4%	55.0%
30 percent or more	45.0%	44.6%	45.0%
<b>GROSS RENT</b>			
Occupied units paying rent	72,254	28,033	38,121
Median gross rent (dollars)	771	740	790
<b>COMPUTERS AND INTERNET USE</b>			
Total households	279,236	72,819	193,275
With a computer	89.6%	84.0%	91.5%
With a broadband Internet subscription	80.7%	74.8%	83.3%

###

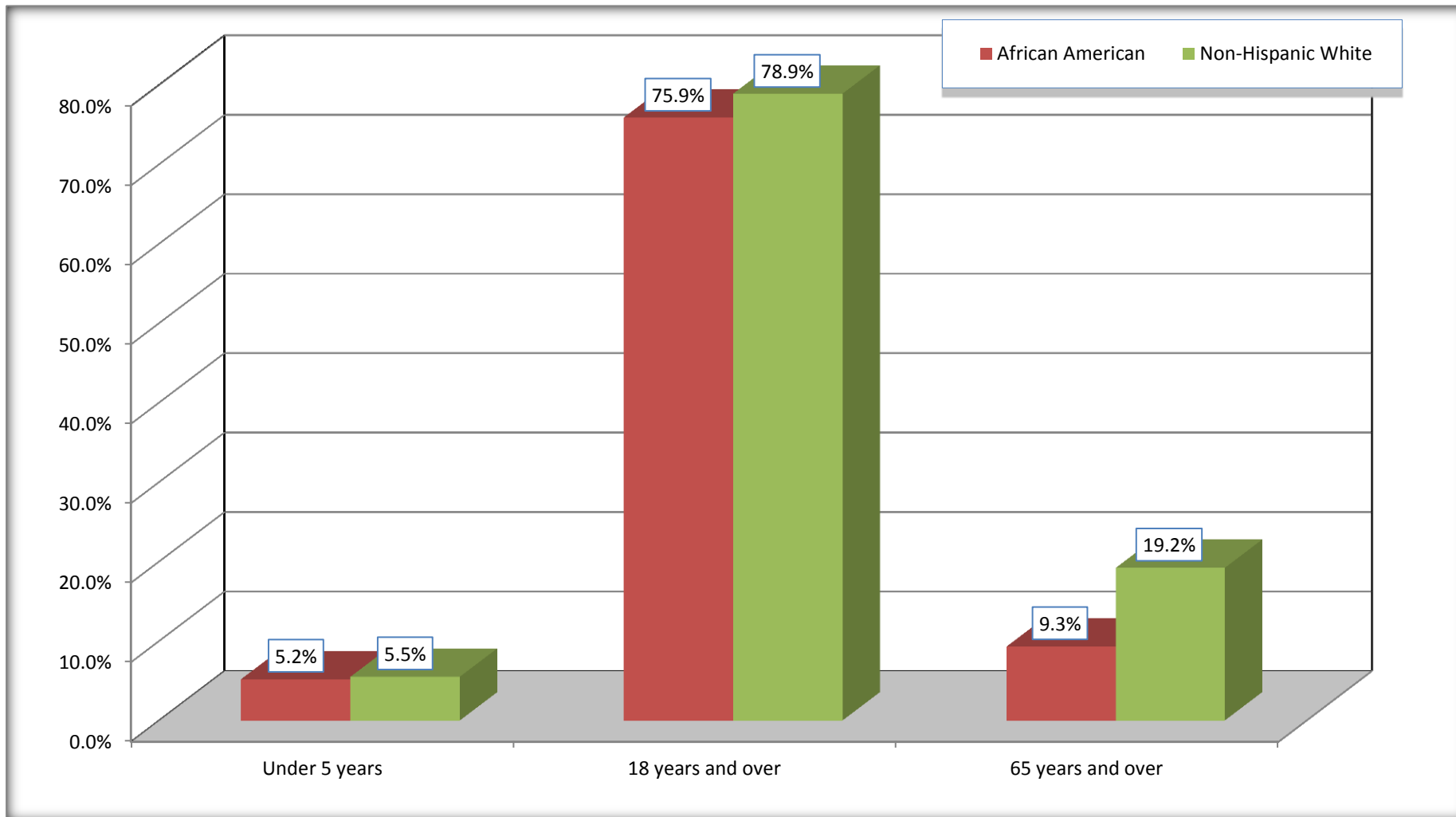
## **Selected Socio-Economic Data**

### **Congressional District 6 (116th Congress), Alabama**

**Any Part African American vis-à-vis NH White**

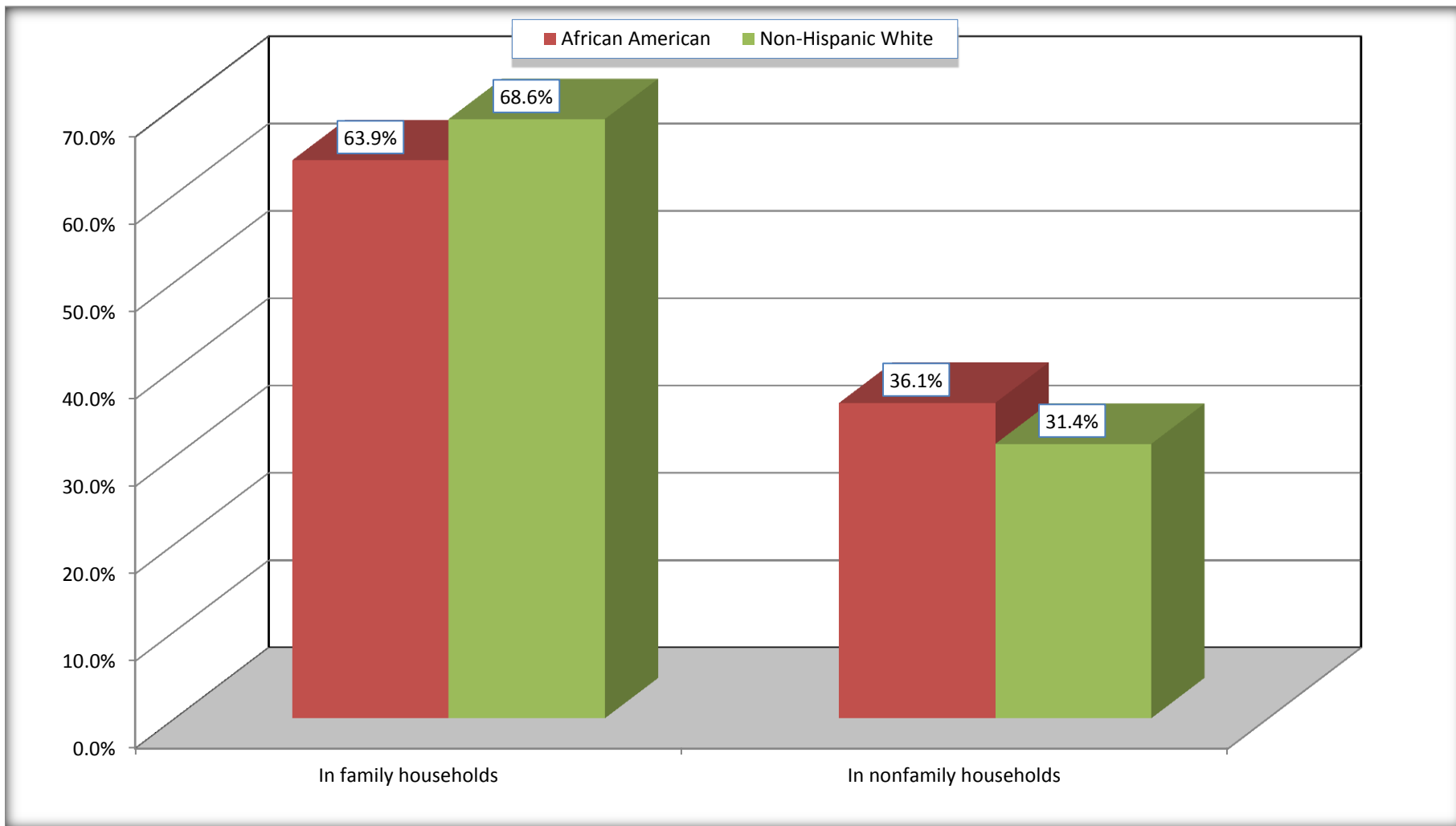
**Data Set: 2019 American Community Survey 1-Year Estimates**

**Population by Age**  
**Congressional District 6 (116th Congress), Alabama**



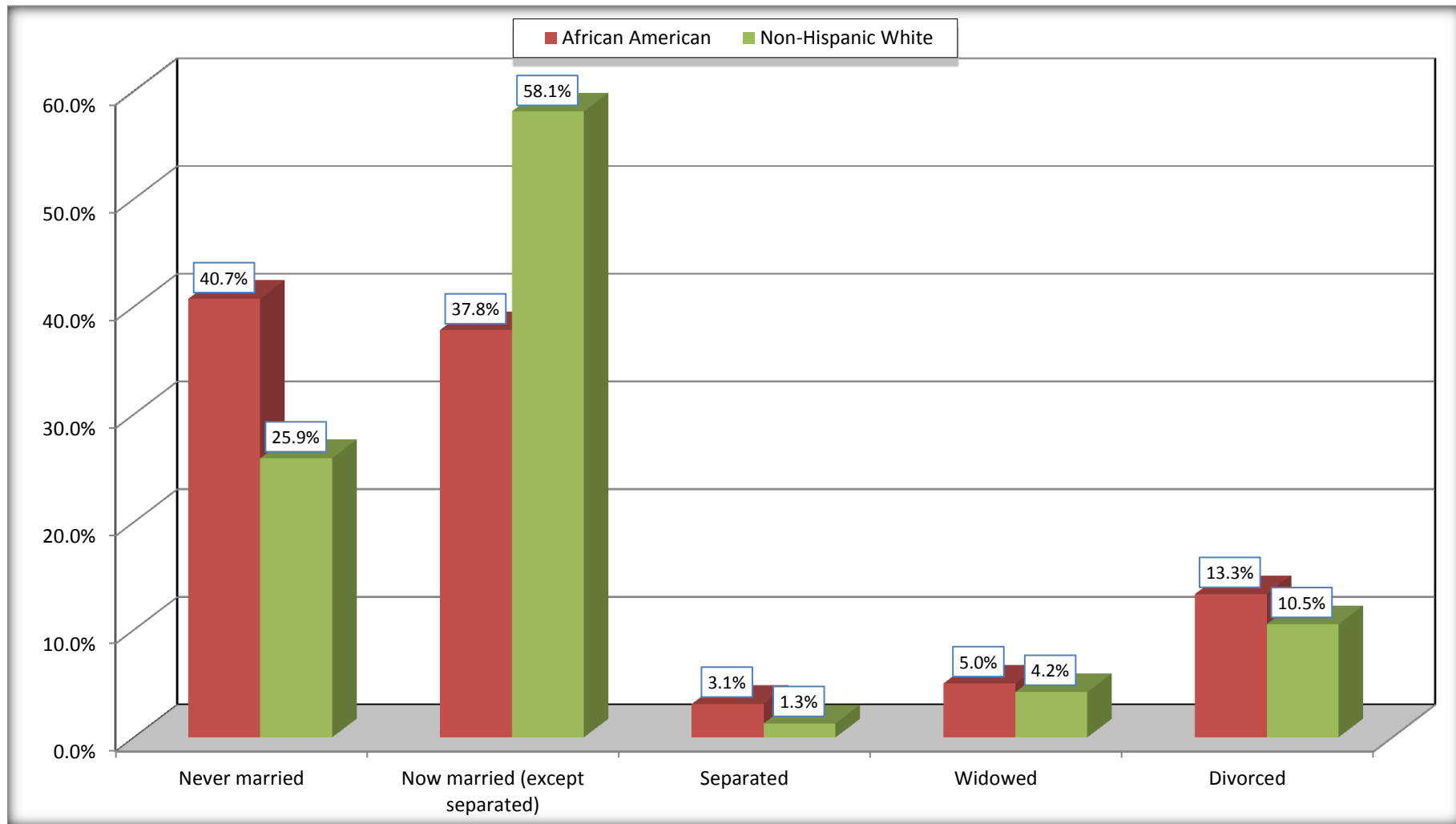
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

### Household Type for Population in Households Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

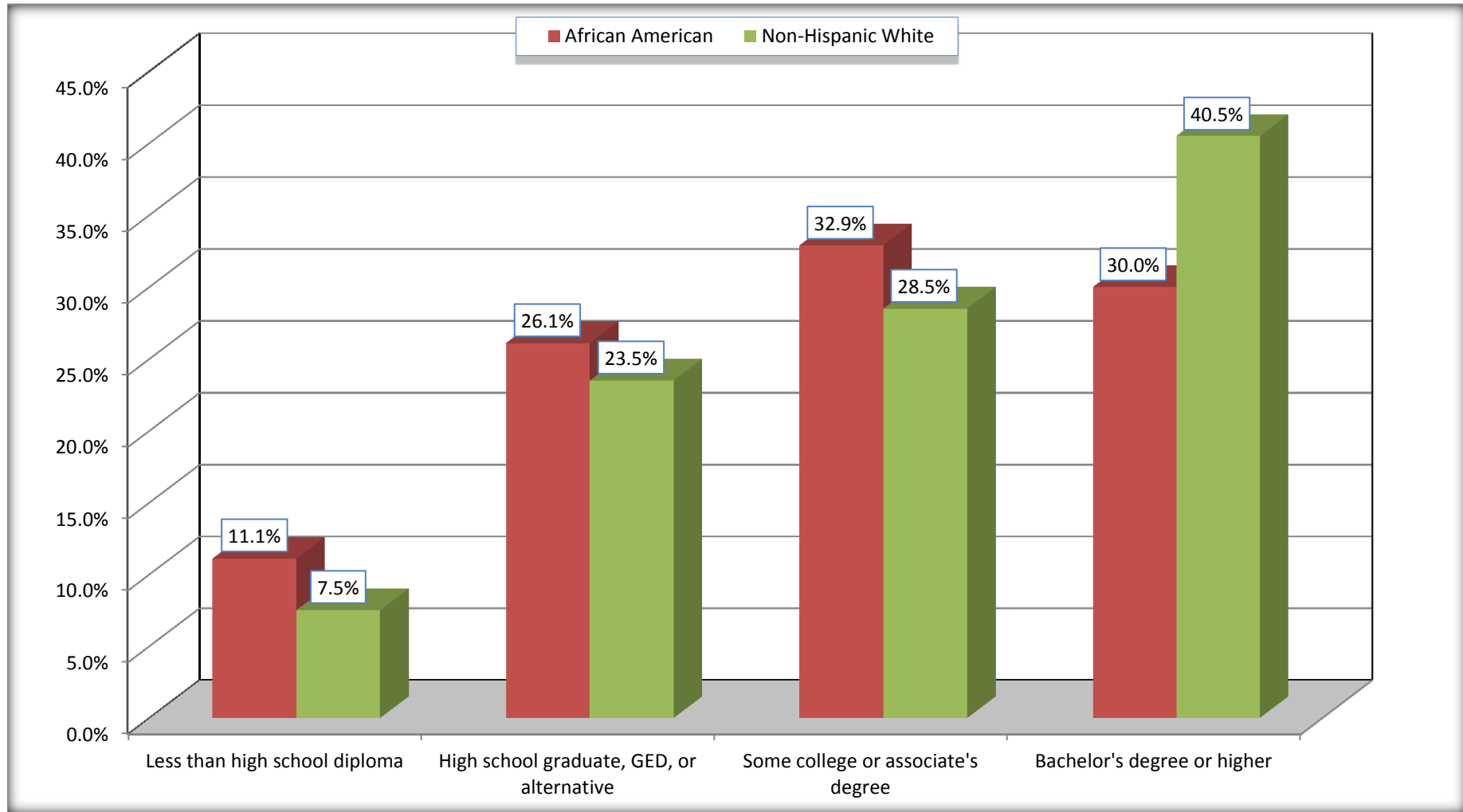
## Marital Status for the Population 15 Years and Over Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

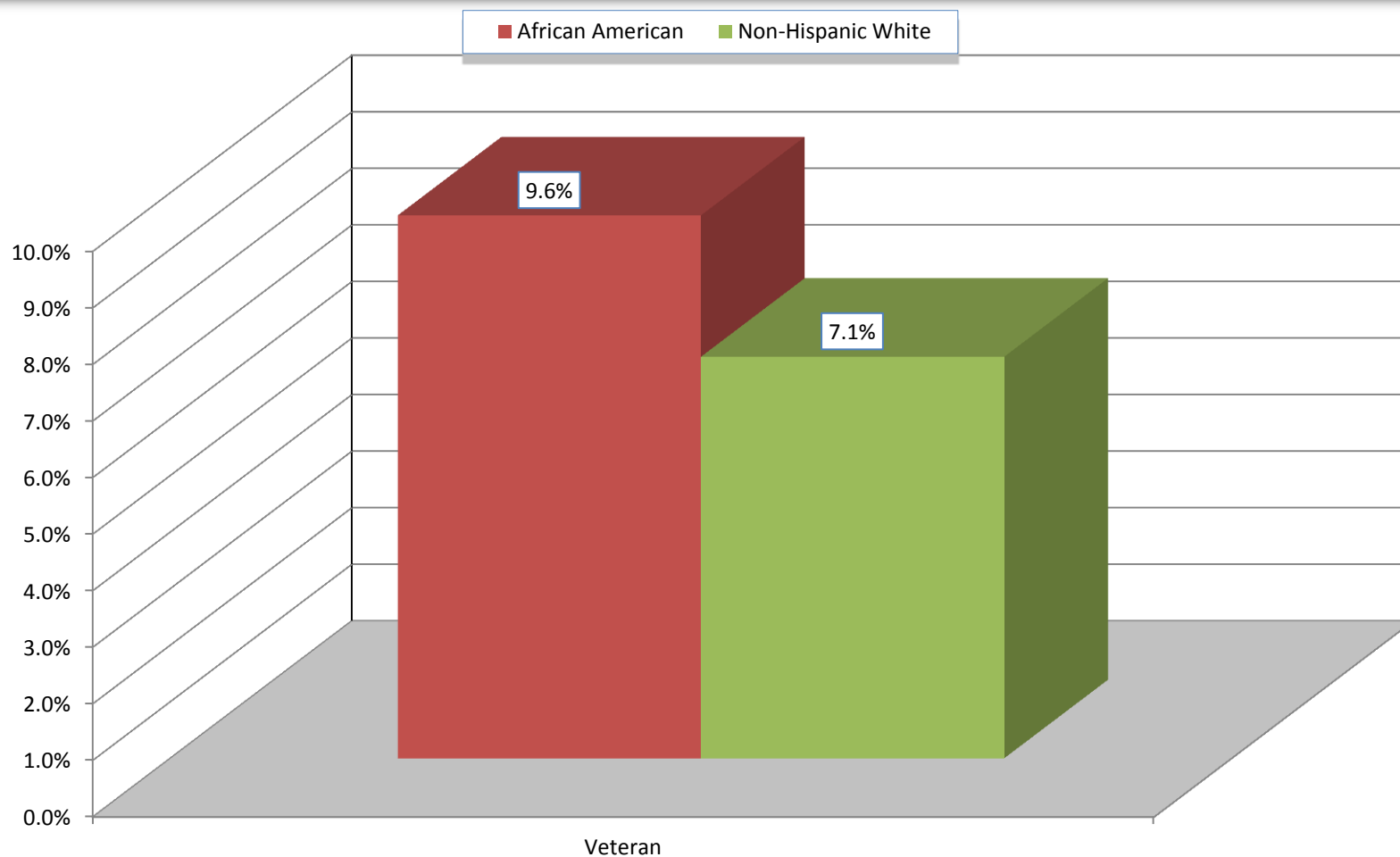
## Educational Attainment for the Population 25 Years and Older

### Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

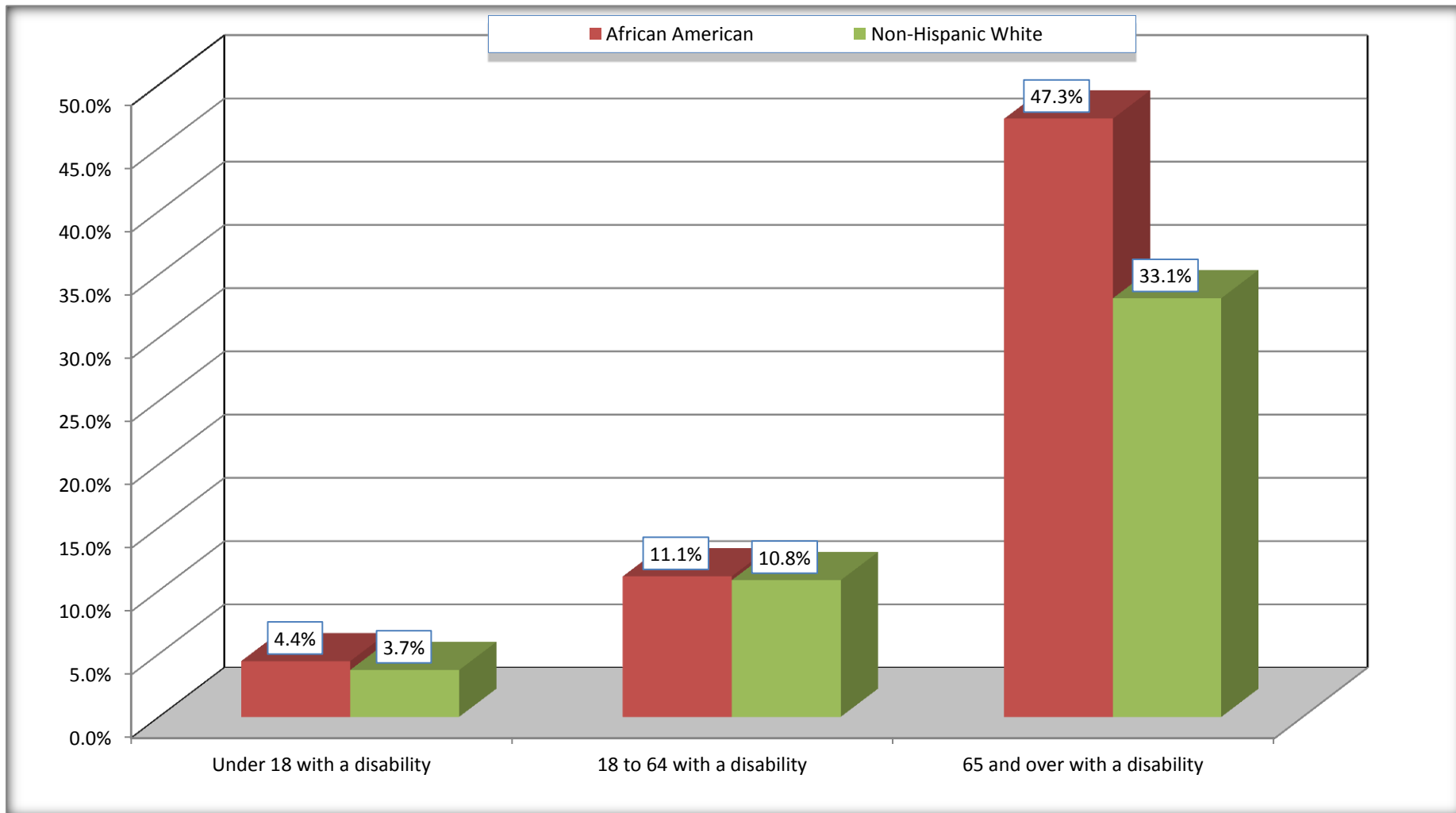
**Veterans in the Civilian Population 18 Years and Over**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



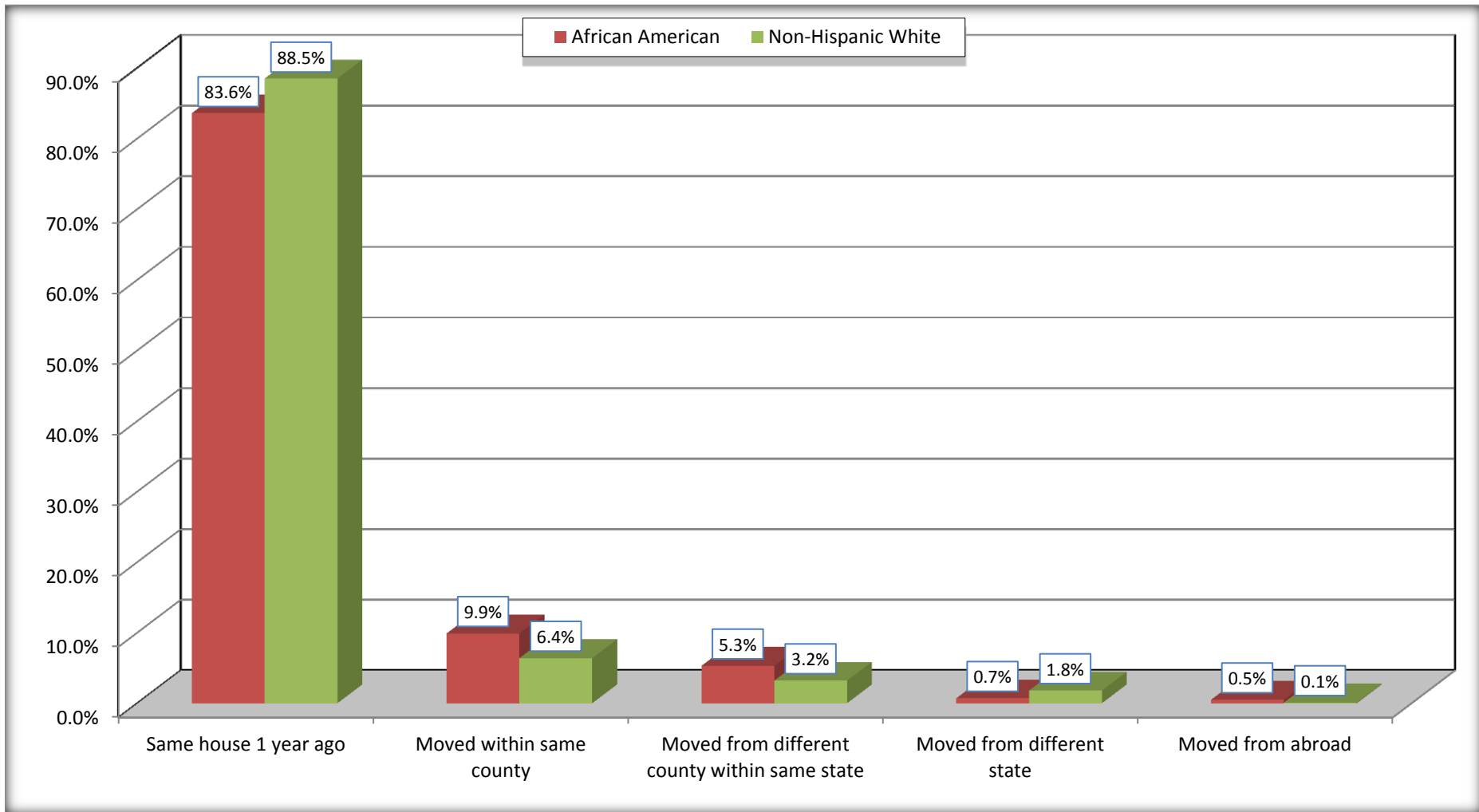
**Disability by Age -- Civilian Noninstitutionalized Population**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Geographical Mobility in the Past Year (Population 1 Year and Over)

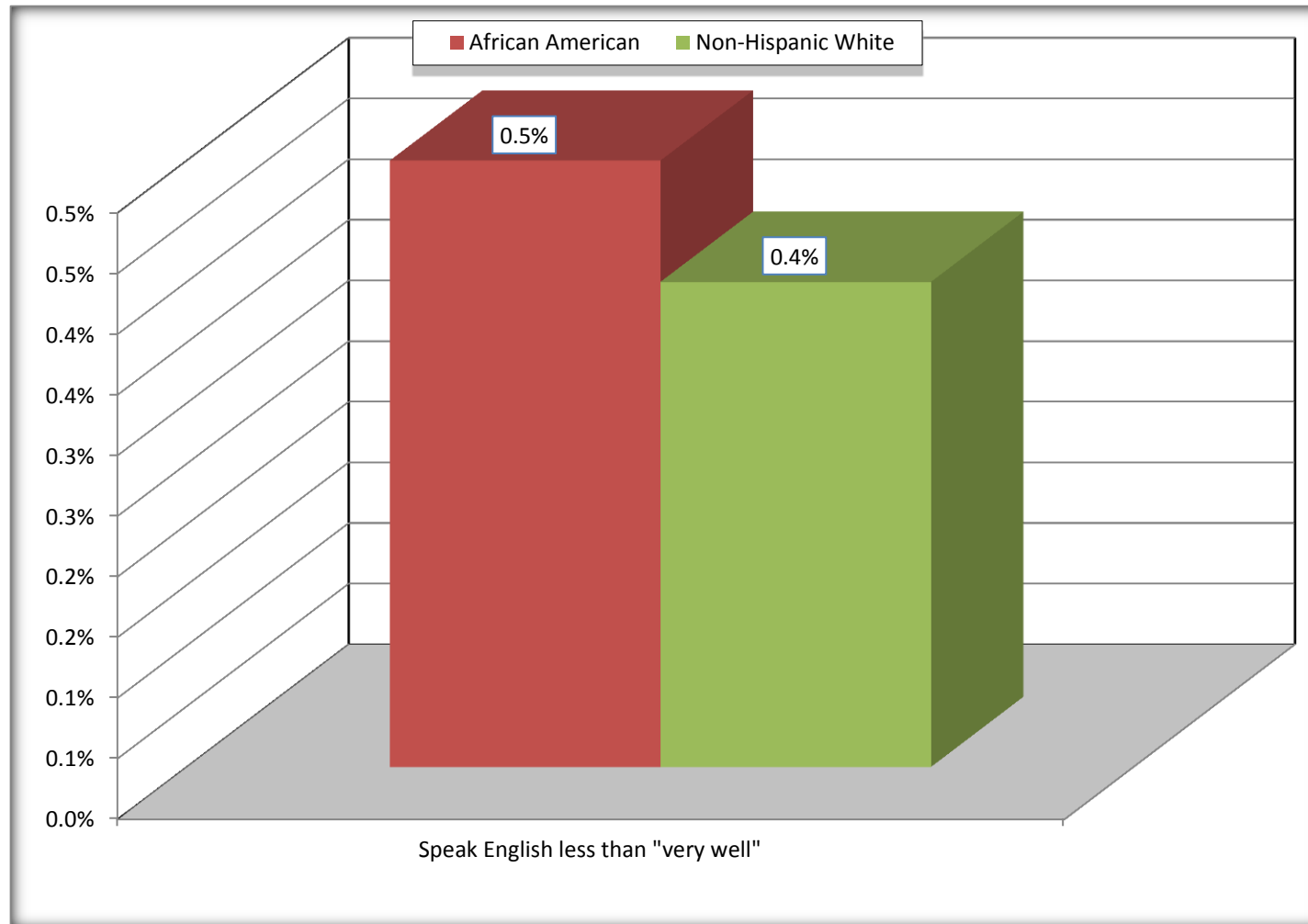
### Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

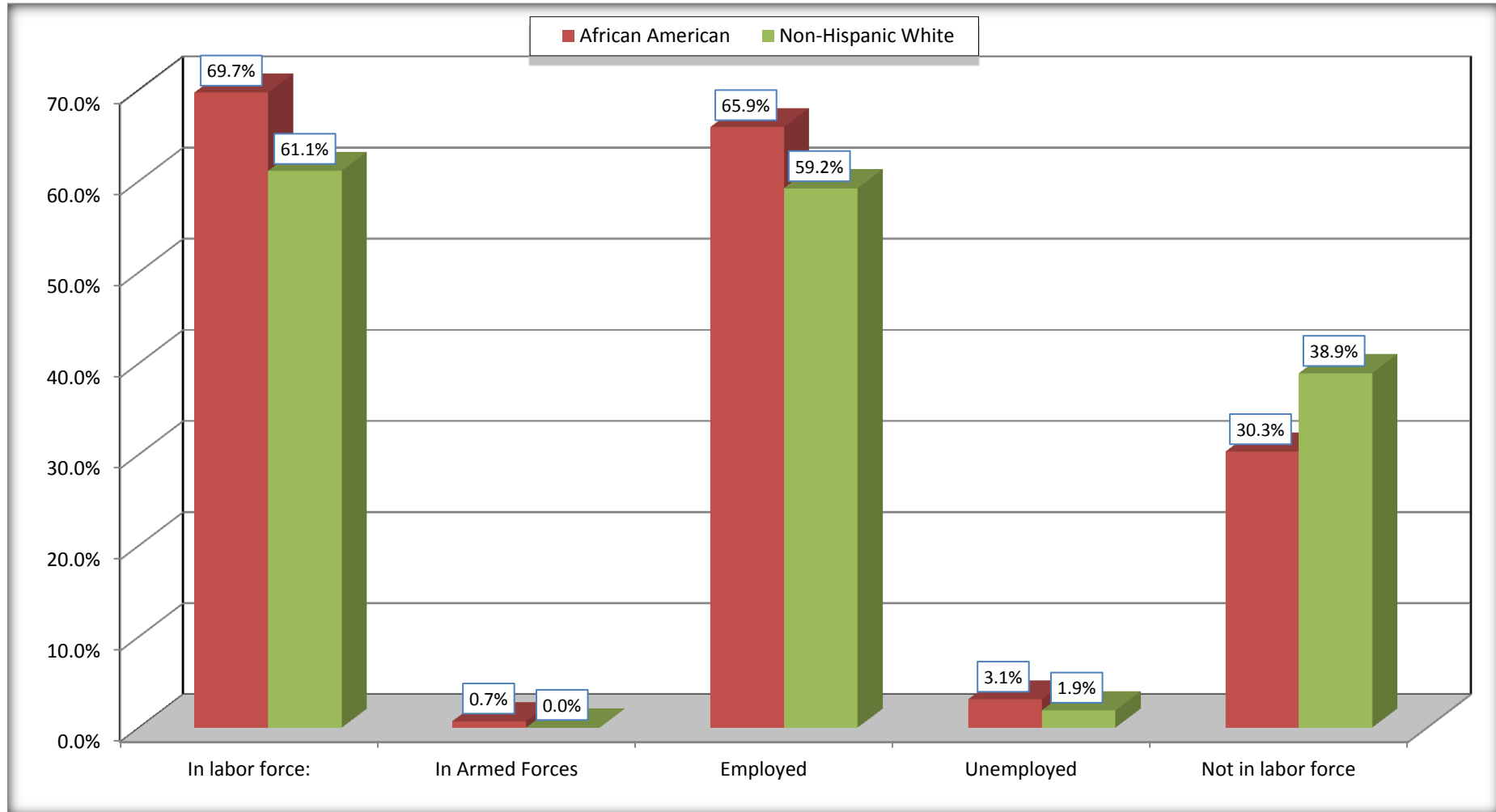
## Speak English Less than "Very Well" (Population 5 Years and Over)

### Congressional District 6 (116th Congress), Alabama



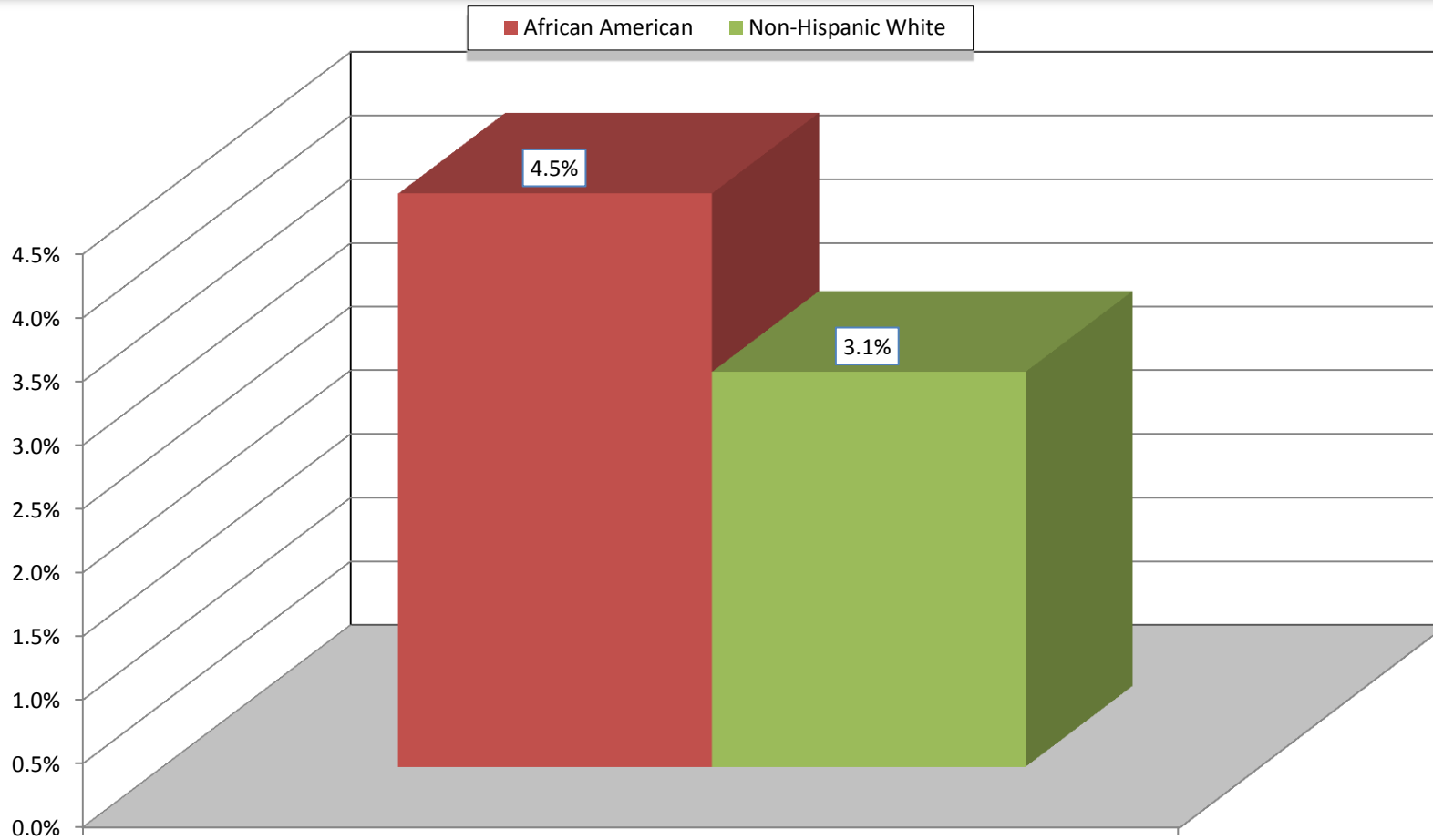
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Employment Status for the Population 16 years and over**  
**Congressional District 6 (116th Congress), Alabama**



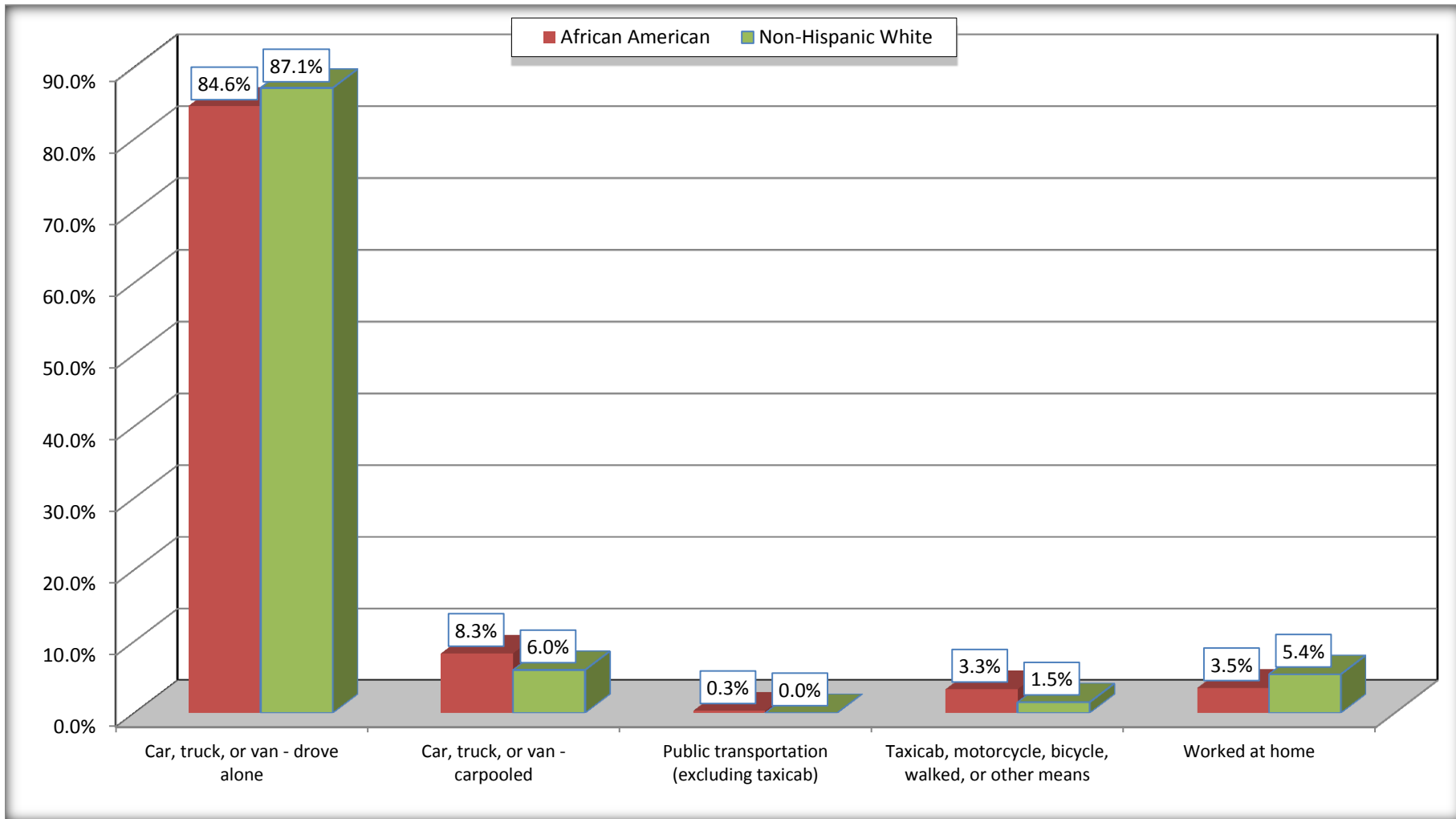
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Unemployment (Civilian Labor Force -- Ages 16 and Over)**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

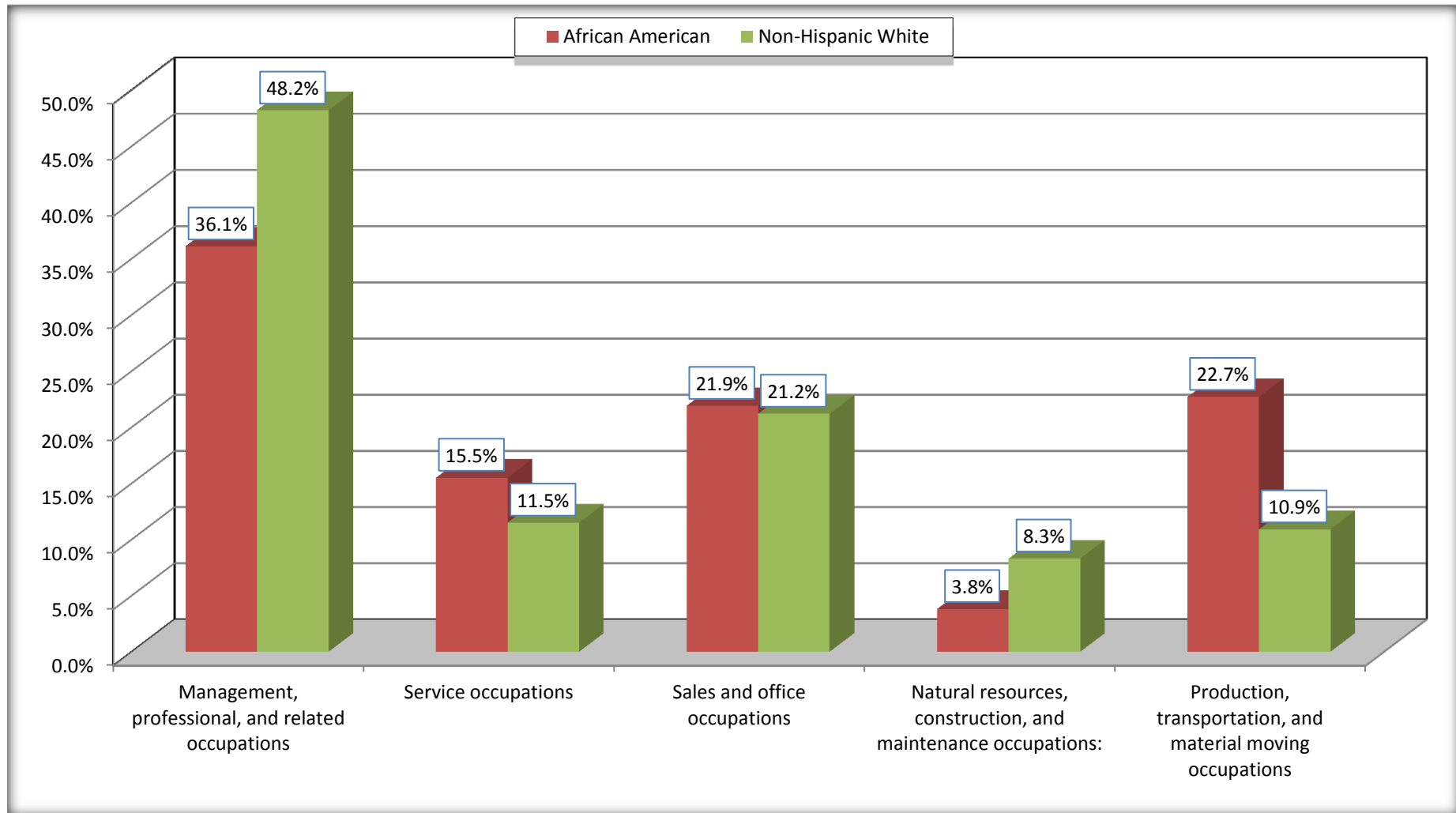
# **Means of Transportation to Work (Workers 16 Years and Over)** **Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

## Occupation for the Civilian Employed 16 Years and Over Population

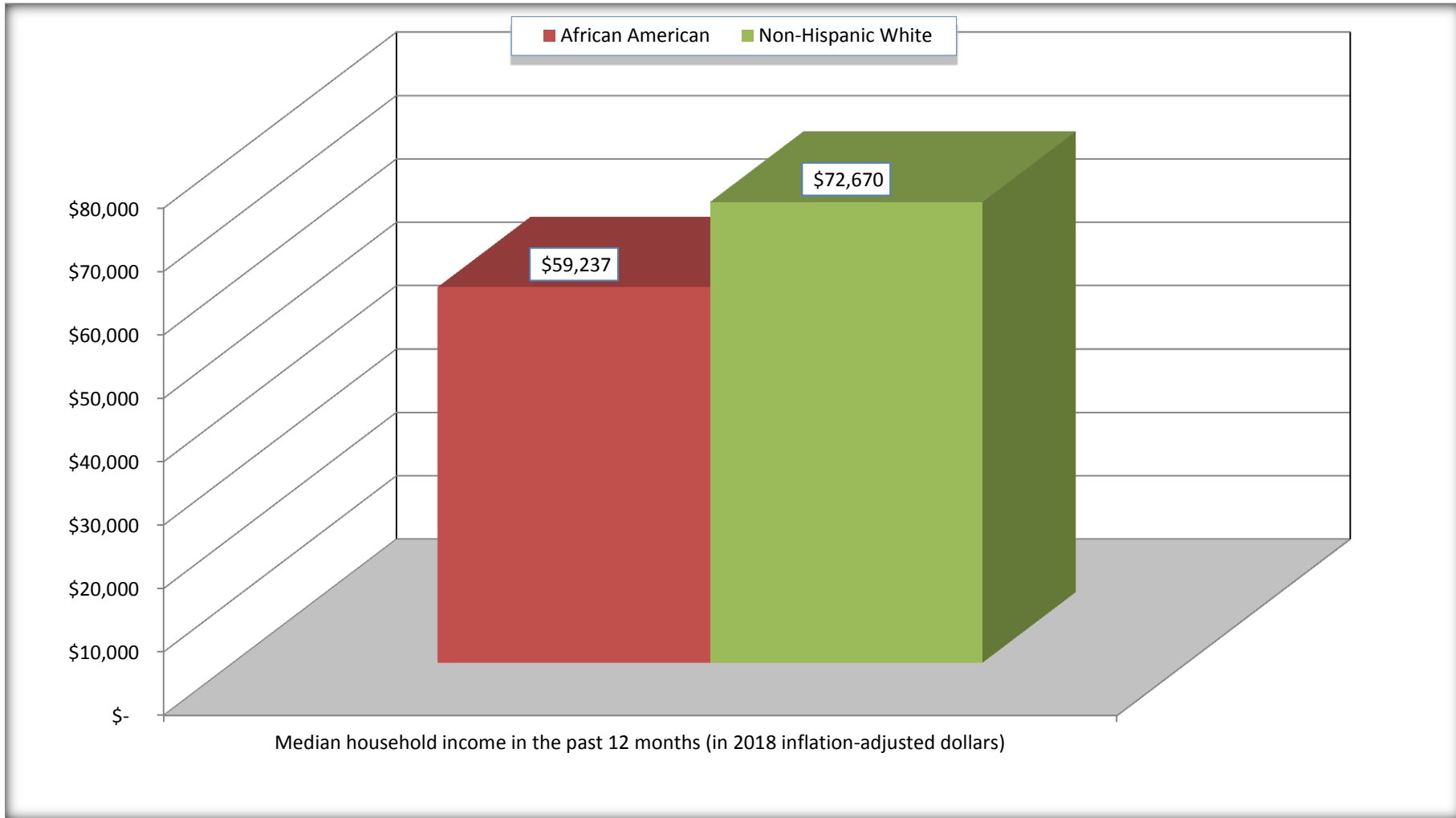
### Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

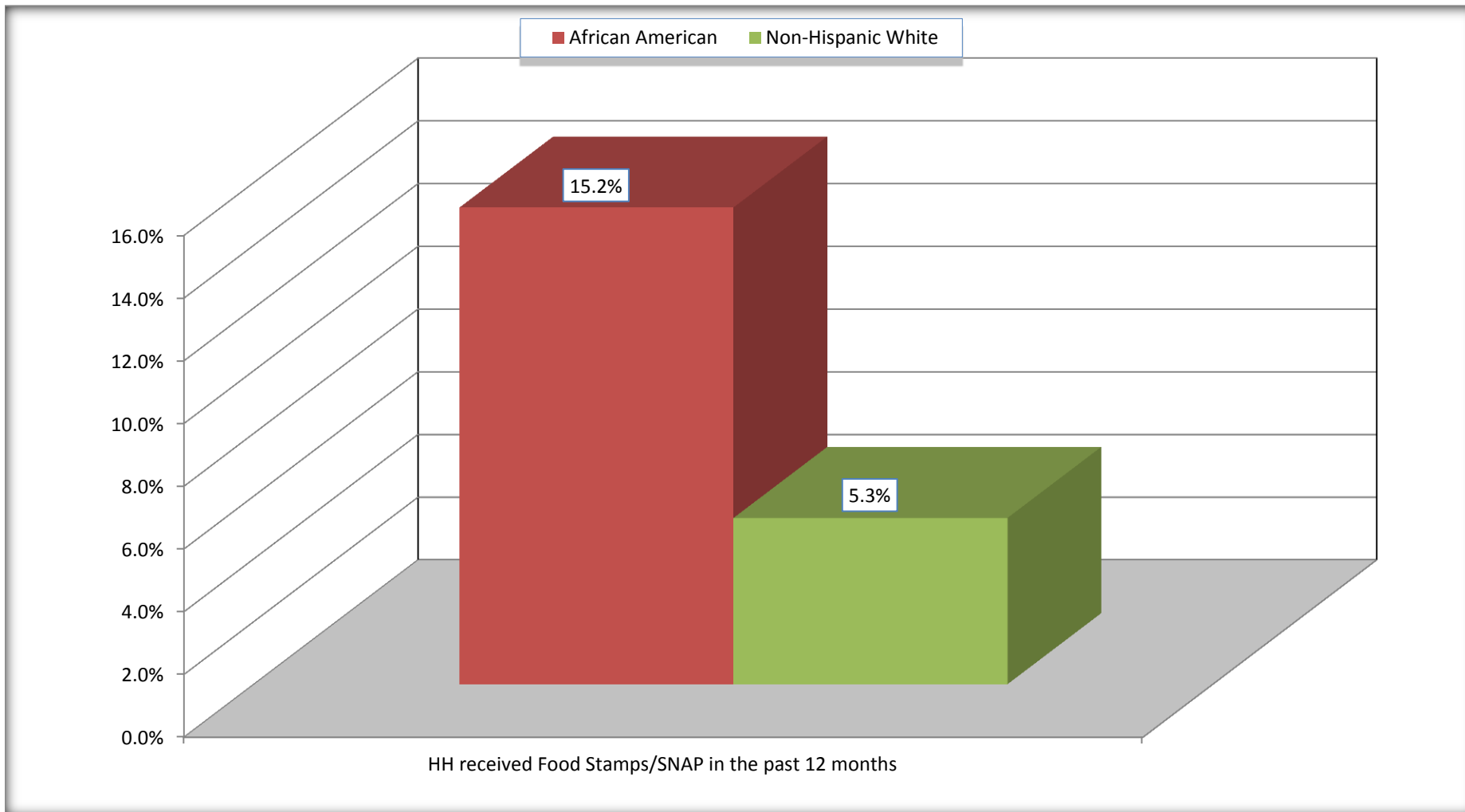


**Median Household Income in the Past 12 Months**  
**Congressional District 6 (116th Congress), Alabama**



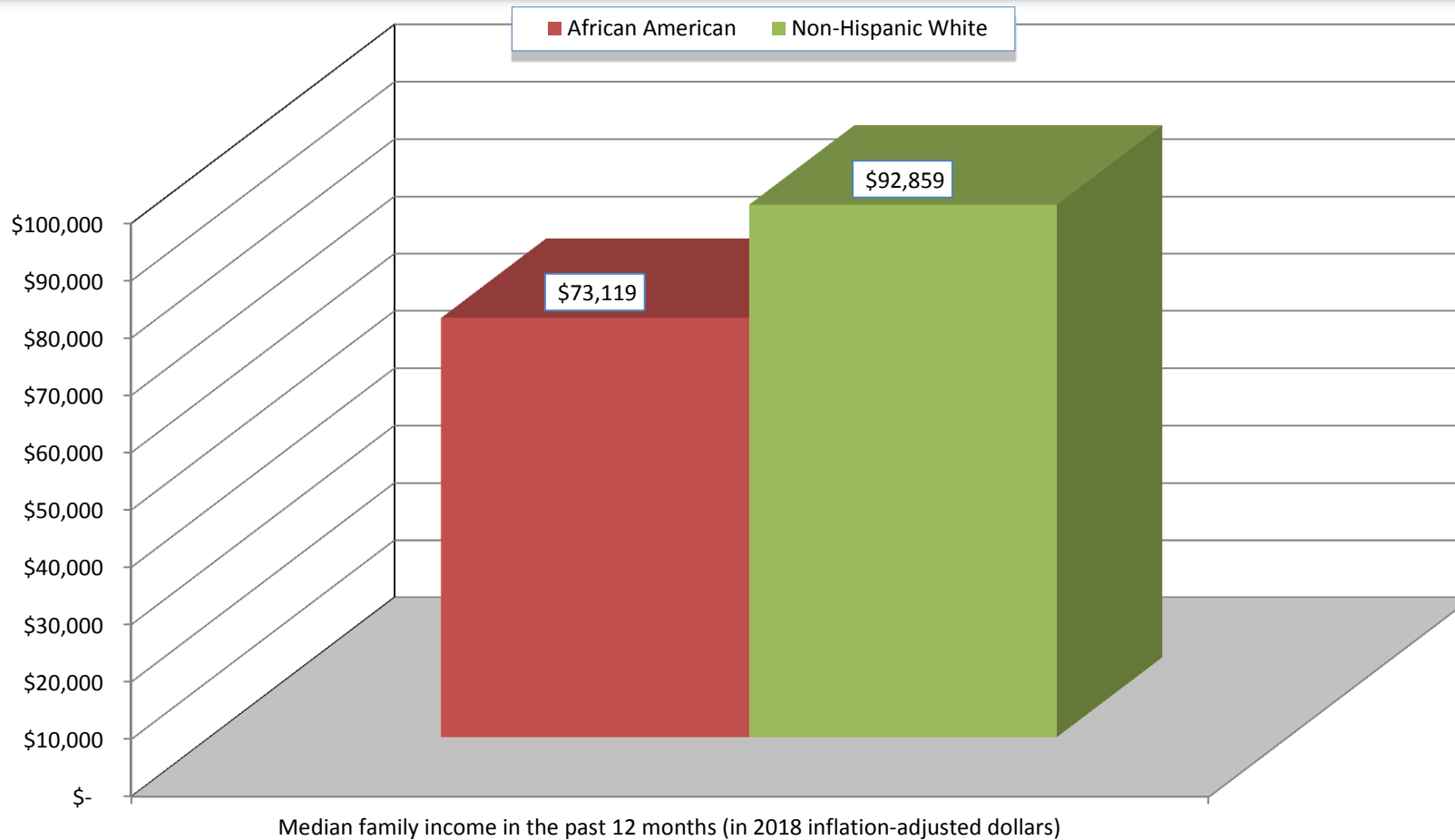
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Receipt of Food Stamps/SNAP in the Past 12 Months by Household**  
**Congressional District 6 (116th Congress), Alabama**



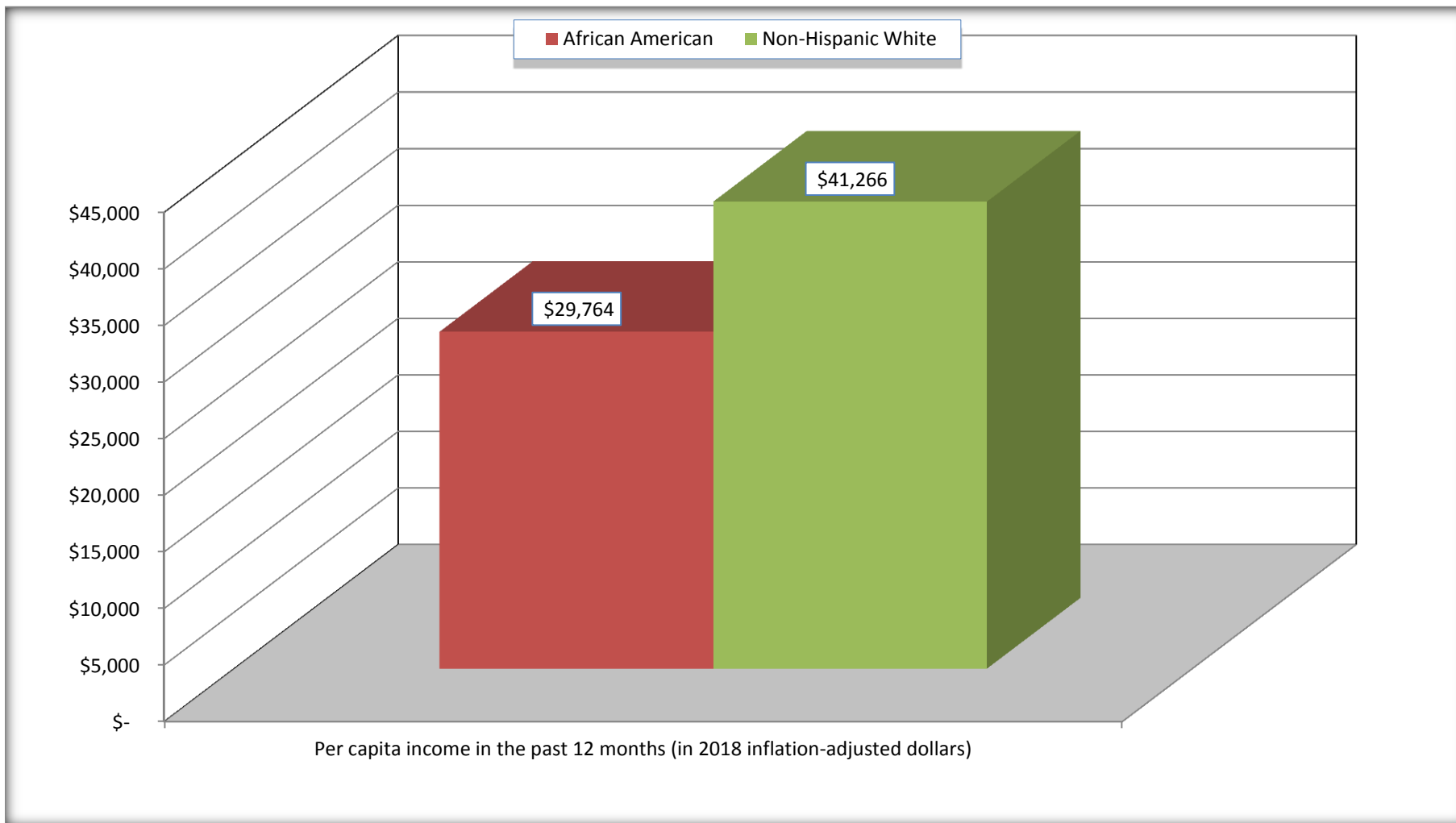
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Family Income in the Past 12 Months**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

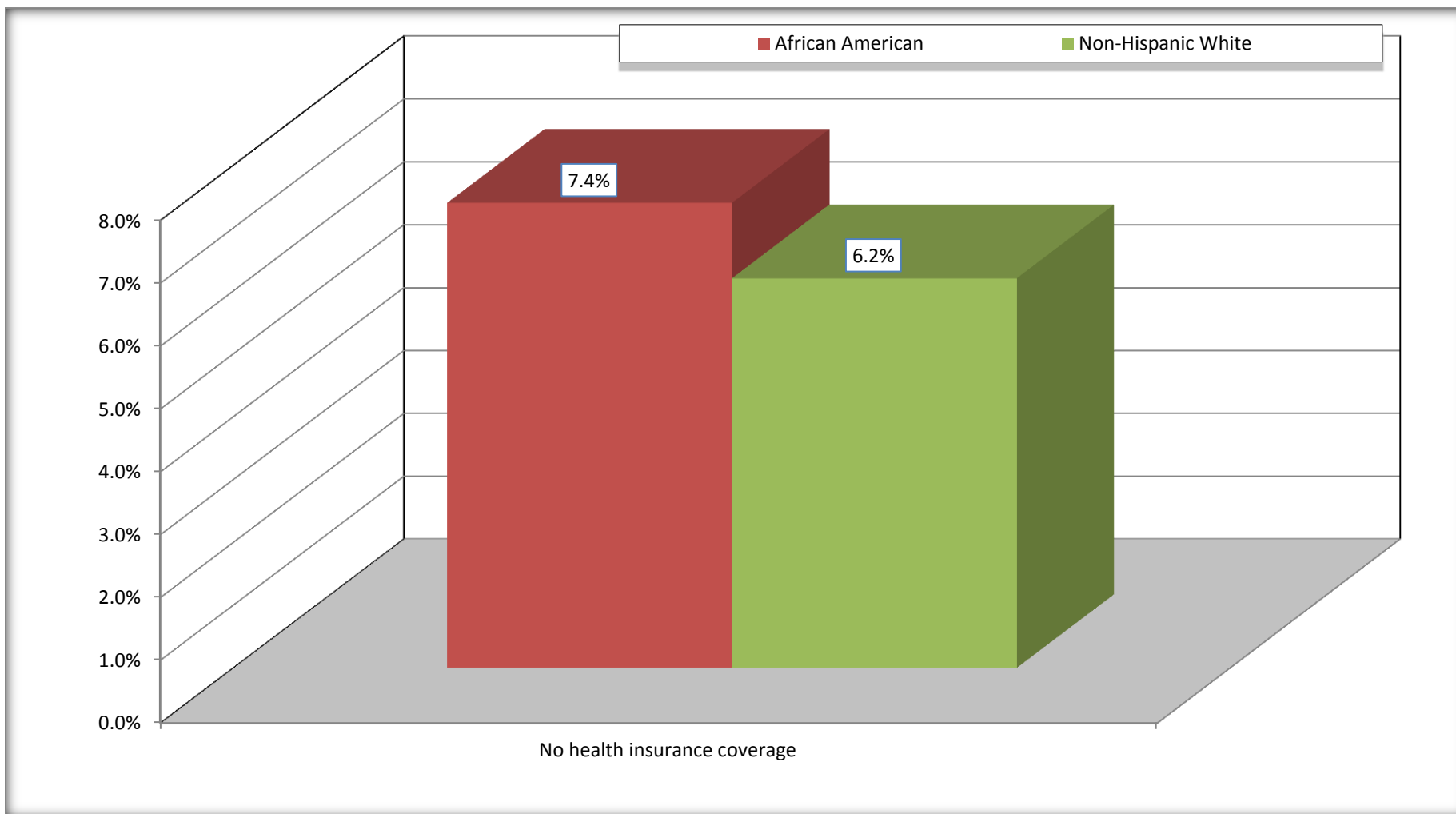
**Per capita Income in the Past 12 Months**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

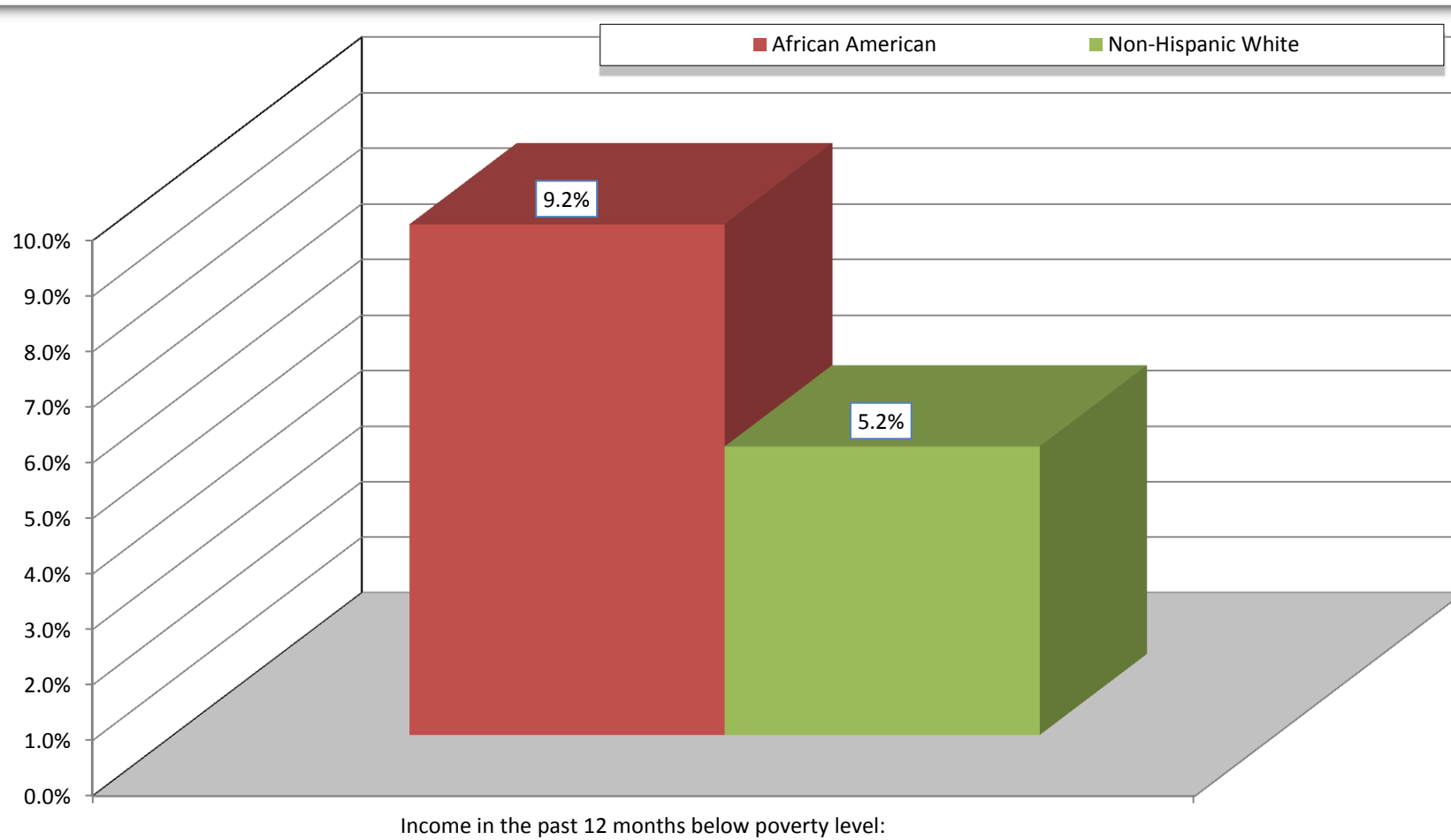
## Lack of Health Insurance Coverage -- Civilian Noninstitutionalized Population

### Congressional District 6 (116th Congress), Alabama



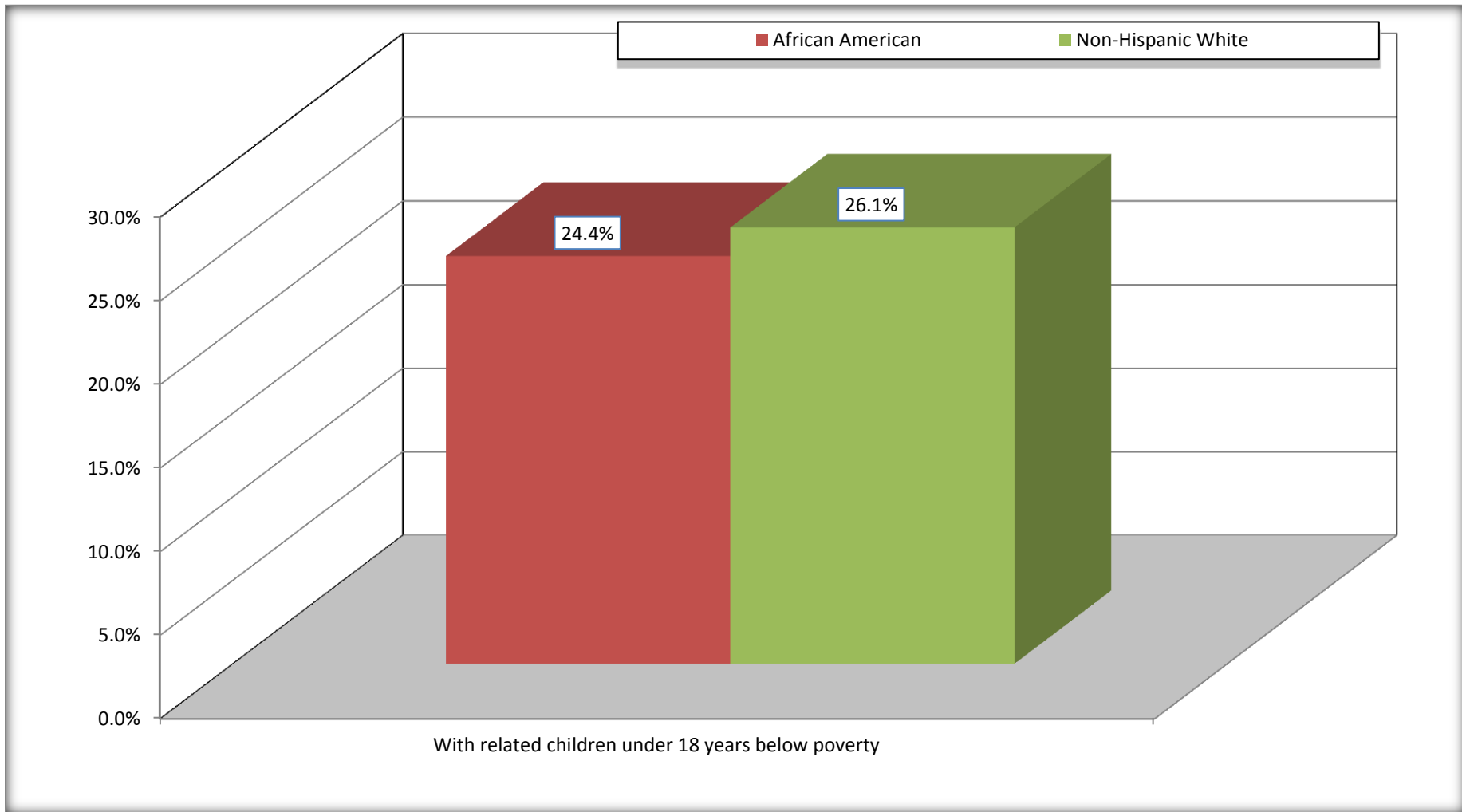
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Family Households Below Poverty in the Past 12 Months**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

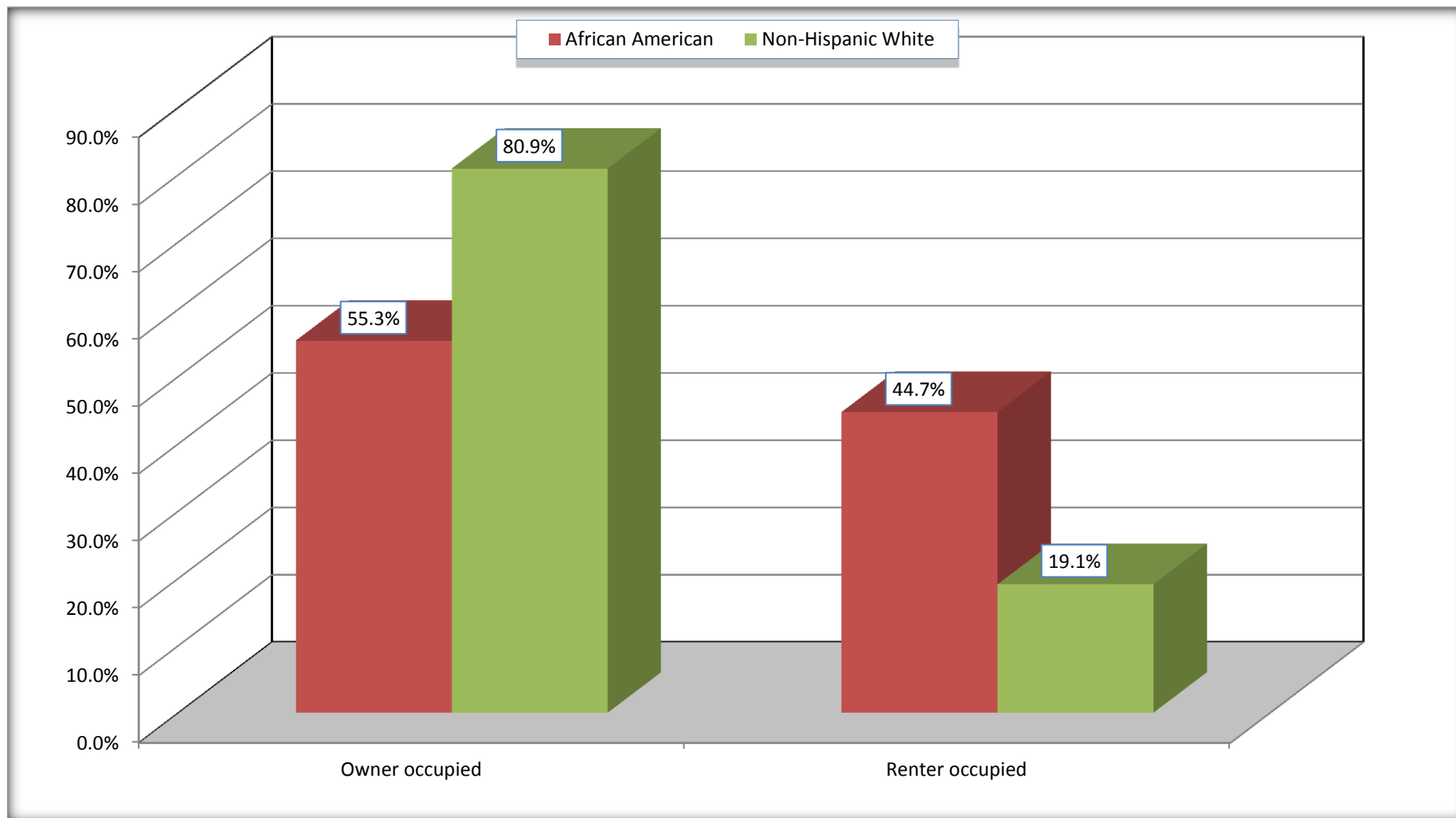
**Female-headed Households with Related Children Below Poverty in the Past 12 Months**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

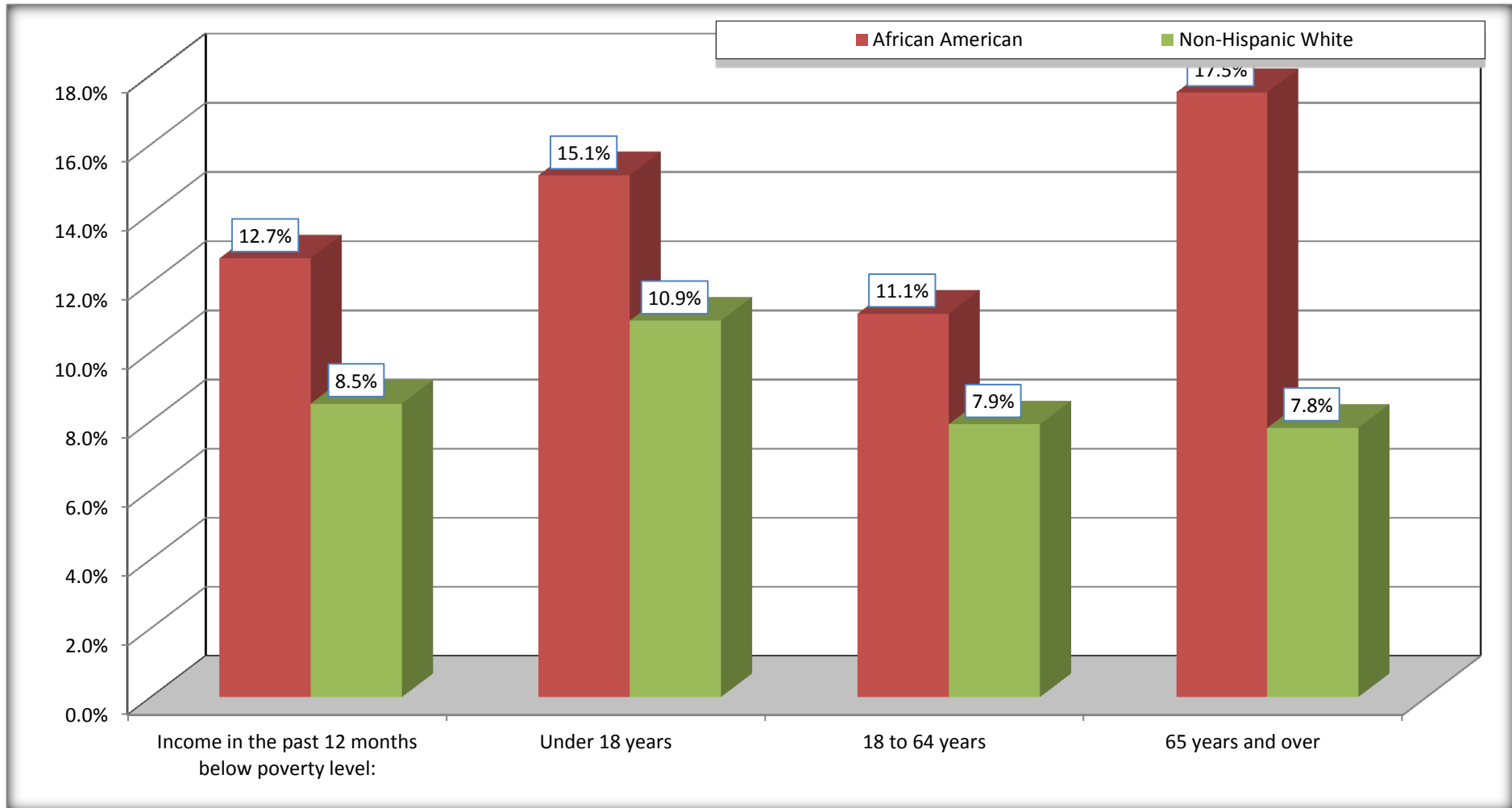


## Home Owners and Renters by Household Congressional District 6 (116th Congress), Alabama



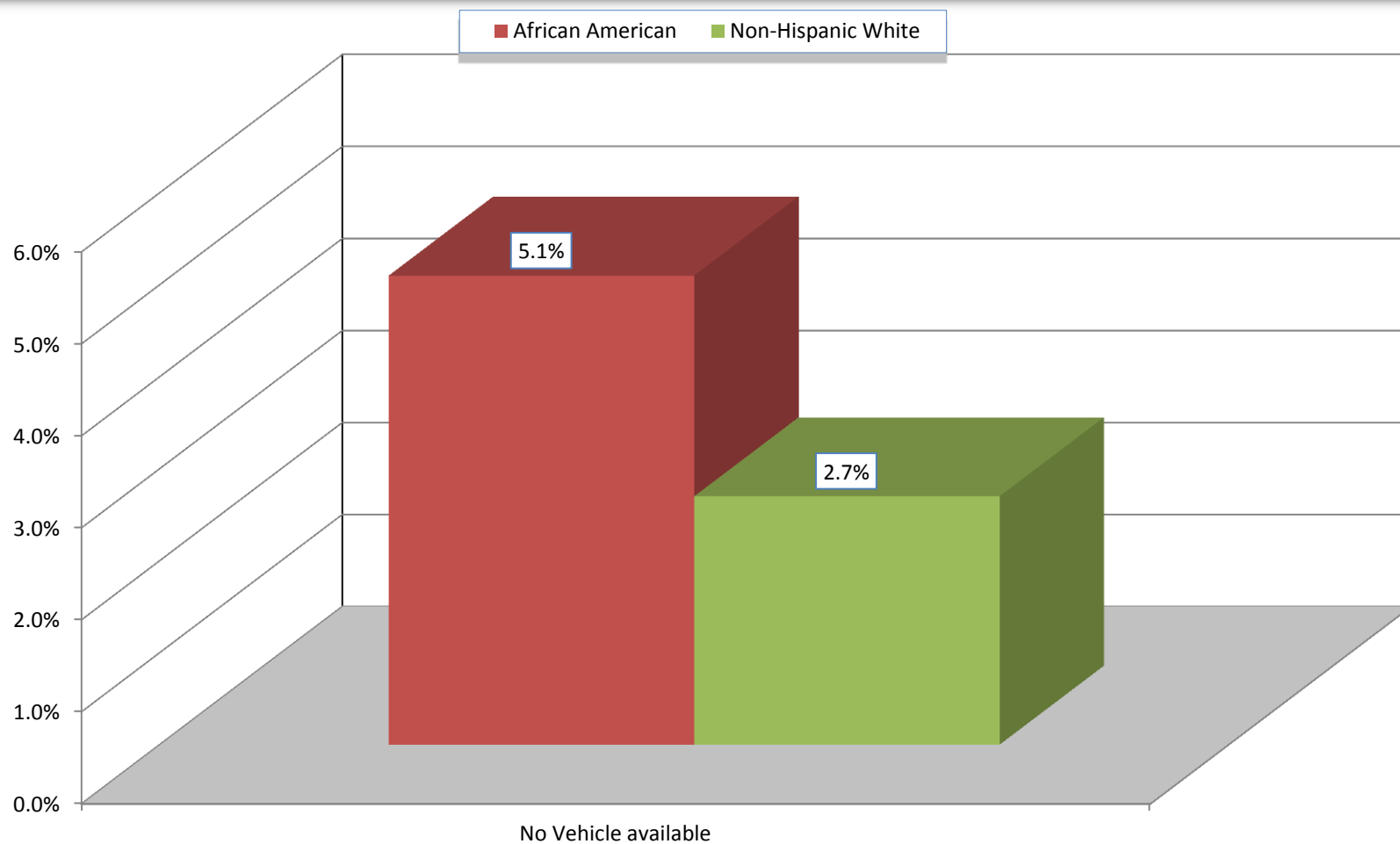
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Population Below Poverty in the Past 12 Months**  
**Congressional District 6 (116th Congress), Alabama**



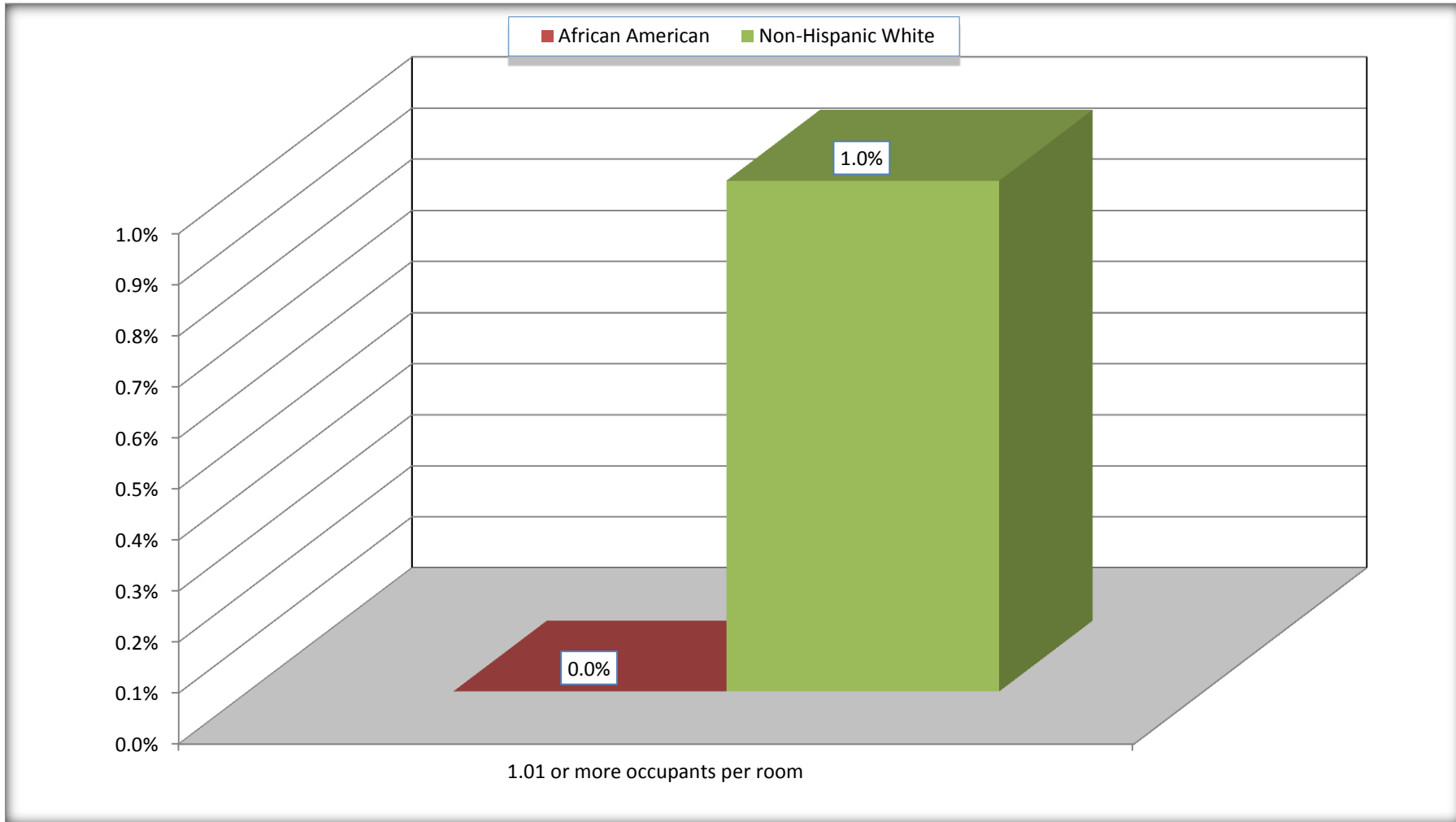
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**No Vehicles Available by Household**  
**Congressional District 6 (116th Congress), Alabama**



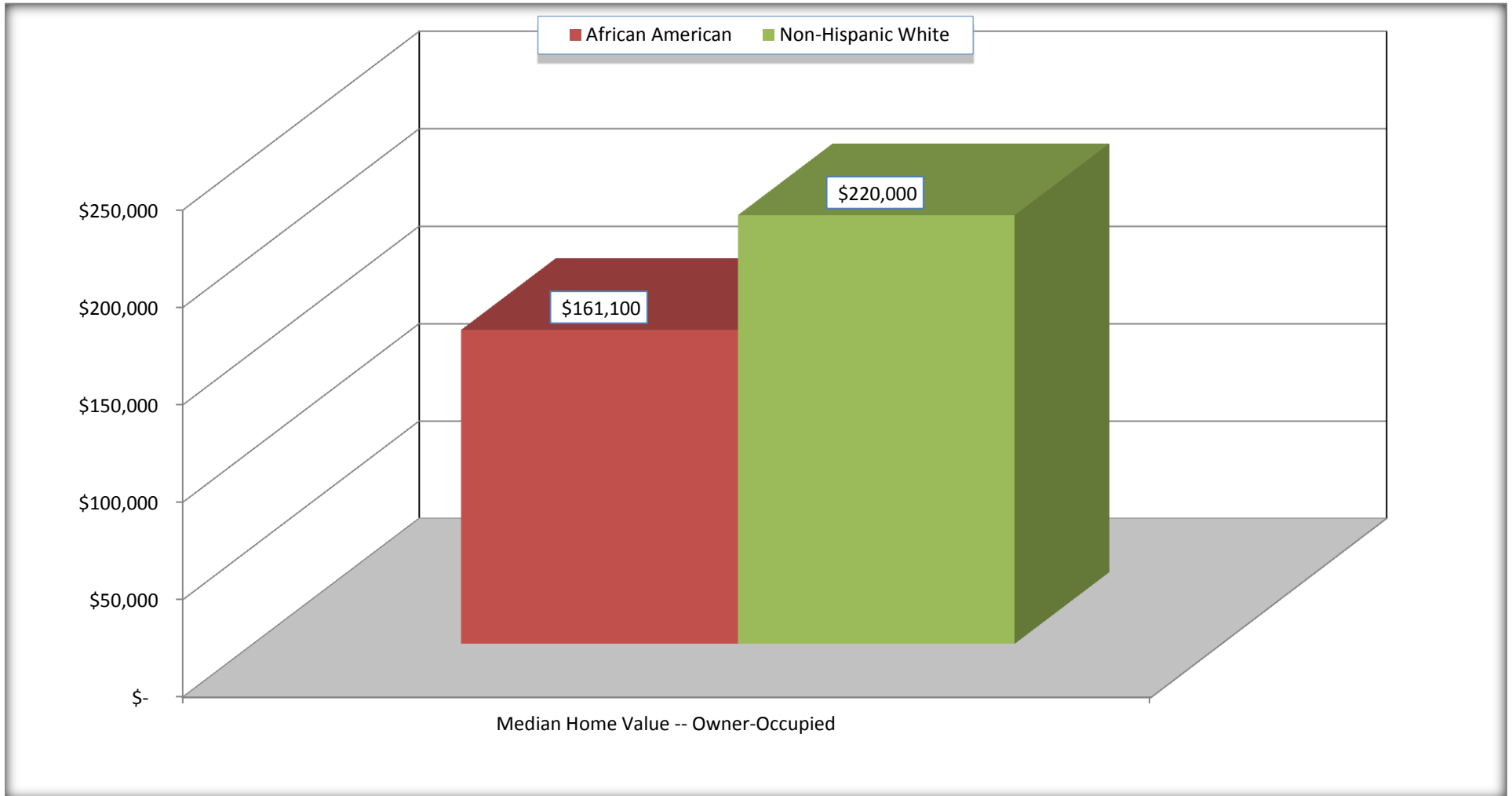
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**More than One Person per Room (Crowding) by Household**  
**Congressional District 6 (116th Congress), Alabama**



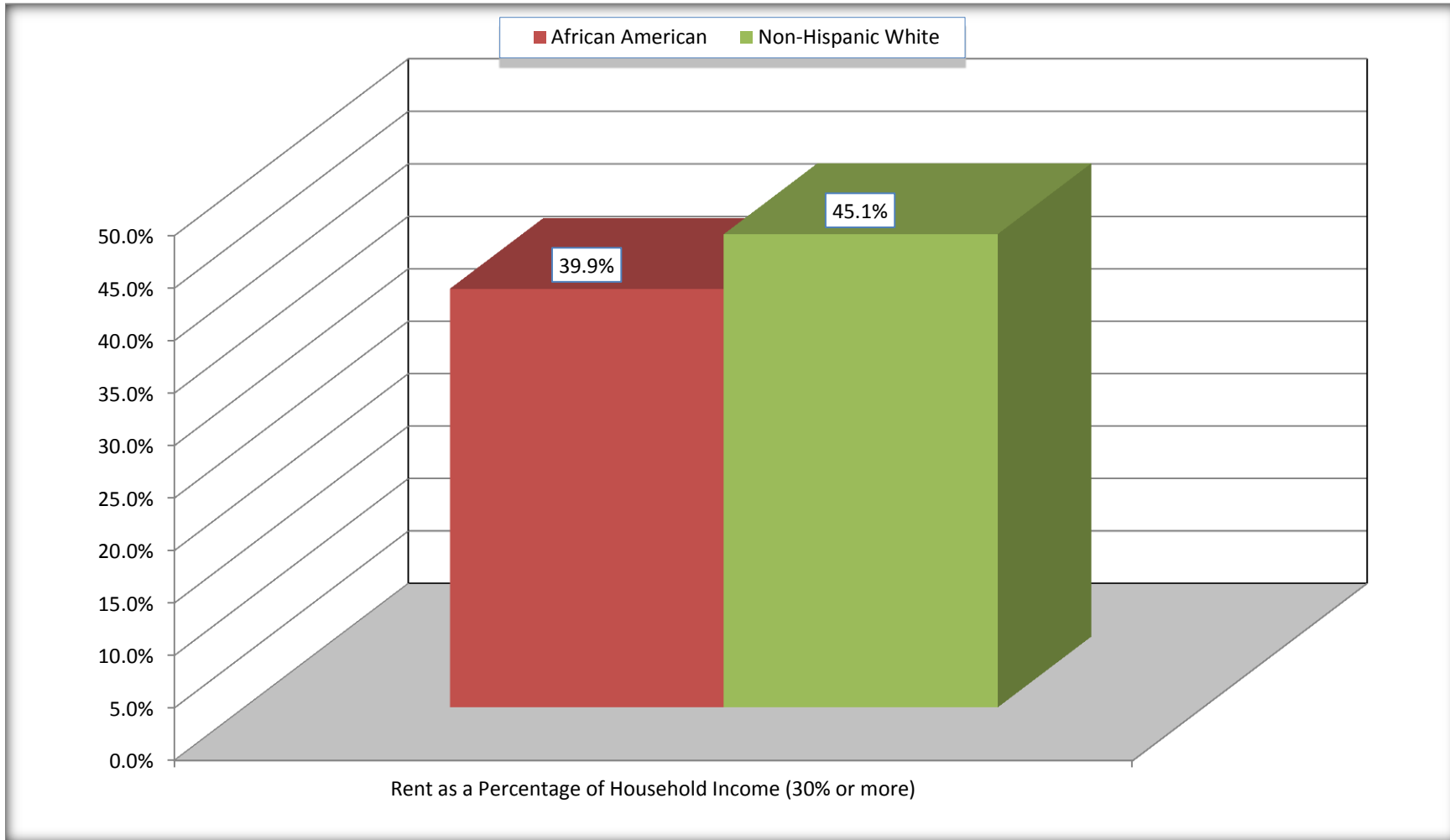
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Home Value -- Owner-Occupied**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

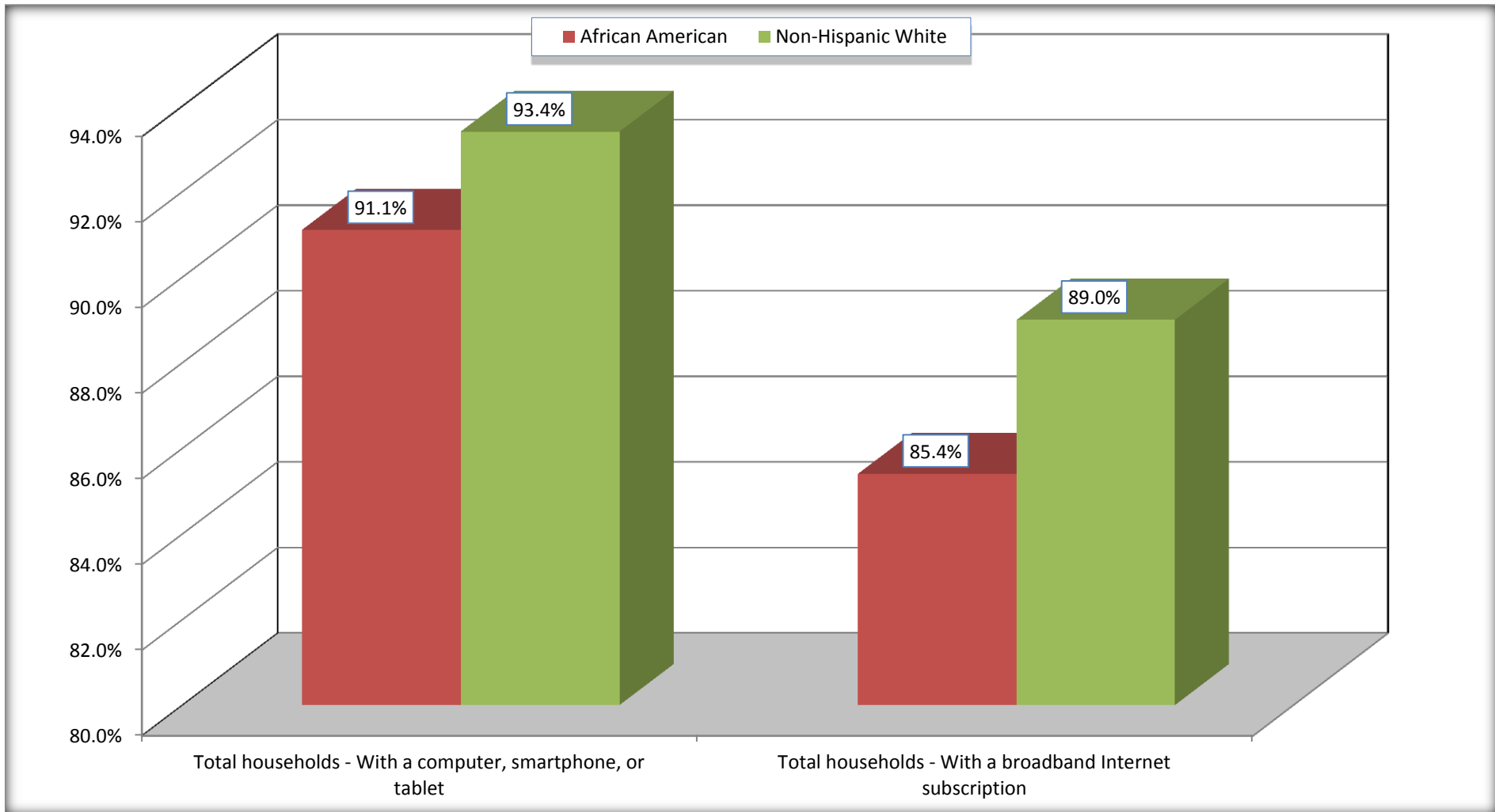
**Rent as a Percentage of Household Income (30% or more) -- Renter-Occupied**  
**Congressional District 6 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Computers and Internet Use

### Congressional District 6 (116th Congress), Alabama

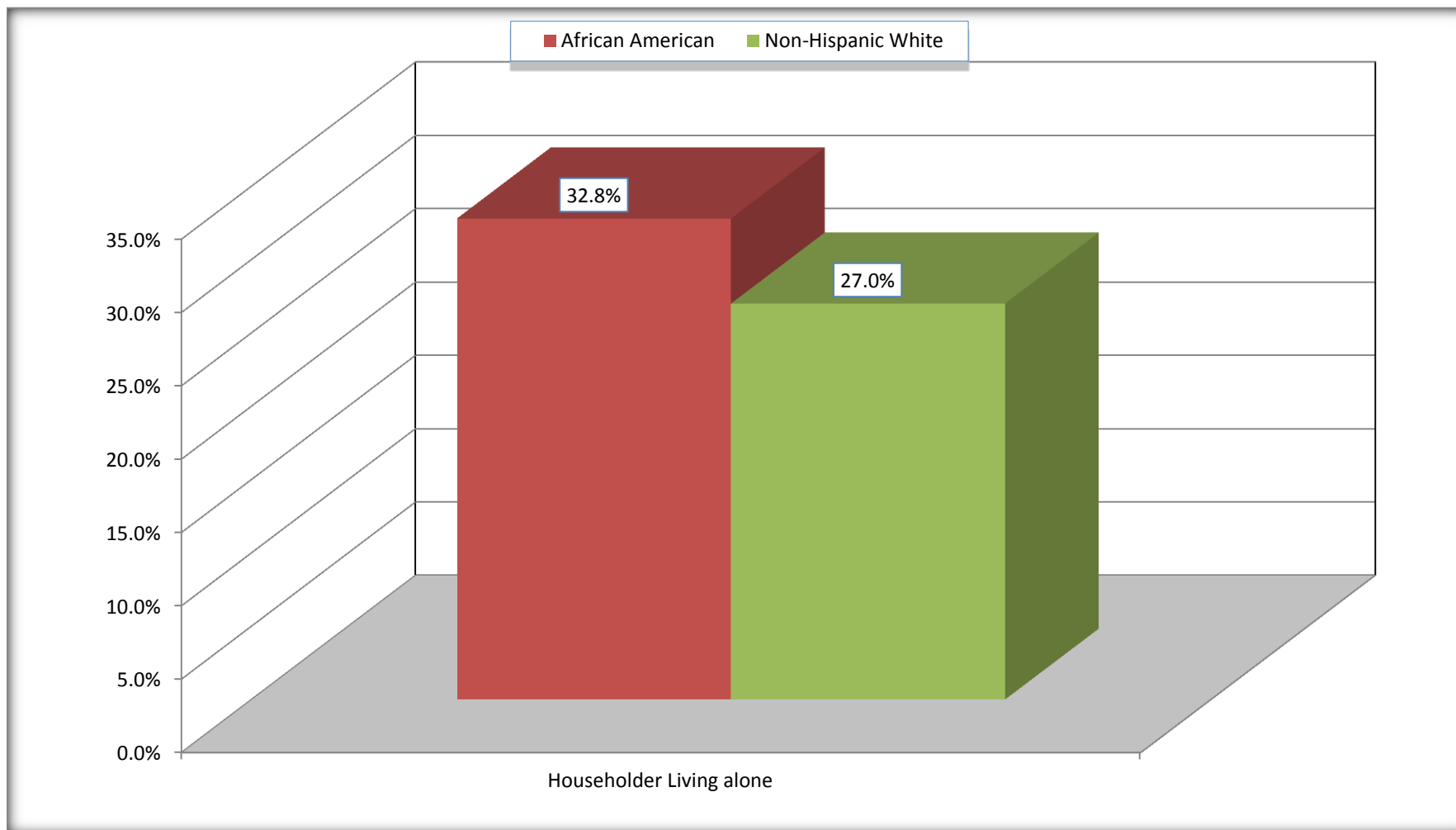


Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates



# Households with Householder Living Alone

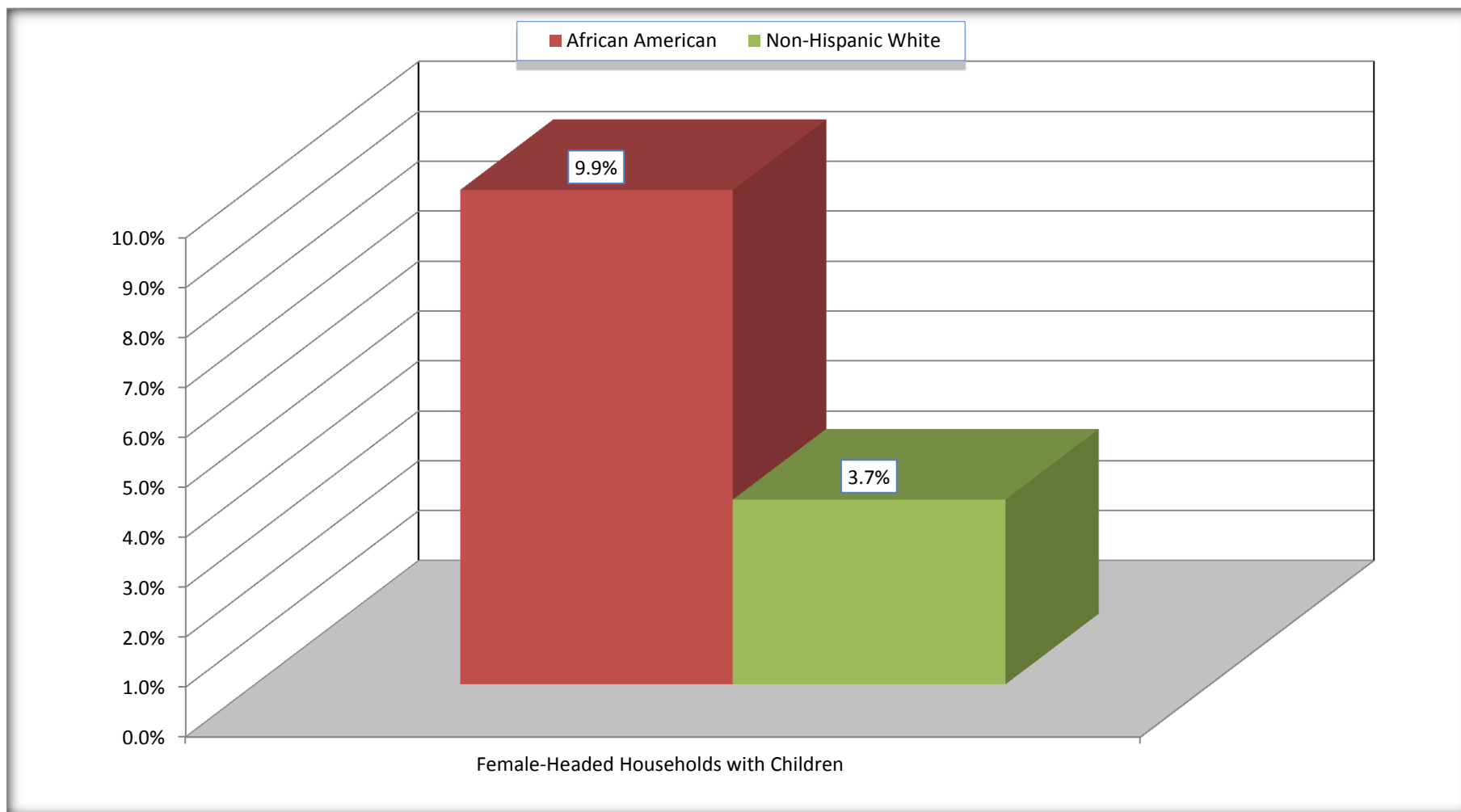
## Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Female-Headed Households with Children Under 18 (As a Percentage of all Households)

### Congressional District 6 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>TOTAL NUMBER OF RACES REPORTED</b>			
Total population	699,605	117,783	529,852
One race	98.3%	94.8%	100.0%
Two races	1.6%	5.1%	(X)
Three races	0.1%	0.1%	(X)
Four or more races	0.0%	0.0%	(X)
<b>SEX AND AGE</b>			
Total population	699,605	117,783	529,852
Male	48.1%	45.4%	48.6%
Female	51.9%	54.6%	51.4%
Under 5 years	5.7%	5.2%	5.5%
5 to 17 years	17.0%	18.9%	15.5%
18 to 24 years	7.9%	10.4%	7.2%
25 to 34 years	13.2%	14.7%	12.6%
35 to 44 years	13.6%	18.9%	12.4%
45 to 54 years	12.8%	11.2%	13.4%
55 to 64 years	13.3%	11.5%	14.2%
65 to 74 years	10.0%	6.5%	11.3%
75 years and over	6.6%	2.9%	7.9%
Median age (years)	39.9	35.5	42.1
18 years and over	77.3%	75.9%	78.9%
21 years and over	73.7%	70.9%	75.7%
62 years and over	20.0%	12.5%	22.9%
65 years and over	16.5%	9.3%	19.2%
Under 18 years	158,751	28,332	111,534
Male	49.8%	45.3%	50.7%
Female	50.2%	54.7%	49.3%
<b>18 years and over</b>	<b>540,854</b>	<b>89,451</b>	<b>418,318</b>
Male	47.6%	45.4%	48.0%
Female	52.4%	54.6%	52.0%
18 to 34 years	147,337	29,511	104,908
Male	48.6%	47.7%	49.6%
Female	51.4%	52.3%	50.4%
35 to 64 years	277,747	48,933	211,848
Male	48.5%	46.0%	48.9%
Female	51.5%	54.0%	51.1%

	Black or African American alone		White alone, or in combination not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>65 years and over</b>	<b>115,770</b>	<b>11,007</b>	<b>101,562</b>
Male	44.0%	36.5%	44.6%
Female	56.0%	63.5%	55.4%
<b>RELATIONSHIP</b>			
Population in households	689,991	115,055	523,268
Householder or spouse	61.0%	53.6%	63.9%
Unmarried partner	1.8%	2.7%	1.6%
Child	29.9%	33.5%	27.7%
Other relatives	5.6%	9.2%	4.9%
Other nonrelatives	1.7%	0.9%	1.9%
<b>HOUSEHOLDS BY TYPE</b>			
Households	272,470	45,370	211,143
Family households	68.5%	63.9%	68.6%
With own children of the householder under 18 years	27.0%	28.7%	25.1%
Married-couple family	54.4%	35.5%	57.6%
With own children of the householder under 18 years	20.7%	16.6%	20.3%
Female householder, no spouse present, family	10.9%	21.4%	8.7%
With own children of the householder under 18 years	4.9%	9.9%	3.7%
Nonfamily households	31.5%	36.1%	31.4%
Male householder	14.2%	14.8%	14.6%
Living alone	11.6%	12.3%	11.9%
Not living alone	2.6%	2.4%	2.7%
Female householder	17.3%	21.4%	16.9%
Living alone	15.7%	20.5%	15.1%
Not living alone	1.6%	0.9%	1.8%
Average household size	2.53	2.42	2.50
Average family size	3.11	3.09	3.06
<b>MARITAL STATUS</b>			
Population 15 years and over	569,203	94,494	438,736
Now married, except separated	54.9%	37.8%	58.2%
Widowed	6.3%	5.0%	6.9%
Divorced	11.3%	13.3%	11.2%
Separated	1.3%	3.1%	0.9%
Never married	26.2%	40.7%	22.7%
Male 15 years and over	271,448	42,345	211,825
Now married, except separated	57.0%	41.1%	59.8%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Widowed	3.0%	3.1%	3.2%
Divorced	9.6%	10.4%	9.9%
Separated	1.3%	4.7%	0.7%
Never married	29.1%	40.7%	26.5%
Female 15 years and over	297,755	52,149	226,911
Now married, except separated	52.9%	35.1%	56.8%
Widowed	9.3%	6.5%	10.5%
Divorced	12.8%	15.7%	12.5%
Separated	1.3%	1.9%	1.1%
Never married	23.7%	40.7%	19.1%
<b>SCHOOL ENROLLMENT</b>			
Population 3 years and over enrolled in school	167,806	32,330	117,855
Nursery school, preschool	6.5%	3.1%	7.6%
Kindergarten	4.4%	4.1%	3.9%
Elementary school (grades 1-8)	43.6%	42.7%	42.8%
High school (grades 9-12)	22.9%	23.2%	23.1%
College or graduate school	22.6%	26.8%	22.6%
Male 3 years and over enrolled in school	81,598	15,470	57,910
Percent enrolled in kindergarten to grade 12	75.4%	73.5%	74.9%
Percent enrolled in college or graduate school	17.9%	25.4%	17.1%
Female 3 years and over enrolled in school	86,208	16,860	59,945
Percent enrolled in kindergarten to grade 12	66.5%	66.9%	64.9%
Percent enrolled in college or graduate school	27.1%	28.1%	28.0%
<b>EDUCATIONAL ATTAINMENT</b>			
Population 25 years and over	485,802	77,229	380,033
Less than high school diploma	9.0%	11.1%	7.5%
High school graduate (includes equivalency)	23.7%	26.1%	23.5%
Some college or associate's degree	28.8%	32.9%	28.5%
Bachelor's degree	23.9%	19.6%	25.0%
Graduate or professional degree	14.6%	10.5%	15.5%
High school graduate or higher	91.0%	88.9%	92.5%
Male, high school graduate or higher	89.6%	86.2%	91.1%
Female, high school graduate or higher	92.2%	91.1%	93.8%
Bachelor's degree or higher	38.5%	30.0%	40.5%
Male, bachelor's degree or higher	37.6%	24.6%	39.9%
Female, bachelor's degree or higher	39.3%	34.3%	41.0%

	All Persons Estimate	Black or African American alone or in combination Estimate	White alone, not Hispanic or Latino Estimate
<b>FERTILITY</b>			
Women 15 to 50 years	168,660	35,928	118,152
Women 15 to 50 years who had a birth in the past 12 months	8,382	1,927	5,842
Unmarried women 15 to 50 years who had a birth in the past 12 months	2,386	1,502	884
As a percent of all women with a birth in the past 12 months	28.5%	77.9%	15.1%
<b>RESPONSIBILITY FOR GRANDCHILDREN UNDER 18 YEARS</b>			
Population 30 years and over	441,522	68,325	347,425
Grandparents living with grandchild(ren)	3.1%	5.5%	2.5%
Grandparents responsible for grandchildren as a percentage of living with grandchildren	48.4%	45.8%	49.0%
<b>VETERAN STATUS</b>			
Civilian population 18 years and over	540,104	88,831	418,241
Civilian veteran	7.3%	9.6%	7.1%
<b>DISABILITY STATUS</b>			
Total civilian noninstitutionalized population	693,338	115,226	526,228
With a disability	13.2%	12.7%	13.6%
Civilian noninstitutionalized population under 18 years	158,650	28,257	111,508
With a disability	3.7%	4.4%	3.7%
Civilian noninstitutionalized population 18 to 64 years	420,841	76,546	314,497
With a disability	11.0%	11.1%	10.8%
Civilian noninstitutionalized population 65 years and older	113,847	10,423	100,223
With a disability	34.4%	47.3%	33.1%
<b>RESIDENCE 1 YEAR AGO</b>			
Population 1 year and over	692,181	116,365	524,694
Same house	87.6%	83.6%	88.5%
Different house in the U.S.	12.2%	15.9%	11.4%
Same county	7.2%	9.9%	6.4%
Different county	5.0%	6.0%	4.9%
Same state	3.5%	5.3%	3.2%
Different state	1.5%	0.7%	1.8%
Abroad	0.2%	0.5%	0.1%
<b>PLACE OF BIRTH, CITIZENSHIP STATUS AND YEAR OF ENTRY</b>			
Native	669,054	115,858	523,822
Male	48.0%	45.4%	48.5%
Female	52.0%	54.6%	51.5%
Foreign born	30,551	1,925	6,030
Male	49.8%	43.6%	52.2%

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female	50.2%	56.4%	47.8%
Foreign born; naturalized U.S. citizen	15,474	1,280	4,052
Male	49.9%	49.9%	52.3%
Female	50.1%	50.1%	47.7%
Foreign born; not a U.S. citizen	15,077	645	1,978
Male	49.7%	31.2%	52.0%
Female	50.3%	68.8%	48.0%
Population born outside the United States	30,551	1,925	6,030
Entered 2010 or later	24.5%	10.1%	23.9%
Entered 2000 to 2009	32.4%	75.2%	26.9%
Entered before 2000	43.0%	14.7%	49.2%
<b>WORLD REGION OF BIRTH OF FOREIGN BORN</b>			
Foreign-born population excluding population born at sea	30,551	1,925	6,030
Europe	11.6%	N	59.0%
Asia	30.2%	N	8.1%
Africa	8.9%	N	13.5%
Oceania	0.0%	N	0.0%
Latin America	46.0%	N	2.8%
Northern America	3.3%	N	16.6%
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>			
Population 5 years and over	659,826	111,712	500,706
English only	94.0%	98.0%	98.7%
Language other than English	6.0%	2.0%	1.3%
Speak English less than "very well"	2.2%	0.5%	0.4%
<b>EMPLOYMENT STATUS</b>			
Population 16 years and over	559,043	92,183	431,887
In labor force	62.9%	69.7%	61.1%
Civilian labor force	62.8%	69.0%	61.0%
Employed	60.7%	65.9%	59.2%
Unemployed	2.1%	3.1%	1.9%
Unemployment Rate	3.3%	4.5%	3.1%
Armed Forces	0.1%	0.7%	0.0%
Not in labor force	37.1%	30.3%	38.9%
Females 16 years and over	292,342	50,644	223,641
In labor force	57.3%	69.2%	54.6%
Civilian labor force	57.2%	68.9%	54.6%



	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Employed	55.5%	67.3%	52.9%
Unemployed	1.7%	1.5%	1.7%
Unemployment Rate	3.0%	2.2%	3.1%
<b>COMMUTING TO WORK</b>			
Workers 16 years and over	335,386	60,438	252,339
Car, truck, or van - drove alone	86.1%	84.6%	87.1%
Car, truck, or van - carpooled	7.0%	8.3%	6.0%
Public transportation (excluding taxicab)	0.1%	0.3%	0.0%
Walked	0.8%	0.3%	1.0%
Other means	0.9%	3.0%	0.5%
Worked from home	5.1%	3.5%	5.4%
Mean travel time to work (minutes)	28.7	28.6	28.9
<b>OCCUPATION</b>			
Civilian employed population 16 years and over	339,524	60,741	255,546
Management, business, science, and arts occupations	45.3%	36.1%	48.2%
Service occupations	13.0%	15.5%	11.5%
Sales and office occupations	20.9%	21.9%	21.2%
Natural resources, construction, and maintenance occupations	7.9%	3.8%	8.3%
Production, transportation, and material moving occupations	13.0%	22.7%	10.9%
Male civilian employed population 16 years and over	177,251	26,636	137,332
Management, business, science, and arts occupations	40.4%	24.2%	43.8%
Service occupations	11.6%	15.7%	10.5%
Sales and office occupations	14.6%	13.9%	14.9%
Natural resources, construction, and maintenance occupations	14.4%	8.4%	14.8%
Production, transportation, and material moving occupations	19.0%	37.9%	15.9%
Female civilian employed population 16 years and over	162,273	34,105	118,214
Management, business, science, and arts occupations	50.5%	45.3%	53.3%
Service occupations	14.5%	15.4%	12.7%
Sales and office occupations	27.8%	28.2%	28.4%
Natural resources, construction, and maintenance occupations	0.7%	0.2%	0.7%
Production, transportation, and material moving occupations	6.4%	10.9%	5.0%
<b>INDUSTRY</b>			
Civilian employed population 16 years and over	339,524	60,741	255,546
Agriculture, forestry, fishing and hunting, and mining	0.8%	0.3%	0.8%
Construction	6.2%	1.8%	6.8%
Manufacturing	10.8%	16.0%	9.7%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Wholesale trade	3.7%	3.4%	4.0%
Retail trade	10.3%	7.2%	10.8%
Transportation and warehousing, and utilities	5.5%	9.2%	5.0%
Information	1.9%	2.1%	1.9%
Finance and insurance, and real estate and rental and leasing	9.3%	10.5%	9.2%
Professional, scientific, and management, and administrative and waste managemen	10.6%	7.8%	11.5%
Educational services, and health care and social assistance	23.1%	20.3%	24.5%
Arts, entertainment, and recreation, and accommodation and food services	7.4%	9.1%	6.2%
Other services (except public administration)	6.3%	5.2%	6.2%
Public administration	4.0%	7.1%	3.4%
<b>CLASS OF WORKER</b>			
Civilian employed population 16 years and over	339,524	60,741	255,546
Private wage and salary workers	81.3%	79.5%	81.4%
Government workers	13.4%	17.8%	12.9%
Self-employed workers in own not incorporated business	5.0%	2.7%	5.4%
Unpaid family workers	0.2%	0.0%	0.2%
<b>INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)</b>			
Households	272,470	45,370	211,143
Median household income (dollars)	69,072	59,237	72,670
With earnings	77.2%	81.2%	75.4%
Mean earnings (dollars)	98,407	78,749	103,688
With Social Security income	32.3%	23.0%	35.6%
Mean Social Security income (dollars)	21,495	15,509	22,518
With Supplemental Security Income	4.6%	6.7%	4.0%
Mean Supplemental Security Income (dollars)	10,656	8,210	11,322
With cash public assistance income	0.7%	N	0.6%
Mean cash public assistance income (dollars)	6,273	15,566	3,940
With retirement income	26.6%	19.9%	29.2%
Mean retirement income (dollars)	30,034	23,694	31,148
With Food Stamp/SNAP benefits	7.2%	15.2%	5.3%
Families	186,592	28,984	144,782
Median family income (dollars)	87,199	73,119	92,859
Married-couple family	79.4%	55.6%	83.9%
Median income (dollars)	100,212	106,951	101,238
Male householder, no spouse present, family	4.7%	10.9%	3.3%
Median income (dollars)	55,996	61,459	60,103

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female householder, no husband present, family	15.9%	33.5%	12.8%
Median income (dollars)	48,863	43,387	51,209
Individuals	699,605	117,783	529,852
Per capita income (dollars)	38,316	29,764	41,266
With earnings for full-time, year-round workers:			
Male	146,227	22,544	112,745
Female	110,059	27,082	76,514
Mean earnings (dollars) for full-time, year-round workers:			
Male	83,516	57,305	89,714
Female	58,120	51,260	61,399
Median earnings (dollars) full-time, year-round workers:			
Male	58,689	45,079	62,058
Female	47,365	43,760	49,695
<b>HEALTH INSURANCE COVERAGE</b>			
Civilian noninstitutionalized population	693,338	115,226	526,228
With private health insurance	75.9%	70.7%	78.4%
With public coverage	29.8%	33.1%	29.5%
No health insurance coverage	7.2%	7.4%	6.2%
<b>POVERTY RATES FOR FAMILIES AND PEOPLE FOR WHOM POVERTY STATUS IS DETERMINED</b>			
All families	6.3%	9.2%	5.2%
With related children of the householder under 18 years	9.3%	11.4%	8.6%
With related children of the householder under 5 years only	5.7%	N	5.7%
Married-couple family	3.8%	4.0%	3.4%
With related children of the householder under 18 years	4.3%	N	4.8%
With related children of the householder under 5 years only	N	N	N
Female householder, no spouse present, family	16.5%	16.9%	15.7%
With related children of the householder under 18 years	25.8%	24.4%	26.1%
With related children of the householder under 5 years only	28.2%	N	30.4%
All people	9.5%	12.7%	8.5%
Under 18 years	12.2%	15.1%	10.9%
Related children of the householder under 18 years	11.9%	14.9%	10.7%
Related children of the householder under 5 years	11.7%	7.9%	10.6%
Related children of the householder 5 to 17 years	12.0%	16.8%	10.8%
18 years and over	8.7%	11.9%	7.8%
18 to 64 years	8.6%	11.1%	7.9%
65 years and over	9.2%	17.5%	7.8%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
People in families	7.2%	9.7%	6.1%
Unrelated individuals 15 years and over	21.8%	26.4%	20.7%
<b>HOUSING TENURE</b>			
Occupied housing units	272,470	45,370	211,143
Owner-occupied housing units	75.9%	55.3%	80.9%
Renter-occupied housing units	24.1%	44.7%	19.1%
Average household size of owner-occupied unit	2.62	2.56	2.59
Average household size of renter-occupied unit	2.25	2.25	2.12
<b>UNITS IN STRUCTURE</b>			
Occupied housing units	272,470	45,370	211,143
1-unit, detached or attached	77.2%	64.2%	80.7%
2 to 4 units	2.7%	4.8%	2.2%
5 or more units	11.0%	26.4%	7.4%
Mobile home, boat, RV, van, etc.	9.2%	4.6%	9.8%
<b>YEAR STRUCTURE BUILT</b>			
Occupied housing units	272,470	45,370	211,143
Built 2014 or later	5.8%	7.0%	5.6%
Built 2010 to 2013	3.6%	4.4%	3.4%
Built 2000 to 2009	18.3%	18.2%	18.1%
Built 1980 to 1999	33.8%	33.2%	33.9%
Built 1960 to 1979	25.1%	25.2%	24.8%
Built 1940 to 1959	9.7%	8.8%	10.2%
Built 1939 or earlier	3.7%	3.1%	4.0%
<b>VEHICLES AVAILABLE</b>			
Occupied housing units	272,470	45,370	211,143
None	3.0%	5.1%	2.7%
1 or more	97.0%	94.9%	97.3%
<b>HOUSE HEATING FUEL</b>			
Occupied housing units	272,470	45,370	211,143
Gas	45.2%	37.0%	47.6%
Electricity	53.8%	62.4%	51.3%
All other fuels	0.5%	0.3%	0.6%
No fuel used	0.5%	0.2%	0.5%
<b>SELECTED CHARACTERISTICS</b>			
Occupied housing units	272,470	45,370	211,143
No telephone service available	1.1%	N	1.1%

	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
1.01 or more occupants per room	1.3%	N	1.0%
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Housing units with a mortgage (excluding units where SMOC cannot be computed)	128,851	18,828	103,435
Less than 30 percent	77.9%	77.3%	78.5%
30 percent or more	22.1%	22.7%	21.5%
<b>OWNER CHARACTERISTICS</b>			
Owner-occupied housing units	206,801	25,070	170,745
Median value (dollars)	206,000	161,100	220,000
Median selected monthly owner costs with a mortgage (dollars)	1,414	1,217	1,453
Median selected monthly owner costs without a mortgage (dollars)	415	380	421
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Occupied units paying rent (excluding units where GRAPL cannot be computed)	57,522	19,068	34,064
Less than 30 percent	55.8%	60.1%	54.9%
30 percent or more	44.2%	39.9%	45.1%
<b>GROSS RENT</b>			
Occupied units paying rent	58,348	19,125	34,560
Median gross rent (dollars)	1,026	1,031	1,017
<b>COMPUTERS AND INTERNET USE</b>			
Total households	272,470	45,370	211,143
With a computer	93.0%	91.1%	93.4%
With a broadband Internet subscription	88.3%	85.4%	89.0%

###

## **Selected Socio-Economic Data**

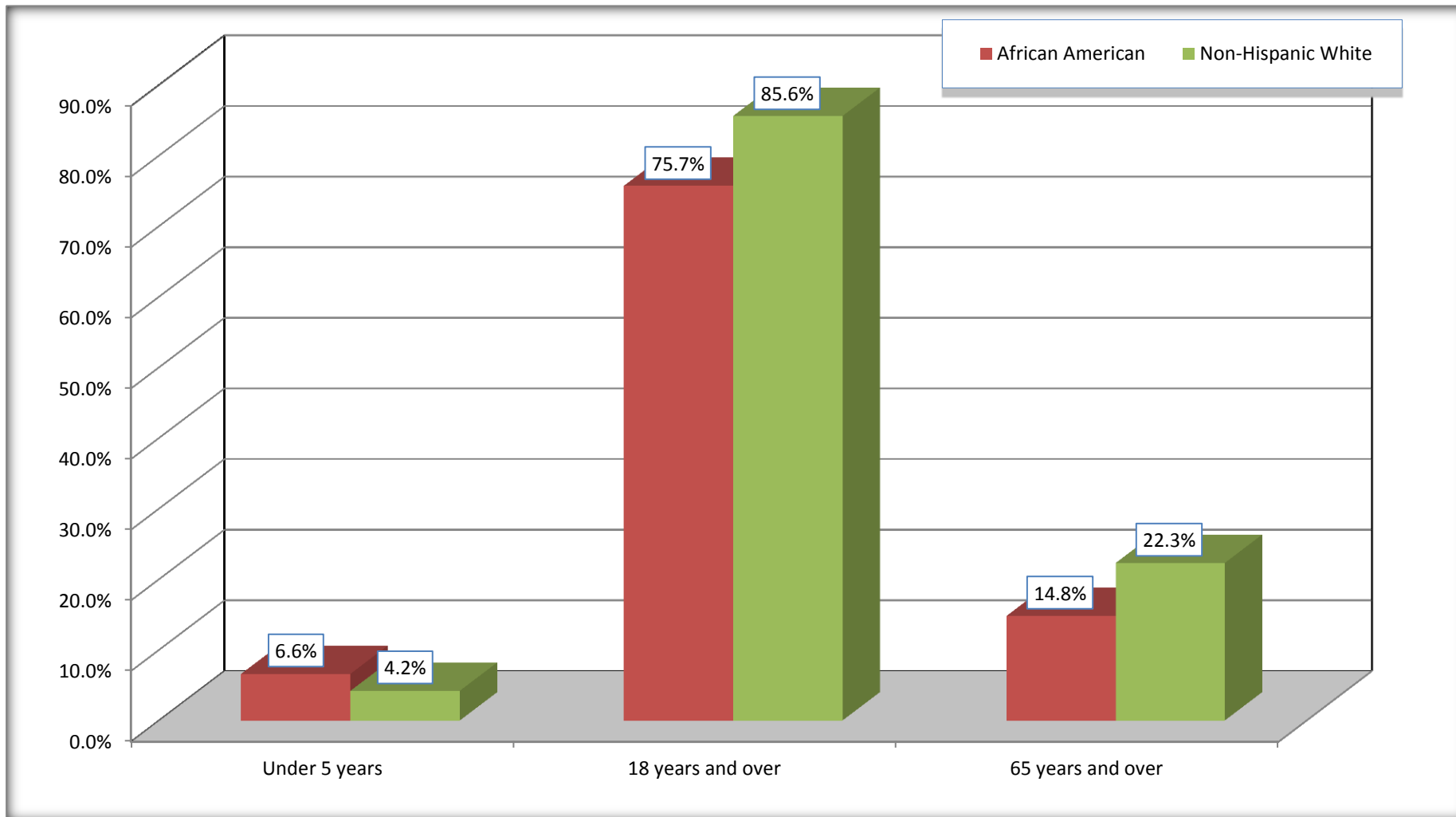
### **Congressional District 7 (116th Congress), Alabama**

**Any Part African American vis-à-vis NH White**

**Data Set: 2019 American Community Survey 1-Year Estimates**

# Population by Age

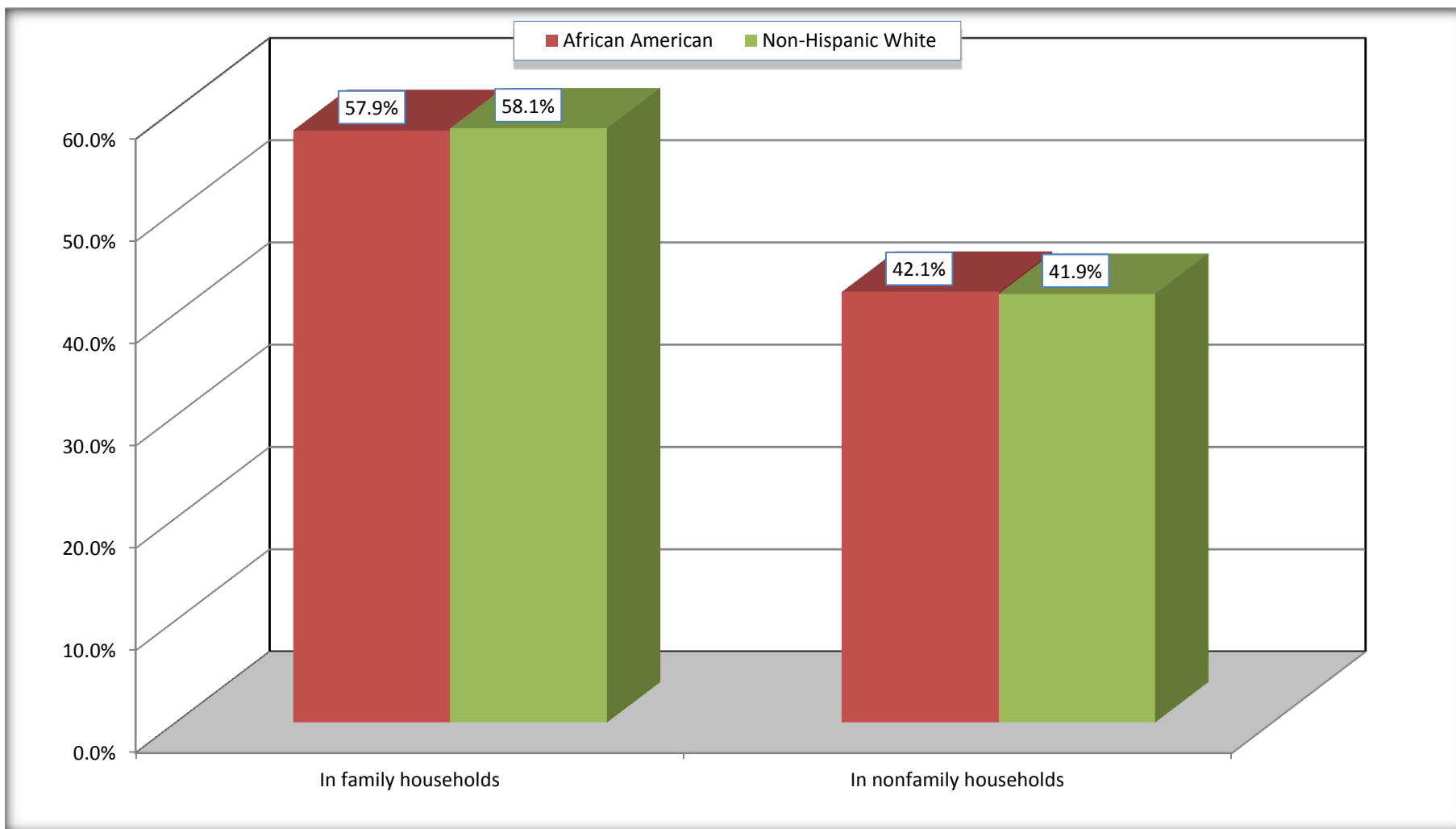
## Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

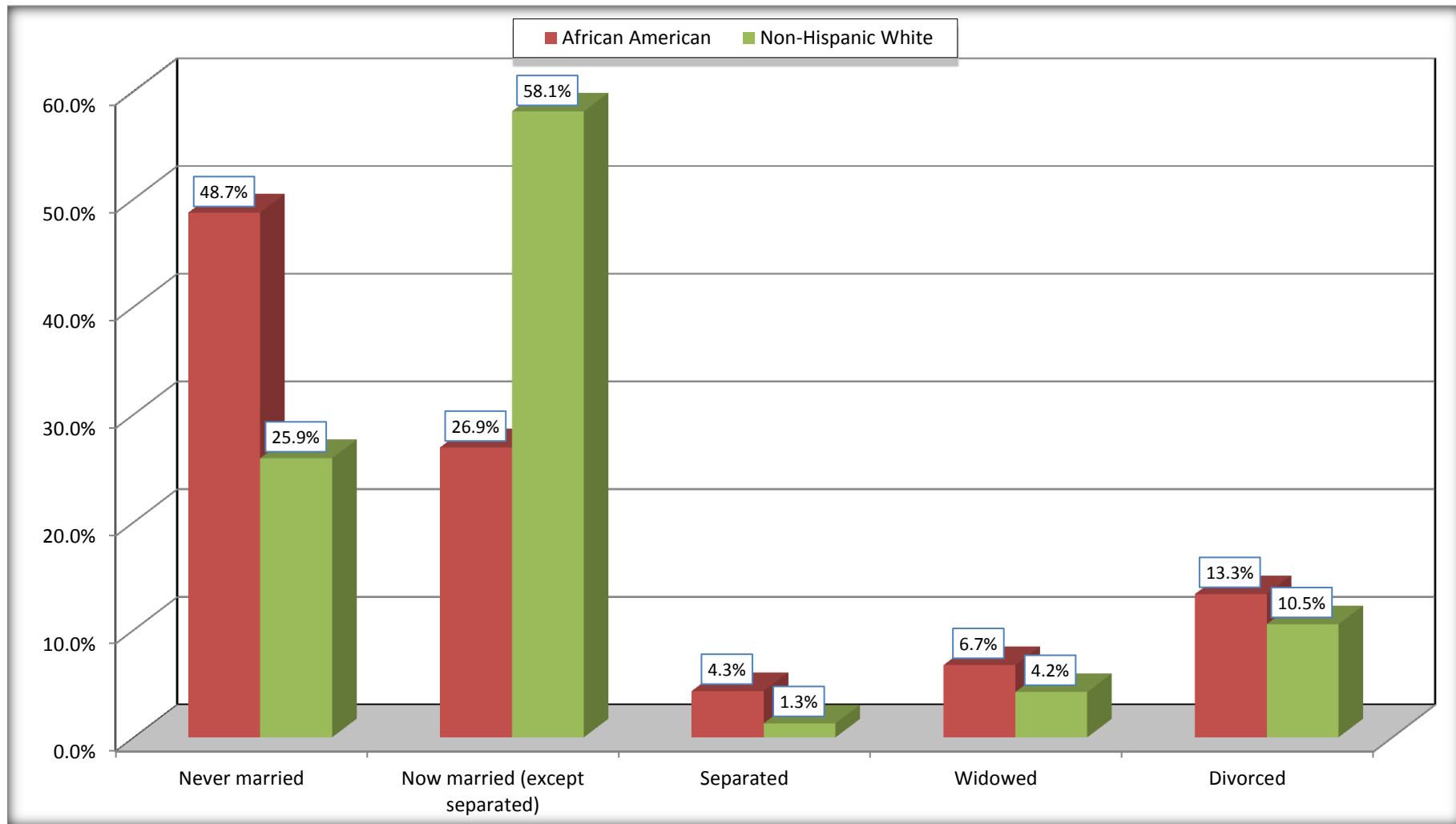


### Household Type for Population in Households Congressional District 7 (116th Congress), Alabama



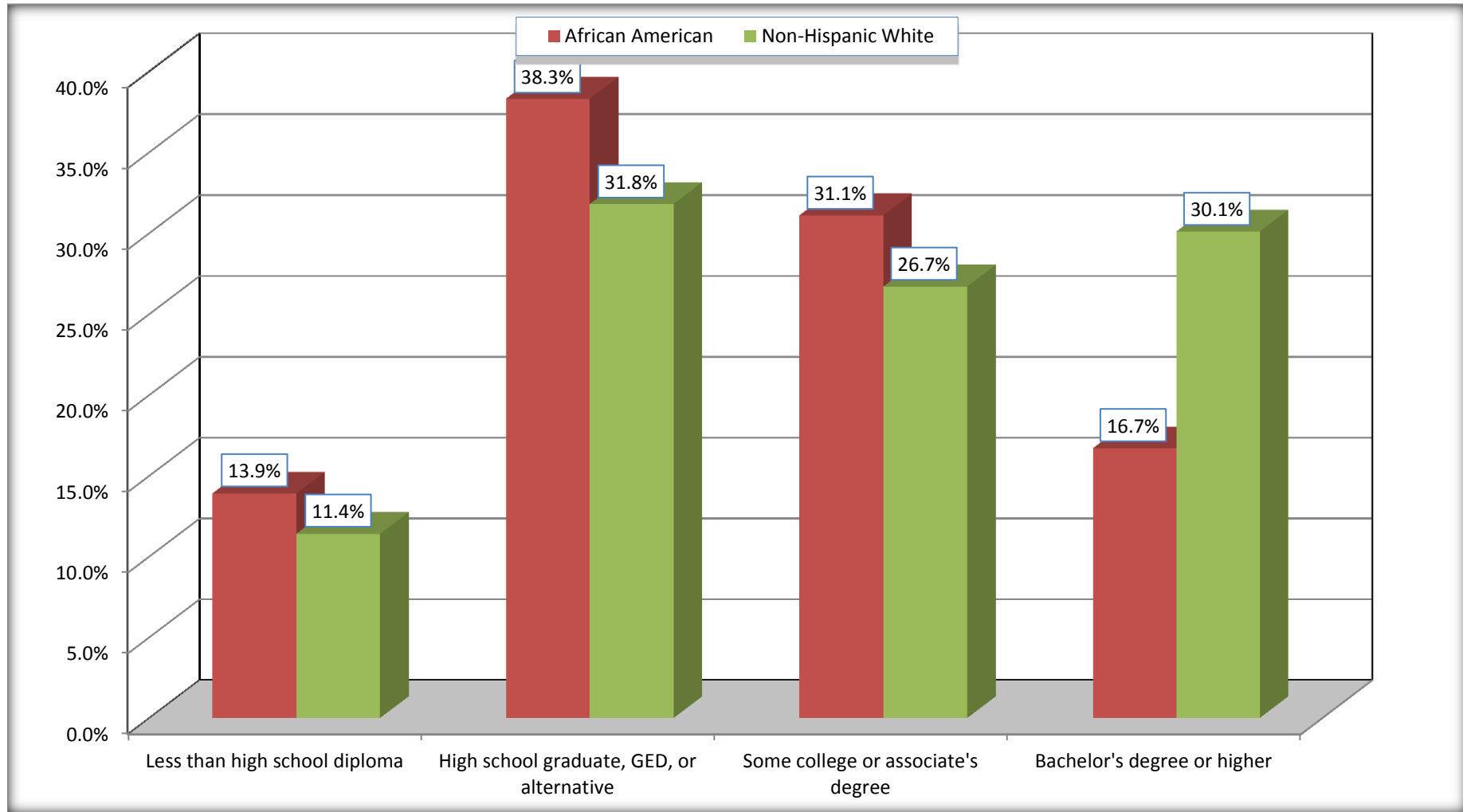
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Marital Status for the Population 15 Years and Over Congressional District 7 (116th Congress), Alabama



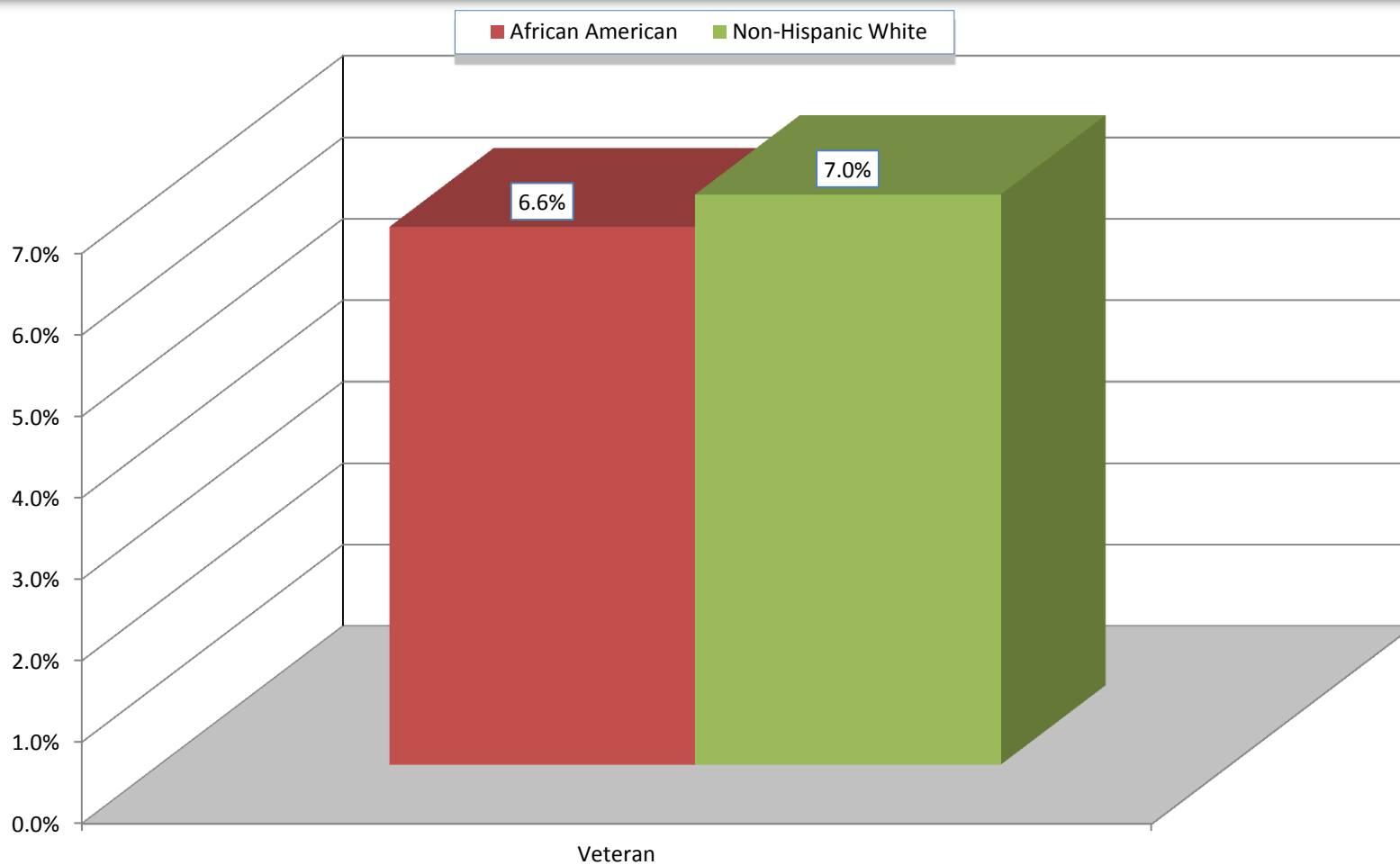
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Educational Attainment for the Population 25 Years and Older**  
**Congressional District 7 (116th Congress), Alabama**



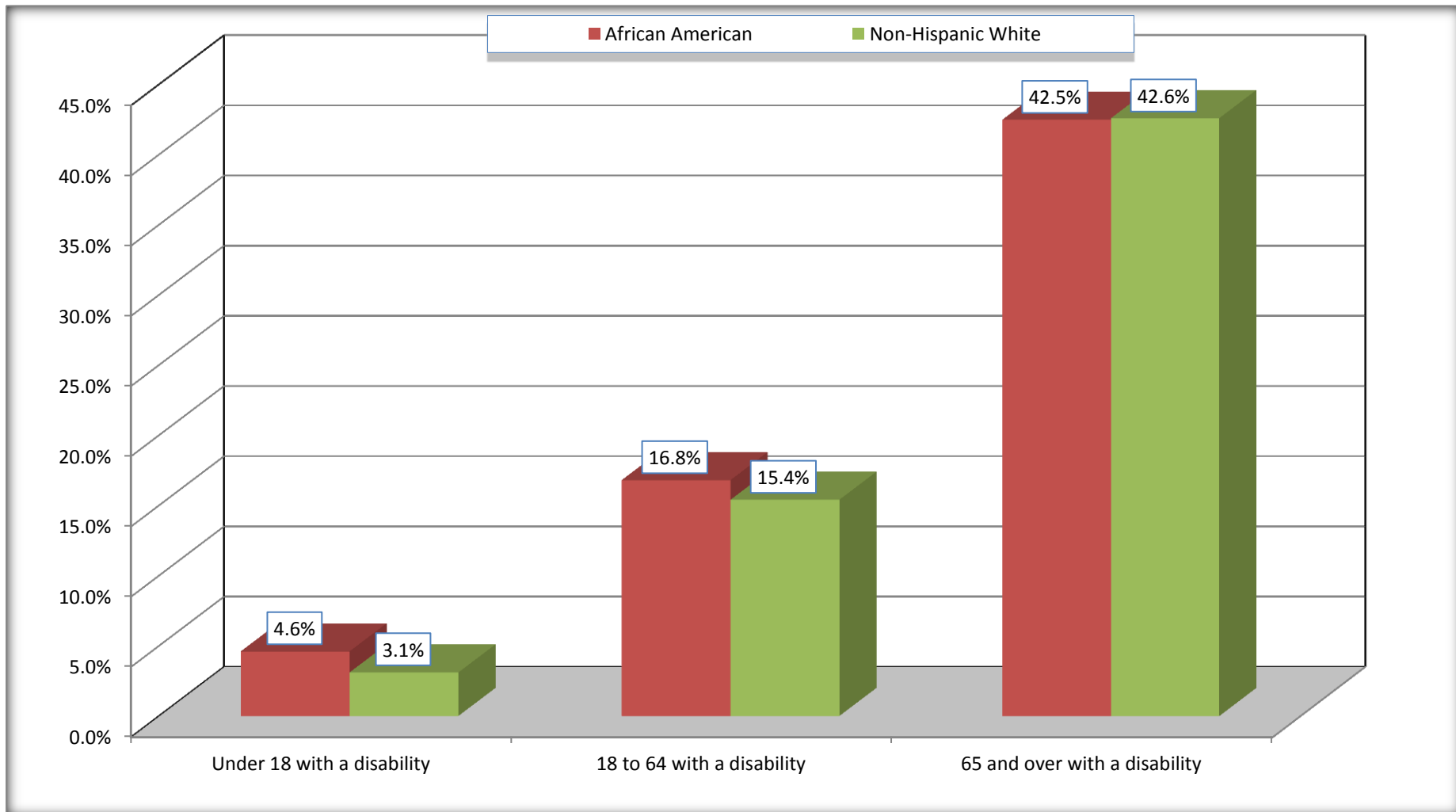
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Veterans in the Civilian Population 18 Years and Over**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

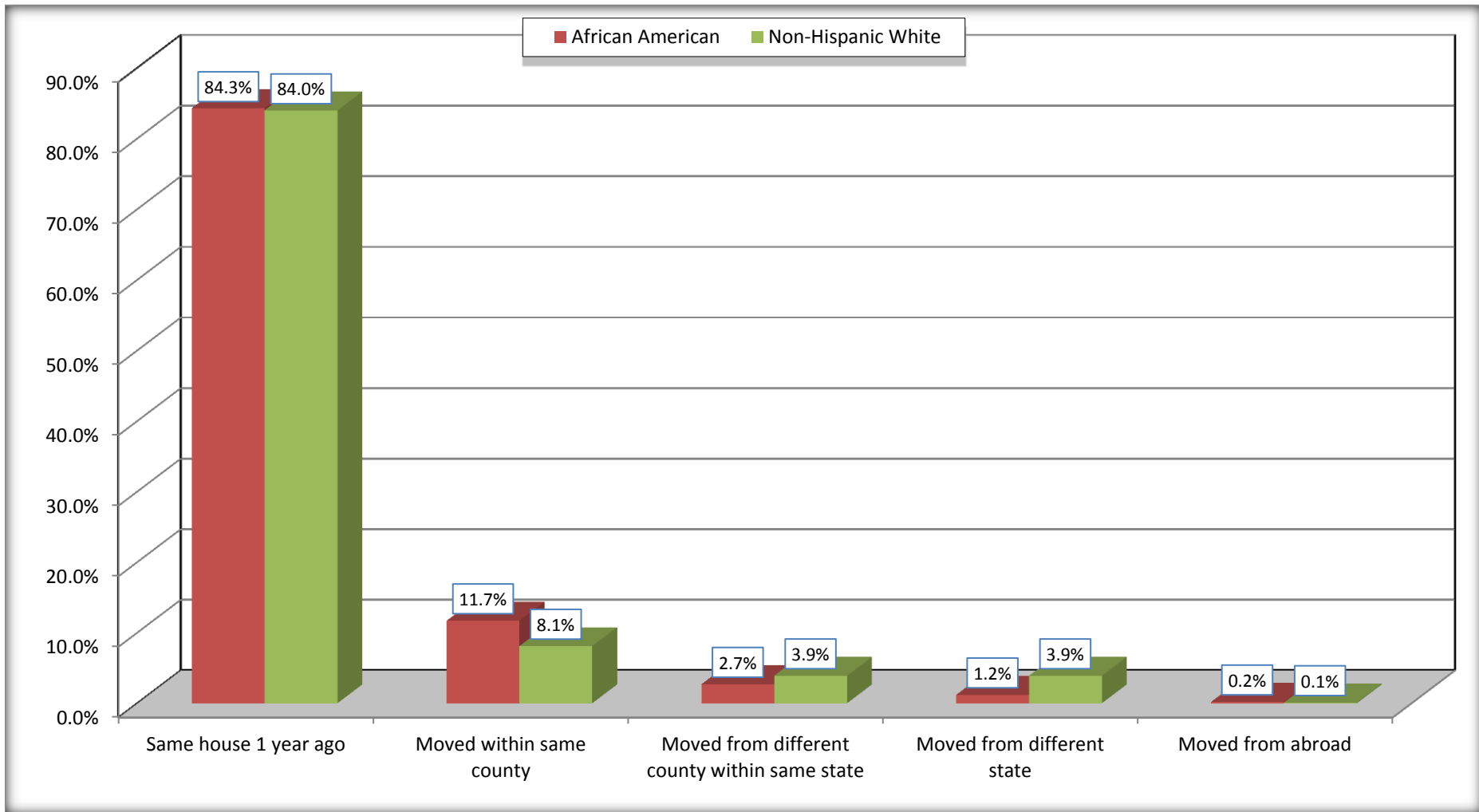
**Disability by Age -- Civilian Noninstitutionalized Population**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Geographical Mobility in the Past Year (Population 1 Year and Over)

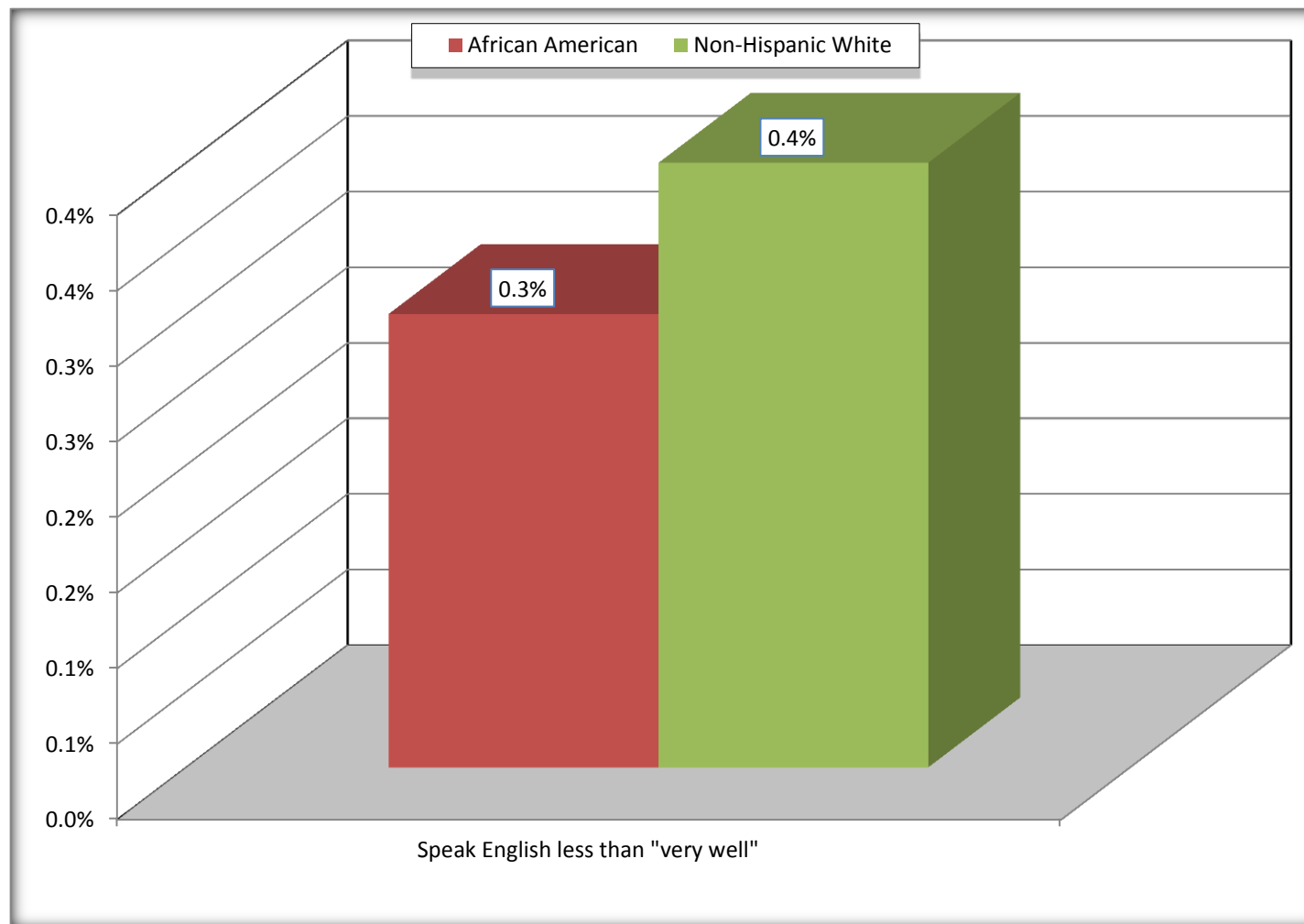
### Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Speak English Less than "Very Well" (Population 5 Years and Over)

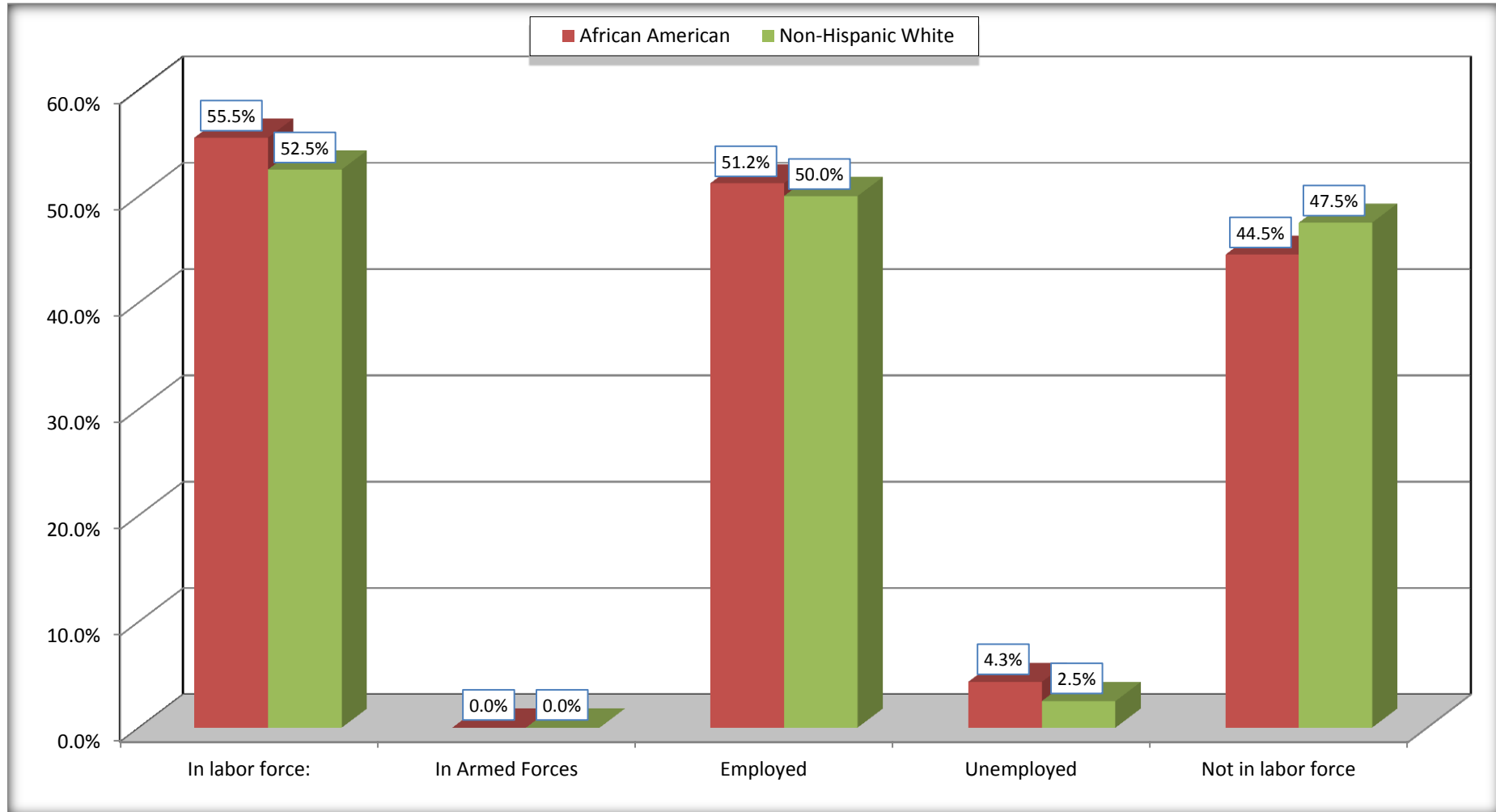
### Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

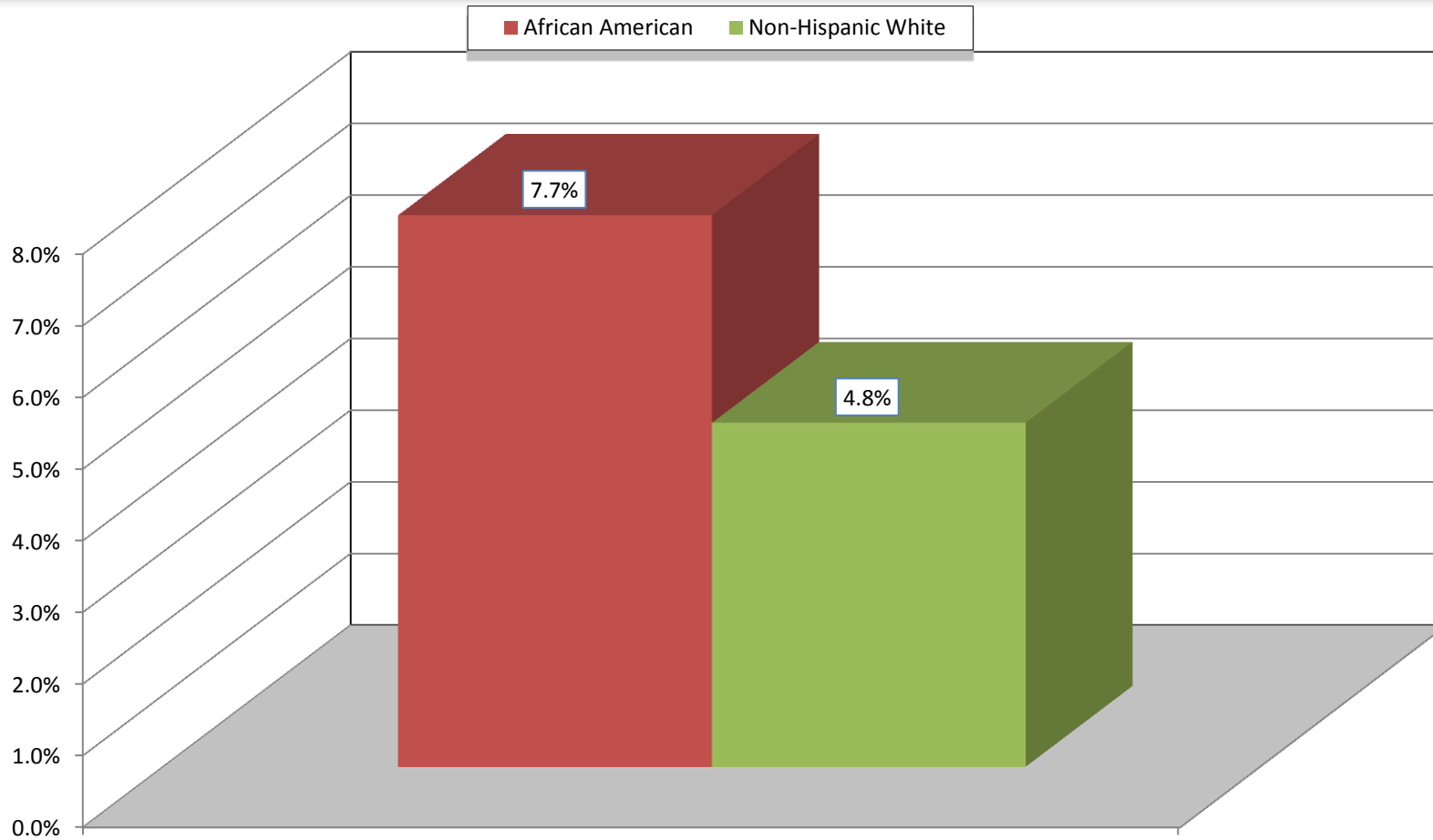


## Employment Status for the Population 16 years and over Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

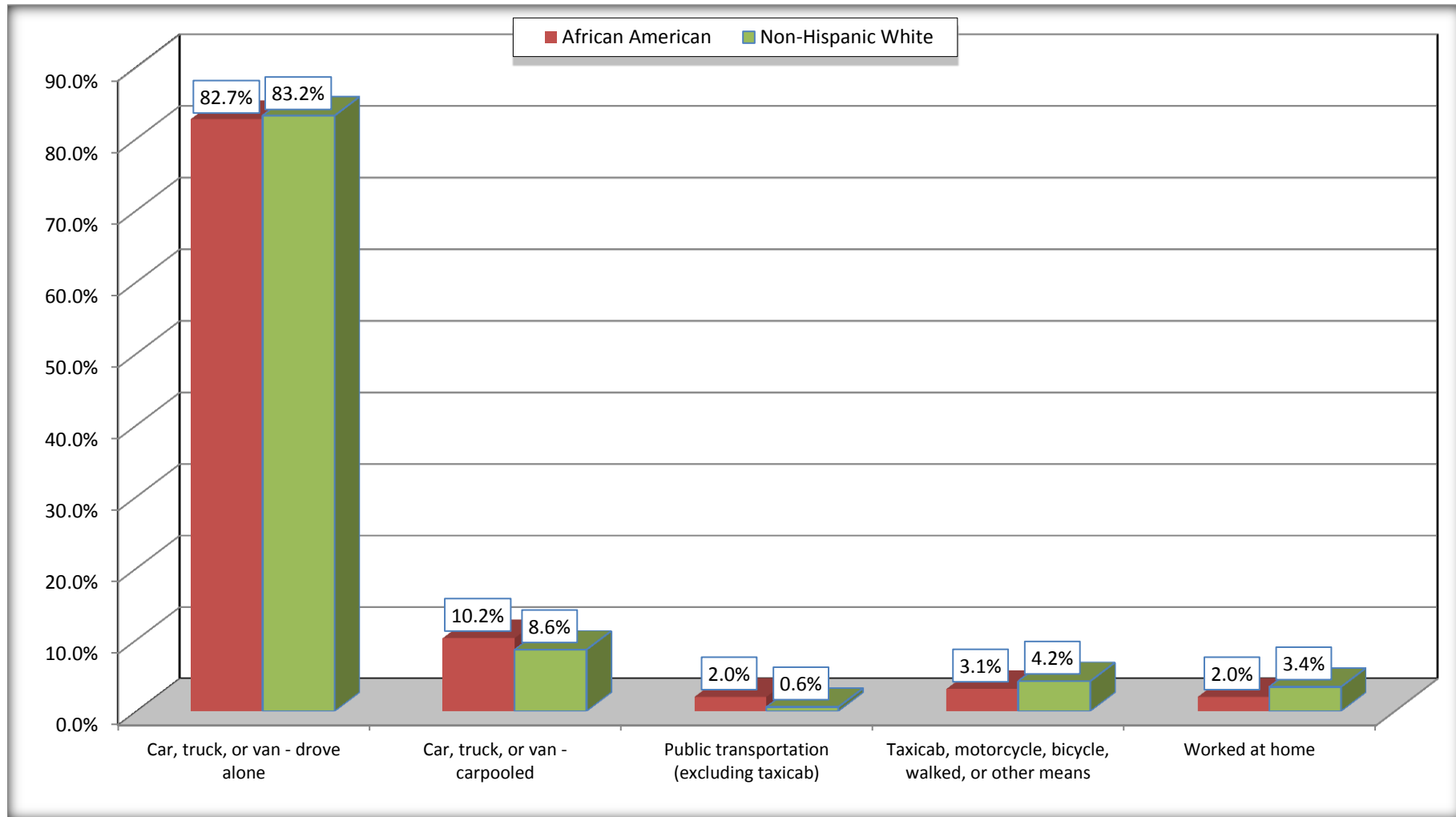
**Unemployment (Civilian Labor Force -- Ages 16 and Over)**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Means of Transportation to Work (Workers 16 Years and Over)

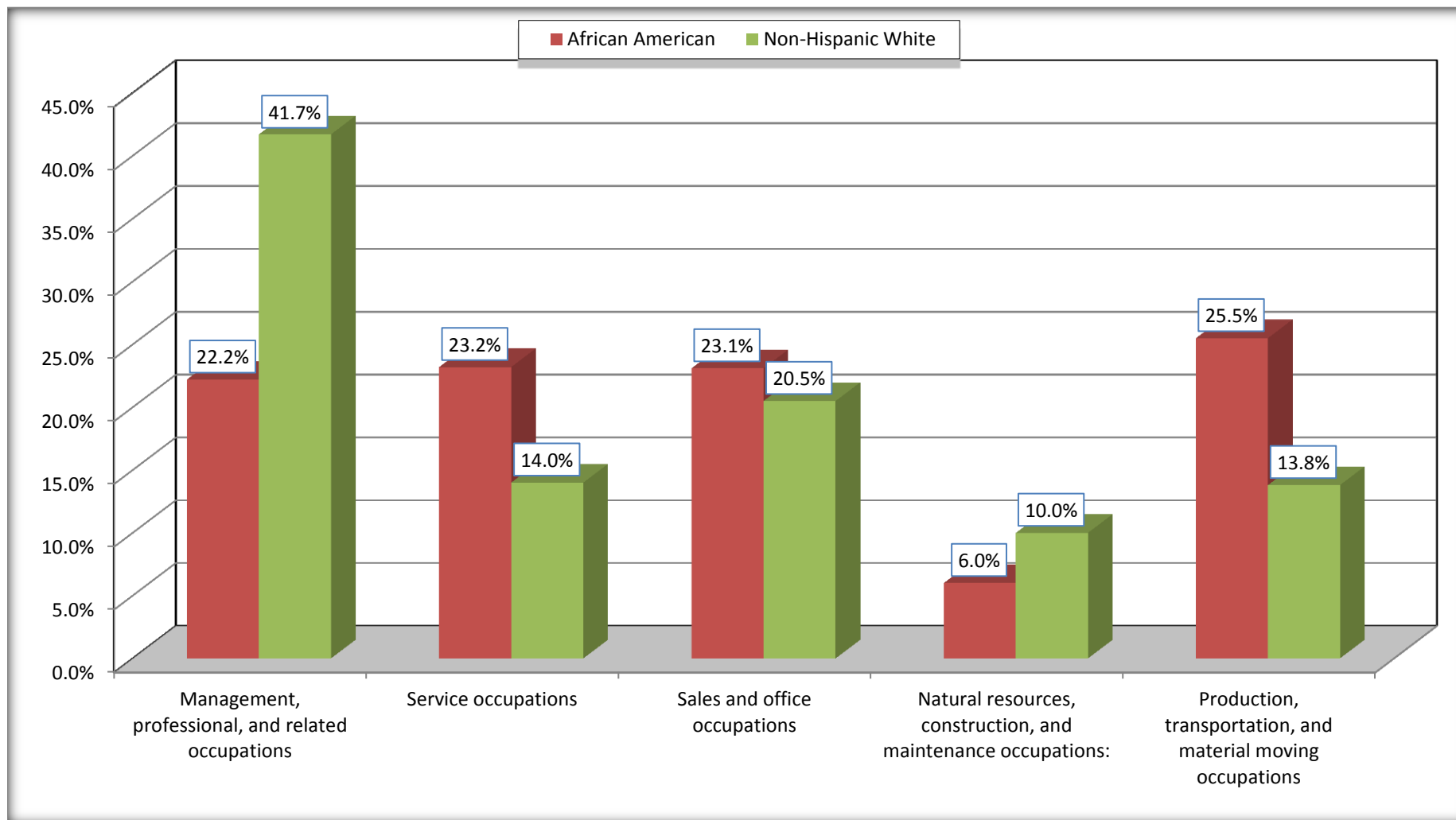
### Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

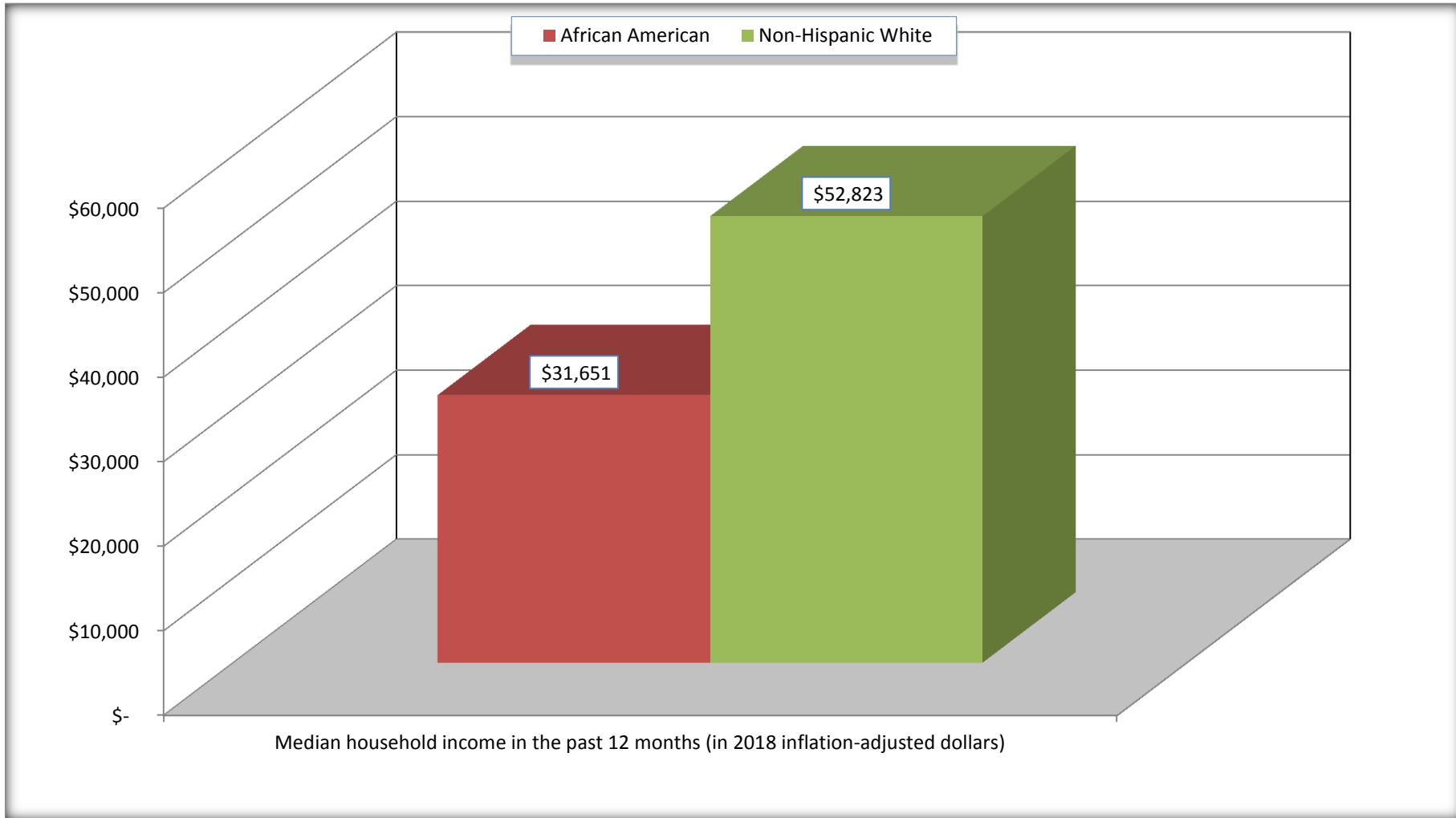
## Occupation for the Civilian Employed 16 Years and Over Population

### Congressional District 7 (116th Congress), Alabama



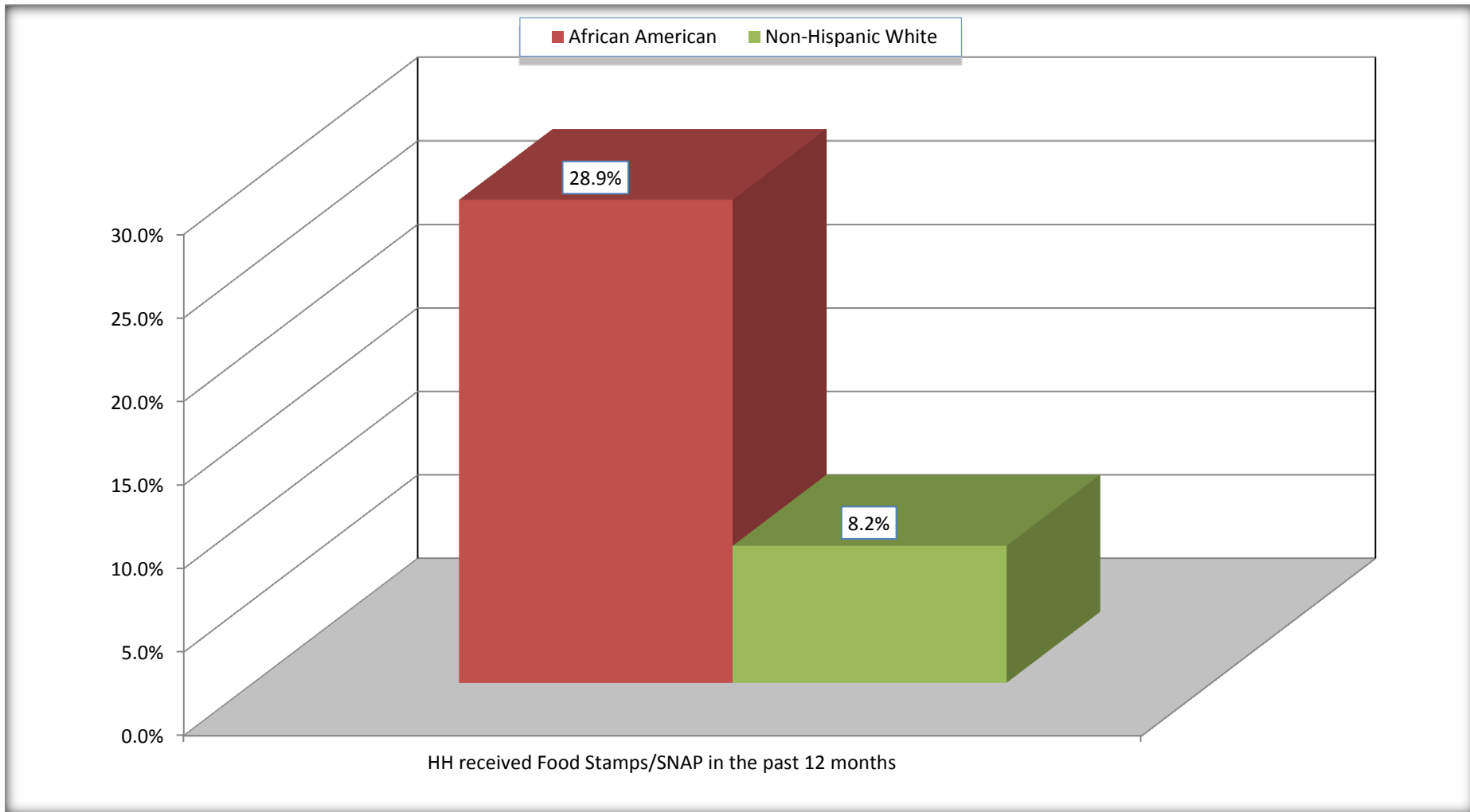
Source: S0201 SELECTED POPULATION PROFILE  
 Data Set: 2019 American Community Survey 1-Year Estimates

**Median Household Income in the Past 12 Months**  
**Congressional District 7 (116th Congress), Alabama**



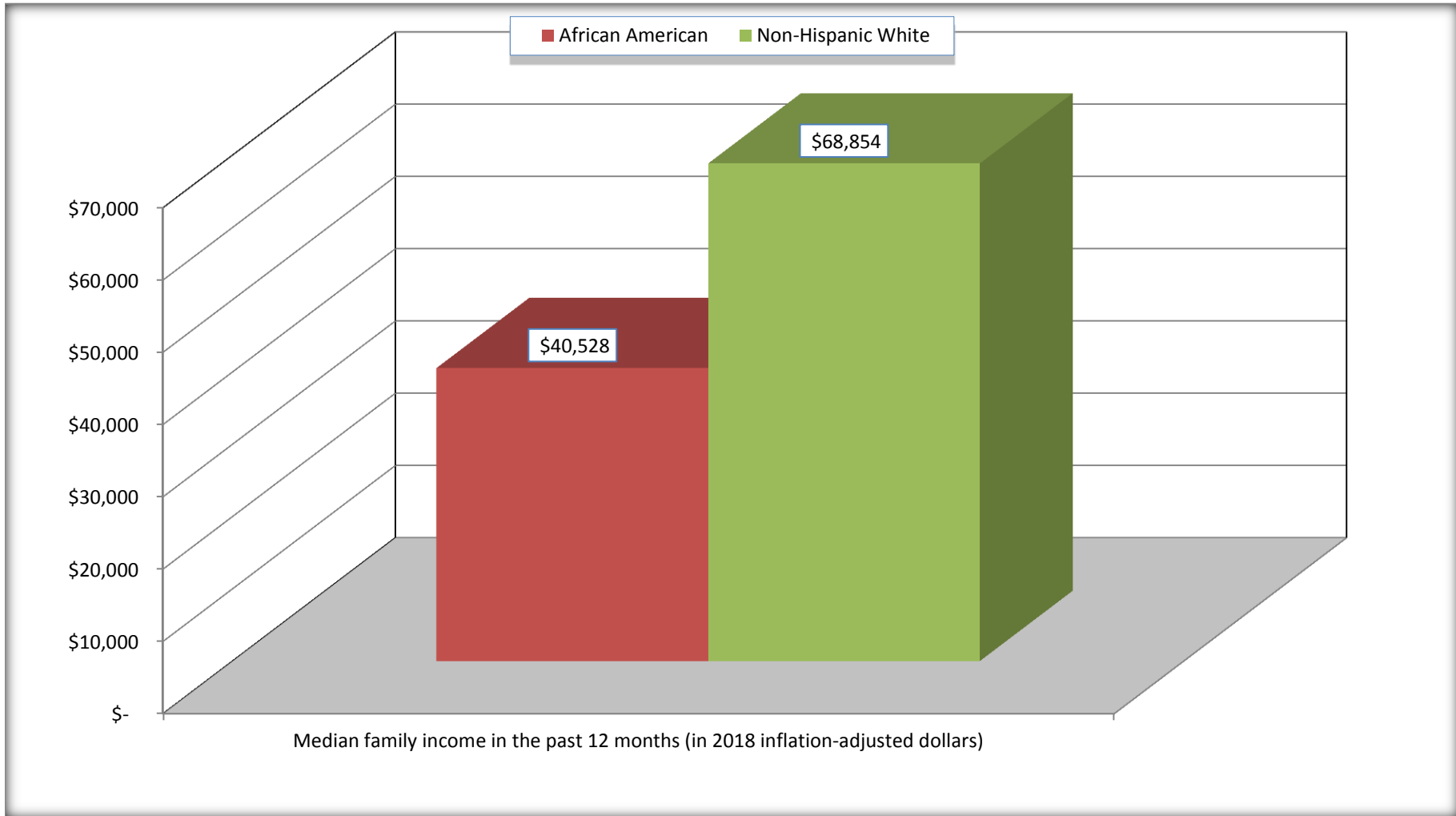
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Receipt of Food Stamps/SNAP in the Past 12 Months by Household**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

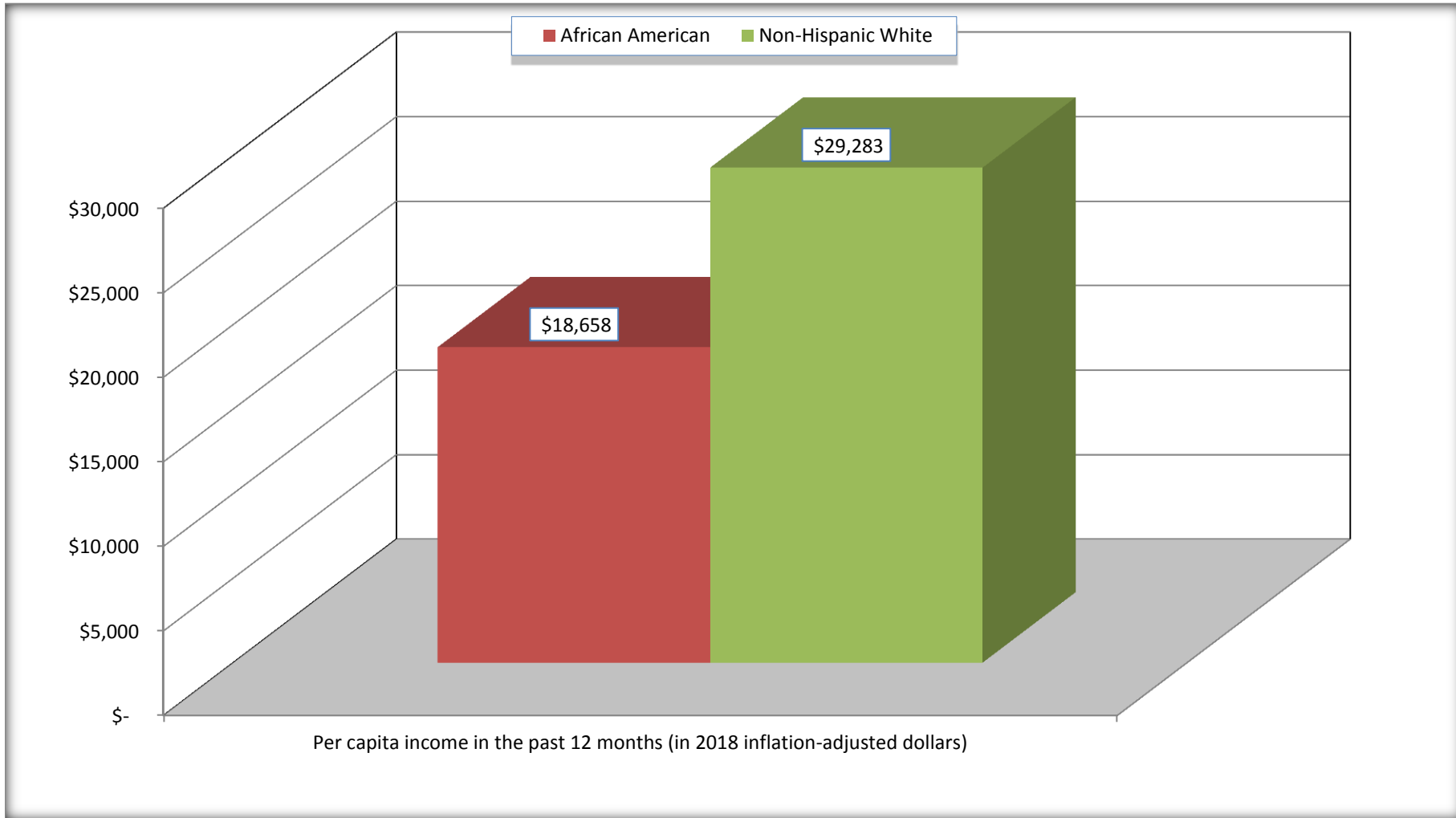
**Median Family Income in the Past 12 Months**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

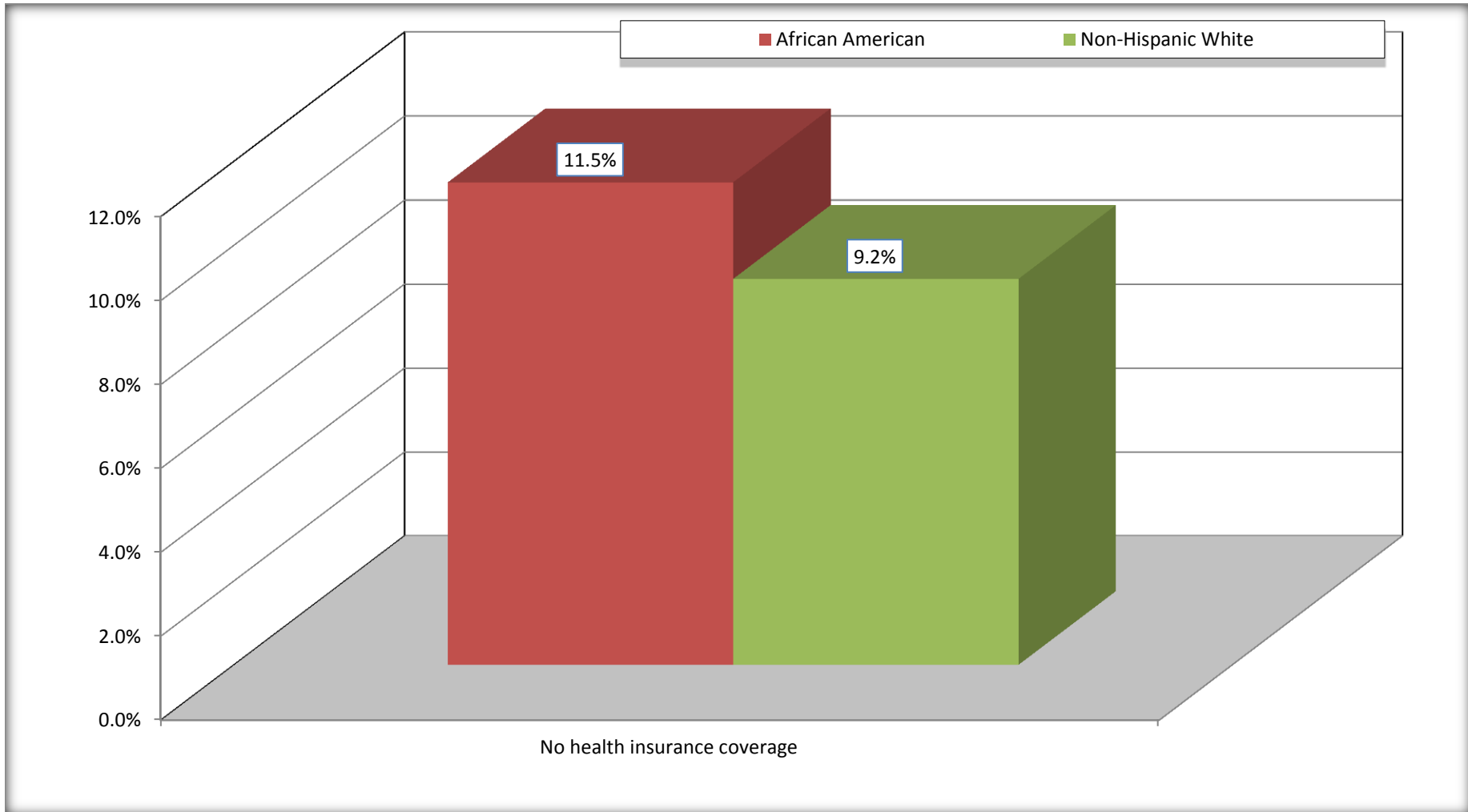


**Per capita Income in the Past 12 Months**  
**Congressional District 7 (116th Congress), Alabama**



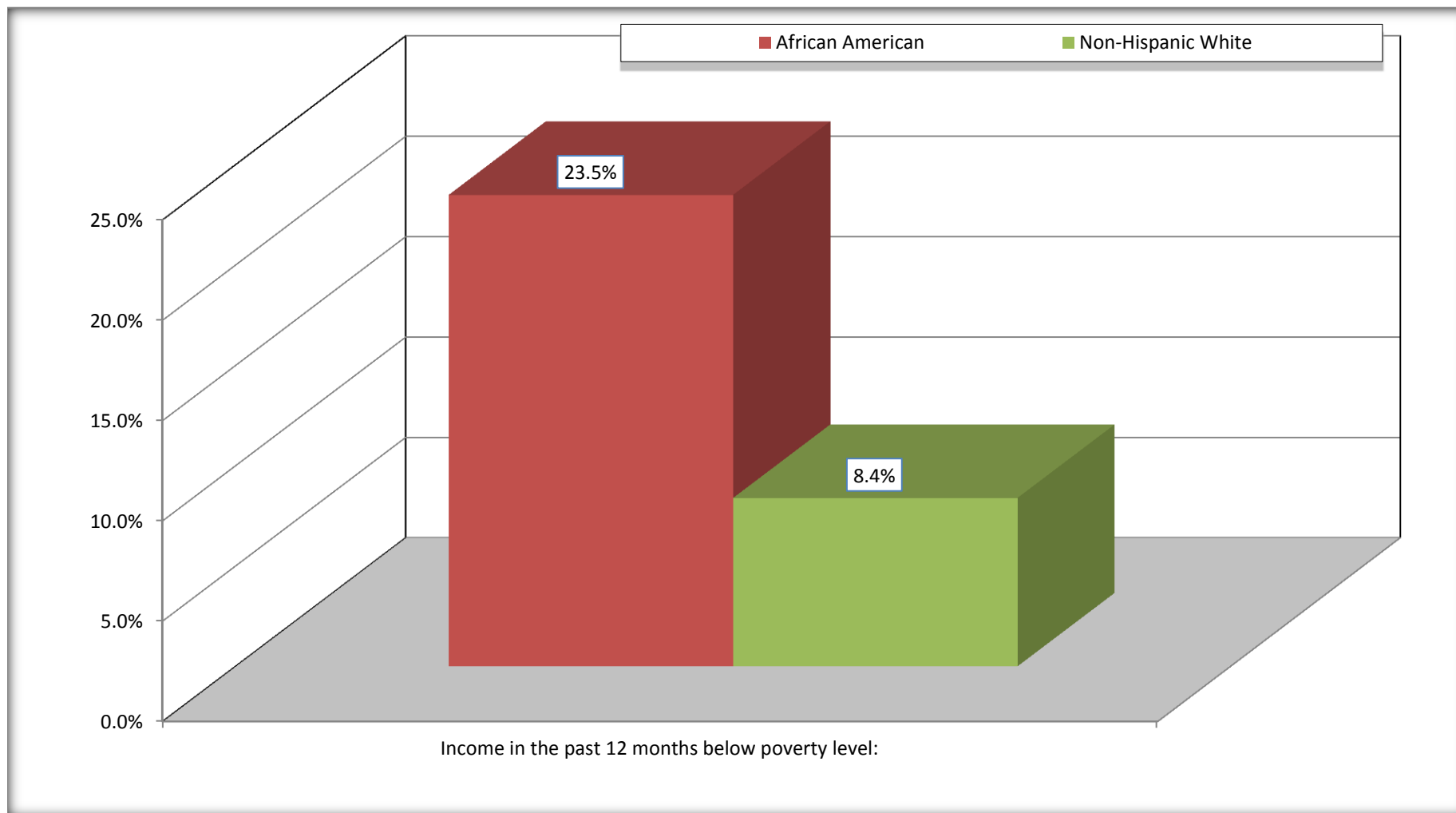
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Lack of Health Insurance Coverage -- Civilian Noninstitutionalized Population**  
**Congressional District 7 (116th Congress), Alabama**



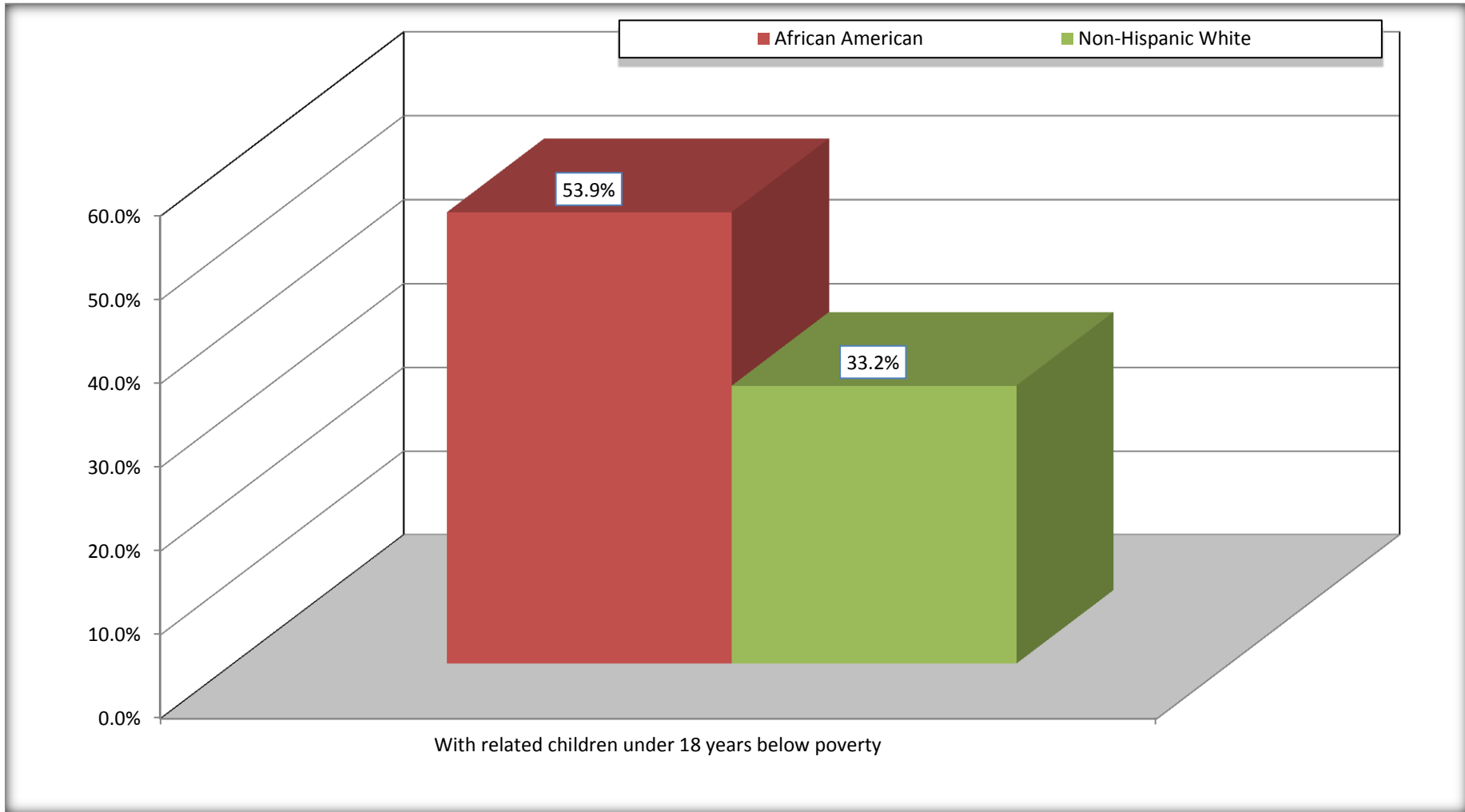
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Family Households Below Poverty in the Past 12 Months**  
**Congressional District 7 (116th Congress), Alabama**



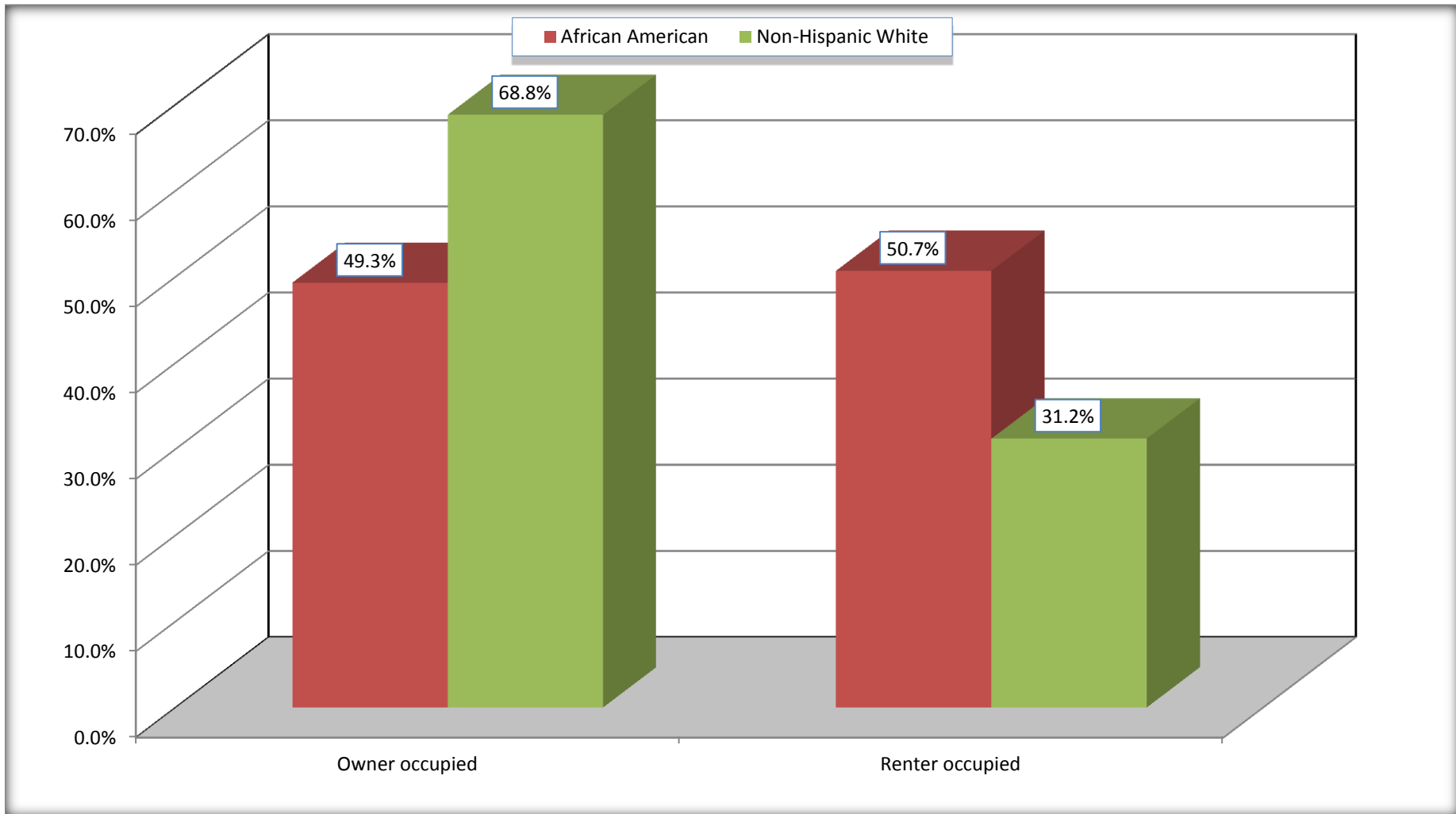
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Female-headed Households with Related Children Below Poverty in the Past 12 Months**  
**Congressional District 7 (116th Congress), Alabama**



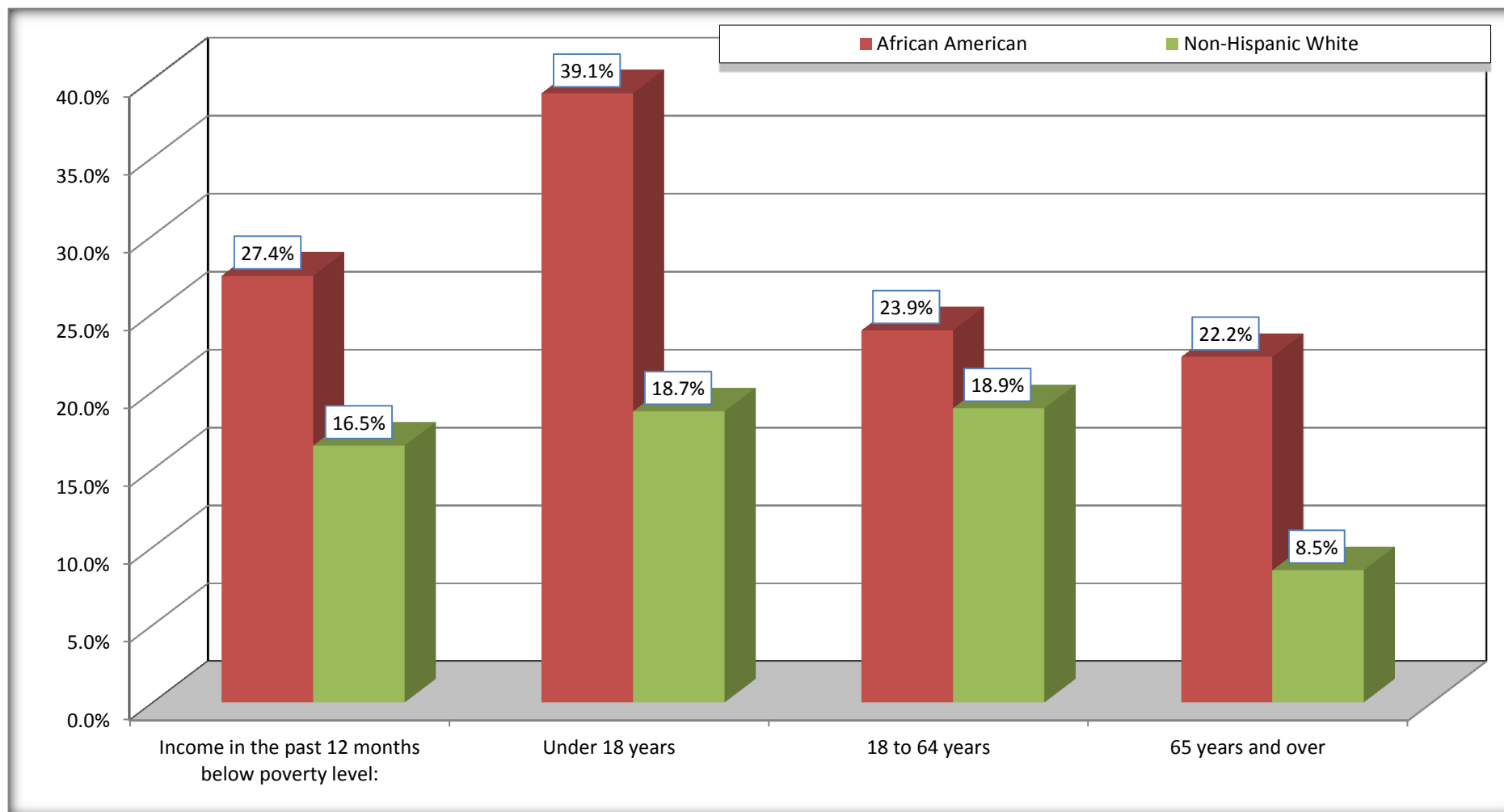
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Home Owners and Renters by Household Congressional District 7 (116th Congress), Alabama



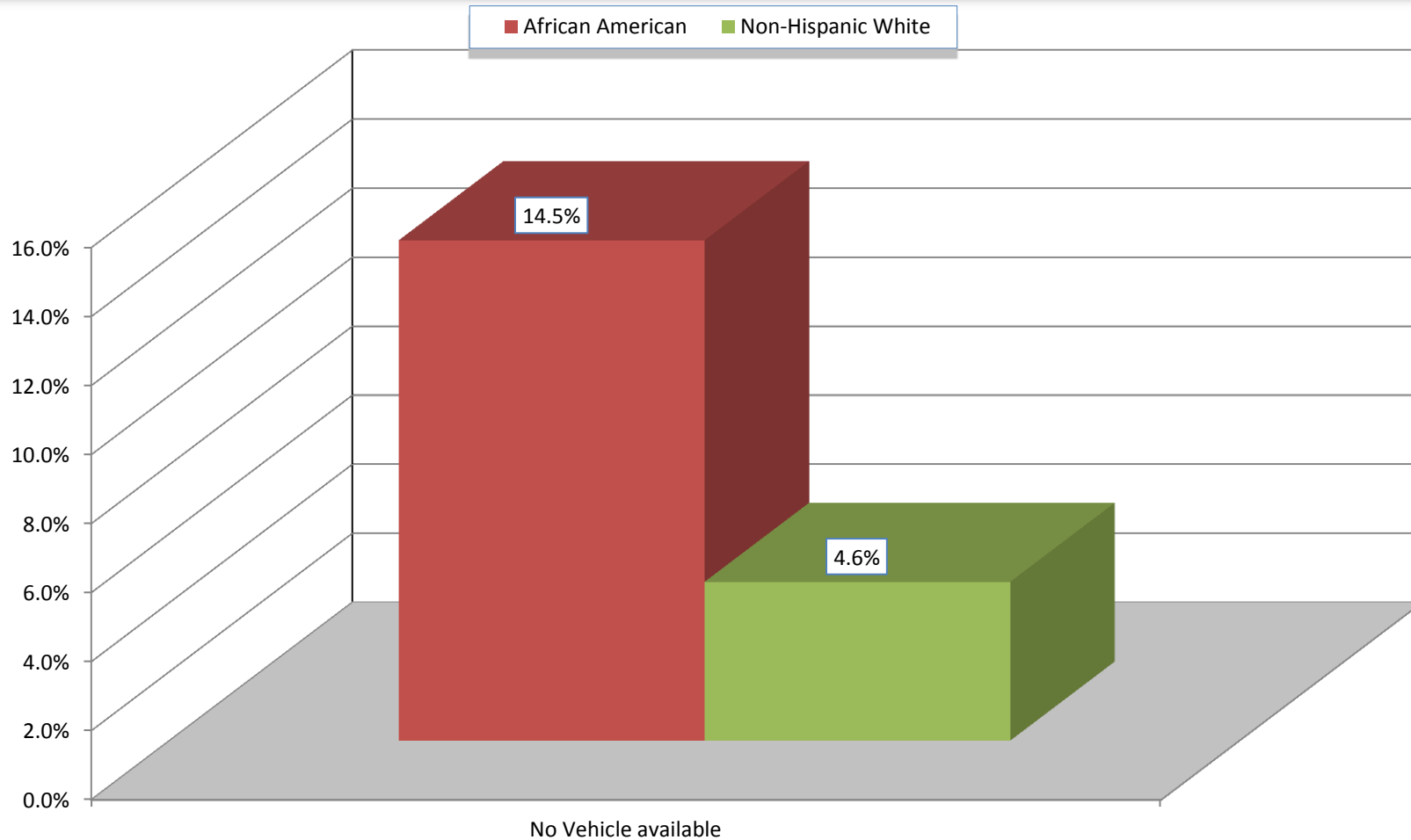
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Population Below Poverty in the Past 12 Months**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

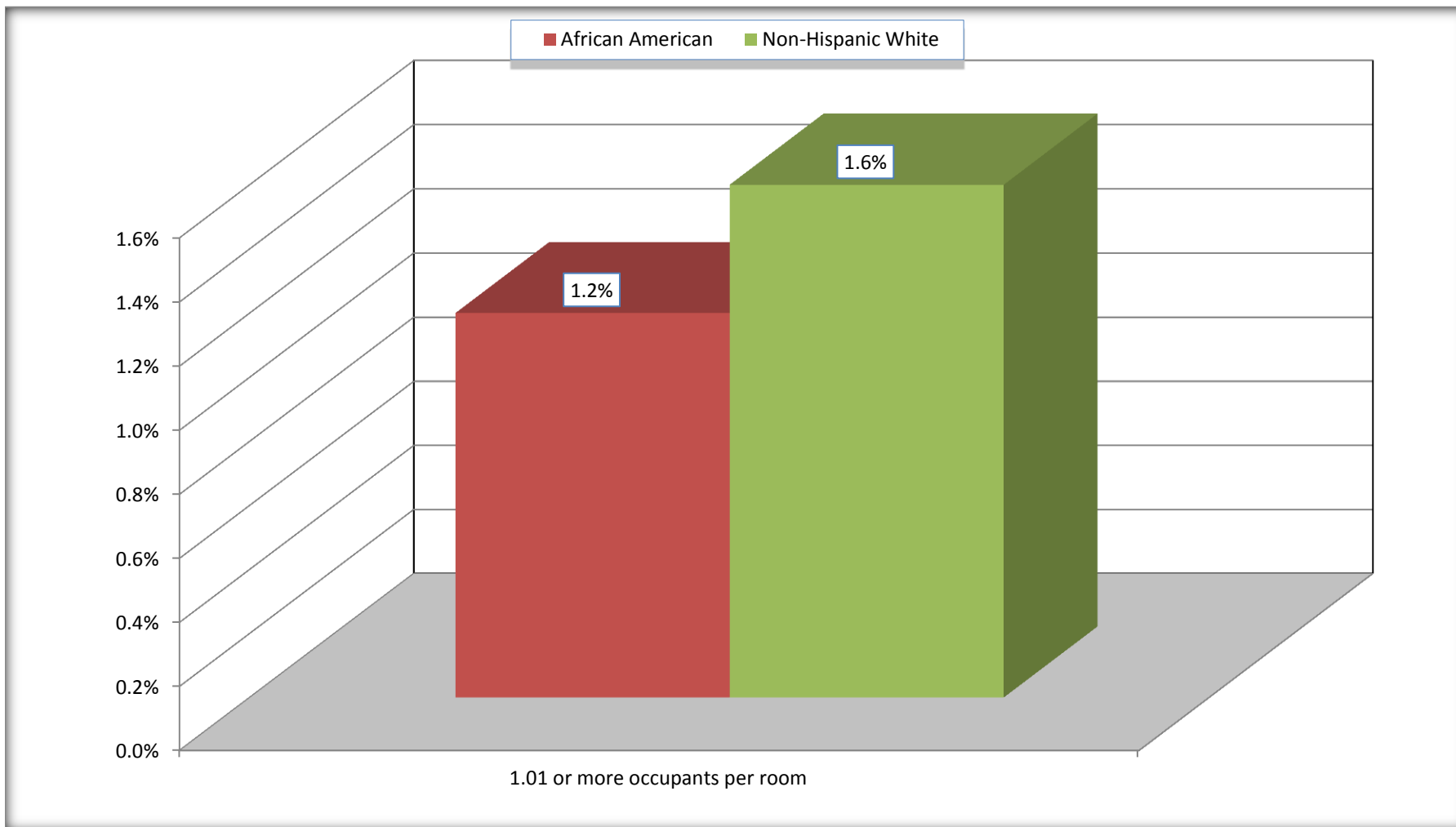
**No Vehicles Available by Household**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

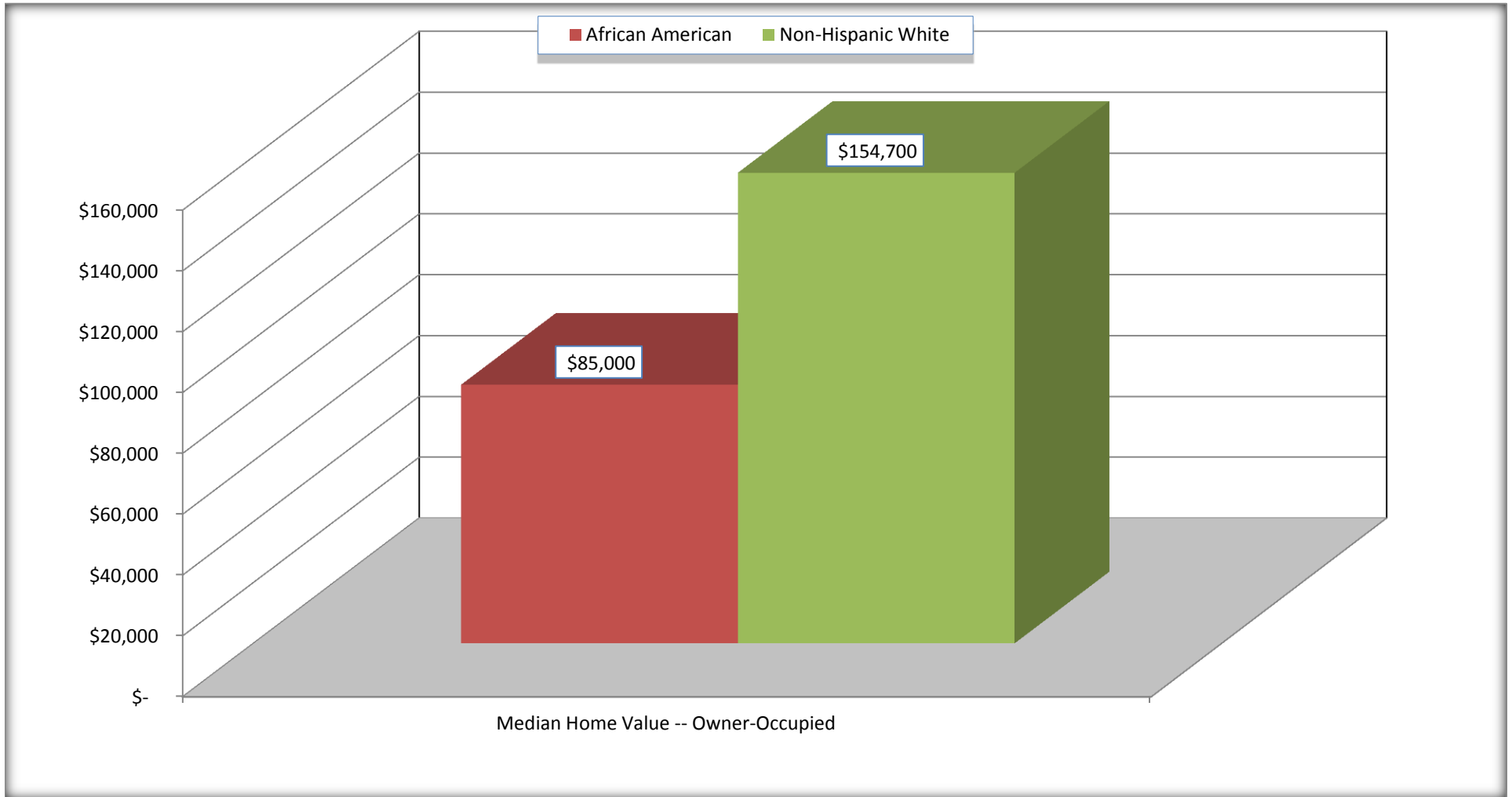


**More than One Person per Room (Crowding) by Household**  
**Congressional District 7 (116th Congress), Alabama**



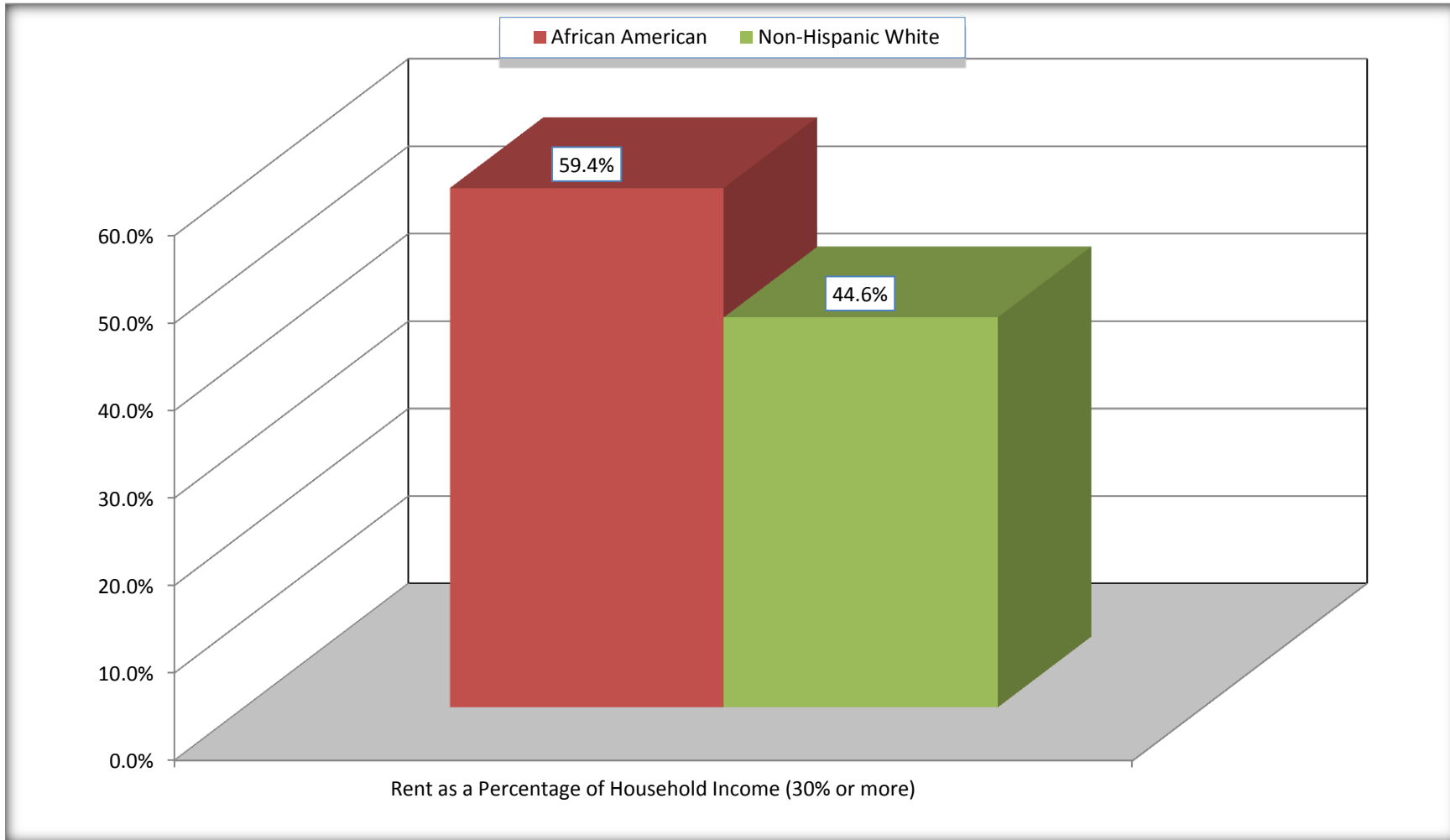
Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Median Home Value -- Owner-Occupied**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

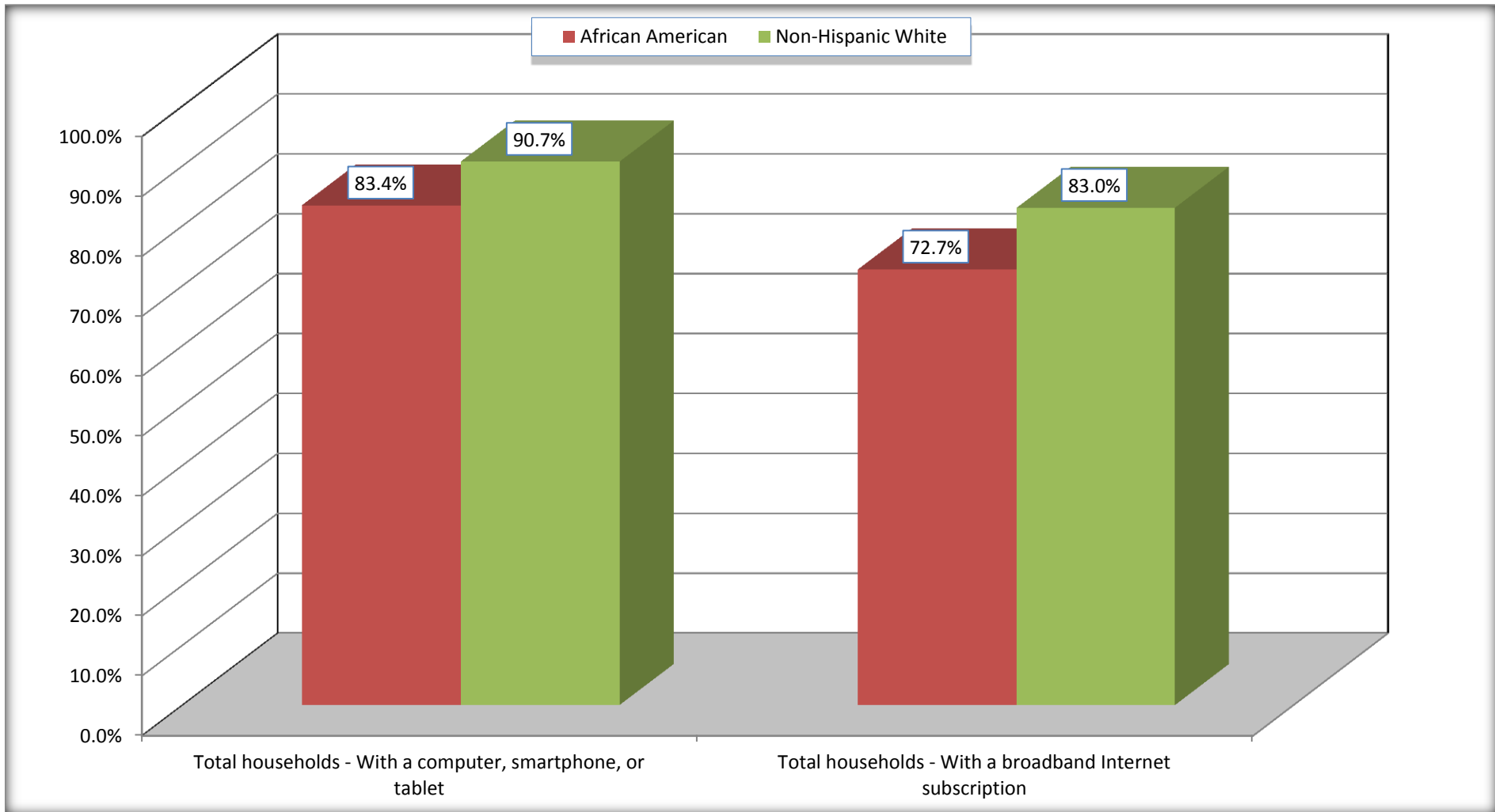
**Rent as a Percentage of Household Income (30% or more) -- Renter-Occupied**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

## Computers and Internet Use

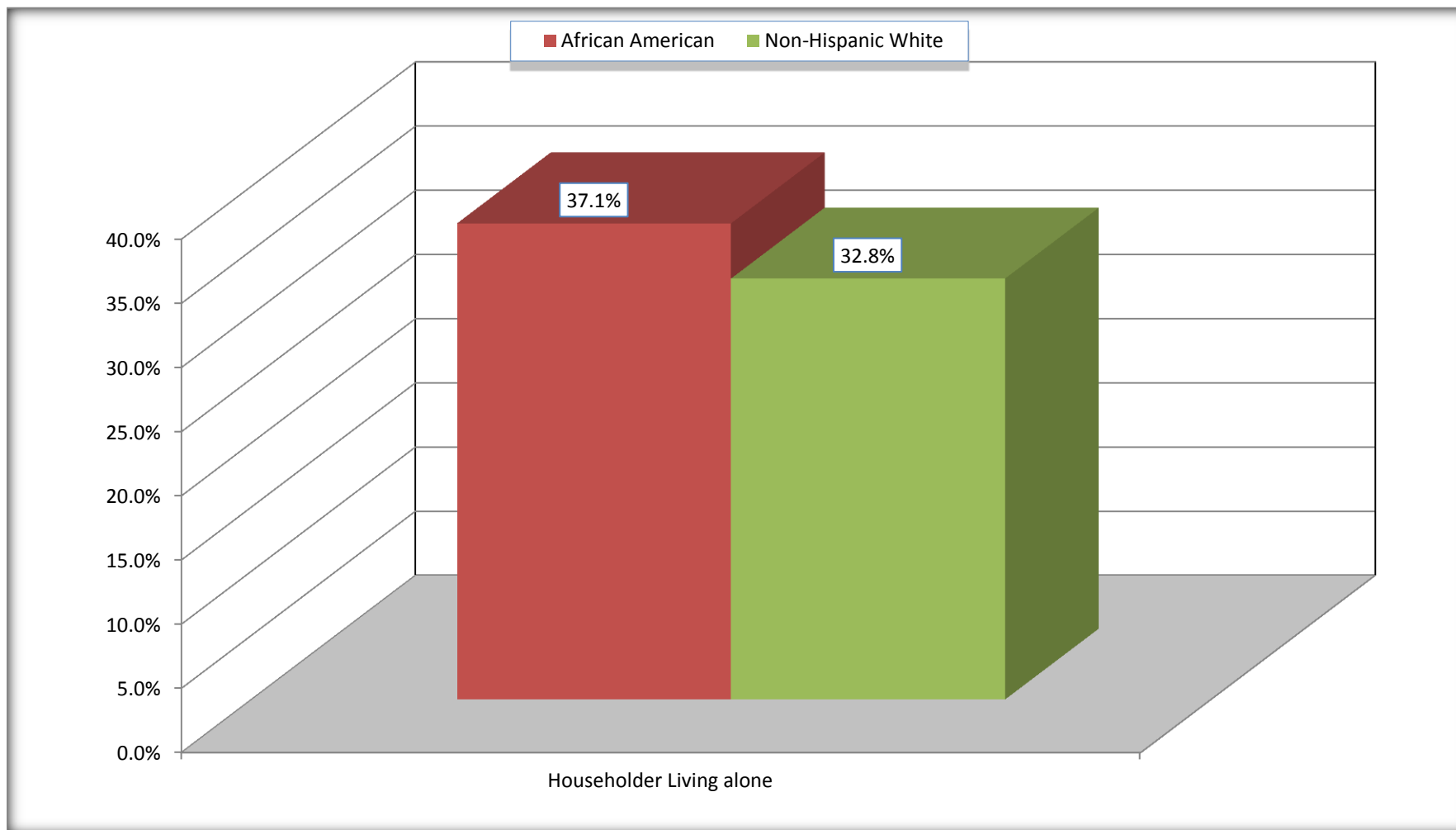
### Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

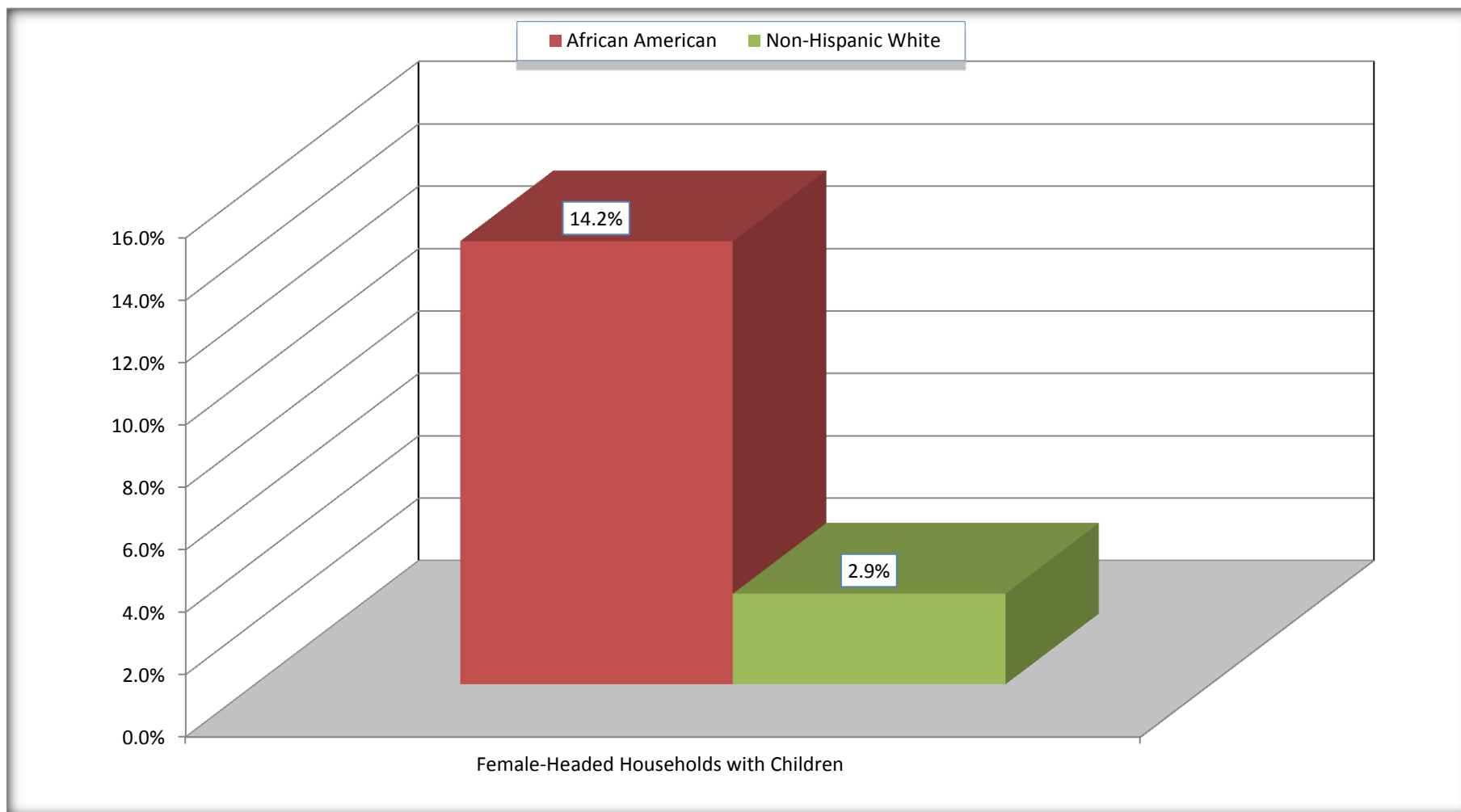
## Households with Householder Living Alone

### Congressional District 7 (116th Congress), Alabama



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

**Female-Headed Households with Children Under 18 (As a Percentage of all Households)**  
**Congressional District 7 (116th Congress), Alabama**



Source: S0201 SELECTED POPULATION PROFILE  
Data Set: 2019 American Community Survey 1-Year Estimates

	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
<b>TOTAL NUMBER OF RACES REPORTED</b>			
Total population	670,015	424,418	209,156
One race	98.8%	98.8%	100.0%
Two races	1.1%	1.1%	(X)
Three races	0.0%	0.1%	(X)
Four or more races	0.1%	0.1%	(X)
<b>SEX AND AGE</b>			
Total population	670,015	424,418	209,156
Male	47.2%	46.5%	47.7%
Female	52.8%	53.5%	52.3%
Under 5 years	6.1%	6.6%	4.2%
5 to 17 years	15.4%	17.7%	10.2%
18 to 24 years	12.7%	11.3%	15.4%
25 to 34 years	13.6%	13.7%	12.8%
35 to 44 years	11.4%	11.3%	11.2%
45 to 54 years	11.2%	11.3%	10.9%
55 to 64 years	12.8%	13.2%	12.9%
65 to 74 years	9.9%	9.3%	11.6%
75 years and over	6.9%	5.5%	10.7%
Median age (years)	36.8	35.5	42.0
18 years and over	78.4%	75.7%	85.6%
21 years and over	71.9%	70.1%	77.3%
62 years and over	20.8%	19.0%	26.4%
65 years and over	16.8%	14.8%	22.3%
Under 18 years	144,443	103,273	30,153
Male	52.2%	52.7%	52.0%
Female	47.8%	47.3%	48.0%
<b>18 years and over</b>	<b>525,572</b>	<b>321,145</b>	<b>179,003</b>
Male	45.8%	44.5%	47.0%
Female	54.2%	55.5%	53.0%
18 to 34 years	175,717	106,302	59,041
Male	48.6%	48.3%	47.2%
Female	51.4%	51.7%	52.8%
35 to 64 years	237,064	151,973	73,255
Male	45.4%	43.3%	49.0%
Female	54.6%	56.7%	51.0%



	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
<b>65 years and over</b>	<b>112,791</b>	<b>62,870</b>	<b>46,707</b>
Male	42.2%	40.8%	43.7%
Female	57.8%	59.2%	56.3%
<b>RELATIONSHIP</b>			
Population in households	642,157	415,656	192,966
Householder or spouse	53.5%	49.7%	62.5%
Unmarried partner	2.0%	1.9%	2.0%
Child	30.0%	33.0%	23.4%
Other relatives	10.6%	12.7%	6.1%
Other nonrelatives	3.9%	2.6%	6.0%
<b>HOUSEHOLDS BY TYPE</b>			
Households	259,646	165,465	83,475
Family households	58.2%	57.9%	58.1%
With own children of the householder under 18 years	21.9%	23.8%	16.4%
Married-couple family	32.3%	24.8%	45.4%
With own children of the householder under 18 years	9.7%	7.3%	12.6%
Female householder, no spouse present, family	20.9%	27.6%	9.2%
With own children of the householder under 18 years	10.2%	14.2%	2.9%
Nonfamily households	41.8%	42.1%	41.9%
Male householder	19.9%	19.6%	20.3%
Living alone	16.1%	16.2%	15.7%
Not living alone	3.8%	3.4%	4.7%
Female householder	21.8%	22.5%	21.6%
Living alone	19.3%	20.9%	17.1%
Not living alone	2.6%	1.6%	4.5%
Average household size	2.47	2.52	2.33
Average family size	3.28	3.40	3.00
<b>MARITAL STATUS</b>			
Population 15 years and over	549,144	338,053	184,041
Now married, except separated	33.4%	26.9%	43.7%
Widowed	7.0%	6.7%	8.2%
Divorced	12.7%	13.3%	12.1%
Separated	3.3%	4.3%	1.3%
Never married	43.7%	48.7%	34.7%
Male 15 years and over	253,620	152,931	86,486
Now married, except separated	36.6%	30.0%	47.1%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Widowed	3.1%	3.1%	3.5%
Divorced	11.6%	12.1%	11.2%
Separated	3.0%	3.9%	1.4%
Never married	45.7%	50.9%	36.8%
Female 15 years and over	295,524	185,122	97,555
Now married, except separated	30.7%	24.4%	40.7%
Widowed	10.3%	9.7%	12.4%
Divorced	13.6%	14.3%	12.8%
Separated	3.5%	4.7%	1.3%
Never married	41.9%	47.0%	32.8%
<b>SCHOOL ENROLLMENT</b>			
Population 3 years and over enrolled in school	170,797	109,833	50,485
Nursery school, preschool	5.6%	7.0%	3.5%
Kindergarten	4.7%	5.3%	3.1%
Elementary school (grades 1-8)	36.6%	41.8%	24.5%
High school (grades 9-12)	19.4%	22.0%	15.3%
College or graduate school	33.6%	23.9%	53.6%
Male 3 years and over enrolled in school	84,120	55,192	22,772
Percent enrolled in kindergarten to grade 12	66.3%	74.9%	46.3%
Percent enrolled in college or graduate school	28.0%	18.6%	48.5%
Female 3 years and over enrolled in school	86,677	54,641	27,713
Percent enrolled in kindergarten to grade 12	55.3%	63.3%	40.0%
Percent enrolled in college or graduate school	39.1%	29.3%	57.9%
<b>EDUCATIONAL ATTAINMENT</b>			
Population 25 years and over	440,716	273,116	146,756
Less than high school diploma	13.6%	13.9%	11.4%
High school graduate (includes equivalency)	35.7%	38.3%	31.8%
Some college or associate's degree	29.1%	31.1%	26.7%
Bachelor's degree	12.8%	10.6%	17.2%
Graduate or professional degree	8.7%	6.2%	12.9%
High school graduate or higher	86.4%	86.1%	88.6%
Male, high school graduate or higher	85.1%	84.9%	88.2%
Female, high school graduate or higher	87.4%	87.1%	89.0%
Bachelor's degree or higher	21.6%	16.7%	30.1%
Male, bachelor's degree or higher	19.4%	13.4%	29.1%
Female, bachelor's degree or higher	23.4%	19.3%	31.0%

	All Persons Estimate	Black or African American alone or in combination Estimate	White alone, not Hispanic or Latino Estimate
<b>FERTILITY</b>			
Women 15 to 50 years	165,709	103,887	52,508
Women 15 to 50 years who had a birth in the past 12 months	7,452	4,938	1,563
Unmarried women 15 to 50 years who had a birth in the past 12 months	4,684	3,620	N
As a percent of all women with a birth in the past 12 months	62.9%	73.3%	N
<b>RESPONSIBILITY FOR GRANDCHILDREN UNDER 18 YEARS</b>			
Population 30 years and over	389,496	241,762	130,570
Grandparents living with grandchild(ren)	4.5%	5.5%	3.1%
Grandparents responsible for grandchildren as a percentage of living with grandchildren	45.7%	45.3%	49.3%
<b>VETERAN STATUS</b>			
Civilian population 18 years and over	525,438	321,011	179,003
Civilian veteran	6.6%	6.6%	7.0%
<b>DISABILITY STATUS</b>			
Total civilian noninstitutionalized population	661,675	420,978	205,107
With a disability	17.6%	17.6%	19.5%
Civilian noninstitutionalized population under 18 years	144,177	103,081	30,079
With a disability	4.2%	4.6%	3.1%
Civilian noninstitutionalized population 18 to 64 years	407,960	256,101	130,396
With a disability	15.7%	16.8%	15.4%
Civilian noninstitutionalized population 65 years and older	109,538	61,796	44,632
With a disability	42.6%	42.5%	42.6%
<b>RESIDENCE 1 YEAR AGO</b>			
Population 1 year and over	662,041	419,226	207,629
Same house	83.7%	84.3%	84.0%
Different house in the U.S.	16.2%	15.6%	15.9%
Same county	10.6%	11.7%	8.1%
Different county	5.6%	3.8%	7.8%
Same state	3.2%	2.7%	3.9%
Different state	2.4%	1.2%	3.9%
Abroad	0.2%	0.2%	0.1%
<b>PLACE OF BIRTH, CITIZENSHIP STATUS AND YEAR OF ENTRY</b>			
Native	650,458	422,827	207,080
Male	46.9%	46.4%	47.7%
Female	53.1%	53.6%	52.3%
Foreign born	19,557	1,591	2,076
Male	55.1%	50.8%	49.7%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female	44.9%	49.2%	50.3%
Foreign born; naturalized U.S. citizen	6,162	683	651
Male	58.8%	57.4%	51.9%
Female	41.2%	42.6%	48.1%
Foreign born; not a U.S. citizen	13,395	908	1,425
Male	53.4%	45.9%	48.7%
Female	46.6%	54.1%	51.3%
Population born outside the United States	19,557	1,591	2,076
Entered 2010 or later	35.3%	53.4%	40.0%
Entered 2000 to 2009	22.0%	16.2%	15.7%
Entered before 2000	42.7%	30.4%	44.3%
<b>WORLD REGION OF BIRTH OF FOREIGN BORN</b>			
Foreign-born population excluding population born at sea	19,557	1,591	2,076
Europe	6.7%	N	N
Asia	31.1%	N	N
Africa	4.9%	N	N
Oceania	0.5%	N	N
Latin America	54.4%	N	N
Northern America	2.4%	N	N
<b>LANGUAGE SPOKEN AT HOME AND ABILITY TO SPEAK ENGLISH</b>			
Population 5 years and over	628,882	396,425	200,328
English only	95.5%	98.8%	98.4%
Language other than English	4.5%	1.2%	1.6%
Speak English less than "very well"	2.2%	0.3%	0.4%
<b>EMPLOYMENT STATUS</b>			
Population 16 years and over	539,666	331,444	181,772
In labor force	54.8%	55.5%	52.5%
Civilian labor force	54.8%	55.5%	52.5%
Employed	51.1%	51.2%	50.0%
Unemployed	3.7%	4.3%	2.5%
Unemployment Rate	6.8%	7.7%	4.8%
Armed Forces	0.0%	0.0%	0.0%
Not in labor force	45.2%	44.5%	47.5%
Females 16 years and over	291,313	182,704	96,116
In labor force	51.6%	55.2%	45.5%
Civilian labor force	51.6%	55.1%	45.5%

	Black or African American alone or in combination		White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Employed	48.1%	51.2%	43.4%
Unemployed	3.5%	3.9%	2.1%
Unemployment Rate	6.8%	7.0%	4.6%
<b>COMMUTING TO WORK</b>			
Workers 16 years and over	270,006	166,411	88,821
Car, truck, or van - drove alone	82.3%	82.7%	83.2%
Car, truck, or van - carpooled	10.2%	10.2%	8.6%
Public transportation (excluding taxicab)	1.4%	2.0%	0.6%
Walked	1.7%	1.6%	1.6%
Other means	1.9%	1.5%	2.6%
Worked from home	2.4%	2.0%	3.4%
Mean travel time to work (minutes)	24.5	24.5	24.3
<b>OCCUPATION</b>			
Civilian employed population 16 years and over	275,529	169,742	90,931
Management, business, science, and arts occupations	28.8%	22.2%	41.7%
Service occupations	20.2%	23.2%	14.0%
Sales and office occupations	21.6%	23.1%	20.5%
Natural resources, construction, and maintenance occupations	8.1%	6.0%	10.0%
Production, transportation, and material moving occupations	21.3%	25.5%	13.8%
Male civilian employed population 16 years and over	135,370	76,176	49,173
Management, business, science, and arts occupations	20.6%	13.0%	32.1%
Service occupations	15.6%	16.6%	13.0%
Sales and office occupations	14.6%	14.3%	16.5%
Natural resources, construction, and maintenance occupations	15.9%	13.1%	17.9%
Production, transportation, and material moving occupations	33.3%	43.0%	20.5%
Female civilian employed population 16 years and over	140,159	93,566	41,758
Management, business, science, and arts occupations	36.7%	29.7%	53.0%
Service occupations	24.7%	28.5%	15.2%
Sales and office occupations	28.4%	30.2%	25.2%
Natural resources, construction, and maintenance occupations	0.6%	0.3%	0.7%
Production, transportation, and material moving occupations	9.7%	11.2%	5.9%
<b>INDUSTRY</b>			
Civilian employed population 16 years and over	275,529	169,742	90,931
Agriculture, forestry, fishing and hunting, and mining	1.4%	0.5%	3.1%
Construction	4.9%	3.5%	5.4%
Manufacturing	14.1%	15.9%	10.6%

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Wholesale trade	1.9%	1.7%	2.4%
Retail trade	11.3%	12.2%	10.5%
Transportation and warehousing, and utilities	5.4%	5.5%	5.4%
Information	1.2%	1.2%	1.4%
Finance and insurance, and real estate and rental and leasing	4.5%	3.9%	5.5%
Professional, scientific, and management, and administrative and waste managemen	8.3%	8.8%	8.1%
Educational services, and health care and social assistance	26.5%	26.3%	28.2%
Arts, entertainment, and recreation, and accommodation and food services	11.1%	10.7%	11.2%
Other services (except public administration)	4.7%	4.5%	5.0%
Public administration	4.6%	5.3%	3.3%
<b>CLASS OF WORKER</b>			
Civilian employed population 16 years and over	275,529	169,742	90,931
Private wage and salary workers	78.6%	80.4%	75.2%
Government workers	16.9%	16.3%	18.5%
Self-employed workers in own not incorporated business	4.3%	3.2%	6.2%
Unpaid family workers	0.1%	0.1%	0.1%
<b>INCOME IN THE PAST 12 MONTHS (IN 2019 INFLATION-ADJUSTED DOLLARS)</b>			
Households	259,646	165,465	83,475
Median household income (dollars)	38,023	31,651	52,823
With earnings	69.8%	68.8%	70.4%
Mean earnings (dollars)	55,728	46,087	73,564
With Social Security income	37.9%	38.6%	39.2%
Mean Social Security income (dollars)	17,154	15,421	20,675
With Supplemental Security Income	10.6%	14.0%	5.0%
Mean Supplemental Security Income (dollars)	8,362	8,042	10,124
With cash public assistance income	2.1%	2.5%	1.5%
Mean cash public assistance income (dollars)	2,722	3,264	954
With retirement income	22.9%	20.4%	29.9%
Mean retirement income (dollars)	21,339	20,994	21,940
With Food Stamp/SNAP benefits	21.5%	28.9%	8.2%
Families	151,225	95,798	48,497
Median family income (dollars)	49,853	40,528	68,854
Married-couple family	55.5%	42.8%	78.1%
Median income (dollars)	70,409	66,684	80,065
Male householder, no spouse present, family	8.5%	9.6%	6.0%
Median income (dollars)	41,315	33,297	56,889

		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
Female householder, no husband present, family	36.0%	47.6%	15.9%
Median income (dollars)	28,270	26,384	32,300
Individuals	670,015	424,418	209,156
Per capita income (dollars)	21,877	18,658	29,283
With earnings for full-time, year-round workers:			
Male	104,097	58,652	38,427
Female	97,360	67,443	27,081
Mean earnings (dollars) for full-time, year-round workers:			
Male	51,350	41,905	66,528
Female	39,037	36,124	46,758
Median earnings (dollars) full-time, year-round workers:			
Male	41,048	35,382	51,224
Female	31,678	30,271	40,581
<b>HEALTH INSURANCE COVERAGE</b>			
Civilian noninstitutionalized population	661,675	420,978	205,107
With private health insurance	57.5%	50.6%	72.1%
With public coverage	43.3%	48.7%	33.8%
No health insurance coverage	11.1%	11.5%	9.2%
<b>POVERTY RATES FOR FAMILIES AND PEOPLE FOR WHOM POVERTY STATUS IS DETERMINED</b>			
All families	18.1%	23.5%	8.4%
With related children of the householder under 18 years	29.6%	35.7%	15.0%
With related children of the householder under 5 years only	31.5%	44.1%	11.5%
Married-couple family	6.0%	6.5%	4.7%
With related children of the householder under 18 years	9.3%	7.7%	9.6%
With related children of the householder under 5 years only	8.6%	N	N
Female householder, no spouse present, family	37.1%	40.0%	23.0%
With related children of the householder under 18 years	51.1%	53.9%	33.2%
With related children of the householder under 5 years only	64.7%	72.8%	N
All people	23.7%	27.4%	16.5%
Under 18 years	33.9%	39.1%	18.7%
Related children of the householder under 18 years	33.6%	38.9%	18.5%
Related children of the householder under 5 years	36.0%	44.4%	12.8%
Related children of the householder 5 to 17 years	32.6%	36.9%	20.8%
18 years and over	20.8%	23.5%	16.1%
18 to 64 years	22.0%	23.9%	18.9%
65 years and over	16.7%	22.2%	8.5%



		Black or African American alone or in combination	White alone, not Hispanic or Latino
	All Persons Estimate	Estimate	Estimate
People in families	19.5%	23.7%	10.6%
Unrelated individuals 15 years and over	37.8%	40.7%	32.6%
<b>HOUSING TENURE</b>			
Occupied housing units	259,646	165,465	83,475
Owner-occupied housing units	55.2%	49.3%	68.8%
Renter-occupied housing units	44.8%	50.7%	31.2%
Average household size of owner-occupied unit	2.59	2.68	2.42
Average household size of renter-occupied unit	2.34	2.36	2.15
<b>UNITS IN STRUCTURE</b>			
Occupied housing units	259,646	165,465	83,475
1-unit, detached or attached	63.8%	61.5%	69.0%
2 to 4 units	7.9%	9.3%	4.9%
5 or more units	18.0%	19.9%	13.9%
Mobile home, boat, RV, van, etc.	10.3%	9.3%	12.2%
<b>YEAR STRUCTURE BUILT</b>			
Occupied housing units	259,646	165,465	83,475
Built 2014 or later	2.9%	2.6%	3.4%
Built 2010 to 2013	3.0%	2.7%	3.4%
Built 2000 to 2009	10.5%	8.0%	15.8%
Built 1980 to 1999	26.1%	24.8%	28.0%
Built 1960 to 1979	31.4%	35.3%	24.2%
Built 1940 to 1959	17.9%	19.2%	15.7%
Built 1939 or earlier	8.2%	7.4%	9.5%
<b>VEHICLES AVAILABLE</b>			
Occupied housing units	259,646	165,465	83,475
None	11.0%	14.5%	4.6%
1 or more	89.0%	85.5%	95.4%
<b>HOUSE HEATING FUEL</b>			
Occupied housing units	259,646	165,465	83,475
Gas	43.0%	45.0%	40.4%
Electricity	55.9%	53.9%	58.2%
All other fuels	0.8%	0.5%	1.3%
No fuel used	0.4%	0.6%	0.1%
<b>SELECTED CHARACTERISTICS</b>			
Occupied housing units	259,646	165,465	83,475
No telephone service available	1.8%	2.1%	1.3%

	All Persons	Black or African American alone or in combination	White alone, not Hispanic or Latino
	Estimate	Estimate	Estimate
1.01 or more occupants per room	1.5%	1.2%	1.6%
<b>SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Housing units with a mortgage (excluding units where SMOC cannot be computed)	73,383	42,832	28,298
Less than 30 percent	70.2%	65.7%	77.9%
30 percent or more	29.8%	34.3%	22.1%
<b>OWNER CHARACTERISTICS</b>			
Owner-occupied housing units	143,204	81,558	57,412
Median value (dollars)	107,400	85,000	154,700
Median selected monthly owner costs with a mortgage (dollars)	1,081	1,006	1,175
Median selected monthly owner costs without a mortgage (dollars)	366	358	373
<b>GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN THE PAST 12 MONTHS</b>			
Occupied units paying rent (excluding units where GRAPL cannot be computed)	101,912	73,718	23,064
Less than 30 percent	45.0%	40.6%	55.4%
30 percent or more	55.0%	59.4%	44.6%
<b>GROSS RENT</b>			
Occupied units paying rent	105,961	76,480	23,914
Median gross rent (dollars)	789	747	881
<b>COMPUTERS AND INTERNET USE</b>			
Total households	259,646	165,465	83,475
With a computer	85.9%	83.4%	90.7%
With a broadband Internet subscription	76.2%	72.7%	83.0%

###

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

JOHN H. MERRILL, *et al.*,

Defendant.

Case No. 2:21-cv-01530-AMM

**JOINT STIPULATED FACTS FOR  
PRELIMINARY INJUNCTION PROCEEDINGS<sup>1</sup>**

Pursuant to this Court's November 23 scheduling order, Doc. 40 at 10, the parties in the above captioned case submit the following joint statement of facts that are stipulated for purposes of preliminary injunction proceedings:

**I. Plaintiffs**

**A. Evan Milligan**

1. Plaintiff Evan Milligan is Black.
2. Plaintiff Evan Milligan resides in Montgomery County, Alabama.

---

<sup>1</sup> For all cases and court opinions cited herein, no party has agreed to stipulate to the accuracy of any court's prior factual findings, and all parties reserve the right to present evidence disputing such findings.

3. Plaintiff Evan Milligan is a U.S. citizen and a lawfully registered voter in Congressional District (“CD”) 7.

4. Under the Plaintiffs’ Demonstrative Plan in ¶ 88 of the Complaint, Plaintiff Milligan would reside in a second, new majority-Black district.

**B. Shalela Dowdy**

5. Plaintiff Shalela Dowdy is Black.

6. Plaintiff Shalela Dowdy resides in Mobile County, Alabama.

7. Plaintiff Shalela Dowdy is a U.S. citizen and a lawfully registered voter in CD 1.

8. Under the Plaintiffs’ Demonstrative Plan in ¶ 88 of the Complaint, Plaintiff Milligan would reside in a second, new majority-Black district.

**C. Letetia Jackson**

9. Plaintiff Letetia Jackson is Black.

10. Plaintiff Letetia Jackson resides in the City of Dothan, Alabama.

11. Plaintiff Letetia Jackson is a U.S. citizen and a lawfully registered voter in CD 2.

**D. Khadidah Stone**

12. Plaintiff Khadidah Stone is Black.

13. Plaintiff Khadidah Stone resides in Montgomery County, Alabama.

14. Plaintiff Khadidah Stone is a U.S. citizen and a lawfully registered voter in CD 2.

15. Under the Plaintiffs' Demonstrative Plan in ¶ 88 of the Complaint, Plaintiff Milligan would reside in a second, new majority-Black district.

**E. Greater Birmingham Ministries (“GBM”)**

16. Plaintiff GBM was founded in 1969 in response to the challenges posed by the mid-twentieth century Civil Rights movement and its transformative impact in Birmingham, Alabama, and across the United States. GBM describes itself as a multi-faith, multi-racial, non-profit membership organization that provides emergency services to people in need and engages people to build a strong, supportive, engaged community and a more just society for all people.

17. GBM describes itself as seeking to address urgent human rights and social justice needs in the greater Birmingham area. GBM describes itself as dedicated to advancing social justice through political participation across Alabama. GBM states that it actively opposes state laws, policies, and practices that it believes result in the exclusion of vulnerable groups or individuals from the democratic process.

18. GBM states that to accomplish its goals, it regularly communicates with its members and works to register, educate, and increase voter turnout and efficacy,

particularly among Black, Latinx, and low-income people and people with disabilities.

#### **F. The Alabama State Conference of the N.A.A.C.P. (“Alabama NAACP”)**

19. Plaintiff Alabama NAACP is the state conference of the National Association for the Advancement of Colored People, Inc. The Alabama NAACP is the oldest and considers itself one of the most significant civil rights organizations in Alabama, and it states that it works to ensure the political, educational, social, and economic equality of Black Americans and all other Americans.

20. The Alabama NAACP states that two of its central goals are to eliminate racial discrimination in the democratic process, and to enforce federal laws and constitutional provisions securing voting rights. The Alabama NAACP claims that it advances its goals in part by participating in lawsuits, and that it regularly engages in efforts to register and educate voters and encourages Black people to engage in the political process by turning out to vote on Election Day.

## **II. Defendants**

### **A. John H. Merrill**

21. Defendant John H. Merrill is the Alabama Secretary of State and the chief elections official in the State of Alabama. Secretary Merrill is sued in his official capacity.

22. Secretary Merrill provides uniform guidance for election activities in the State and certifies the elections of members to the Alabama Legislature and Congress. Ala. Code §§ 17-1-3, 17-12-21. Secretary Merrill also has responsibility for certifying the names of primary and general election candidates for the State Legislature and Congress, as well as issuing Certificates of Election following tabulation of vote results. Ala. Code §§ 17-13-5(b), 17-9-3(b), Ala. Code § 17-12-21.

**B. Sen. Jim McClendon and Rep. Chris Pringle**

23. Defendants Senator Jim McClendon and Representative Chris Pringle are Co-Chairs of the Alabama Permanent Legislative Committee on Reapportionment (“the Committee”). Ala. Code § 29-2-51. They are sued in their official capacity as co-chairs of the Committee.

24. In that capacity, Sen. McClendon and Rep. Pringle led the Committee that was responsible for the preparation and development of redistricting plans for the State following the decennial census and presided over the meetings of the Committee. The Committee was tasked with making a “continuous study of the reapportionment problems in Alabama seeking solutions thereto” and reporting its investigations, findings, and recommendations to the Legislature as necessary for the “preparation and formulation” of redistricting plans for the Senate, House, and congressional districts in the State of Alabama. Ala. Code §§ 29-2-51, 29-2-52.



### **III. Demographics of Alabama**

#### **A. Citizenship and Age by Race/Ethnicity**

25. Alabama's population shifts between every census.

26. Between the 2010 and 2020 census, Alabama's population increased from 4,779,736 to 5,024,279, a 5.1 percent increase.

### **IV. Alabama's Congressional Districts**

27. From 1965 through 2013, Alabama was a covered jurisdiction under Section 5 of the Voting Rights Act, and Alabama's congressional plans therefore had to be precleared by the U.S. Department of Justice or a three-judge federal court in Washington, D.C.

28. Since 1973, Alabama has had seven congressional seats. For each of the six congressional plans Alabama has had since the 1970 census, including the plan enacted in 2021, the plan has included all of Mobile, Baldwin, Washington, and Monroe Counties in CD 1. Likewise, in each plan, CD 2 has included all of Conecuh, Butler, Crenshaw, Covington, Pike, Bullock, Barbour, Coffee, Dale, Geneva, Henry, and Houston Counties; and CD 3 has included all of Calhoun, Cleburne, Talladega, Clay, Randolph, Tallapoosa, Chambers, Macon, Lee, and Russell Counties.

#### **A. The History of the Majority-Black Congressional District 7**

29. In 1992, Black voters and others challenged the failure of the State Legislature to redistrict congressional seats after the release of the 1990 census under

the Fourteenth Amendment to the U.S. Constitution and the lack of a majority-Black congressional district under Section 2 of the Voting Rights Act.

30. On March 9, 1992, upon the stipulation of the parties, the three-judge court ordered the creation of CD 7 as a majority-Black congressional district to resolve the litigation. *See Wesch v. Hunt*, 785 F. Supp. 1491, 1498 (S.D. Ala.), *aff'd sub nom. Camp v. Wesch*, 504 U.S. 902 (1992).

31. Concerning the parties to the case, the court noted as follows: “The Intervenor–Plaintiffs, Michael Figures and others, are African–American citizens of the United States and the State of Alabama. They have been allowed to intervene in this litigation both on their own behalf and on behalf of all African–American citizens of the State of Alabama.” *Id.* at 1494.

32. Under the 1992 Plan established by the *Wesch* court, Black people were 67.69% of the total residents of CD 7 and 63.58% of CD 7’s voting age population (“VAP”). 785 F. Supp. at 1496.

33. The *Wesch* court did not conduct a Section 2 analysis. *Id.* at 1498-99. Rather, the court cited the parties’ stipulation that it was possible to draw a majority-Black VAP district, *id.*, and, thereafter, adopted a legislative proposal for CD 7. *Id.* at 1495.

34. Prior to the *Wesch* court establishing the 1992 Plan, however, the State Legislature did enact Act No. 92-65 (1992), a congressional redistricting plan with one majority-Black district.

35. The *Wesch* court adopted its own plan and created a majority-Black CD 7 due to a concern that Act No. 92-65 would not obtain the required preclearance under Section 5 of the Voting Rights Act in time for the then-upcoming election deadlines. 785 F. Supp. at 1500.

36. One of the plans submitted to the court had two majority-black districts. The court found: “The Hilliard Plan includes two majority African–American districts, with an African–American population of 59.33% and 61.98% respectively. Although this plan was submitted by the intervenors, they took the position that the Hilliard Plan probably provided obstacles of sufficient nature to cast doubt on their opportunity to elect candidates of their choice in these districts.” *Id.* at 1496.

37. Only two of the plans submitted by the parties achieved population equality, the “Pierce Plan” and the “Reed Plan,” each of which had a district that was more than 65% black population. *Id.* at 1495-96. According to the *Wesch* court, the Pierce Plan was a “modification of a plan called the ‘Larry Dixon Plan’ which was considered by the Reapportionment Committee. The Pierce Plan modified the Larry Dixon Plan to some extent, but the basic format is similar.” *Id.* at 1495.

38. The court found that the Pierce Plan that was ultimately adopted was superior to the Reed Plan because “District 1 under the Reed Plan includes Mobile County to the south and Tuscaloosa County to the north. District 2 under the Pierce Plan is largely composed of counties in the southeast corner of the state, while the Reed Plan’s District 2 stretches from Mobile County, in the extreme southwest corner of the State, to Lee County, in east central Alabama. The Pierce Plan is superior to the Reed Plan in terms of compactness.” *Id.* at 1496.

39. The Court also found that the Reed Plan split more counties and precincts than the Pierce Plan and that the Pierce Plan did a better job of preserving the core of districts and communities of interest. *Id.* at 1496-97.

40. On March 27, 1992, the U.S. Attorney General objected to Act No. 92-65 under Section 5 of the Voting Rights Act. The Attorney General found that Act No. 92-65 was the product of intentional racial discrimination because it drew only one majority-Black district and “fragmented” the rest of the Black population in the state to dilute the Black vote. In the objection letter, the U.S. Attorney General noted a “concern” of the Black community that “an underlying principle of the Congressional redistricting was a predisposition on the part of the state political leadership to limit black voting potential to a single district.”

41. During this time, the Department of Justice was applying a “max-black” policy.

42. Because the state did not obtain preclearance for Act No. 92-65 nor enact another plan, the *Wesch* court's 1992 Plan remained in effect for the remainder of the 1990s.

43. In each redistricting cycle from at least the 1990 census through the 2020 census, some Black legislators and voters have lobbied for plans that include two Black-majority districts.

44. After the establishment of CD 7 as a majority-Black district in the 1992 Plan, Earl Hillard became the first Black Alabamian to be elected to Congress in the Twentieth Century.

45. After the 2000 redistricting cycle, the State Legislature enacted the 2002 Plan wherein Black people constituted 62.389% of the total population and 58.327% of the voting age population under the 2000 census.

46. The 2002 Plan received preclearance under Section 5 of the Voting Rights Act.

47. In the general congressional elections of 2002, 2004, 2006, and 2008, Artur Davis, a Black Democrat, was elected in CD 7 after winning a majority of Black voters.

48. In each of the general congressional elections of 2002, 2004, 2006, and 2008, Representative Davis won election with no less than 74.9% of the vote.

49. In the November 2010 general congressional election, Terri Sewell, a Black Democrat, was elected in CD 7 after winning a majority of Black voters.

50. In the November 2010 general congressional election, Representative Sewell won election in CD 7 with 72% of the vote, beating her white opponent by 45 points.

51. In 2010, CD 7 under the 2002 Plan had a Black voting-age population (“BVAP”) of 60.11%.

52. After the release of the 2010 census, the State Legislature enacted the 2011 Plan. The 2011 Plan increased the BVAP of CD 7 to 60.91% any-part Black and 60.55% single-race Black, according to 2010 Census data.

53. In September 2011, the Alabama Attorney General’s office sent a letter and related materials to the U.S. Department of Justice, which submitted the 2011 Plan for preclearance review under Section 5 of the Voting Rights Act (hereinafter, the “submission letter”).

54. The submission letter stated that the 2011 Plan “preserves the voting strength of the African-American community” and that the “percentage of total black and black voting age population in the new [2011] plan increased from the benchmark [2002 Plan] figures. That increase plainly cannot be regarded as retrogressive.”

55. The submission letter likened the CD 7 in the 2011 Plan to the CD 7 in the “1992 *Wesch* court plan and the [2002] plan” because “the new [2011] plan has one African-American majority district, District 7, which is located in the west central part of the state.”

56. The submission letter did not include a racial polarization analysis or otherwise attempt to demonstrate that maintaining the effectiveness of CD 7 required increasing the total Black or BVAP population in that district.

57. The 2021 Plan enacted in HB 1 contains one majority-Black district with a BVAP of 55.3% any-part Black and 54.22% single-race Black under the 2020 census and assigns 30.86% of all single-race Black Alabamians to CD 7.

58. CD 7 remains the only majority-BVAP congressional district in Alabama.

59. In the 2021 Plan, the State Legislature sought to maintain the cores of each congressional district as they were drawn in the 2011 Plan.

60. The Black Belt is named for the region’s fertile black soil. The region has a substantial Black population because of the many enslaved people brought there to work in the antebellum period. All the counties in the Black Belt are majority- or near majority-BVAP.

61. The Black Belt includes the core counties of Barbour, Bullock, Butler, Choctaw, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo,



Montgomery, Perry, Pickens, Pike, Russell, Sumter, and Wilcox. Clarke, Conecuh, Escambia, Monroe, and Washington counties are sometimes included within the definition of the Black Belt.

62. In recent litigation, Secretary Merrill stated that CD 7 “appears to be racially gerrymandered, with a finger sticking up from the black belt for the sole purpose of grabbing the black population of Jefferson County. Defendant does not believe that the law would permit Alabama to draw that district today if the finger into Jefferson County was for the predominate purpose of drawing African American voters into the district.” Secretary of State Merrill’s Pretrial Brief, *Chestnut v. Merrill*, No. 2:18-CV-00907 (N.D. Ala. Oct. 28, 2019), ECF No. 101 at 11.

### **B. Congressional Districts 1, 2, and 3**

63. In 2010, CDs 1, 2, and 3 under the 2001 Plan contained a combined AP Black population of 629,911, which was 92.3% of the ideal total population for a single congressional district, calculated by dividing the total population by the number of congressional districts. In 2010, CDs 1, 2, and 3 under the 2001 Plan contained a combined SR Black population of 615,896, which was 90.1% of the ideal total population for a single congressional district. This count includes Black voters in Mobile and Black voters in Anniston.

64. According to 2010 Census data, CDs 1, 2, and 3 under the 2011 Plan contained a combined any-part Black population of 575,923, which is 84.3% of the total population of an ideal congressional district. Those districts contained a combined single-race Black population of 561,978, which is 82.3% of the total population of an ideal congressional district. This count includes Black voters in Mobile and Black voters in Anniston.

65. The 2001 Plan split Montgomery County among two districts: CDs 2 and 3. The 2011 Plan split Montgomery County between three congressional districts: CDs 2, 3, and 7. Under the 2021 Plan, Montgomery County is split between two districts: CDs 2 and 7.

### **C. State Board of Education (“SBOE”) Plan**

66. The Alabama SBOE is a nine-member body that sets education policy for Alabama’s K-12 schools. The Governor serves as the president of the SBOE, and the remaining eight members are elected to the Board from single-member districts.

67. In 2021, Alabama adopted an eight-district SBOE Plan (the “2021 SBOE Plan”) with two majority-Black districts, Districts 4 and 5.

68. According to 2020 Census data, District 4 is 51% BVAP, and District 5 is 51% BVAP.

69. In each election since 2011, a Black Democrat won a majority of Black voters and the election in Districts 4 and 5 of the SBOE. District 5 of the SBOE Plan connects the City of Mobile to the Black Belt Counties.

## **V. The Process Leading to the Enactment of H.B. 1**

### **A. Joint Legislative Committee’s Stated Redistricting Criteria**

70. On May 5, 2021, the Permanent Legislative Committee on Reapportionment (the “Committee”)—the Committee responsible for preparing and developing redistricting plans for the State following each decennial census—enacted guidelines for the 2021 redistricting cycle.

71. The guidelines state that they are based on the requirements of the U.S. Constitution, Alabama Constitution, and policies that “are embedded in the political values, traditions, customs, and usages of the State of Alabama.”

72. The criteria for redistricting set by the Committee begin with requirements under the U.S. Constitution and federal law, including compliance with the one-person, one-vote requirement. The Committee instructed that Congressional districting maps “shall have minimal population deviation” and comply with Section 2 of the Voting Rights Act, meaning that districts have “neither the purpose nor the effect of diluting minority voting strength.”

73. The Committee stated that districts cannot be drawn “in a manner that subordinates race-neutral districting criteria to considerations of race, color, or

membership in a language minority group, except that race, color, or membership in a language-minority group may predominate over race-neutral districting criteria to comply with Section 2 of the Voting Rights Act, provided there is a strong basis in evidence in support of such a race-based choice.”

74. Each district must also be “contiguous and reasonably compact,” under the criteria.

75. The criteria next require compliance with the Alabama Constitution, including that:

- a. Districts are “drawn to reflect the democratic will of all the people concerning how their governments should be restructured”;
- b. Districts are drawn based on total population except that voting-age population may be considered to comply with Section 2 of the Voting Rights Act and other laws;
- c. The number of Senate districts is set at 35 and House districts at 105;
- d. All districts must be single-member districts; and
- e. All districts must be contiguous with each other.

76. The criteria require compliance with redistricting policies that are “embedded in the political values, traditions, customs, and usages of the State of

Alabama . . . to the extent that they do not violate or subordinate the foregoing policies prescribed by the Constitution and laws of the United States and of the State of Alabama,” including:

- a. Avoiding contests between incumbents where possible;
- b. Permitting contiguity by water but not point-to-point or long-lasso contiguity;
- c. Respect for “communities of interest, neighborhoods, and political subdivisions to the extent practicable,” with a community of interest “defined as an area with recognized similarities of interests, including but not limited to ethnic, racial, economic, tribal, social, geographic, or historical identities.”
- d. Minimization of the number of counties in each district; and
- e. Preservation of the cores of existing districts.

77. The Committee’s Redistricting Guidelines stated that “In establishing legislative districts, the Reapportionment Committee shall give due consideration to all the criteria herein. However, priority is to be given to the compelling State interests requiring equality of population among districts and compliance with the Voting Rights Act of 1965, as amended, should the requirements of those criteria conflict with any other criteria.”

## **B. The 2021 Legislative Process for Redistricting**

78. On August 12, 2021, the U.S. Census Bureau released the results of the 2020 Census.

79. Alabama's population grew by 5.1% between 2010 and 2020.

80. Using population estimates from the Census Bureau, the Committee, under the leadership of Sen. McClendon and Rep. Pringle, began to develop redistricting plans for congressional districts in May of 2021. *See* Ala. Code § 29-2-50(2). Once census data was released in August, that work continued.

81. The Committee consists of members of both the State House and Senate, with the Speaker of the House appointing one House member from each of the seven congressional districts and four additional House members and the Lieutenant Governor appointing one Senator from each of the seven congressional districts and four additional Senators. *See* Ala. Code § 29-2-51(c).

82. The 2021 Reapportionment Committee includes 21 members—15 white Republican members and six Black Democratic members.

83. All Committee meetings must be open to the public. The Committee Guidelines provide that “All interested persons are encouraged to appear before the Reapportionment Committee and to give their comments and input regarding legislative redistricting. Reasonable opportunity will be given to such persons, consistent with the criteria herein established, to present plans or amendments

redistricting plans to the Reapportionment Committee, if desired, unless such plans or amendments fail to meet the minimal criteria herein established.”

84. Between September 1 and 16, before the Committee released draft maps or proposals, the Legislative Reapportionment Office held 28 public hearings across the state.

85. Every hearing, except one that was held at 6:00 pm at the Statehouse in Montgomery, was held between the hours of 9:00 am to 5:00 pm.

86. On October 19, 2021, Plaintiffs the Alabama NAACP and Greater Birmingham Ministries and others sent a letter to the Alabama Permanent Committee on Reapportionment.

87. The letter sought to remind the Committee of obligations under Section 2 of the Voting Rights Act and highlighted what the Plaintiffs believed to be the Committee’s obligation to conduct a racial-polarization analysis to ensure that the redistricting complied with the Voting Rights Act and that the race was used only in a narrowly tailored manner to comply with a compelling state interest.

88. Governor Kay Ivey called the Special Legislative Session on redistricting in Alabama to begin on October 28, 2021.

89. On October 26, 2021, the Committee held its second public meeting of this redistricting cycle. The first public meeting was held in May 2021, when the Committee adopted redistricting guidelines.



90. A member of the Committee, Rep. Chris England, a Black legislator, published the proposed maps on Twitter on October 25, 2021.

91. The Committee released the maps to the public on the day of the Committee meeting.

92. Many Committee members did not see the full proposed maps beyond their own districts and those surrounding their own district until the day before their meeting.

93. Beyond the Committee, the Committee Co-Chairs and their staff met with each incumbent legislator or their staff either in person or online unless the legislator declined to meet.

94. Individual legislators only viewed and provided feedback on draft maps of their districts and adjoining districts, not maps of the entire state.

95. Mr. Dorman Walker has been the Committee's lawyer for the 2011 and 2021 redistricting cycles.

96. Sen. McClendon explained that Mr. Walker told him that racial-polarization analysis was only done by Dr. M.V. "Trey" Hood III for state legislative districts where "it looked like there might possibly be a racial issue."

97. No racial-polarization analysis was conducted for CD 7.

98. No racial-polarization analysis for any districts was provided to Committee members before or during the meeting.

99. Committee members only received demographic and population data for each district.

100. Neither Mr. Walker nor Dr. Hood, who conducted racial-polarization analysis for the state legislative districts, attended the Committee meeting.

101. Rep. Laura Hall, a Black legislator, moved to postpone any vote on the proposed maps until the Committee members and the public had more time to review the maps and accompanying racial-polarization analysis.

102. All the Black Democratic committee members voted in favor of Rep. Hall's motion, which failed because nearly all white Republican committee members voted against it.

103. Each of the maps passed out of Committee.

104. All the Black Democratic members of the Committee voted against each of the maps.

105. The Special Legislative Session for redistricting began two days later, on October 28, 2021.

106. On October 29, 2021, the Alabama House State Government Committee met to discuss the Reapportionment Committee's proposed districting plan for Alabama's U.S. House delegation.

107. The Committee gave the congressional map a favorable report. All the Black Democratic members of the Committee voted against the maps.

108. On November 1, the full House considered the congressional map.

109. The House passed the congressional map by a vote of 65-38.

110. On November 2, 2021, the Senate General Fund and Appropriations Committee considered the State House and congressional maps.

111. The Committee gave both maps a favorable report. All the Black members of the Committee, each of whom is a Democrat, voted against the maps.

112. The next day, November 3, 2021, the full Senate considered the congressional map.

113. Sen. Kirk Hatcher, a Black legislator, offered the demonstrative map prepared by Plaintiffs Greater Birmingham Ministries and the Alabama NAACP as a substitute map. He stated that this map sought to ensure “that all Black Alabamians have an opportunity to elect their preferred congressional representatives.”

114. Sen. Hatcher’s substitute map failed an up-or-down vote. All Black Senators voted in favor of it.

115. The Senate tabled several other substitute maps.

116. The Senate passed the congressional map by a vote of 22-7.

117. All Black senators, each of whom is a Democrat, voted against the map.

## **VI. Other Stipulated Facts**

118. Numerous federal courts in Alabama have found that the state's elections were racially polarized at the time and locations at issue in their respective cases. *See, e.g., Ala. State Conf. of NAACP v. Alabama*, No. 2:16-CV-731-WKW, 2020 WL 583803, at \*17 (M.D. Ala. Feb. 5, 2020) (accepting the undisputed statistical evidence proving the existence of racially polarized voting statewide); *Jones v. Jefferson Cty. Bd. of Educ.*, No. 2:19-cv-01821-MHH, 2019 WL 7500528, at \*2 (N.D. Ala. Dec. 16, 2019) (finding that voting is racially polarized in Jefferson County elections); *United States v. McGregor*, 824 F. Supp. 2d 1339, 1345-46 & n.3 (M.D. Ala. 2011) (finding that voting is racially polarized across Alabama).

119. In 2008, Bobby Bright, a white Democrat, was elected to the U.S. House from CD 2.

120. From 1973 until 2008, white Democrats were elected to the U.S. House from CD 5.

121. In the November 2008 election, Democrats won three of Alabama's seven Congressional districts. White Democrats won in Districts 2 and 5. In the same election, John McCain, a white Republican candidate for President, won a majority of the votes statewide and won the most votes in six of the seven Congressional districts, including Districts 2 and 5. Barack Obama, a Black Democrat, received a majority of votes only in District 7.

122. In 2013 and 2014, Burton LeFlore, a Black Democrat, ran for election to the U.S. House from CD 1, but both times LeFlore was defeated by Bradley Byrne, a white Republican, by wide margins.

123. In 2017, Doug Jones, a white Democrat, was elected to the U.S. Senate in Alabama.

124. In 2018, Black candidates for Lieutenant Governor, State Auditor, and the Public Service Commission lost statewide general elections to white candidates.

125. In the Twentieth century, Black Alabamians have never elected a Black person to Congress outside of the majority-Black CD 7, and only since 1992.

126. In congressional races in the current majority-white CDs 1, 2, and 3, Black candidates have never won election to Congress.

127. For example, in 2020 in District 1, white Republican candidate Rep. Bradley Byrne defeated Black Democratic candidate James Averhart by approximately 29 percentage points in a district that was approximately 25.7% BVAP. The same was true in 2018, with Rep. Byrne defeating Black and Black-preferred candidate Robert Kennedy Jr. by over 26 percentage points.

128. In 2020 in District 2, which is 30.6% BVAP, white Republican candidate Rep. Barry Moore defeated Black Democratic candidate Phyllis Harvey-Hall by over 30 percentage points. In 2018 in District two, white Republican

candidate Rep. Martha Roby defeated Democratic candidate Tabitha Isner by 23 percentage points.

129. In 2020 in District 3, which is 25.8% BVAP, white Republican candidate Rep. Mike Rogers defeated Black Democratic candidate Adia Winfrey by 35 percentage points. Similarly, in 2018, Rep. Rogers defeated Democratic candidate Mallory Hagan by over 27 percentage points.

130. Prior to 1960, the Legislature failed to reapportion for 50 years. As a result, Alabama's entire legislative apportionment scheme was struck down for violating the principle of one person, one vote. *Reynolds v. Sims*, 377 U.S. 533, 568 (1964). On remand, a three-judge court found that, in devising remedial maps to correct the malapportionment, the "Legislature intentionally aggregated predominantly Negro counties with predominantly white counties for the sole purpose of preventing the election of Negroes to [State] House membership." *Sims v. Baggett*, 247 F. Supp. 96, 108-109 (M.D. Ala. 1965).

131. Following *Reynolds* and the 1970 Census, the Legislature again failed to redistrict and a three-judge federal court was forced to draw new district lines. *Sims v. Amos*, 336 F. Supp. 924, 940 (M.D. Ala. 1972). The court rejected the Alabama Secretary of State's proposed map because of its racially "discriminatory effect" on Black voters. *Id.* at 936.

132. In the 1980s, the United States Attorney General denied preclearance under the Voting Rights Act to maps drawn by the Legislature to redistrict State House and Senate maps because of their discriminatory effect on Black voters in Jefferson County and the Black Belt. U.S. Dep’t of Justice Ltr. to Ala. Attorney General Graddick, May 6, 1982, <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/AL-1520.pdf>. Shortly thereafter, a three-judge court rejected Alabama’s proposed interim remedial state maps in part because Alabama’s maps “had the effect of reducing the number of ‘safe’ black districts” in and near Jefferson County. *Burton v. Hobbie*, 543 F. Supp. 235, 238 (M.D. Ala. 1982).

133. After the 1990 census, the State entered a consent decree to resolve a Voting Rights Act lawsuit filed on behalf of Black voters. *See Brooks v. Hobbie*, 631 So.2d 883, 884 (Ala. 1993).

134. Most recently, after the 2010 census, Black voters and legislators successfully challenged 12 state legislative districts as unconstitutional racial gerrymanders. *See Ala. Legis. Black Caucus v. Alabama*, 231 F. Supp. 3d 1026, 1348-49 (M.D. Ala. 2017).

135. Today, Alabama has a majority-vote requirement in all primary elections.



136. Before the Civil War, Black people were barred from voting in the state. After the passage of the Reconstruction Acts and Amendments, Alabama was forced to allow Black men access to the franchise, and the 1867 Alabama Constitution granted every male person over the age of 21—who satisfied the citizenship and residency requirements—the right to vote. This meant that for the first time in Alabama’s history, Black people voted and held public office.

137. In response, white leaders reformed the Democratic party with the intent of “redeeming” the State and re-establishing white supremacy. This was accomplished by using violence to deter Black people from political participation and, once the Redeemers returned to political office, to pass racially discriminatory laws to cement their control.

138. In 1874, Democratic candidates were elected to public office in large numbers. On election day, in Eufaula, Alabama, members of a white paramilitary group known as the White League, killed several unarmed Black Republican voters and turned away thousands of voters from the polls.

139. The following year, in 1875, the Alabama legislature adopted a new state constitution and passed a series of local laws and ordinances designed to strip Black Americans of the civil rights they enjoyed briefly during Reconstruction.

140. At the 1901 Constitutional Convention, 155 white male delegates gathered in Montgomery with the express intention “to establish white supremacy in the State.”

141. The Convention ratified changes to the constitution that required literacy tests as a prerequisite to register to vote and mandated payment of an annual \$1.50 poll tax, which was intended to and had the effect of disenfranchising Black voters. *United States v. Alabama*, 252 F. Supp. 95, 99 (M.D. Ala. 1966).

142. After the United States Supreme Court invalidated white-only primaries in 1944, Alabama passed the “Boswell Amendment” to its Constitution in 1946, adding an “understanding requirement” meant to give registrars broad discretion to deny African Americans the ability to register to vote.

143. After a federal court invalidated the Boswell Amendment in 1949, Alabama replaced its understanding requirement with a literacy test, again with the purpose of preventing African Americans from registering to vote.

144. After the Supreme Court outlawed the white primary in 1944, many Alabama counties shifted to at-large elections, the intent of which was to prevent African Americans from electing their candidates of choice.

145. In 1951, Alabama enacted a law prohibiting single-shot voting in municipal elections, the intent of which was to prevent African Americans from electing their candidates of choice.

146. In 1957, Alabama transformed the boundaries of the city of Tuskegee into a twenty-eight-sided figure designed to fence out African Americans from the city limits and ensure that only white residents could elect city officials. *Gomillion v. Lightfoot*, 364 U.S. 339 (1960).

147. In 1964 and 1965, Dallas County Sheriff Jim Clark, Alabama state troopers, and vigilantes violently assaulted peaceful Black protesters attempting to gain access to the franchise.

148. On March 7, 1965, in what became known as Bloody Sunday, state troopers viciously attacked and brutally beat unarmed peaceful civil rights activists crossing the Edmund Pettus Bridge in Selma, where less than 5 percent of Black voters were registered to vote. Bloody Sunday helped pave the way for the passage of the Voting Rights Act in 1965 and Alabama was declared a “covered” state under Section 4(b) of the Act.

149. Between 1965 and 2013, at least 100 voting changes proposed by Alabama state, county or city officials were either blocked or altered pursuant to Section 5 of the Voting Rights Act. No objection was raised after 2008. The objections include at least 16 objections between 1969 and 2008 in cases where a proposed state or local redistricting plan had the purpose or would have the effect of diminishing the ability of Black voters to elect their candidates of choice. The last sustained objection to an Alabama state law occurred in 1994.

150. In 1986, a court found that the state laws requiring numbered posts for nearly every at-large voting system in Alabama had been intentionally enacted to dilute Black voting strength, and that numbered posts had the effect of diluting Black voting strength in at-large elections. *Dillard v. Crenshaw Cty.*, 640 F. Supp. 1347, 1357 (1986). The court also found that from the late 1800s to the 1980s, Alabama had purposefully manipulated the method of electing local governments as needed to prevent Black citizens from electing their preferred candidates. *Id.*

151. Ultimately, a defendant class of 17 county commissions, 28 county school boards, and 144 municipalities were found to be employing at-large election systems designed and motivated by racial discrimination. These cases resulted in settlement agreements with about 180 Alabama jurisdictions that were required to adopt new election systems including single-member districts, limited voting, and cumulative voting systems, in an attempt to purge the state's election systems of intentional discrimination.

152. Between 1965 and 2021, subdivisions in Alabama continued to use at-large elections with numbered posts.

153. Federal courts recently ruled against or altered local at-large voting systems with numbered post created by the State Legislature to address their alleged racially discriminatory purpose or effect. *See, e.g., Jones*, 2019 WL 7500528, at \*4;

*Ala. State Conf. of the NAACP v. City of Pleasant Grove*, No. 2:18-cv-02056, 2019 WL 5172371, at \*1 (N.D. Ala. Oct. 11, 2019).

154. Black voters have challenged other Alabama voting laws under the Voting Rights Act and the Constitution in federal court. *See, e.g., People First of Alabama v. Merrill*, 491 F. Supp. 3d 1076, 1106-1107 (N.D. Ala. 2020); *Harris v. Siegelman*, 695 F. Supp. 517, 530 (M.D. Ala. 1988). For example, the Supreme Court struck down Alabama's discriminatory misdemeanor disfranchisement law, *Hunter v. Underwood*, 471 U.S. 222 (1985), and a state law permitting certain discriminatory annexations, *Pleasant Grove v. United States*, 479 U.S. 462, 466-67 (1987).

155. In 2020, the United States District Court for the Middle District of Alabama held as follows in a case where plaintiffs argued that Section 2 of the Voting Rights Act requires Alabama to elect state appellate judges by districts:

Alabama today is a vastly different place than it was even a half-century ago. Overt discriminatory election devices have long been eliminated. Voter registration and turnout rates among African-Americans and whites have reached parity. . . . In 2017, Doug Jones became the first Democrat to win a U.S. Senate seat in Alabama in a quarter century, in an election in which African-American votes were decisive. Plaintiffs simply have not shown that, in present-day Alabama, there are any barriers keeping African Americans from participating in the political process as voters. The level of black participation in the electoral process is not depressed.

156. *Alabama State Conf. of Nat'l Ass'n for Advancement of Colored People v. Alabama*, No. 2:16-CV-731-WKW, 2020 WL 583803, at \*41 (M.D. Ala. Feb. 5, 2020) (citations omitted).

157. Since the *Shelby County v. Holder* decision in 2013, federal courts have ordered more than one political subdivision in Alabama to be re-subjected to preclearance review under Section 3(c) of the Voting Rights Act. *See Jones*, 2019 WL 7500528, at \*4-5; *Allen v. City of Evergreen*, No. 13-0107, 2014 WL 12607819, at \*2 (S.D. Ala. Jan. 13, 2014).

158. Individuals with lower household incomes are less likely to vote.

159. Alabama's policy of denying Black people equal access to education persisted after the Supreme Court's decision in *Brown v. Board of Education*. In 1956, after a federal court ordered the segregated University of Alabama to admit a Black woman named Autherine Lucy, white people gathered on campus, burned a cross, and marched through town chanting, "Hey, hey, ho, ho, Autherine has got to go!"

160. In 2018, in a case challenging the attempt by the City of Gardendale, which is 85% white, to form a school district separate from Jefferson County's more racially diverse district, the Eleventh Circuit affirmed a finding that "race was a motivating factor" in the city's effort. *Stout v. Jefferson Cnty. Bd. of Ed.*, 882 F.3d 988, 1007-1009 (11th Cir. 2018).

161. Alabama's constitution still contains language that mandates separate schools for Black and white students after a majority of voters rejected repeal attempts in 2004 and 2012, although the provision has not been enforceable for decades.

162. Alabama was the first state ever to be subjected to a statewide injunction prohibiting the state from failing to disestablish its racially dual school system. *Lee v. Macon Cty. Bd. of Ed.*, 267 F. Supp. 458 (M.D. Ala.), *aff'd* 389 U.S. 215 (1967). The order resulted from the court's finding that the State Board of Education, through Governor George Wallace, had previously wielded its powers to maintain segregation across the state. *Id.*

163. A trial court found that for decades, state officials ignored their duties under the statewide desegregation order. *See Lee v. Lee Cnty. Bd. of Educ.*, 963 F. Supp. 1122, 1128-30 (M.D. Ala. 1997). A court also found that the state did not satisfy its obligations to remedy the vestiges of segregation under this order until as late as 2007. *Lee v. Lee County Bd. of Educ.*, 476 F. Supp. 2d 1356 (M.D. Ala. 2007).

164. In 1991, a trial court in *Knight v. Alabama*, 787 F. Supp. 1030 (N.D. Ala. 1991), found that Alabama had failed to eliminate the lingering and continued effects of segregation and discrimination in the University of Alabama and Auburn University, and at the state's public Historically Black Colleges and Universities (HBCUs).



165. In 1995, the trial court issued a remedial decree analogous to the statewide injunction issued in *Lee v. Macon*, and the court oversaw implementation of that order for over a decade. *Knight v. State of Ala.*, 900 F. Supp. 272 (N.D. Ala. 1995). Alabama did not satisfy its obligations under that order until 2006. *Knight v. Alabama*, 469 F. Supp. 2d 1016 (N.D. Ala. 2006).

166. Alabama has never had more than one African-American congressional representative, and no African American has been elected to the U.S. House of Representatives outside of CD 7.

167. There are currently no African-American statewide officials in Alabama.

168. Only two African Americans have been elected to statewide office in Alabama, and both ran as incumbents after first being appointed. No Black person has won statewide office in Alabama since 1996.

169. The overwhelming majority of African-American representatives in the Alabama Legislature come from majority-minority districts.

170. None of the current statewide elected officials are Black. Only two Black people have ever been elected to statewide office. In both instances, the office was associate justice of the Alabama Supreme Court. In 1982 and 1988, the late Justice Oscar W. Adams, Jr. was elected to two consecutive terms; and, in 1994, Justice Ralph D. Cook won an unopposed statewide election. In 2000, both Justice

Cook and the then-recently appointed Justice John England, both Black Democrats, lost elections to white Republican candidates.

171. Kenneth Paschal is a Black Republican who currently represents District 73 in the Alabama House of Representatives. District 73 includes Shelby County. There are currently no Black Republicans in the state Senate or in any statewide elective positions.

172. In 2014, following the Supreme Court’s decision in *Shelby County v. Holder*, Alabama’s photo identification law went into effect.

173. The United States Bureau of the Census releases data to the states after each census for use in redistricting. This data includes population and demographic information for each census block.

174. Following the 2020 Census, the Census Bureau was statutorily required to release this redistricting data no later than April 1, 2021. 13 U.S.C. § 141. However, in February 2021, the Census Bureau issued a press release stating that it would not release the redistricting data until September 30, 2021. On March 10, 2021, the State of Alabama sued the Census Bureau to require it to comply with the statutory deadline. *See Alabama v. United States Dep’t of Com.*, No. 3:21-CV-211-RAH-ECM-KCN, (M.D. Ala.) (three-judge court). On March 15, 2021, the Census Bureau issued a further press release stating it could provide

redistricting data in a legacy format by mid-to-late August 2021. The Census Bureau provided initial redistricting data to Alabama on August 12, 2021.

175. On May 5, 2021, the Reapportionment Committee of the Alabama Legislature passed the Redistricting Guidelines to be used by the Committee during the redistricting process. Those Guidelines passed on a 16-1 vote, with both Republicans and Democrats as well as Black and White legislators supporting the Guidelines.

176. The Reapportionment Committee held 28 public hearings at locations around the state between September 1 and September 16. The public could attend these hearings in person or via videoconference.

177. On October 25, 2021, Alabama Governor Kay Ivey officially called for the Legislature to convene in a special session to address redistricting.

178. On October 26, 2021, the Reapportionment Committee met and considered a draft congressional plan.

179. On October 28, 2021, the special session began and the Congressional Plan (then H.B. 1) was assigned to the House Committee on State Government. On October 29, the Congressional Plan (in addition to three other redistricting plans) was voted out of committee. All Black Representatives on the Committee voted against the map.

180. On November 1, the House of Representatives considered the Congressional Plan. The same day, the House passed the Congressional Plan 65-38; in addition to every Democratic Representative, several Republicans voted against the plan. One Black Representative, Rep. Keith Paschal who is the sole Black Republican legislator, voted in favor of the Congressional Plan.

181. On November 2, the Senate General Fund and Appropriations Committee considered the Congressional Plan. The Plan was voted out of Committee that same day. All Black Senators on the Committee voted against the map.

182. On November 3, the full Senate approved the Congressional Plan 22-7 and forwarded the Plan to Alabama Governor Kay Ivey. All six Black Senators present and Billy Beasley, the sole White Democratic Senator, voted against the map. On November 4, Governor Ivey signed the Congressional Plan into law.

183. Alabama's primary elections—including elections for U.S. Congress—are scheduled for May 24, 2022. Candidates seeking their party's nomination must file a declaration of candidacy with the state party chairman by January 28, 2022. *See* Ala. Code § 17-13-5(a).

184. On Tuesday, July 23, a special election was held to fill a vacancy in District 73 of the Alabama House of Representatives. The winner was Kenneth Paschal, the Republican candidate, who received 2,743 votes. Representative

Paschal is African American. His white Democratic opponent received 920 votes.

District 73 is located in Shelby County, Alabama. Based on 2010 census data, the voting-age population of District 73 was 84.12% white and 9.75% black.

Representative Paschal defeated a white Republican candidate in the primary election by 64 votes. Representative Paschal received 1,476 votes, while his white opponent received 1,412 votes.

DATED this 7th day of Dec. 2021.

/s/ Deuel Ross

Deuel Ross\*  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
700 14th Street N.W. Ste. 600  
Washington, DC 20005  
(202) 682-1300  
dross@naacpldf.org

Leah Aden\*

Stuart Naifeh\*

Kathryn Sadasivan^ (ASB-517-E48T)  
NAACP LEGAL DEFENSE &  
EDUCATIONAL FUND, INC.  
40 Rector Street, 5th Floor  
New York, NY 10006  
(212) 965-2200  
laden@naacpldf.org  
snaifeh@naacpldf.org  
ksadasivan@naacpldf.org

Shelita M. Stewart\*

Jessica L. Ellsworth\*

HOGAN LOVELLS US LLP  
555 Thirteenth Street, NW  
Washington, D.C. 20004  
(202) 637-5600  
shelita.stewart@hoganlovells.com

David Dunn\*

HOGAN LOVELLS US LLP  
390 Madison Avenue  
New York, NY 10017  
(212) 918-3000  
david.dunn@hoganlovells.com

Michael Turrill\*

Harmony A. Gbe\*

Respectfully submitted,

/s/ Sidney M. Jackson

Sidney M. Jackson (ASB-1462-K40W)  
Nicki Lawsen (ASB-2602-C00K)  
WIGGINS CHILDS PANTAZIS  
FISHER & GOLDFARB, LLC  
301 19th Street North  
Birmingham, AL 35203  
Phone: (205) 341-0498  
sjackson@wigginschilds.com  
nlawsen@wigginschilds.com

/s/ Davin M. Rosborough

Davin M. Rosborough\*  
Julie Ebenstein\*  
AMERICAN CIVIL LIBERTIES  
UNION FOUNDATION  
125 Broad St.

New York, NY 10004

(212) 549-2500  
droborough@aclu.org  
jebenstein@aclu.org

/s/ LaTisha Gotell Faulks

LaTisha Gotell Faulks (ASB-1279-I63J)  
Kaitlin Welborn\*\*  
AMERICAN CIVIL LIBERTIES UNION  
OF ALABAMA  
P.O. Box 6179  
Montgomery, AL 36106-0179  
(334) 265-2754  
tgfaulks@aclualabama.org  
kwelborn@aclualabama.org

Blayne R. Thompson\*

HOGAN LOVELLS US LLP  
609 Main St., Suite 4200  
Houston, TX 77002

HOGAN LOVELLS US LLP  
1999 Avenue of the Stars  
Suite 1400  
Los Angeles, CA 90067  
(310) 785-4600  
michael.turrill@hoganlovells.com  
harmony.gbe@hoganlovells.com

(713) 632-1400  
blayne.thompson@hoganlovells.com

*Attorneys for Plaintiffs*

Anthony Ashton\*  
Anna Kathryn Barnes\*  
NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE  
(NAACP)  
4805 Mount Hope Drive  
Baltimore, MD 21215  
(410) 580-5777  
aashton@naacpnet.org  
abarnes@naacpnet.org

*Attorneys for Plaintiff Alabama State  
Conference of the NAACP*

\* Admitted *Pro hac vice*

^ Request for admission to the Northern District of Alabama forthcoming



Steve Marshall  
*Attorney General*

s/ James W. Davis  
Edmund G. LaCour Jr. (ASB-9182-U81L)  
*Solicitor General*

James W. Davis (ASB-4063-I58J)  
*Deputy Attorney General*  
A. Reid Harris (ASB-1624-D29X)  
Brenton M. Smith (ASB-1656-X27Q)  
Benjamin M. Seiss (ASB-2110-O00W)  
*Assistant Attorneys General*

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ALABAMA  
501 Washington Avenue  
P.O. Box 300152  
Montgomery, Alabama 36130-0152  
Telephone: (334) 242-7300  
Fax: (334) 353-8400  
Edmund.LaCour@AlabamaAG.gov  
Jim.Davis@AlabamaAG.gov  
Ben.Seiss@AlabamaAG.gov  
Reid.Harris@AlabamaAG.gov  
Brenton.Smith@AlabamaAG.gov

***Counsel for Secretary Merrill***

Dorman Walker (ASB-9154-R81J)  
Balch & Bingham LLP  
Post Office Box 78 (36101)  
105 Tallapoosa Street, Suite 200  
Montgomery, AL 36104  
Telephone: (334) 834-6500  
dwalker@balch.com

***Counsel for Jim McClendon and  
Chris Pringle***

## **CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system which provides electronic notice of filing to all counsel of record.

This the 7th day of December 2021.

/s/ Deuel Ross

COUNSEL FOR PLAINTIFFS

# Supplemental Report

Moon Duchin  
Professor of Mathematics, Tufts University  
Collaborating Faculty in Race, Colonialism, and Diaspora Studies  
Senior Fellow, Tisch College of Civic Life

December 27, 2021

## 1 Background and assignment

I am a Professor of Mathematics and a Senior Fellow in the Jonathan M. Tisch College of Civic Life at Tufts University. I have previously submitted an expert report in the current case and have been asked by counsel to provide a supplement presenting the findings from a racial analysis of the voter registration database. In addition I am submitting updated block assignment files correcting the minor anomalies (a small number of mis-assigned census blocks) flagged by Mr. Bryan. None of these corrections has any material effect on any of the findings in my original report. The block assignment files are Appendices A, B, C, and D to this affidavit, and I understand that they will be provided to the court in native format.

## 2 Voter registration data

As noted in my report of December 20, 2021, a voter registration file can be a useful supporting tool for confirming that districts are indeed majority-Black in the manner most relevant to voting opportunity. The U.S. Census allows for multiple ways for an individual to identify as Black in combination with various other races and any ethnicity, but the Alabama voter registration process asks individuals to choose a single racial identity. We can then see, for each district, how many registered voters self-identified unambiguously as being Black.

I was provided with a voter registration file by counsel and asked to examine it and to determine the share of Black-identified individuals among the registered voters in each plan.

I first geocoded the addresses using the Mapbox API, then used the lat-long coordinates to identify a census block for each individual address in the voter file. (When an address is on the border between two census blocks, I choose one at random to make the assignment.) This allows me to tabulate the total registered population and active registered population in any larger geographical area defined by blocks, such as the districts in the respective plans. Within those totals, I can tabulate the subpopulation that is Black.

The total voting age population of Alabama in the 2020 Decennial Census is 3,917,166. The geolocated addresses in the Alabama voter registration file show a total registered population of 3,610,261, and an active registered population of 3,161,725.<sup>1</sup>

---

<sup>1</sup>There are 3,614,742 rows in the original file, of which 3494 have no address listing or a Nonstandard Physical Address. Among the remaining entries, there were 987 addresses that the Mapbox API was unable to geolocate. This is far too few to change the finding that CD2 and CD7 are majority-Black in each of the alternative plans. Active status is defined by the "Registrant Status" field in the voter file, which has each row coded A (active) or I (inactive).

Below, I first report the Black voting age population of each district in each plan using what I understand to be the preferred definition—individuals who checked the box indicating that they are Black or African-American on their census form. Alongside that, I record the share of people who self-identified as Black when registering to vote, in the full database (BRPOP%) and then among active registered voters (BARPOP%). This confirms that the alternative plans have two majority-Black districts by this functional definition as well as by Census demographics.

### HB-1

CD	BVAP%	BRPOP%	BARPOP%
1	0.2561	0.2575	0.2566
2	0.3012	0.3023	0.2971
3	0.2499	0.2500	0.2431
4	0.0770	0.0776	0.0744
5	0.1806	0.1848	0.1714
6	0.1893	0.1869	0.1834
7	0.5526	0.5943	0.5983

### Plan A

CD	BVAP%	BRPOP%	BARPOP%
1	0.1450	0.1397	0.1384
2	0.5137	0.5334	0.5297
3	0.2396	0.2442	0.2395
4	0.0830	0.0828	0.0801
5	0.1602	0.1662	0.1529
6	0.1544	0.1432	0.1374
7	0.5150	0.5515	0.5539

### Plan B

CD	BVAP%	BRPOP%	BARPOP%
1	0.1573	0.1523	0.1502
2	0.5106	0.5311	0.5275
3	0.2228	0.2246	0.2198
4	0.1086	0.1082	0.1048
5	0.1566	0.1642	0.1504
6	0.1532	0.1467	0.1409
7	0.5024	0.5367	0.5404

### Plan C

CD	BVAP%	BRPOP%	BARPOP%
1	0.1573	0.1523	0.1502
2	0.5006	0.5217	0.5188
3	0.1964	0.1951	0.1922
4	0.1103	0.1100	0.1067
5	0.1566	0.1642	0.1504
6	0.1551	0.1487	0.1433
7	0.5350	0.5690	0.5730

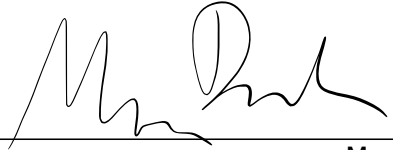
### Plan D

CD	BVAP%	BRPOP%	BARPOP%
1	0.1536	0.1487	0.1466
2	0.5005	0.5193	0.5157
3	0.2396	0.2442	0.2395
4	0.0858	0.0845	0.0816
5	0.1602	0.1662	0.1529
6	0.1537	0.1426	0.1367
7	0.5173	0.5530	0.5553

Table 1: The enacted plan only has one majority-Black district, whether considering voting age population, registered voters, or active registered voters. All four alternative plans have two majority-Black districts by any of these ways of counting.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 27th day of December, 2021.

  
\_\_\_\_\_  
Moon Duchin

**MEMORANDUM OF AGREEMENT BETWEEN  
THE U.S. DEPARTMENT OF TRANSPORTATION AND  
THE ALABAMA LAW ENFORCEMENT AGENCY**

This Memorandum of Agreement between the U.S. Department of Transportation (DOT) and the Alabama Law Enforcement Agency (ALEA) sets forth the terms of the mutual resolution of DOT's investigation into ALEA's driver license services pursuant to DOT's regulations at 49 C.F.R. Part 21, implementing (DOT's Title VI Regulation) Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. (Title VI).

**I. Background and Purpose**

On September 30, 2015, ALEA announced that it would eliminate services at 31 driver license field offices in 30 counties throughout the State of Alabama. The following month, ALEA announced that it would reopen the closed field offices one to two days per month. ALEA is a recipient of DOT financial assistance. As a recipient, ALEA has certified that it will administer its programs in conformity with federal civil rights statutes, including Title VI and DOT's implementing regulation.

DOT's regulation provides that recipients of federal financial assistance cannot implement practices or procedures that have a discriminatory effect on the basis of race, color or national origin. Accordingly, ALEA must evaluate whether the means of providing licensing services comply with DOT's Title VI regulation.

On December 9, 2015, DOT informed ALEA that it had determined that these service reductions could potentially come into conflict with ALEA's responsibilities to ensure non-discrimination as a recipient of Federal financial assistance under Title VI. On that date, DOT further notified ALEA that it was opening a formal Title VI investigation into whether the reduction of driver license services discriminated against African Americans and/or other populations on the basis of race, color, or national origin.

Over the course of the investigation, ALEA provided some of the requested data and information regarding the operation of its driver licensing program, and DOT made site visits to affected communities to interview persons impacted by the program. Based on its investigation, DOT has concluded that African Americans residing in the Black Belt region of Alabama are disproportionately underserved by ALEA's driver licensing services, causing a disparate and adverse impact on the basis of race.

The parties disagree as to whether DOT's findings reveal deficiencies, but agree that they wish to avoid the diversion of resources necessary for a formal investigation and that they wish to establish a working relationship for delivering effective, equitable, and compliant driver license services for everyone in Alabama. This Agreement is designed to achieve these ends.

This Agreement is limited to the resolution of the above-described investigation, and does not resolve any other matter between the parties or that may involve the parties. It does not remedy any other potential violations of Title VI or other federal law, nor does it take any position as to whether, or suggest that, any potential violation exists. This Agreement does not relieve ALEA of its



continuing obligation to comply with all aspects of Title VI.

This Agreement does not supersede, or in any manner change the rights, obligations, and responsibilities of the parties under any court orders or settlements of other controversies involving other civil rights matters or statutes.

DOT and ALEA hereby enter into this Memorandum of Agreement (Agreement) to implement or execute specific measures to resolve DOT's investigation pursuant to Title VI. ALEA will undertake these actions to ensure that Alabama residents are not, directly or through other means, underserved by ALEA's driver licensing programs on the basis of race, color, or national origin.

## **II. Driver License Services in Alabama**

Alabama has approximately 4.8 million residents. ALEA issues approximately 1.2 million driver licenses and non-driver IDs each year. The standard Class D license that residents use to drive cars is valid for four years, and has a 60-day grace period after expiration. ALEA also issues vessel licenses, motorcycle licenses, and commercial driver licenses, and can authorize a resident to drive multiple kinds of vehicles through a single license. Non-driver IDs can be issued to someone of any age, and some non-driver IDs, but not all, are valid for the holder's lifetime.

Alabama is divided into 67 counties, with populations varying from cities like Birmingham, in Jefferson County, to small towns in rural Alabama. Relevant here is Alabama's Black Belt, a region known historically by that term and consisting of adjacent counties stretching horizontally across south central Alabama. For the purposes of DOT's investigation, the following counties comprise the Black Belt: Barbour, Bullock, Butler, Choctaw, Conecuh, Clarke, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Montgomery, Perry, Pickens, Pike, Russell, Sumter, and Wilcox. The State capitol is in Montgomery County, in the city of Montgomery, which is one of the largest cities in the State. The other counties listed have much smaller populations and are more rural.

ALEA operates a total of 74 driver licensing offices, comprised of ten district offices, two district sub-offices, 61 field offices, and their headquarters in Montgomery. The district offices and the district sub-offices are located in dedicated buildings and are open four to five days per week, while the field offices are mobile facilities that operate on a variety of different schedules out of spaces donated by local governments. ALEA has broken up the state into ten districts, each served by a district office, with ALEA field offices scattered throughout the counties that encompass a district. Field offices are not permanent spaces, but are often located in makeshift spaces provided free of cost by the county to which an ALEA Driver License (DL) Examiner travels from the nearest district on the assigned day(s) with a mobile electronic system used to administer written exams and issue licenses.

In Alabama, different types of offices conduct certain types of services. While local county offices and county probate courts can process renewals and create duplicates of driver licenses and STAR\*ID non-driver identification cards, only an ALEA office (field or district) can perform initial issuances of new identification cards or driver's licenses, and can administer the driving tests that accompany them. Only ALEA district or sub-district offices can offer Commercial Driver's License skills testing. Only district offices can process the reinstatement of suspended driver licenses, with a few limited exceptions. Customers can request renewals and duplicate services online; however,



they can only use online services if there are not seeking to make changes to the ID card (such as a change of address). Online services are not available to persons seeking a new driver license or non-driver identification card and therefore must conduct these transactions in person at an ALEA field or district office.

### III. Applicability

DOT has jurisdiction over this matter under its Title VI Regulation. Title VI provides that “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. §2000d et seq. Title VI and DOT’s implementing regulation prohibit discrimination on the basis of race, color, and national origin in DOT financially assisted programs and activities. 49 C.F.R. Part 21. Therefore, in operating a federally assisted program, a recipient may not, on the basis of race, color, or national origin, directly or through contractual or other arrangements, take the following actions.

- Deny program services, financial aids, or other benefits;
- Provide different program services, financial aids, or other benefits, or provide them in a manner different from that provided to others;
- Segregate or separately treat persons in any matter related to the receipt of any program service, financial aid, or benefit;
- Restrict in any way the enjoyment of any advantage or privilege enjoyed by others receiving any program, service, financial aid, or other benefits;
- Treat persons differently from others in determining eligibility to receive services, financial aids, or other benefits; or,
- Deny persons the opportunity to participate as a member of a planning, advisory, or similar body.

DOT is authorized under its Title VI Regulation to initiate an investigation in this matter to determine ALEA’s compliance with Title VI, to issue findings, and where appropriate, to negotiate and secure voluntary compliance. 49 C.F.R. Part 21.11. Furthermore, DOT is authorized by Title VI to initiate proceedings to suspend or terminate financial assistance to recipients of their federal funds, or refer the matter to the U.S. Department of Justice (DOJ) for appropriate action, which may include civil litigation to enforce Title VI and the Title VI regulations. 49 C.F.R. § 21.11 & 21.13.

### IV. Definitions

For the purposes of this Agreement, the terms listed below shall have the following meanings:

**Affected community** means person or persons served, or likely to be directly or indirectly affected by a program or activity of an entity receiving federal financial assistance from DOT.

**Black Belt** refers to the region known historically as such and consisting of adjacent counties stretching east-to-west across south central Alabama. For the purposes of this investigation, the following counties referred to as Black Belt counties are included: Barbour, Bullock, Butler, Choctaw, Conecuh, Clarke, Crenshaw, Dallas, Greene, Hale, Lowndes, Macon, Marengo, Monroe, Montgomery, Perry, Pickens, Pike, Russell, Sumter, and Wilcox.

**Community Participation Plan (Plan)** refers to a written plan to be developed by ALEA to achieve robust participation by affected communities throughout all stages of the consultation, planning, and decision-making processes for the provision of in-person licensing services programs or activities. The purpose of the Plan is to ensure that all communities are adequately informed about potential impacts and that diverse views are heard and considered, particularly from those individuals who have knowledge of or first-hand experience regarding the transportation barriers facing their respective communities. The Parties will collaborate on the development of a compliant and effective Plan, as discussed in Section VII.

**Compliance** means the condition that exists when a recipient of federal financial assistance has fully implemented all of the Title VI requirements effectively and there is no evidence of discrimination.

**Days** shall mean calendar days.

**Discrimination** refers to any action or inaction in any program or activity of a recipient of federal financial assistance that constitutes disparate treatment, results in disparate impacts, or perpetuates the effects of prior discrimination based on race, color, or national origin.

**Disparate impact** refers to a facially neutral policy or practice that disproportionately and adversely affects members of a group identified by race, color, or national origin.

**Driver licensing office** refers to all of the different types of offices operated by ALEA for the purposes of providing driver licensing services.

**Driver licensing resources** refers to staffing for driver licensing offices, hours of operation, and the facilities themselves, as well as services offered by ALEA driver licensing offices. Standard services offered at all ALEA field offices include new license issuances, license renewals and duplications, Class D, Class V, and Class M examinations, and the CDL knowledge examination. ALEA sub-district offices offer the standard services offered at field offices, but also offer CDL skills examinations. District offices offer all ALEA licensing services, including license reinstatements.

**Federal financial assistance** refers to grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel; the sale and lease of, and the permission to use (on other than a casual or transient basis) federal property or any interest in such property without consideration or with nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

**Noncompliance** means a failure to meet the requirements of this Agreement or Title VI, and the regulations and authorities of DOT issued thereunder.

**Service modification** refers to changes in the provision of driver licensing resources to driver licensing offices, either statewide or specific to individual driver licensing offices. This includes changes to the number of operating hours available for a driver licensing office, the allocation of staff to an office, the location of an office, and the driver licensing services being offered at an office.



**Title VI Program** refers to the system of requirements, procedures, actions, and sanctions that entities are responsible for enforcing as recipients of federal financial assistance. This includes, among other things: a system for collecting and analyzing information to determine proactively whether programs or activities have a disparate impact on communities, intentionally or unintentionally, on the basis of race, color, or national origin. Title VI Programs are codified into Title VI Program Plans, which are to be submitted to federal funding agencies when their regulations require them and, for the purposes of this Agreement, submitted to DOT in accordance with Section X. Title VI Programs are overseen by a Title VI Coordinator, appointed by ALEA.

## V. Terms of Agreement

1. **Existing Field Office Hours.** Except as stated below, ALEA will maintain the December 7, 2016 schedule for all of ALEA's driver license offices, available at <http://www.alea.gov/Home/DriverLicensePages/wfDLOffices.aspx>, (last visited December 7, 2016, a copy of which is attached hereto). All offices shall remain open for the hours posted regardless of the volume of customers.
2. **Agreed Expansion of Field Office Hours.** Within 90 days of the effective date of this MOA, ALEA will add 2,020 hours of operation for district and field driver license offices within the Black Belt Region. ALEA will provide the changes to DOT for approval no less than 7 days prior to the changes. (See Attachment 1 for initial expanded schedule.)

Each Field Office shall provide ALEA's in-person driver licensing services, including but not limited to the provision of new license issuances, license renewals, duplicate licenses, non-driver license ID cards, and knowledge and skills examinations.

3. **Costs for Providing Expanded Service.** ALEA is solely responsible for the implementation of the actions described in this Section. If additional funds are unable to be obtained by ALEA, then ALEA must provide the same service agreed upon in this Section through other means, such as deputation of non-ALEA staff or reallocation of existing ALEA staff. If ALEA will be providing the same services through any other means, those means must be submitted to DOT for prior approval before they are implemented. The provision of the expanded services described in this Section must be achieved in compliance with Title VI.
4. **Title VI Coordinator.** Within 30 days of the effective date of this Agreement, ALEA will appoint a qualified Title VI Coordinator to be responsible for the development and operation of ALEA's Title VI Program as well as for the provision of training ALEA's staff on Title VI.
5. **Public Engagement.** The purpose of the Community Participation Plan will be to achieve robust participation by affected communities throughout all stages of the planning and decision-making processes for ALEA's programs and activities in connection with licensing services to ensure that communities are informed about potential impacts, that they have meaningful input into the process, and that ALEA officials hear and consider diverse views. Within 90 days of the effective date of this Agreement, ALEA will submit its Community Participation Plan to DOT for approval. For ongoing programs or activities, the Community Participation Plan will provide a coordinated strategy for sustained community collaboration as well as the solicitation of ongoing feedback about operations, modifications, and improvements. This shall include an evaluation of recent public engagement activities and a determination as to whether

adjustments to the strategy are necessary. The Parties will also collaborate as requested on the development of ALEA's Community Participation Plan. By engaging meaningfully with the public, ALEA, as a recipient, can evaluate whether it should refine provision of its licensing services so that all Alabama residents are equitably served.

## **VI. Provision of Technical Assistance**

DOT will offer technical assistance as requested to support ALEA's Title VI Program to ensure nondiscrimination.

## **VII. Reporting and Monitoring**

### **1. Service Modifications**

For the duration of this Agreement, prior to the enactment of any service modification proposed by ALEA regarding its Existing Field Office Hours and driver license services, the proposed modification shall be electronically submitted in writing for approval to DOT. This requirement does not apply to any service modification required by this Agreement (see Agreed Expansion of Field Office Hours, *supra*) unless ALEA proposes to make modification to the Agreed Expansion of Field Office Hours.

Additionally, because they are not planned, and therefore not within the definition of service modification, this requirement does not apply to situations where a driver license office is closed due to the unanticipated inability of the scheduled ALEA employee(s) to reach the office, whether it be because of illness (for the employee or a family member), emergency, or transportation issues. In these situations, ALEA will attempt to dispatch a different employee to the office that would otherwise be closed, but it cannot guarantee its ability to do so without harming service provision in other areas of the State.

Likewise, because they are not planned, and therefore not within the definition of service modification, this requirement does not apply to situations resulting from natural disasters, including but not limited to tornados, hurricanes, and floods, or national/State emergencies.

When ALEA plans to make a service modification, its proposal must:

- State the specific service modifications to be obtained by the action;
- Explain the reasoning behind the proposed action;
- State the anticipated impact on affected communities on the basis of race, color, or national origin; and,
- Include data and/or information to support ALEA's conclusions on the necessity of the proposed action.

DOT will conduct a review to ensure that the modification in service continues compliance with this Agreement and does not have a disparate impact on the basis of race, color, or national origin in violation of Title VI. DOT may not withhold approval for any proposed service modification that provides additional services, hours, or staffing on grounds that DOT believes the proposed service modification does not go far enough; all improvements shall be approved.



DOT will respond to proposals for service modifications within thirty (30) days of receiving the written proposal, and will collaborate with ALEA to ensure that modifications in service do not have a disparate impact on the basis of race, color, or national origin in violation of Title VI and this Agreement.

In the event that DOT declines to approve any proposed service modification, DOT agrees to provide ALEA a hearing at which ALEA may be heard as to the reasons the service modification is necessary. The hearing shall be conducted "before a hearing examiner appointed in accordance with section 3105 of title 5, United States Code, or detailed under section 3344 of title 5, United States Code," as set out for DOT hearings in 49 C.F.R. § 21.15, and shall be held at the offices of DOT in Washington, D.C., or at the ALEA offices in Montgomery, Alabama, or, when appropriate to the issue presented and demanded by ALEA, as evidenced by a statement signed by the Secretary thereof, at the ALEA office that is the subject of the proposed service modification. The provisions of 49 C.F.R. § 21.15(c) and (d), pertaining to the right to counsel and to the procedures, evidence, and record, shall apply. The decision of the hearing examiner shall be final; no appeal is available.

## **2. Compliance**

Within 120 days of this agreement, ALEA shall provide written certifications that it has implemented Expanded Service Hours. Additionally, until this agreement has terminated, ALEA shall collect and maintain the following data on the operation of its driver license Services, and provide such data to DOT within 30 days, if requested:

- Number of people who attempt to obtain service from each ALEA driver license office on each open day of service, including those people who do not receive service on that day or who are turned away from locations due to location closures. This provision does not require ALEA to track persons who appear at an ALEA driver license office when the office is not open and no ALEA personnel are present to know someone has arrived for a driver license service.
- Race, color, national origin, and/or disability of the persons described in the prior bullet point, but only to the extent that they voluntarily provide the same.
- Number of complaints received about in-person services not being provided. Any complaints related to online services, the answering of phone calls, or responding to communications submitted through ALEA's website are not relevant to the current investigation and need not be included in the quarterly progress reports.

## **VIII. Abeyance and Enforcement**

DOT will hold in abeyance any procedures available to effect compliance under 49 CFR 21.13.

If at any time DOT makes a determination that ALEA is not in compliance with this Agreement, or is about to breach this Agreement, DOT shall notify ALEA in writing.

DOT's notice shall include a statement of the basis for DOT's determination and shall allow ALEA twenty-one (21) calendar days to respond. ALEA's response shall either: (a) explain in writing the reason for the actions (or inactions) and describe the remedial actions that have been (or shall be)

taken to achieve compliance with this Agreement, or (b) dispute the accuracy of DOT's findings.

If ALEA does not respond to DOT's notice, or if, upon review of ALEA's response, DOT determines that ALEA has not complied with the terms of the Agreement, DOT may pursue its statutory and/or contractual remedies.

Any legal proceedings to enforce this Agreement may seek specific performance of the terms therein so long as the terms sought to be performed have not terminated, as set out below.

The parties recognize that ALEA's decision to enter into this Agreement is not an admission of liability.

In the event of litigation to enforce this Agreement or Title VI, DOT and ALEA reserve the right to assert all appropriate claims, counterclaims, and defenses in that proceeding.

This Agreement creates no third-party rights and may not be enforced by any individual, organization, or entity other than a party thereto.

#### **IX. Effective Date and Duplicate Originals**

This Agreement shall be effective on the date of the last signature to it.

In the event that the last signatory is for DOT, DOT shall notify ALEA of the final signature within two business days.

DOT and ALEA shall each sign two originals so that each party may have an original Agreement.

#### **X. Amendment**

The Agreement may be amended only in writing by the mutual agreement of the parties after negotiating in good faith.

Consideration need not be given to amend this Agreement.

#### **XI. Termination**

This Agreement will terminate two years after the effective date upon the certification of ALEA's compliance Title VI by DOT, unless extended by consent of the parties.

In the event of litigation brought by DOT before termination of this Agreement and to enforce the provisions of this Agreement, the termination date of the specific provisions of the Agreement at issue in the enforcement proceeding shall be tolled during the pendency of such proceeding.

#### **XII. Construction**

This Agreement shall be interpreted as if jointly written by the parties, and the rule of construction providing that any ambiguities are to be resolved against the drafting party shall not be used in

interpreting this Agreement.

Prior drafts of this Agreement may not be used to construe this Agreement.

This Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement or promise, either written or oral, made by either party or agents of either party regarding the matters raised herein that is not contained or referred to in this Agreement shall be enforceable.

### **XIII. Costs and Fees**

Each party shall bear its own costs and fees.

### **XIV. Intimidation or Retaliation Prohibited**

ALEA acknowledges that it has an affirmative duty not to discriminate under Title VI and DOT's Title VI Regulation. Also, ALEA acknowledges that DOT's regulations provide, "No recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by section 601 of the Act [codified at 42 U.S.C. § 2000d] or this part [i.e., 49 C.F.R. Part 21], or because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part [i.e., 49 C.F.R. Part 21]." 49 C.F.R. 21.11(e).

The undersigned agree to the terms of this Memorandum of Agreement.



FOR THE UNITED STATES DEPARTMENT OF TRANSPORTATION:

A handwritten signature in blue ink, appearing to read "Yvette Rivera", is written over a horizontal line.

YVETTE RIVERA, ASSOCIATE DIRECTOR  
DEPARTMENTAL OFFICE OF CIVIL RIGHTS  
UNITED STATES DEPARTMENT OF TRANSPORTATION

A handwritten date in blue ink, "December 22, 2016", is written over a horizontal line.

DATE

FOR THE ALABAMA LAW ENFORCEMENT AGENCY:

A handwritten signature in black ink, appearing to read "Stan Stabler", written over a horizontal line.

STAN STABLER, SECRETARY OF LAW ENFORCEMENT  
ALABAMA LAW ENFORCEMENT AGENCY  
201 S UNION ST, SUITE 300  
MONTGOMERY AL 36104

Dec. 22, 2016

DATE

## ATTACHMENT 1

## ALEA DL Office Proposed Hours of Operation Changes

Office (county/city)	Current		Proposed		Total New Hours
	Hours	Total Hours per Year	Hours	Total Hours per Year	
Bullock/Union Springs	2d/m	168	1d/w	312	144
Butler/Greenville	1d/m	90	1d/w	390	300
Greene/Eutaw	1d/m	72	1d/w	312	240
Hale/Greensboro	2d/m	144	1d/w	312	168
Lowndes/Hayneville	1d/m	72	1d/w	312	240
Macon/Tuskegee	1d/m	72	2d/w	624	552
Perry/Marion	1d/m	72	1d/w	312	240
Wilcox/Camden	1d/m	72	3d/m	216	144
Bibb/Centerville*	1d/m	72	2d/m	144	72
<b>Total</b>					<b>2100</b>

Note: Bullock County office is currently open 7 hours during a operating day; the expanded office hours would change to this 6 hours during an operating day. Butler County operates 7.5 hours during an operation day. All other offices operate 6 hours during an operation day.

Note: Bibb County is not in the Black Belt Region, but borders Hale and Perry counties providing another close option for those citizens.



# Alabama Law Enforcement Agency



[Home](#) [About](#) [Citizens](#) [Resources](#) [News](#) [Contact](#)

## Division Home

[Driver License Home](#)

## Contact Driver License

[Contact Driver License](#)

## Star ID

[Star ID Home](#)

[Document List](#)

[Document Help](#)

[Frequently Asked Questions](#)

[Schedule Star ID Appointment](#)

## License and ID Cards

[Document Requirements and Fees](#)

[Boat/Vessel License Requirements](#)

[Graduated Driver License](#)

[Ignition Interlock](#)

[Driver License Classes,](#)

[Endorsements & Restrictions](#)

[Road Test Study Guide](#)

[Schedule DL Appointment](#)

[Renew Your DL Online](#)

## Division Links

[CDL Self-Certification](#)

[Driver License Offices](#)

[Driver License Point System](#)

[Driver Records, Crash Reports &](#)

[Driver License Reinstatements](#)

[Frequently Asked Questions](#)

[Online Driver Records](#)

[Private High School Driver & Traffic](#)

[Safety Education Program](#)

[Veteran License Designation](#)

[Pay Tickets Online](#)

[Purchase an Alabama Crash Report](#)

[Online](#)

[Submit Hearing Request](#)

## Forms

[Forms](#)

## Manuals

[Manuals](#)

## Driver License Offices

Driver License services are offered on a first-come, first-serve basis, and closing times vary depending on customer volume.

Search for an issuing office by county or zip.

County: -- All --

[County Search](#)

☐ CDL

☐ Reinstatement

☒ Show Results in Map

Zip: Miles: 25

[Zip Search](#)

[Renew Your DL Online](#)

[Schedule DL Appointment](#)

All Offices, sorted by County.

LOCATION	HOURS
<b>AUTAUGA COUNTY</b> 218 Court Street <b>Prattville, AL 36067</b>  <b>Main Office:</b> (334) 358-6735 <b>CDL:</b> N/A <b>Reinstatement:</b> N/A	Hours: 8AM-4:30PM Days: M,Tu,W,Th,F Lunch: 12PM-1PM
<b>BALDWIN COUNTY</b> 300 Hoyle Ave. <b>Bay Minette, AL 36507</b>  <b>Main Office:</b> (251) 928-3002 <b>CDL:</b> N/A <b>Reinstatement:</b> N/A  <i>Open the 1st Wednesday of each month</i>	Hours: 8:00AM - 4:30PM Days: 1st W Lunch: 11:30AM - 12:30PM
<b>BALDWIN COUNTY</b> Baldwin County Satellite Courthouse 1100 Fairhope Ave. <b>Fairhope, AL 36532</b>  <b>Main Office:</b> (251) 928-3002 <b>CDL:</b> N/A <b>Reinstatement:</b> N/A	Hours: 8AM-4:30PM Days: M,Tu,W,Th,F Lunch: 11:30AM-12:30PM
<b>BALDWIN COUNTY</b> Baldwin County Satellite Courthouse 201 E. Section Ave. <b>Foley, AL 36535</b>  <b>Main Office:</b> (251) 928-3002 <b>CDL:</b> N/A <b>Reinstatement:</b> (251) 972-8597  <i>Reinstatement services provided only on Tuesdays.</i>	Hours: 8AM-4:30PM Days: M,Tu,W,Th,F Lunch: 11:30AM-12:30PM
<b>BARBOUR COUNTY</b> Barbour County Courthouse 303 E. Broad Street <b>Eufaula, AL 36025</b>  <b>Main Office:</b> (334) 616-6826 <b>CDL:</b> N/A <b>Reinstatement:</b> N/A	Hours: 8:00AM - 4:00PM Days: W,Th Lunch: 12:00PM - 1:00PM
<b>BIBB COUNTY</b> Bibb County Courthouse Annex 8 Court Square West Suite A <b>Centreville, AL 35042</b>	Hours: 8AM-2:30PM Days: 2nd Th Lunch: 12PM-12:30PM

**Main Office:** (205) 926-3108**CDL:** N/A**Reinstatement:** N/A*This office is open the 2nd Thursday of each month.*BLOUNT COUNTY  
Blount Co Courthouse  
220 2nd Ave E**Oneonta, AL** 35121**Main Office:** (205) 625-6868**CDL:** N/A**Reinstatement:** N/A

Hours: 8AM-4:30PM

Days: M,Tu,W,Th,F

Lunch: 12PM-1PM

BULLOCK COUNTY

Police Dept

303 N. Prairie St.

**Union Springs, AL** 36089**Main Office:** (334) 738-3835**CDL:** N/A**Reinstatement:** N/A

Hours: 9AM-4PM

Days: 1st &amp; 3rd Th

Lunch: open

*This office is open the 1st and 3rd Thursday of each month.*

BUTLER COUNTY

Butler Co Courthouse

101 S. Coecuh St

**Greenville, AL** 36037**Main Office:** (334) 371-3248**CDL:** N/A**Reinstatement:** N/A

Hours: 8AM-4:30PM

Days: 2nd M (except Oct)

Lunch: 12PM-1PM

*October only-office open on 3rd Monday of the month-October 17, 2016*

CALHOUN COUNTY

1703 Pelham Road South

**Jacksonville, AL** 36265**Main Office:** (256) 435-7006**CDL:** (256) 435-7006**Reinstatement:** (256) 782-1322

Hours: 8AM-4:30 PM

Days: M,Tu,W,Th,F

Lunch: OPEN

*Reinstatement will be closed on 12-23-16. Reinstatement also closed on 12-26-16 through 01-02-17.*

CHAMBERS COUNTY

9 Jane Place

**LaFayette, AL** 36862**Main Office:** (334) 864-4371**CDL:** N/A**Reinstatement:** N/A

Hours: 8:45AM-3:45PM

Days: 2nd Th

Lunch: 12PM-1PM

*This office is open the 2nd Thursday of each month.*

CHEROKEE COUNTY

260 Cedar Bluff Rd.

**Centre, AL** 35960**Main Office:** (256) 927-8249**CDL:** N/A**Reinstatement:** N/A

Hours: 8:30AM-3:30PM

Days: 1st Tu

Lunch: 12PM-12:30PM

*This office is open the 1st Tuesday of each month.*

CHILTON COUNTY

Chilton Co. Courthouse

500 2nd Ave. North

**Clanton, AL** 35045**Main Office:** (205) 280-7207**CDL:** N/A**Reinstatement:** N/A

Hours: 9AM-4PM

Days: Tu,W,Th

Lunch: 12PM-1PM

CHOCTAW COUNTY

117 South Mulberry

**Butler, AL** 36427**Main Office:** (205) 459-7325**CDL:** N/A**Reinstatement:** N/A

Hours: 8AM-2:30PM

Days: 3rd Tu and W

Lunch: 12:00PM-12:30PM



**Effective October 2016 this office will be open Tu & W of the third week of the month**

CLARKE COUNTY  
146 Clark St  
Grove Hill, AL 36451

Hours: 8AM-5PM  
Days: Th,F  
Lunch: 12PM-1PM

**Main Office:** (251) 275-4351  
**CDL:** N/A  
**Reinstatement:** N/A

CLAY COUNTY  
County Extension Bldg.  
93 County Road 31  
Ashland, AL 36251

Hours: 9AM-3:30PM  
Days: 2nd W  
Lunch: 12PM-12:30PM

**Main Office:** (256) 354-3685  
**CDL:** N/A  
**Reinstatement:** N/A

**This office is open the 2nd Wednesday of each month.**

CLEBURNE COUNTY  
Cleburne County Court House  
120 Vickery St.  
Heflin, AL 36264

Hours: 8:30AM-3:45PM  
Days: 3rd Th  
Lunch: 12PM-12:30PM

**Main Office:** (256) 463-2164  
**CDL:** N/A  
**Reinstatement:** N/A

**Effective April 21, 2016 this location will be open the third Thursday of the month**

COFFEE COUNTY  
1015 E Mckinnon St  
New Brockton, AL 36341

Hours: 8AM-4:30PM  
Days: Tu,W  
Lunch: 12PM-1PM

**Main Office:** (334) 894-5218  
**CDL:** N/A  
**Reinstatement:** N/A

COLBERT COUNTY  
4500 Hatch Blvd.  
Sheffield, AL 35660

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

**Main Office:** (256) 383-2923  
**CDL:** (256) 383-2923  
**Reinstatement:** (256) 383-9991

**Reinstatement will be closed on December 8th, 9th and 30th. Reinstatement will be closed from 2:00-4:00 on 12-22-16.**

CONECUH COUNTY  
Alabama State Trooper Office  
106 Hillcrest Drive  
Evergreen, AL 36401

Hours: 8AM-5PM  
Days: M,Tu,Th,F  
Lunch: 12PM-1PM

**Main Office:** (251) 578-5726  
**CDL:** (251) 578-5726  
**Reinstatement:** N/A

COOSA COUNTY  
309 Jackson Street  
Rockford, AL 35136

Hours: 9AM-4:00PM  
Days: 1st and 3rd Tuesday  
Lunch: 12PM-1PM

**Main Office:** (256) 377-1043  
**CDL:** N/A  
**Reinstatement:** N/A

**This office is open the 1st & 3rd Tuesday of each month.**

COVINGTON COUNTY  
Covington Co Courthouse  
Andalusia, AL 36420

Hours: 8AM-4:30PM  
Days: M, Tu, W  
Lunch: 12PM-1PM

**Main Office:** (334) 428-2595  
**CDL:** N/A  
**Reinstatement:** N/A

CRENSHAW COUNTY  
Crenshaw Co Courthouse  
301 Glenwood Ave  
Luverne, AL 36049

Hours: 8AM-4PM  
Days: 3rd W  
Lunch: 12PM-1PM

**Main Office:** (334) 335-6568**CDL:** N/A**Reinstatement:** N/A*This office is open the 3rd Wednesday of each month.*

CULLMAN COUNTY  
 Cullman Co. Courthouse  
 500 2nd Ave SW  
**Cullman, AL 35055**

Hours: 8AM-4:30PM  
 Days: M,Tu,W,Th,F  
 Lunch: 11:30AM-12:30PM

**Main Office:** (256) 775-4822**CDL:** (256) 775-4822**Reinstatement:** N/A

DALE COUNTY  
 202 Hwy 123 South  
**Ozark, AL 36360**

Hours: 8AM-4:30PM  
 Days: M,Tu  
 Lunch: 12PM-1PM

**Main Office:** (334) 774-6229**CDL:** N/A**Reinstatement:** N/A

DALLAS COUNTY  
 102 Church St. Room 101  
**Selma, AL 36701**

Hours: 8AM-4:30PM  
 Days: M,Tu,W,Th,F  
 Lunch: OPEN

**Main Office:** (334) 875-1341**CDL:** (334) 875-1341**Reinstatement:** N/A

DEKALB COUNTY  
 1209 Forest Ave North  
**Fort Payne, AL 35967**

Hours: 8AM-4:00PM  
 Days: M,Tu,W,Th,F  
 Lunch: 12PM-12:30PM

**Main Office:** (256) 845-6089**CDL:** N/A**Reinstatement:** N/A

ELMORE COUNTY  
 303 Hill St.  
**Wetumpka, AL 36092**

Hours: 8AM-4:30PM  
 Days: M,Tu,W,Th,F  
 Lunch: 12PM-1PM

**Main Office:** (334) 567-8871**CDL:** N/A**Reinstatement:** N/A

ESCAMBIA COUNTY  
 Escambia Co Courthouse  
 314 Belleville Ave  
**Brewton, AL 36426**

Hours: 8AM-4PM  
 Days: W, 2nd Tu  
 Lunch: 12PM-1PM

**Main Office:** (251) 867-0293**CDL:** N/A**Reinstatement:** N/A*This office is open every Wednesday and the 2nd Tuesday of each month.*

ETOWAH COUNTY  
 Building T-24 Rains Street  
**Gadsden, AL 35905**

Hours: 8AM-4:30PM  
 Days: M,Tu,W,Th,F  
 Lunch: OPEN

**Main Office:** (256) 492-5035**CDL:** N/A**Reinstatement:** N/A

FAYETTE COUNTY  
 Fayette Co. Courthouse Annex  
 103 1st Ave NE #2  
**Fayette, AL 35555**

Hours: 8AM-2:30PM  
 Days: 2nd W  
 Lunch: 12PM-12:30PM

**Main Office:** (205) 932-6427**CDL:** N/A**Reinstatement:** N/A*Open on the second Wednesday of the month.*

FRANKLIN COUNTY  
 Franklin Co Courthouse  
 410 N. Jackson Ave.  
**Russellville, AL 35653**

Hours: 8AM-4PM  
 Days: 1st W  
 Lunch: 12PM-12:30PM



**Main Office:** (256) 332-8888**CDL:** N/A**Reinstatement:** N/A*This office is open the 1st Wednesday of each month.*

GENEVA COUNTY  
 Geneva Co Courthouse  
 200 N Commerce St  
**Geneva, AL 36340**

Hours: 8AM-3:45PM

Days: 2nd F

Lunch: 12PM-1PM

**Main Office:** (334) 684-5640**CDL:** N/A**Reinstatement:** N/A*During the month of November, this office will be open on Friday, November 18th.*

GREENE COUNTY  
 Green County Courthouse  
 400 Morrow Avenue  
**Eutaw, AL 35462**

Hours: 8AM-2:30PM

Days: 3rd Tu

Lunch: 12PM-12:30PM

**Main Office:** (205) 372-1533**CDL:** N/A**Reinstatement:** N/A*This office is open the 3rd Tuesday of each month.*

HALE COUNTY  
 701 Hall Street  
**Greensboro, AL 36744**

Hours: 8AM-2:30PM

Days: 1st &amp; 3rd Th

Lunch: 12PM-12:30PM

**Main Office:** (334) 624-7770**CDL:** N/A**Reinstatement:** N/A*Effective November 2016 this office will be open the 1st and 3rd Thursday of each month.*

HENRY COUNTY  
 Henry Co Courthouse  
 101 Court Square  
**Abbeville, AL 36310**

Hours: 8AM-4PM

Days: 1st W

Lunch: 12PM-1PM

**Main Office:** (334) 585-3257**CDL:** N/A**Reinstatement:** N/A*This office is open the 1st Wednesday of each month*

HOUSTON COUNTY  
 Trooper Post  
 5679 Montgomery Hwy  
**Dothan, AL 36303**

Hours: 8AM-4:30PM

Days: M,Tu,W,Th,F

Lunch: OPEN

**Main Office:** (334) 983-5616**CDL:** (334) 983-1156**Reinstatement:** (334) 983-5616*The Reinstatement office will be closed until further notice*

JACKSON COUNTY  
 102 East Laurel St.  
**Scottsboro, AL 35768**

Hours: 8:00AM - 4:00pm

Days: M,Tu,W,Th,F

Lunch: 12PM-12:30PM

**Main Office:** (256) 259-6693**CDL:** N/A**Reinstatement:** N/A*Hours of operation from November 17, 2016 until January 9, 2017 will be 9:00am-3:30pm.*

JEFFERSON COUNTY  
 Bessemer Courthouse  
 1801 3rd Avenue  
**Bessemer, AL 35020**

Hours: 8AM-5PM

Days: M,Tu,W,Th,F

Lunch: 12PM-1PM

**Main Office:** (205) 426-7958**CDL:** N/A**Reinstatement:** N/A

JEFFERSON COUNTY  
 Trooper Post  
 908 Bankhead Hwy W.  
**Birmingham, AL 35201**

Hours: 7AM-5PM

Days: M,Tu,W,Th,F

Lunch: OPEN

**Main Office:** (205) 252-7445**CDL:** N/A**Reinstatement:** (205) 252-7445

LAMAR COUNTY  
Lamar Co Jail  
1118 County Road 9  
Vernon, AL 35592  
**Main Office:** (205) 695-7105  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-2:30PM  
Days: 3rd W  
Lunch: 12PM-12:30PM

*This office is open the 3rd Wednesday of each month.*

LAWRENCE COUNTY  
14451 Market Street Suite 150  
Moulton, AL 35650  
**Main Office:** (256) 974-2425  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4:30PM  
Days: 1st T  
Lunch: 12PM-12:30PM

*This office is open the 1st Tuesday of each month.*

LEE COUNTY  
1220 Fox Run Ave.  
Opelika, AL 36801  
**Main Office:** (334) 742-9986  
**CDL:** (334) 742-9986  
**Reinstatement:** (334) 742-9986

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN (Reinstatement closed 12:00-1:00)

LIMESTONE COUNTY  
100 South Clinton Street Suite C  
Athens, AL 35611  
**Main Office:** (256) 233-4152  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4PM  
Days: M, Tu, W, Th, F  
Lunch: 12PM-12:30PM

LOWNDES COUNTY  
105 East Tuskeena Street  
Hayneville, AL 36044  
**Main Office:** (334) 548-2637  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4:30PM  
Days: 2nd W  
Lunch: OPEN

*This office is open the 2nd Wednesday of each month.*

MACON COUNTY  
Gomillion Bldg  
302 South Main Street  
Tuskegee, AL 36083  
**Main Office:** (334) 720-0574  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 9AM-4PM  
Days: 2nd W  
Lunch: OPEN

*This office is open the 2nd Wednesday of each month.*

MADISON COUNTY  
Redstone Arsenal  
Building 3220  
Huntsville, AL 35808  
**Main Office:** (256) 539-0681  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8:30AM-4PM  
Days: W  
Lunch: 12PM-12:30PM

MADISON COUNTY  
1115-A Church St.  
Huntsville, AL 35801  
**Main Office:** (256) 539-0682  
**CDL:** (256) 539-0681  
**Reinstatement:** (256) 539-0682

Hours: 8AM-4:00PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

MARENGO COUNTY  
101 North Shiloh Street  
Linden, AL 36784  
**Main Office:** (334) 295-2242  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4:30PM  
Days: Th,F  
Lunch: OPEN

***This office will be closed on December 23rd.***

MARION COUNTY  
4521 Military St South  
Hamilton, AL 35570

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: 12PM-12:30PM

**Main Office:** (205) 921-4743  
**CDL:** (205) 921-4743  
**Reinstatement:** N/A

MARSHALL COUNTY  
357 Blout Avenue  
Guntersville, AL 35976

Hours: 8AM-4:00PM  
Days: M,Tu,W,Th,F  
Lunch: 12PM-12:30PM

**Main Office:** (256) 582-0664  
**CDL:** N/A  
**Reinstatement:** N/A

MOBILE COUNTY  
3400 Demetroplis Road  
Mobile, AL 36693

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN-Reinstatement closed 12:00 -1:00 on Tuesdays

**Main Office:** (251) 660-2330  
**CDL:** (251) 660-2330  
**Reinstatement:** (251) 660-2330

MONROE COUNTY  
121 Pineville Rd.  
Monroeville, AL 36460

Hours: 8AM-3PM  
Days: Tu,W  
Lunch: 12PM-1PM

**Main Office:** (251) 743-4107  
**CDL:** N/A  
**Reinstatement:** N/A

MONTGOMERY COUNTY  
301 South Ripley St.  
Montgomery, AL 36102

Hours: 8AM-4:45PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

**Main Office:** (334) 242-4400  
**CDL:** N/A  
**Reinstatement:** (334) 242-4259

***Reinstatement, MVR's and Accident Reports only at this location. Driver License Testing and Star ID/ Licenses are done at 1040 Coliseum Blvd.***

MONTGOMERY COUNTY  
1040 Coliseum Blvd  
Montgomery, AL 36109

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

**Main Office:** (334) 274-0306  
**CDL:** (334) 274-0306  
**Reinstatement:** N/A

***All driver license testing and Star ID/Driver License issuance done at this location. Reinstatement, MVR's and Accident reports are done at 301 S. Ripley Street, Montgomery***

MORGAN COUNTY  
Morgan Co. Courthouse  
402 Lee Street  
Decatur, AL 35601

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

**Main Office:** (256) 351-4665  
**CDL:** (256) 351-4665  
**Reinstatement:** N/A

PERRY COUNTY  
Perry Courthouse Annex  
1710 S. Washington St. Suite 104  
Marion, AL 36756

Hours: 8AM-2:30PM  
Days: 3rd Tu  
Lunch: 12PM-12:30PM

**Main Office:** (334) 683-8076  
**CDL:** N/A  
**Reinstatement:** N/A

***This office is open the 3rd Tuesday of each month.***

PICKENS COUNTY  
155 Reform Street  
Service Center Building  
Carrollton, AL 35447

Hours: 8AM-2:30PM  
Days: W  
Lunch: 12PM-12:30PM

**Main Office:** (205) 367-9436**CDL:** N/A**Reinstatement:** N/A*Effective November 2016 this office will be open every Wednesday.*

PIKE COUNTY  
 Pike County Courthouse  
 120 W Church St  
 Troy, AL 36081

Hours: 8AM-4:30PM

Days: W,Th,F

Lunch: 12PM-1PM

**Main Office:** (334) 566-7031**CDL:** N/A**Reinstatement:** N/A*effective October 2016 the office will be open every Wed, Thurs. and Friday.*

RANDOLPH COUNTY  
 Randolph County Courthouse  
 1 S Main St  
 Wedowee, AL 36278

Hours: 9AM-3:30PM

Days: 2nd Th of month

Lunch: 12PM-12:30PM

**Main Office:** (256) 357-2339**CDL:** N/A**Reinstatement:** N/A*This office is open the 2nd Thursday of each month.*

RUSSELL COUNTY  
 1320 Broad Street  
 Phenix City, AL 36867

Hours: 8AM-4:30PM

Days: M,Tu,W,Th,F

Lunch: 12PM-1PM

**Main Office:** (334) 298-1953**CDL:** N/A**Reinstatement:** N/A

SHELBY COUNTY  
 104 Depot Street  
 Columbiana, AL 35186

Hours: 8AM-4:30PM

Days: M,Tu,W,Th,F

Lunch: 12:00PM-1:30PM

**Main Office:** (205) 669-2614**CDL:** N/A**Reinstatement:** N/A*This office will be closed on December 23rd and 30th.*

SHELBY COUNTY  
 Shelby County Courthouse Annex  
 1018 County Services Drive  
 Pelham, AL 35124

Hours: 8AM-4:30PM

Days: M,Tu,W,Th,F

Lunch: 12:00PM-1:00PM

**Main Office:** (205) 620-5891**CDL:** N/A**Reinstatement:** N/A*This office will be closed on December 23rd and 30th.*

ST. CLAIR COUNTY  
 48 Court Street  
 Ashville, AL 35953

Hours: 8AM-4PM

Days: 1st Tu

Lunch: 12PM-12:30PM

**Main Office:** (205) 594-2442**CDL:** N/A**Reinstatement:** N/A*This office is open the 1st Tuesday of each month.*

ST. CLAIR COUNTY  
 St. Clair Co. Courthouse  
 1815 Cogswell Ave  
 Pell City, AL 35125

Hours: 8AM-5PM

Days: M,Tu,W,Th,F

Lunch: 12PM-1PM

**Main Office:** (205) 338-0526**CDL:** N/A**Reinstatement:** N/A

SUMTER COUNTY  
 104 Hospital Drive  
 Livingston, AL 35470

Hours: 8AM-2:30PM

Days: 2nd &amp; 4th Tu

Lunch: 12PM-12:30PM

**Main Office:** (205) 652-7686**CDL:** N/A**Reinstatement:** N/A*Effective Nov 2016 this office will be open the 2nd and 4th Tues of each month.*



TALLADEGA COUNTY  
Talladega Co Courthouse  
1 Court Square  
**Talladega, AL 35160**  
**Main Office:** (256) 362-2911  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4:30PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

TALLAPOOSA COUNTY  
Tallapoosa County Courthouse  
Annes 395 Lee Street  
**Alexander City, AL 35010**  
**Main Office:** (256) 329-0229  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4PM  
Days: 3rd Tu & W  
Lunch: 12PM-1PM

*This office is open the 3rd Tuesday and Wednesday of each month.*

TALLAPOOSA COUNTY  
Dadeville Co. Courthouse  
125 N. Broadnax St.  
**Dadeville, AL 36853**  
**Main Office:** (256) 825-1087  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4:30PM  
Days: closed  
Lunch: 12PM-1PM

*Driver license services are available at the Alex City driver license office.*

TUSCALOOSA COUNTY  
Trooper Post  
2645 Skyland Blvd E.  
**Tuscaloosa, AL 35405**  
**Main Office:** (205) 553-0729  
**CDL:** (205) 553-0729  
**Reinstatement:** (205) 553-3511

Hours: 8AM-5PM  
Days: M,Tu,W,Th,F  
Lunch: 12:30 - 1:30 (Reinstatement Closed)

*Reinstatement will be closed 12/19/16 thru 12/23/16.*

WALKER COUNTY  
Walker Co Courthouse  
1801 3rd Ave S  
**Jasper, AL 35501**  
**Main Office:** (205) 221-7589  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-5PM  
Days: M,Tu,W,Th,F  
Lunch: 12PM-1PM

WALKER COUNTY  
Bevill State Community College  
101 State St  
**Sumiton, AL 35148**  
**Main Office:** (205) 648-2991  
**CDL:** (205) 648-2991  
**Reinstatement:** N/A

Hours: 8AM-4PM  
Days: M,Tu,W,Th,F  
Lunch: OPEN

WASHINGTON COUNTY  
Washington Co Courthouse  
**Chatom, AL 36518**  
**Main Office:** (251) 847-6713  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-4:30PM  
Days: First Tues/Month  
Lunch: 12PM-1PM

WILCOX COUNTY  
219 Claiborne St.  
Building 3, Suite D  
**Camden, AL 36726**  
**Main Office:** (334) 682-5110  
**CDL:** N/A  
**Reinstatement:** N/A

Hours: 8AM-2:30PM  
Days: 1st Tu  
Lunch: 12PM-12:30PM

*This office is open the 1st Tuesday of each month.*

WINSTON COUNTY  
Double Springs Municipal Building  
23415 Highway 195  
**Double Springs, AL 35553**

Hours: 8AM-2:30PM  
Days: 2nd W  
Lunch: 12PM-12:30PM

**Main Office:** (205) 489-1141

**CDL:** N/A

**Reinstatement:** N/A

*This office is open the 2nd Wednesday of each month.*

---

---

[Home](#) | [Contact](#) | [Governor](#)

---

Table 4b. Reported Voting and Registration, by Sex, Race and Hispanic Origin, for States: November 2020  
(In thousands)

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Registered					Voted				
				Total registered	Percent registered (Total)	Margin of error <sup>1</sup>	Percent registered (Citizen)	Margin of error <sup>1</sup>	Total voted	Percent voted (Total)	Margin of error <sup>1</sup>	Percent voted (Citizen)	Margin of error <sup>1</sup>
US	Total	252,274	231,593	168,308	66.7	0.4	72.7	0.4	154,628	61.3	0.4	66.8	0.4
	Male	121,870	111,485	79,340	65.1	0.5	71.2	0.5	72,474	59.5	0.5	65.0	0.5
	Female	130,404	120,108	88,968	68.2	0.5	74.1	0.5	82,154	63.0	0.5	68.4	0.5
	White alone	195,227	181,891	134,889	69.1	0.4	74.2	0.4	124,301	63.7	0.4	68.3	0.4
	White non-Hispanic alone	157,442	154,827	118,389	75.2	0.4	76.5	0.4	109,830	69.8	0.4	70.9	0.4
	Black alone	32,219	30,204	20,844	64.7	1.0	69.0	1.0	18,922	58.7	1.0	62.6	1.0
	Asian alone	16,094	11,530	7,354	45.7	1.5	63.8	1.7	6,881	42.8	1.5	59.7	1.7
	Hispanic (of any race)	42,468	30,627	18,719	44.1	1.0	61.1	1.1	16,459	38.8	0.9	53.7	1.1
	White alone or in combination	199,610	185,983	137,710	69.0	0.4	74.0	0.4	126,753	63.5	0.4	68.2	0.4
	Black alone or in combination	34,471	32,275	22,241	64.5	0.9	68.9	0.9	20,152	58.5	1.0	62.4	1.0
	Asian alone or in combination	17,273	12,641	8,157	47.2	1.4	64.5	1.6	7,593	44.0	1.4	60.1	1.6
	ALABAMA	Total	3,769	3,716	2,527	67.0	3.1	68.0	3.1	2,247	59.6	3.3	60.5
Male		1,780	1,755	1,187	66.7	4.5	67.6	4.5	1,038	58.4	4.8	59.2	4.8
Female		1,990	1,960	1,340	67.3	4.3	68.4	4.3	1,209	60.7	4.5	61.6	4.5
White alone		2,657	2,619	1,860	70.0	3.6	71.0	3.6	1,647	62.0	3.8	62.9	3.8
White non-Hispanic alone		2,587	2,569	1,825	70.6	3.6	71.0	3.6	1,617	62.5	3.9	63.0	3.9
Black alone		973	973	590	60.6	6.1	60.6	6.1	533	54.8	6.2	54.8	6.2
Asian alone		55	45	23	B	B	B	B	21	B	B	B	B
Hispanic (of any race)		79	53	35	B	B	B	B	30	B	B	B	B
White alone or in combination		2,692	2,654	1,883	69.9	3.6	70.9	3.6	1,665	61.9	3.8	62.7	3.8
Black alone or in combination		988	988	603	61.0	6.0	61.0	6.0	543	54.9	6.2	54.9	6.2
Asian alone or in combination		58	48	26	B	B	B	B	21	B	B	B	B
ALASKA		Total	528	516	383	72.6	3.2	74.2	3.1	330	62.4	3.4	63.8
	Male	269	264	195	72.6	4.4	74.1	4.4	165	61.4	4.8	62.6	4.8
	Female	259	253	188	72.5	4.5	74.3	4.5	165	63.5	4.9	65.1	4.9
	White alone	345	343	265	76.7	3.7	77.3	3.7	243	70.3	4.0	70.9	4.0
	White non-Hispanic alone	325	323	251	77.2	3.8	77.5	3.8	230	70.6	4.1	71.0	4.1
	Black alone	17	16	11	B	B	B	B	8	B	B	B	B
	Asian alone	35	27	18	B	B	B	B	17	B	B	B	B
	Hispanic (of any race)	28	27	21	B	B	B	B	17	B	B	B	B
	White alone or in combination	375	372	287	76.6	3.5	77.1	3.5	259	69.2	3.9	69.7	3.9
	Black alone or in combination	18	17	12	B	B	B	B	8	B	B	B	B
	Asian alone or in combination	43	35	24	B	B	B	B	22	B	B	B	B
	ARIZONA	Total	5,638	5,075	3,878	68.8	2.5	76.4	2.5	3,649	64.7	2.6	71.9
Male		2,739	2,465	1,784	65.1	3.8	72.4	3.7	1,653	60.4	3.9	67.1	3.9
Female		2,899	2,610	2,095	72.3	3.4	80.3	3.2	1,996	68.9	3.5	76.5	3.4
White alone		4,840	4,365	3,328	68.8	2.7	76.3	2.7	3,152	65.1	2.8	72.2	2.8
White non-Hispanic alone		3,140	3,096	2,480	79.0	3.0	80.1	3.0	2,385	76.0	3.1	77.0	3.1
Black alone		279	259	205	73.3	10.4	79.2	9.9	179	63.9	11.3	69.1	11.3
Asian alone		206	158	111	53.8	14.1	70.2	14.8	107	52.0	14.1	67.9	15.1
Hispanic (of any race)		1,800	1,340	895	49.7	5.1	66.8	5.5	814	45.2	5.1	60.8	5.8
White alone or in combination		4,966	4,472	3,422	68.9	2.7	76.5	2.6	3,242	65.3	2.8	72.5	2.8
Black alone or in combination		344	323	266	77.3	8.9	82.2	8.4	235	68.3	9.9	72.7	9.8
Asian alone or in combination		226	177	130	57.8	13.3	73.5	13.4	127	56.2	13.4	71.5	13.8
ARKANSAS		Total	2,283	2,195	1,361	59.6	3.4	62.0	3.4	1,186	51.9	3.4	54.0
	Male	1,101	1,057	641	58.2	4.9	60.6	4.9	546	49.6	4.9	51.6	5.0
	Female	1,182	1,138	720	60.9	4.6	63.3	4.7	640	54.1	4.7	56.2	4.8
	White alone	1,867	1,808	1,139	61.0	3.7	63.0	3.7	1,014	54.3	3.8	56.1	3.8
	White non-Hispanic alone	1,744	1,733	1,111	63.7	3.8	64.1	3.8	988	56.7	3.9	57.0	3.9
	Black alone	336	325	186	55.3	8.5	57.1	8.6	146	43.3	8.4	44.7	8.6
	Asian alone	24	18	14	B	B	B	B	11	B	B	B	B
	Hispanic (of any race)	134	83	30	22.6	12.4	36.4	18.1	29	21.4	12.1	34.6	17.9
	White alone or in combination	1,900	1,841	1,153	60.7	3.7	62.6	3.7	1,023	53.8	3.7	55.5	3.8
	Black alone or in combination	348	337	193	55.4	8.3	57.2	8.4	148	42.7	8.3	44.1	8.5
	Asian alone or in combination	25	19	16	B	B	B	B	12	B	B	B	B
	CALIFORNIA	Total	30,342	25,946	18,001	59.3	1.2	69.4	1.2	16,893	55.7	1.2	65.1
Male		14,786	12,580	8,549	57.8	1.7	68.0	1.7	8,012	54.2	1.7	63.7	1.8
Female		15,556	13,366	9,452	60.8	1.6	70.7	1.6	8,882	57.1	1.6	66.5	1.7
White alone		21,941	18,971	13,508	61.6	1.4	71.2	1.4	12,628	57.6	1.4	66.6	1.4
White non-Hispanic alone		12,090	11,685	9,133	75.5	1.6	78.2	1.6	8,711	72.1	1.7	74.6	1.7
Black alone		1,947	1,834	1,249	64.1	4.3	68.1	4.3	1,173	60.3	4.4	64.0	4.4
Asian alone		5,072	3,958	2,491	49.1	2.8	62.9	3.1	2,370	46.7	2.8	59.9	3.2
Hispanic (of any race)		11,165	8,305	5,014	44.9	2.0	60.4	2.3	4,539	40.7	2.0	54.6	2.4
White alone or in combination		22,586	19,549	13,924	61.6	1.3	71.2	1.3	13,024	57.7	1.4	66.6	1.4
Black alone or in combination		2,139	2,021	1,371	64.1	4.1	67.8	4.1	1,295	60.5	4.2	64.1	4.2
Asian alone or in combination		5,405	4,250	2,665	49.3	2.8	62.7	3.0	2,529	46.8	2.8	59.5	3.1
COLORADO		Total	4,525	4,200	2,993	66.2	2.9	71.3	2.9	2,837	62.7	3.0	67.6
	Male	2,254	2,076	1,452	64.4	4.2	70.0	4.2	1,355	60.1	4.3	65.3	4.3
	Female	2,271	2,124	1,541	67.9	4.1	72.6	4.0	1,482	65.3	4.1	69.8	4.1
	White alone	4,001	3,751	2,733	68.3	3.0	72.9	3.0	2,606	65.1	3.1	69.5	3.1
	White non-Hispanic alone	3,267	3,220	2,396	73.3	3.2	74.4	3.2	2,316	70.9	3.3	71.9	3.3
	Black alone	186	181	102	54.5	14.4	56.0	14.6	96	51.6	14.5	53.1	14.7
	Asian alone	152	115	57	37.7	16.0	49.9	19.0	50	32.7	15.5	43.2	18.8
	Hispanic (of any race)	854	618	374	43.8	7.4	60.5	8.5	315	37.0	7.2	51.1	8.7
	White alone or in combination	4,123	3,858	2,801	67.9	3.0	72.6	3.0	2,658	64.5	3.1	68.9	3.1
	Black alone or in combination	203	198	118	58.3	13.7	59.7	13.8	113	55.6	13.8	57.0	13.9
	Asian alone or in combination	171	135	72	42.2	15.4	53.8	17.5	65	37.7	15.1	48.1	17.6
	CONNECTICUT	Total	2,777	2,524	1,850	66.6	3.2	73.3	3.2	1,681	60.5	3.3	66.6
Male		1,333	1,204	843	63.2	4.7	70.0	4.7	767	57.5	4.9	63.7	5.0
Female		1,444	1,320	1,008	69.8	4.3	76.3	4.2	915	63.4	4.6	69.3	4.6
White alone		2,197	2,043	1,543	70.2	3.5	75.5	3.4	1,392	63.4	3.7	68.1	3.7
White non-Hispanic alone		1,841	1,788	1,381	75.0	3.6	77.3	3.6	1,270	69.0	3.9	71.0	3.9
Black alone		323	282	192	59.5	9.4	68.3	9.5	184	56.8	9.4	65.2	9.7
Asian alone		216	158	96	44.4	12.0	60.5	13.7	90	41.6	11.9	56.6	13.9
Hispanic (of any race)		461	347	235	51.0	8.7	67.8	9.4	196	42.4	8.6	56.4	10.0
White alone or in combination		2,211	2,058	1,548	70.0	3.5	75.2	3.4	1,395	63.1	3.7	67.8	3.7
Black alone or in combination		326	285	195	59.9	9.3	68.6	9.4	184	56.3	9.4	64.5	9.7
Asian alone or in combination		216	158	96	44.4	12.0	60.5	13.7	90	41.6	11.9	56.6	13.9
DELAWARE		Total	766	722	542	70.8	3.0	75.1	3.0	489	63.8	3.2	67.7
	Male	361	339	247	68.3	4.5	72.8	4.4	223	61.6	4.7	65.7	4.7
	Female	404	383	296	73.1	4.0	77.2	3.9	266	65.8	4.3	69.5	4.3
	White alone	540	519	392	72.6	3.5	75.5	3.5	348	64.4	3.8	67.0	3.8
	White non-Hispanic alone	495	490	378	76.3	3.5	77.1	3.5	335	67.8	3.9	68.4	3.9
	Black alone	172	164	114	66.6	6.3	69.8	6.3	106	61.7	6.5	64.7	6.6



		Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error <sup>1</sup>	Percent registered (Citizen)	Margin of error <sup>1</sup>	Total voted	Percent voted (Total)	Margin of error <sup>1</sup>	Percent voted (Citizen)	Margin of error <sup>1</sup>
STATE	Sex, Race, and Hispanic-Origin												
	Asian alone	31	21	18	B	B	B	B	18	B	B	B	B
	Hispanic (of any race)	57	37	22	B	B	B	B	20	B	B	B	B
	White alone or in combination	554	531	404	73.0	3.5	76.1	3.4	359	64.8	3.7	67.6	3.7
	Black alone or in combination	181	171	121	67.2	6.1	70.9	6.1	112	62.0	6.3	65.3	6.4
	Asian alone or in combination	36	26	23	B	B	B	B	23	B	B	B	B
	Total	576	534	464	80.5	2.7	86.9	2.4	448	77.8	2.8	84.0	2.6
	Male	264	245	209	79.0	4.1	85.1	3.7	200	75.7	4.3	81.5	4.0
	Female	312	288	255	81.7	3.6	88.4	3.1	248	79.5	3.7	86.0	3.3
	White alone	278	253	229	82.5	3.7	90.5	3.0	223	80.3	3.9	88.1	3.3
	White non-Hispanic alone	243	232	213	87.5	3.4	91.5	3.0	206	84.9	3.7	88.8	3.4
Black alone	251	243	202	80.4	3.9	83.2	3.7	193	76.7	4.1	79.3	4.0	
Asian alone	36	27	25	B	B	B	B	25	B	B	B	B	
Hispanic (of any race)	50	32	26	B	B	B	B	26	B	B	B	B	
White alone or in combination	285	259	234	82.3	3.7	90.4	3.0	228	80.2	3.8	88.0	3.3	
Black alone or in combination	256	248	207	80.6	3.8	83.3	3.7	197	76.9	4.1	79.5	4.0	
Asian alone or in combination	40	30	27	B	B	B	B	27	B	B	B	B	
FLORIDA	Total	17,244	15,645	10,495	60.9	1.5	67.1	1.5	9,720	56.4	1.5	62.1	1.6
Male	8,263	7,523	4,965	60.1	2.2	66.0	2.2	4,563	55.2	2.2	60.7	2.3	
Female	8,982	8,121	5,530	61.6	2.1	68.1	2.1	5,157	57.4	2.1	63.5	2.2	
White alone	13,675	12,515	8,468	61.9	1.7	67.7	1.7	7,887	57.7	1.7	63.0	1.7	
White non-Hispanic alone	9,553	9,374	6,676	69.9	1.9	71.2	1.9	6,260	65.5	2.0	66.8	2.0	
Black alone	2,652	2,344	1,533	57.8	3.7	65.4	3.8	1,375	51.8	3.8	58.7	3.9	
Asian alone	585	462	260	44.5	8.2	56.4	9.2	257	43.9	8.2	55.6	9.2	
Hispanic (of any race)	4,439	3,394	1,992	44.9	3.2	58.7	3.6	1,789	40.3	3.1	52.7	3.6	
White alone or in combination	13,843	12,675	8,569	61.9	1.7	67.6	1.7	7,982	57.7	1.7	63.0	1.7	
Black alone or in combination	2,819	2,504	1,624	57.6	3.6	64.9	3.7	1,460	51.8	3.6	58.3	3.8	
Asian alone or in combination	591	467	266	45.0	8.2	56.9	9.1	263	44.4	8.2	56.2	9.2	
GEORGIA	Total	8,032	7,400	5,233	65.2	2.2	70.7	2.2	4,888	60.9	2.2	66.1	2.3
Male	3,765	3,461	2,354	62.5	3.3	68.0	3.3	2,180	57.9	3.3	63.0	3.4	
Female	4,267	3,938	2,880	67.5	3.0	73.1	2.9	2,707	63.5	3.0	68.7	3.0	
White alone	4,785	4,521	3,297	68.9	2.8	72.9	2.7	3,079	64.3	2.9	68.1	2.9	
White non-Hispanic alone	4,239	4,194	3,152	74.3	2.8	75.1	2.8	2,947	69.5	2.9	70.3	2.9	
Black alone	2,569	2,513	1,721	67.0	3.7	68.5	3.6	1,608	62.6	3.8	64.0	3.8	
Asian alone	389	217	124	31.8	9.6	56.9	13.6	116	29.8	9.4	53.3	13.7	
Hispanic (of any race)	739	403	192	25.9	6.9	47.6	10.7	178	24.1	6.8	44.2	10.7	
White alone or in combination	4,857	4,593	3,351	69.0	2.7	73.0	2.7	3,127	64.4	2.8	68.1	2.8	
Black alone or in combination	2,702	2,597	1,776	65.7	3.6	68.4	3.6	1,657	61.3	3.7	63.8	3.7	
Asian alone or in combination	398	226	133	33.3	9.6	58.7	13.3	125	31.4	9.4	55.2	13.4	
HAWAII	Total	1,056	980	673	63.8	3.3	68.7	3.3	630	59.7	3.3	64.3	3.4
Male	509	481	333	65.4	4.6	69.3	4.6	313	61.5	4.7	65.2	4.8	
Female	546	499	340	62.3	4.6	68.2	4.6	317	57.9	4.6	63.5	4.7	
White alone	261	246	184	70.5	6.2	74.8	6.1	175	67.0	6.4	71.1	6.4	
White non-Hispanic alone	228	218	165	72.4	6.5	75.6	6.4	159	69.5	6.7	72.7	6.6	
Black alone	18	18	15	B	B	B	B	11	B	B	B	B	
Asian alone	489	436	291	59.5	4.8	66.7	4.9	268	54.8	4.9	61.4	5.0	
Hispanic (of any race)	71	66	35	B	B	B	B	30	B	B	B	B	
White alone or in combination	374	359	260	69.6	5.2	72.5	5.2	248	66.4	5.4	69.2	5.4	
Black alone or in combination	25	25	15	B	B	B	B	11	B	B	B	B	
Asian alone or in combination	613	561	377	61.4	4.3	67.2	4.3	351	57.3	4.3	62.7	4.4	
IDAHO	Total	1,370	1,299	900	65.7	3.1	69.3	3.1	843	61.6	3.2	64.9	3.2
Male	679	643	434	63.9	4.5	67.5	4.5	410	60.4	4.5	63.8	4.6	
Female	691	656	466	67.5	4.3	71.1	4.3	433	62.7	4.5	66.0	4.5	
White alone	1,279	1,227	857	67.0	3.2	69.8	3.2	806	63.0	3.3	65.6	3.3	
White non-Hispanic alone	1,130	1,119	800	70.8	3.3	71.5	3.3	755	66.8	3.4	67.5	3.4	
Black alone	10	7	5	B	B	B	B	4	B	B	B	B	
Asian alone	22	12	7	B	B	B	B	5	B	B	B	B	
Hispanic (of any race)	166	119	63	38.1	9.5	53.2	11.6	55	33.1	9.3	46.3	11.6	
White alone or in combination	1,303	1,252	873	67.0	3.2	69.8	3.1	822	63.0	3.2	65.6	3.2	
Black alone or in combination	16	13	8	B	B	B	B	7	B	B	B	B	
Asian alone or in combination	22	12	7	B	B	B	B	5	B	B	B	B	
ILLINOIS	Total	9,658	8,860	6,590	68.2	2.0	74.4	1.9	6,058	62.7	2.0	68.4	2.0
Male	4,671	4,281	3,098	66.3	2.8	72.4	2.8	2,876	61.6	2.9	67.2	3.0	
Female	4,987	4,579	3,492	70.0	2.7	76.3	2.6	3,182	63.8	2.8	69.5	2.8	
White alone	7,551	7,015	5,303	70.2	2.2	75.6	2.1	4,849	64.2	2.3	69.1	2.3	
White non-Hispanic alone	6,218	6,075	4,826	77.6	2.2	79.4	2.1	4,429	71.2	2.4	72.9	2.4	
Black alone	1,335	1,270	861	64.5	5.2	67.8	5.2	811	60.7	5.3	63.8	5.3	
Asian alone	643	452	331	51.5	8.0	73.3	8.4	313	48.7	8.0	69.3	8.8	
Hispanic (of any race)	1,421	1,016	532	37.4	5.5	52.4	6.8	475	33.4	5.4	46.8	6.8	
White alone or in combination	7,600	7,064	5,331	70.1	2.2	75.5	2.1	4,873	64.1	2.3	69.0	2.3	
Black alone or in combination	1,382	1,317	895	64.8	5.1	67.9	5.1	839	60.7	5.2	63.7	5.2	
Asian alone or in combination	652	461	340	52.2	7.9	73.8	8.3	322	49.4	7.9	69.9	8.7	
INDIANA	Total	5,096	4,921	3,412	67.0	2.7	69.3	2.7	3,002	58.9	2.8	61.0	2.8
Male	2,463	2,375	1,632	66.2	3.9	68.7	3.9	1,408	57.2	4.1	59.3	4.1	
Female	2,633	2,546	1,781	67.6	3.7	69.9	3.7	1,594	60.5	3.9	62.6	3.9	
White alone	4,318	4,219	2,967	68.7	2.9	70.3	2.9	2,601	60.2	3.0	61.7	3.1	
White non-Hispanic alone	4,122	4,107	2,904	70.5	2.9	70.7	2.9	2,546	61.8	3.1	62.0	3.1	
Black alone	473	467	306	64.7	8.6	65.5	8.6	281	59.5	8.8	60.2	8.8	
Asian alone	178	114	76	42.5	14.9	66.1	17.8	68	38.5	14.7	59.9	18.4	
Hispanic (of any race)	225	135	72	32.1	13.3	53.5	18.3	60	26.4	12.6	44.0	18.2	
White alone or in combination	4,420	4,315	3,010	68.1	2.9	69.8	2.9	2,632	59.5	3.0	61.0	3.0	
Black alone or in combination	532	520	333	62.7	8.2	64.2	8.2	299	56.3	8.4	57.6	8.5	
Asian alone or in combination	189	125	76	40.0	14.4	60.3	17.6	68	36.3	14.1	54.7	17.9	
IOWA	Total	2,361	2,293	1,742	73.8	3.1	76.0	3.0	1,618	68.5	3.2	70.5	3.2
Male	1,167	1,133	853	73.2	4.4	75.3	4.3	785	67.3	4.6	69.2	4.6	
Female	1,194	1,160	888	74.4	4.3	76.6	4.2	833	69.7	4.5	71.8	4.5	
White alone	2,160	2,125	1,630	75.4	3.1	76.7	3.1	1,521	70.4	3.3	71.5	3.3	
White non-Hispanic alone	2,068	2,050	1,603	77.5	3.1	78.2	3.1	1,496	72.3	3.3	73.0	3.3	
Black alone	95	87	55	58.6	16.4	63.5	16.6	40	42.6	16.4	46.2	17.2	
Asian alone	77	52	36	B	B	B	B	36	B	B	B	B	
Hispanic (of any race)	108	90	42	39.1	16.6	46.8	18.6	40	37.0	16.5	44.2	18.5	
White alone or in combination	2,176	2,141	1,645	75.6	3.1	76.9	3.1	1,536	70.6	3.3	71.8	3.3	
Black alone or in combination	110	103	71	64.4	14.7	69.0	14.7	56	50.7	15.4	54.2	15.9	
Asian alone or in combination	80	55	39	B	B	B	B	39	B	B	B	B	
KANSAS	Total	2,157	1,975	1,398	64.8	3.5	70.8	3.5	1,297	60.1	3.6	65.7	3.7
Male	1,057	969	667	63.1	5.1	68.9	5.1	621	58.7	5.2	64.0	5.3	
Female	1,101	1,006	731	66.4	4.9	72.7	4.8	676	61.4	5.1			

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error <sup>1</sup>	Percent registered (Citizen)	Margin of error <sup>1</sup>	Total voted	Percent voted (Total)	Margin of error <sup>1</sup>	Percent voted (Citizen)	Margin of error <sup>1</sup>
KENTUCKY	Black alone	106	97	69	65.4	15.2	71.4	15.1	59	55.8	15.9	61.0	16.3
	Asian alone	86	54	13	B	B	B	B	11	B	B	B	B
	Hispanic (of any race)	317	210	108	34.1	9.6	51.5	12.4	96	30.1	9.3	45.5	12.4
	White alone or in combination	1,916	1,798	1,298	67.7	3.7	72.2	3.6	1,216	63.5	3.8	67.6	3.8
	Black alone or in combination	121	112	82	67.9	14.0	73.3	13.7	72	59.6	14.7	64.3	14.9
	Asian alone or in combination	87	55	14	B	B	B	B	12	B	B	B	B
	Total	3,384	3,227	2,450	72.4	3.2	75.9	3.1	2,210	65.3	3.4	68.5	3.4
	Male	1,616	1,524	1,159	71.7	4.6	76.0	4.5	1,057	65.4	4.9	69.4	4.9
	Female	1,768	1,703	1,291	73.0	4.4	75.8	4.3	1,153	65.2	4.7	67.7	4.7
	White alone	2,994	2,888	2,194	73.3	3.3	76.0	3.3	1,997	66.7	3.6	69.1	3.5
	White non-Hispanic alone	2,845	2,831	2,165	76.1	3.3	76.5	3.3	1,971	69.3	3.6	69.6	3.6
	Black alone	259	224	167	64.5	11.7	74.6	11.5	140	54.0	12.2	62.5	12.7
	Asian alone	46	31	24	B	B	B	B	24	B	B	B	B
	Hispanic (of any race)	163	60	30	B	B	B	B	26	B	B	B	B
	White alone or in combination	3,063	2,957	2,243	73.2	3.3	75.8	3.2	2,035	66.4	3.5	68.8	3.5
LOUISIANA	Black alone or in combination	306	271	198	64.7	10.8	73.0	10.6	161	52.5	11.2	59.3	11.8
	Asian alone or in combination	49	35	24	B	B	B	B	24	B	B	B	B
	Total	3,438	3,299	2,286	66.5	3.2	69.3	3.2	2,041	59.4	3.3	61.9	3.3
	Male	1,618	1,557	1,073	66.3	4.6	68.9	4.6	959	59.3	4.8	61.6	4.9
	Female	1,820	1,742	1,214	66.7	4.4	69.7	4.3	1,082	59.5	4.5	62.1	4.6
	White alone	2,212	2,120	1,486	67.2	3.9	70.1	3.9	1,362	61.6	4.1	64.2	4.1
	White non-Hispanic alone	2,048	2,022	1,426	69.6	4.0	70.5	4.0	1,309	63.9	4.2	64.7	4.2
	Black alone	1,068	1,048	720	67.5	5.4	68.7	5.4	607	56.9	5.7	57.9	5.7
	Asian alone	84	57	23	B	B	B	B	23	B	B	B	B
	Hispanic (of any race)	210	131	84	40.0	13.9	64.3	17.3	72	34.3	13.5	55.1	17.9
	White alone or in combination	2,261	2,169	1,524	67.4	3.9	70.3	3.9	1,396	61.8	4.0	64.4	4.1
	Black alone or in combination	1,092	1,072	737	67.5	5.3	68.8	5.3	624	57.2	5.6	58.2	5.7
	Asian alone or in combination	90	63	29	B	B	B	B	26	B	B	B	B
	Total	1,087	1,075	832	76.5	3.2	77.4	3.2	766	70.5	3.4	71.3	3.4
	Male	523	515	383	73.2	4.8	74.3	4.8	351	67.2	5.1	68.2	5.1
MAINE	Female	564	560	449	79.5	4.2	80.2	4.2	415	73.5	4.6	74.1	4.6
	White alone	1,036	1,031	803	77.5	3.2	77.9	3.2	739	71.3	3.5	71.7	3.5
	White non-Hispanic alone	1,027	1,022	798	77.7	3.2	78.1	3.2	734	71.5	3.5	71.8	3.5
	Black alone	13	8	4	B	B	B	B	4	B	B	B	B
	Asian alone	10	7	6	B	B	B	B	6	B	B	B	B
	Hispanic (of any race)	11	11	7	B	B	B	B	7	B	B	B	B
	White alone or in combination	1,058	1,053	818	77.3	3.2	77.7	3.2	752	71.1	3.5	71.4	3.5
	Black alone or in combination	15	10	6	B	B	B	B	6	B	B	B	B
	Asian alone or in combination	18	15	12	B	B	B	B	12	B	B	B	B
	Total	4,606	4,303	3,383	73.4	2.7	78.6	2.6	3,166	68.7	2.9	73.6	2.8
	Male	2,199	2,052	1,517	69.0	4.1	73.9	4.0	1,430	65.0	4.2	69.7	4.2
	Female	2,407	2,251	1,865	77.5	3.6	82.9	3.3	1,737	72.2	3.8	77.2	3.7
	White alone	2,757	2,650	2,069	75.0	3.4	78.1	3.4	1,917	69.5	3.7	72.3	3.6
	White non-Hispanic alone	2,487	2,469	1,934	77.8	3.5	78.3	3.5	1,786	71.8	3.8	72.3	3.8
	Black alone	1,421	1,289	1,022	71.9	4.8	79.3	4.5	971	68.3	4.9	75.3	4.8
MARYLAND	Asian alone	302	239	166	55.0	11.8	69.7	12.2	153	50.6	11.8	64.1	12.8
	Hispanic (of any race)	323	195	150	46.2	12.1	76.7	13.2	145	44.9	12.1	74.4	13.6
	White alone or in combination	2,840	2,732	2,151	75.7	3.4	78.7	3.3	1,999	70.4	3.6	73.2	3.5
	Black alone or in combination	1,482	1,350	1,083	73.1	4.6	80.2	4.3	1,032	69.6	4.8	76.4	4.6
	Asian alone or in combination	337	273	201	59.7	11.0	73.5	11.0	187	55.6	11.1	68.6	11.5
	Total	5,514	4,897	3,546	64.3	2.6	72.4	2.6	3,249	58.9	2.7	66.3	2.7
	Male	2,642	2,311	1,656	62.7	3.8	71.6	3.8	1,505	57.0	3.9	65.1	4.0
	Female	2,872	2,586	1,891	65.8	3.6	73.1	3.5	1,744	60.7	3.7	67.4	3.7
	White alone	4,429	4,140	3,174	71.7	2.8	76.7	2.7	2,936	66.3	2.9	70.9	2.9
	White non-Hispanic alone	3,953	3,799	2,949	74.6	2.8	77.6	2.8	2,749	69.6	3.0	72.4	3.0
	Black alone	489	390	165	33.6	8.3	42.2	9.7	142	29.0	8.0	36.4	9.5
	Asian alone	415	244	139	33.5	9.3	57.1	12.7	109	26.3	8.7	44.9	12.8
	Hispanic (of any race)	636	449	271	42.6	8.3	60.4	9.8	227	35.8	8.1	50.7	10.0
	White alone or in combination	4,597	4,251	3,233	70.3	2.7	76.1	2.7	2,988	65.0	2.9	70.3	2.9
	Black alone or in combination	640	484	211	32.9	7.2	43.5	8.8	181	28.3	6.9	37.4	8.5
	Asian alone or in combination	433	262	157	36.3	9.3	60.1	12.1	128	29.4	8.8	48.7	12.4
MICHIGAN	Total	7,790	7,467	5,513	70.8	2.1	73.8	2.1	4,994	64.1	2.2	66.9	2.2
	Male	3,795	3,616	2,648	69.8	3.1	73.2	3.0	2,378	62.7	3.2	65.8	3.2
	Female	3,995	3,851	2,865	71.7	2.9	74.4	2.9	2,616	65.5	3.1	67.9	3.1
	White alone	6,269	6,118	4,568	72.9	2.3	74.7	2.3	4,144	66.1	2.5	67.7	2.5
	White non-Hispanic alone	5,922	5,865	4,408	74.4	2.3	75.2	2.3	3,997	67.5	2.5	68.2	2.5
	Black alone	1,021	984	713	69.8	5.6	72.4	5.6	628	61.5	6.0	63.8	6.0
	Asian alone	281	145	72	25.7	10.5	49.6	16.8	65	23.3	10.2	45.1	16.7
	Hispanic (of any race)	406	302	178	43.9	10.6	58.9	12.2	165	40.7	10.5	54.7	12.3
	White alone or in combination	6,374	6,223	4,649	72.9	2.3	74.7	2.3	4,225	66.3	2.4	67.9	2.4
	Black alone or in combination	1,091	1,054	773	70.9	5.4	73.3	5.3	684	62.7	5.7	64.9	5.8
	Asian alone or in combination	309	173	90	29.3	10.5	52.1	15.3	84	27.1	10.2	48.3	15.3
	Total	4,339	4,142	3,436	79.2	2.5	82.9	2.4	3,225	74.3	2.7	77.9	2.7
	Male	2,149	2,051	1,690	78.6	3.6	82.4	3.5	1,575	73.3	3.9	76.8	3.8
	Female	2,190	2,091	1,746	79.7	3.5	83.5	3.3	1,649	75.3	3.8	78.9	3.7
	White alone	3,744	3,678	3,086	82.4	2.6	83.9	2.5	2,918	77.9	2.8	79.3	2.8
MINNESOTA	White non-Hispanic alone	3,573	3,555	2,990	83.7	2.5	84.1	2.5	2,840	79.5	2.8	79.9	2.8
	Black alone	260	197	139	53.5	12.2	70.5	12.8	130	50.2	12.2	66.1	13.3
	Asian alone	179	115	91	51.2	15.2	79.4	15.3	74	41.3	15.0	64.0	16.2
	Hispanic (of any race)	209	156	116	55.8	14.8	74.7	15.0	98	46.8	14.9	62.7	16.7
	White alone or in combination	3,816	3,750	3,146	82.5	2.5	83.9	2.5	2,979	78.1	2.8	79.4	2.7
	Black alone or in combination	299	236	170	56.9	11.3	72.0	11.5	161	54.0	11.4	68.3	11.9
	Asian alone or in combination	191	127	104	54.3	14.6	81.4	14.0	86	45.1	14.6	67.5	16.8
	Total	2,212	2,177	1,749	79.1	2.8	80.4	2.7	1,531	69.2	3.2	70.3	3.2
	Male	1,029	1,015	792	76.9	4.2	78.0	4.2	680	66.1	4.8	67.0	4.8
	Female	1,182	1,162	957	81.0	3.7	82.4	3.6	850	71.9	4.2	73.2	4.2
	White alone	1,350	1,337	1,054	78.1	3.6	78.8	3.6	921	68.3	4.1	68.9	4.1
	White non-Hispanic alone	1,300	1,295	1,026	78.9	3.6	79.2	3.6	904	69.5	4.1	69.8	4.1
	Black alone	792	787	654	82.5	4.2	83.1	4.1	573	72.3	4.9	72.8	4.9
	Asian alone	37	20	9	B	B	B	B	8	B	B	B	B
	Hispanic (of any race)	67	53	34	B	B	B	B	23	B	B	B	B
MISSISSIPPI	White alone or in combination	1,375	1,363	1,079	78.5	3.6	79.2	3.5	942	68.5	4.0	69.1	4.0
	Black alone or in combination	805	799	666	82.8	4.1	83.4	4.1	582	72.4	4.9	72.9	4.8
	Asian alone or in combination	41	24	13	B	B	B	B	11	B	B	B	B
	Total	4,637	4,475	3,388	73.1	2.7	75.7	2.7	2,990	64.5	2.9	66.8	2.9
	Male	2,205	2,136	1,556	70.5	4.0	72.9	4.0	1,361	61.7	4.3	63.7	4.3
	Female	2,432	2,340	1,832	75.3	3.6	78.3	3.5	1,629	67.0	4.0	69.6	4.0
	White alone	3,871	3,812	2,935	75.8	2.9	77.0	2.8	2,576	66.5	3.2	67.6	3.2

1 This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

Source: U.S. Census Bureau, Current Population Survey, November 2020

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error <sup>1</sup>	Percent registered (Citizen)	Margin of error <sup>1</sup>	Total voted	Percent voted (Total)	Margin of error <sup>1</sup>	Percent voted (Citizen)	Margin of error <sup>1</sup>
	White non-Hispanic alone	3,687	3,664	2,816	76.4	2.9	76.8	2.9	2,488	67.5	3.2	67.9	3.2
	Black alone	518	507	373	72.1	7.8	73.6	7.8	351	67.8	8.2	69.2	8.1
	Asian alone	138	64	38	B	B	B	B	38	B	B	B	B
	Hispanic (of any race)	232	178	127	54.8	14.2	71.3	14.7	95	40.9	14.0	53.3	16.3
	White alone or in combination	3,941	3,873	2,963	75.2	2.9	76.5	2.8	2,588	65.7	3.1	66.8	3.1
	Black alone or in combination	552	533	381	69.0	7.8	71.4	7.8	351	63.6	8.1	65.8	8.2
	Asian alone or in combination	146	72	46	B	B	B	B	46	B	B	B	B
	Total	836	827	641	76.6	2.6	77.5	2.6	607	72.6	2.8	73.5	2.8
	Male	415	411	322	77.8	3.7	78.4	3.6	299	72.0	4.0	72.5	3.9
	Female	422	415	318	75.5	3.8	76.7	3.7	309	73.2	3.9	74.4	3.8
MONTANA	White alone	772	765	597	77.3	2.7	78.0	2.7	572	74.0	2.8	74.7	2.8
	White non-Hispanic alone	757	751	584	77.2	2.7	77.8	2.7	560	74.0	2.9	74.6	2.9
	Black alone	4	4	2	B	B	B	B	2	B	B	B	B
	Asian alone	10	7	4	B	B	B	B	4	B	B	B	B
	Hispanic (of any race)	20	19	15	B	B	B	B	14	B	B	B	B
	White alone or in combination	791	784	609	77.0	2.7	77.7	2.7	582	73.6	2.8	74.3	2.8
	Black alone or in combination	6	6	4	B	B	B	B	3	B	B	B	B
	Asian alone or in combination	13	10	5	B	B	B	B	5	B	B	B	B
	Total	1,435	1,369	971	67.7	3.4	70.9	3.4	892	62.2	3.5	65.2	3.5
	Male	708	674	464	65.6	4.9	68.9	4.9	421	59.6	5.0	62.5	5.1
NEBRASKA	Female	728	695	507	69.7	4.7	73.0	4.6	471	64.7	4.8	67.8	4.8
	White alone	1,301	1,255	903	69.4	3.5	71.9	3.5	826	63.5	3.6	65.8	3.7
	White non-Hispanic alone	1,205	1,202	877	72.7	3.5	72.9	3.5	801	66.5	3.7	66.6	3.7
	Black alone	80	71	45	B	B	B	B	44	B	B	B	B
	Asian alone	26	17	9	B	B	B	B	9	B	B	B	B
	Hispanic (of any race)	98	55	28	B	B	B	B	27	B	B	B	B
	White alone or in combination	1,307	1,261	907	69.4	3.5	71.9	3.5	830	63.5	3.6	65.8	3.7
	Black alone or in combination	82	73	47	B	B	B	B	46	B	B	B	B
	Asian alone or in combination	26	17	9	B	B	B	B	9	B	B	B	B
	Total	2,402	2,198	1,455	60.6	3.2	66.2	3.3	1,351	56.3	3.3	61.5	3.4
NEVADA	Male	1,192	1,088	698	58.6	4.6	64.1	4.7	649	54.5	4.7	59.7	4.8
	Female	1,210	1,110	757	62.6	4.5	68.2	4.5	702	58.0	4.6	63.2	4.7
	White alone	1,691	1,561	1,072	63.4	3.8	68.6	3.8	1,013	59.9	3.9	64.9	3.9
	White non-Hispanic alone	1,211	1,187	868	71.7	4.2	73.1	4.2	827	68.3	4.3	69.7	4.3
	Black alone	233	232	155	66.5	9.6	66.8	9.6	136	58.2	10.0	58.5	10.0
	Asian alone	230	195	136	59.0	10.4	69.7	10.5	134	58.4	10.4	68.9	10.6
	Hispanic (of any race)	654	515	268	41.0	6.5	52.0	7.5	239	36.6	6.4	46.4	7.5
	White alone or in combination	1,815	1,652	1,113	61.4	3.7	67.4	3.7	1,050	57.9	3.8	63.6	3.8
	Black alone or in combination	259	258	167	64.6	9.2	64.9	9.2	146	56.3	9.6	56.6	9.6
	Asian alone or in combination	252	217	146	57.8	10.0	67.2	10.2	144	57.2	10.0	66.5	10.3
NEW HAMPSHIRE	Total	1,101	1,077	843	76.6	2.9	78.3	2.8	797	72.4	3.0	74.0	3.0
	Male	542	531	401	74.1	4.3	75.5	4.2	375	69.2	4.5	70.5	4.5
	Female	559	546	442	78.9	3.9	80.9	3.8	423	75.5	4.1	77.4	4.1
	White alone	1,030	1,015	813	78.9	2.9	80.0	2.8	771	74.8	3.1	75.9	3.0
	White non-Hispanic alone	1,000	993	799	79.8	2.9	80.5	2.8	758	75.8	3.1	76.4	3.1
	Black alone	20	20	4	B	B	B	B	4	B	B	B	B
	Asian alone	27	17	9	B	B	B	B	8	B	B	B	B
	Hispanic (of any race)	38	31	19	B	B	B	B	14	B	B	B	B
	White alone or in combination	1,045	1,030	823	78.8	2.9	79.9	2.8	782	74.8	3.0	75.9	3.0
	Black alone or in combination	32	32	14	B	B	B	B	14	B	B	B	B
NEW JERSEY	Asian alone or in combination	27	17	9	B	B	B	B	8	B	B	B	B
	Total	6,801	5,921	5,008	73.6	2.2	84.6	1.9	4,638	68.2	2.3	78.3	2.2
	Male	3,281	2,814	2,366	72.1	3.2	84.1	2.8	2,193	66.8	3.4	77.9	3.2
	Female	3,520	3,107	2,642	75.0	3.0	85.0	2.6	2,445	69.5	3.2	78.7	3.0
	White alone	4,900	4,462	3,826	78.1	2.4	85.7	2.1	3,543	72.3	2.6	79.4	2.5
	White non-Hispanic alone	3,755	3,636	3,134	83.5	2.5	86.2	2.3	2,950	78.6	2.7	81.1	2.7
	Black alone	994	850	658	66.2	5.9	77.5	5.6	606	60.9	6.1	71.3	6.1
	Asian alone	810	524	443	54.7	7.1	84.5	6.4	408	50.4	7.1	77.9	7.3
	Hispanic (of any race)	1,347	996	817	60.7	5.7	82.0	5.2	719	53.4	5.8	72.1	6.1
	White alone or in combination	4,971	4,520	3,884	78.1	2.4	85.9	2.1	3,602	72.5	2.6	79.7	2.5
NEW MEXICO	Black alone or in combination	1,064	907	716	67.2	5.6	78.9	5.3	663	62.3	5.8	73.1	5.8
	Asian alone or in combination	816	530	449	55.1	7.0	84.7	6.3	414	50.8	7.1	78.1	7.3
	Total	1,610	1,498	1,028	63.9	3.0	68.6	3.0	938	58.3	3.1	62.6	3.2
	Male	784	732	495	63.1	4.4	67.6	4.4	450	57.4	4.5	61.4	4.6
	Female	826	766	533	64.5	4.2	69.5	4.2	488	59.2	4.3	63.7	4.4
	White alone	1,340	1,249	881	65.7	3.3	70.5	3.3	812	60.6	3.4	65.0	3.4
	White non-Hispanic alone	745	741	578	77.5	3.9	78.0	3.9	542	72.7	4.1	73.1	4.1
	Black alone	34	32	24	B	B	B	B	21	B	B	B	B
	Asian alone	28	15	12	B	B	B	B	12	B	B	B	B
	Hispanic (of any race)	636	539	323	50.7	5.3	59.9	5.6	290	45.6	5.2	53.8	5.7
NEW YORK	White alone or in combination	1,384	1,288	911	65.8	3.2	70.7	3.2	840	60.7	3.3	65.2	3.4
	Black alone or in combination	46	44	34	B	B	B	B	29	B	B	B	B
	Asian alone or in combination	38	25	22	B	B	B	B	22	B	B	B	B
	Total	15,105	13,298	9,370	62.0	1.6	70.5	1.7	8,609	57.0	1.7	64.7	1.7
	Male	7,164	6,216	4,309	60.1	2.4	69.3	2.4	3,936	54.9	2.5	63.3	2.6
	Female	7,941	7,082	5,061	63.7	2.3	71.5	2.2	4,673	58.8	2.3	66.0	2.3
	White alone	10,551	9,556	6,933	65.7	1.9	72.5	1.9	6,443	61.1	2.0	67.4	2.0
	White non-Hispanic alone	8,764	8,365	6,188	70.6	2.0	74.0	2.0	5,775	65.9	2.1	69.0	2.1
	Black alone	2,554	2,329	1,598	62.6	3.8	68.6	3.8	1,459	57.1	3.9	62.7	4.0
	Asian alone	1,533	1,019	593	38.7	5.1	58.2	6.4	528	34.5	5.0	51.9	6.4
NORTH CAROLINA	Hispanic (of any race)	2,330	1,608	991	42.5	4.5	61.6	5.3	883	37.9	4.4	54.9	5.4
	White alone or in combination	10,786	9,748	7,086	65.7	1.9	72.7	1.9	6,543	60.7	2.0	67.1	2.0
	Black alone or in combination	2,722	2,464	1,694	62.2	3.7	68.7	3.7	1,523	55.9	3.8	61.8	3.9
	Asian alone or in combination	1,630	1,096	665	40.8	5.0	60.7	6.1	568	34.9	4.9	51.9	6.2
	Total	8,113	7,391	5,161	63.6	2.2	69.8	2.2	4,780	58.9	2.3	64.7	2.3
	Male	3,854	3,464	2,377	61.7	3.3	68.6	3.3	2,185	56.7	3.3	63.1	3.4
	Female	4,259	3,928	2,783	65.3	3.0	70.9	3.0	2,595	60.9	3.1	66.1	3.1
	White alone	5,775	5,194	3,638	63.0	2.6	70.0	2.6	3,379	58.5	2.7	65.0	2.8
	White non-Hispanic alone	4,859	4,765	3,418	70.4	2.7	71.7	2.7	3,173	65.3	2.8	66.6	2.8
	Black alone	1,752	1,707	1,166	66.6	4.5	68.3	4.5	1,083	61.8	4.6	63.4	4.6
NORTH DAKOTA	Asian alone	317	221	168	53.1	11.5	76.4	11.7	156	49.3	11.5	70.9	12.5
	Hispanic (of any race)	989	492	267	27.0	6.1	54.3	9.8	240	24.2	5.9	48.8	9.8
	White alone or in combination	5,894	5,313	3,725	63.2	2.6	70.1	2.6	3,449	58.5	2.7	64.9	2.7
	Black alone or in combination	1,802	1,757	1,209	67.1	4.4	68.8	4.4	1,118	62.0	4.5	63.6	4.6
	Asian alone or in combination	344	247	182	52.9	11.0	73.5	11.5	170	49.4	11.0	68.6	12.1
	Total	571	556	429	75.2	2.9	77.3	2.9	373	65.3	3.2	67.1	3.2
	Male	289	283	217	75.1	4.1	76.7	4.1	188	64.9	4.6	66.3	4.6
	Female	282	273	212	75.3	4.2	77.8	4.1	185	65.7	4.6	67.9	4.6

1 This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

Source: U.S. Census Bureau, Current Population Survey, November 2020

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error <sup>1</sup>	Percent registered (Citizen)	Margin of error <sup>1</sup>	Total voted	Percent voted (Total)	Margin of error <sup>1</sup>	Percent voted (Citizen)	Margin of error <sup>1</sup>
	White alone	503	495	393	78.2	3.0	79.3	3.0	352	70.0	3.3	71.0	3.3
	White non-Hispanic alone	489	487	388	79.3	3.0	79.7	3.0	348	71.1	3.3	71.5	3.3
	Black alone	13	8	2	B	B	B	B	2	B	B	B	B
	Asian alone	10	7	3	B	B	B	B	3	B	B	B	B
	Hispanic (of any race)	16	11	6	B	B	B	B	5	B	B	B	B
	White alone or in combination	512	505	400	78.2	3.0	79.3	2.9	356	69.5	3.3	70.5	3.3
	Black alone or in combination	15	10	4	B	B	B	B	2	B	B	B	B
	Asian alone or in combination	12	8	4	B	B	B	B	3	B	B	B	B
	Total	8,951	8,740	6,733	75.2	1.9	77.0	1.8	6,128	68.5	2.0	70.1	2.0
	Male	4,311	4,211	3,219	74.7	2.7	76.4	2.7	2,913	67.6	2.9	69.2	2.9
OHIO	Female	4,640	4,529	3,514	75.7	2.6	77.6	2.5	3,216	69.3	2.8	71.0	2.8
	White alone	7,416	7,300	5,724	77.2	2.0	78.4	2.0	5,223	70.4	2.2	71.5	2.2
	White non-Hispanic alone	7,095	7,064	5,535	78.0	2.0	78.4	2.0	5,077	71.6	2.2	71.9	2.2
	Black alone	1,069	1,042	758	70.9	5.4	72.8	5.4	678	63.4	5.8	65.1	5.8
	Asian alone	234	167	101	43.2	13.1	60.6	15.3	96	41.0	13.0	57.5	15.5
	Hispanic (of any race)	383	299	226	59.0	10.8	75.8	10.6	175	45.7	10.9	58.7	12.2
	White alone or in combination	7,592	7,476	5,844	77.0	2.0	78.2	2.0	5,324	70.1	2.2	71.2	2.1
	Black alone or in combination	1,181	1,153	831	70.4	5.2	72.1	5.2	738	62.5	5.5	64.0	5.5
	Asian alone or in combination	260	192	126	48.7	12.5	65.8	13.8	121	46.7	12.5	63.1	14.1
	Total	2,942	2,800	1,884	64.0	3.5	67.3	3.5	1,631	55.5	3.6	58.3	3.7
OKLAHOMA	Male	1,434	1,367	856	59.7	5.1	62.6	5.2	741	51.7	5.2	54.2	5.3
	Female	1,508	1,433	1,028	68.2	4.7	71.7	4.7	890	59.0	5.0	62.1	5.1
	White alone	2,289	2,175	1,537	67.1	3.9	70.6	3.9	1,347	58.9	4.1	62.0	4.1
	White non-Hispanic alone	1,977	1,962	1,442	73.0	4.0	73.5	3.9	1,276	64.6	4.3	65.0	4.3
	Black alone	231	218	123	53.3	12.4	56.4	12.7	108	46.8	12.4	49.5	12.8
	Asian alone	26	19	4	B	B	B	B	4	B	B	B	B
	Hispanic (of any race)	348	248	106	30.6	10.2	42.8	13.0	75	21.6	9.1	30.3	12.1
	White alone or in combination	2,402	2,288	1,588	66.1	3.8	69.4	3.8	1,382	57.6	4.0	60.4	4.0
	Black alone or in combination	255	242	130	50.9	11.8	53.6	12.1	113	44.3	11.8	46.6	12.1
	Asian alone or in combination	43	36	9	B	B	B	B	4	B	B	B	B
OREGON	Total	3,369	3,242	2,590	76.9	2.9	79.9	2.8	2,402	71.3	3.1	74.1	3.0
	Male	1,645	1,572	1,245	75.7	4.2	79.2	4.0	1,144	69.5	4.5	72.8	4.4
	Female	1,724	1,670	1,345	78.0	3.9	80.5	3.8	1,258	73.0	4.2	75.3	4.2
	White alone	2,955	2,876	2,345	79.4	2.9	81.5	2.9	2,191	74.2	3.2	76.2	3.1
	White non-Hispanic alone	2,712	2,696	2,229	82.2	2.9	82.7	2.9	2,094	77.2	3.2	77.7	3.2
	Black alone	82	76	47	57.6	20.6	62.2	20.9	39	47.5	20.8	51.2	21.6
	Asian alone	143	109	70	49.4	16.3	64.8	17.8	66	46.2	16.2	60.6	18.2
	Hispanic (of any race)	281	201	122	43.6	12.2	60.8	14.2	105	37.3	11.9	51.9	14.5
	White alone or in combination	3,064	2,985	2,441	79.7	2.9	81.8	2.8	2,265	73.9	3.1	75.9	3.1
	Black alone or in combination	93	87	58	62.5	18.9	66.8	19.0	50	53.5	19.5	57.2	20.0
PENNSYLVANIA	Asian alone or in combination	179	145	101	56.6	14.4	69.8	14.8	84	47.3	14.5	58.3	15.9
	Total	9,902	9,621	7,337	74.1	1.8	76.3	1.8	6,756	68.2	1.9	70.2	1.9
	Male	4,787	4,638	3,489	72.9	2.6	75.2	2.6	3,192	66.7	2.8	68.8	2.8
	Female	5,115	4,983	3,848	75.2	2.5	77.2	2.4	3,564	69.7	2.6	71.5	2.6
	White alone	8,485	8,324	6,390	75.3	1.9	76.8	1.9	5,875	69.2	2.1	70.6	2.1
	White non-Hispanic alone	7,910	7,862	6,115	77.3	1.9	77.8	1.9	5,634	71.2	2.1	71.7	2.1
	Black alone	1,042	981	751	72.0	5.5	76.5	5.3	694	66.6	5.8	70.8	5.7
	Asian alone	231	171	88	38.0	13.0	51.4	15.5	84	36.3	12.8	49.1	15.5
	Hispanic (of any race)	618	497	305	49.3	8.7	61.4	9.4	270	43.6	8.6	54.3	9.6
	White alone or in combination	8,613	8,453	6,486	75.3	1.9	76.7	1.9	5,965	69.3	2.0	70.6	2.0
RHODE ISLAND	Black alone or in combination	1,139	1,078	824	72.3	5.2	76.4	5.1	761	66.9	5.5	70.6	5.5
	Asian alone or in combination	246	186	103	41.8	12.8	55.4	14.8	99	40.3	12.7	53.2	14.8
	Total	840	776	575	68.5	3.2	74.1	3.2	515	61.3	3.4	66.3	3.4
	Male	402	377	273	68.0	4.7	72.5	4.7	246	61.3	4.9	65.3	5.0
	Female	438	399	302	69.1	4.5	75.7	4.3	269	61.4	4.7	67.2	4.8
	White alone	742	698	519	69.9	3.4	74.3	3.3	462	62.2	3.6	66.1	3.6
	White non-Hispanic alone	659	642	484	73.4	3.5	75.4	3.4	429	65.1	3.8	66.8	3.8
	Black alone	61	53	39	B	B	B	B	37	B	B	B	B
	Asian alone	25	15	10	B	B	B	B	10	B	B	B	B
	Hispanic (of any race)	88	60	38	B	B	B	B	36	B	B	B	B
SOUTH CAROLINA	White alone or in combination	750	706	525	70.0	3.4	74.4	3.3	466	62.2	3.6	66.0	3.6
	Black alone or in combination	68	60	45	B	B	B	B	41	B	B	B	B
	Asian alone or in combination	25	15	10	B	B	B	B	10	B	B	B	B
	Total	4,010	3,878	2,713	67.7	3.0	70.0	3.0	2,459	61.3	3.1	63.4	3.1
	Male	1,887	1,820	1,266	67.1	4.4	69.5	4.4	1,158	61.3	4.5	63.6	4.6
	Female	2,123	2,058	1,447	68.2	4.1	70.3	4.1	1,302	61.3	4.3	63.3	4.3
	White alone	2,840	2,739	2,013	70.9	3.5	73.5	3.4	1,845	64.9	3.6	67.4	3.6
	White non-Hispanic alone	2,605	2,590	1,945	74.7	3.5	75.1	3.4	1,789	68.7	3.7	69.0	3.7
	Black alone	1,032	1,012	613	59.4	5.9	60.5	5.9	546	52.9	6.0	53.9	6.1
	Asian alone	50	40	37	B	B	B	B	34	B	B	B	B
SOUTH DAKOTA	Hispanic (of any race)	257	163	77	30.1	12.1	47.5	16.6	62	24.3	11.3	38.3	16.1
	White alone or in combination	2,888	2,786	2,049	71.0	3.4	73.6	3.4	1,871	64.8	3.6	67.1	3.6
	Black alone or in combination	1,047	1,026	618	59.1	5.9	60.2	5.9	551	52.7	6.0	53.7	6.0
	Asian alone or in combination	70	59	53	B	B	B	B	51	B	B	B	B
	Total	659	649	437	66.3	3.4	67.4	3.4	380	57.7	3.5	58.5	3.5
	Male	330	326	217	65.6	4.8	66.5	4.8	189	57.2	5.0	57.9	5.0
	Female	329	323	221	67.0	4.8	68.2	4.8	191	58.1	5.0	59.2	5.0
	White alone	587	585	401	68.3	3.5	68.5	3.5	351	59.7	3.7	59.9	3.7
	White non-Hispanic alone	577	577	397	68.8	3.5	68.8	3.5	348	60.3	3.7	60.3	3.7
	Black alone	18	13	5	B	B	B	B	4	B	B	B	B
TENNESSEE	Asian alone	12	9	4	B	B	B	B	4	B	B	B	B
	Hispanic (of any race)	13	10	6	B	B	B	B	5	B	B	B	B
	White alone or in combination	600	598	411	68.5	3.5	68.7	3.5	360	60.0	3.7	60.2	3.7
	Black alone or in combination	18	13	5	B	B	B	B	4	B	B	B	B
	Asian alone or in combination	18	15	8	B	B	B	B	8	B	B	B	B
	Total	5,283	5,038	3,742	70.8	2.6	74.3	2.5	3,346	63.3	2.7	66.4	2.7
	Male	2,544	2,409	1,766	69.4	3.7	73.3	3.7	1,563	61.4	3.9	64.9	4.0
	Female	2,738	2,629	1,976	72.2	3.5	75.2	3.4	1,783	65.1	3.7	67.8	3.7
	White alone	4,212	4,014	2,992	71.0	2.9	74.5	2.8	2,677	63.6	3.0	66.7	3.0
	White non-Hispanic alone	3,918	3,890	2,924	74.6	2.8	75.2	2.8	2,619	66.8	3.1	67.3	3.1
TEXAS	Black alone	866	853	658	76.0	5.7	77.1	5.6	592	68.3	6.2	69.4	6.2
	Asian alone	99	65	37	B	B	B	B	34	B	B	B	B
	Hispanic (of any race)	329	152	72	22.0	9.8	47.6	17.3	63	19.1	9.3	41.4	17.1
	White alone or in combination	4,298	4,101	3,032	70.5	2.8	73.9	2.8	2,708	63.0	3.0	66.0	3.0
	Black alone or in combination	895	882	671	75.0	5.7	76.1	5.6	602	67.2	6.1	68.2	6.1
	Asian alone or in combination	111	76	49	43.9	19.0	63.7	22.1	46	41.3	18.8	59.9	22.6
	Total	21,485	18,581	13,343	62.1	1.4	71.8	1.4	11,874	55.3	1.4	63.9	1.5
	Male	10,513	9,082	6,338	60.3	2.0	69.8	2.0	5,580	53.1	2.0	61.4	2.1

1 This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

Source: U.S. Census Bureau, Current Population Survey, November 2020

STATE	Sex, Race, and Hispanic-Origin	Total population	Total citizen population	Total registered	Percent registered (Total)	Margin of error <sup>1</sup>	Percent registered (Citizen)	Margin of error <sup>1</sup>	Total voted	Percent voted (Total)	Margin of error <sup>1</sup>	Percent voted (Citizen)	Margin of error <sup>1</sup>
	Female	10,972	9,500	7,005	63.8	1.9	73.7	1.9	6,295	57.4	2.0	66.3	2.0
	White alone	17,042	14,760	10,734	63.0	1.5	72.7	1.5	9,612	56.4	1.6	65.1	1.6
	White non-Hispanic alone	9,615	9,423	7,396	76.9	1.8	78.5	1.8	6,785	70.6	1.9	72.0	1.9
	Black alone	2,700	2,502	1,759	65.1	3.6	70.3	3.6	1,521	56.3	3.8	60.8	3.9
	Asian alone	1,239	821	521	42.1	5.7	63.5	6.8	482	38.9	5.6	58.7	7.0
	Hispanic (of any race)	7,730	5,599	3,538	45.8	2.5	63.2	2.8	2,972	38.4	2.4	53.1	2.9
	White alone or in combination	17,361	15,079	10,928	62.9	1.5	72.5	1.5	9,762	56.2	1.6	64.7	1.6
	Black alone or in combination	2,890	2,692	1,882	65.1	3.5	69.9	3.5	1,636	56.6	3.6	60.8	3.7
	Asian alone or in combination	1,355	937	601	44.4	5.5	64.2	6.4	546	40.3	5.4	58.3	6.6
	Total	2,320	2,178	1,468	63.3	2.7	67.4	2.7	1,386	59.7	2.8	63.6	2.8
UTAH	Male	1,146	1,068	699	61.0	3.9	65.5	4.0	647	56.5	4.0	60.6	4.1
	Female	1,174	1,110	769	65.5	3.8	69.3	3.8	739	62.9	3.9	66.6	3.9
	White alone	2,096	2,000	1,368	65.3	2.8	68.4	2.8	1,293	61.7	2.9	64.7	2.9
	White non-Hispanic alone	1,860	1,832	1,268	68.2	3.0	69.2	2.9	1,203	64.7	3.0	65.7	3.0
	Black alone	40	33	9	B	B	B	B	9	B	B	B	B
	Asian alone	51	18	10	B	B	B	B	10	B	B	B	B
	Hispanic (of any race)	253	180	100	39.4	8.8	55.4	10.6	89	35.3	8.6	49.6	10.6
	White alone or in combination	2,118	2,019	1,378	65.1	2.8	68.2	2.8	1,303	61.5	2.9	64.5	2.9
	Black alone or in combination	48	41	11	B	B	B	B	11	B	B	B	B
	Asian alone or in combination	55	20	13	B	B	B	B	13	B	B	B	B
VERMONT	Total	507	500	365	72.0	3.4	73.0	3.4	342	67.5	3.6	68.4	3.6
	Male	250	247	178	71.2	4.9	72.1	4.9	163	65.5	5.1	66.3	5.2
	Female	257	253	187	72.9	4.7	74.0	4.7	178	69.4	4.9	70.5	4.9
	White alone	477	474	354	74.3	3.4	74.8	3.4	332	69.7	3.6	70.2	3.6
	White non-Hispanic alone	474	470	351	74.1	3.4	74.6	3.4	329	69.4	3.6	69.9	3.6
	Black alone	8	5	1	B	B	B	B	1	B	B	B	B
	Asian alone	11	11	3	B	B	B	B	3	B	B	B	B
	Hispanic (of any race)	6	6	4	B	B	B	B	4	B	B	B	B
	White alone or in combination	485	482	360	74.1	3.4	74.7	3.4	337	69.4	3.6	69.9	3.6
	Black alone or in combination	10	7	1	B	B	B	B	1	B	B	B	B
	Asian alone or in combination	14	14	6	B	B	B	B	6	B	B	B	B
VIRGINIA	Total	6,481	5,974	4,541	70.1	2.4	76.0	2.3	4,275	66.0	2.5	71.5	2.4
	Male	3,084	2,842	2,092	67.8	3.5	73.6	3.5	1,981	64.2	3.6	69.7	3.6
	Female	3,396	3,132	2,449	72.1	3.2	78.2	3.1	2,293	67.5	3.4	73.2	3.3
	White alone	4,526	4,268	3,393	75.0	2.7	79.5	2.6	3,204	70.8	2.8	75.1	2.8
	White non-Hispanic alone	3,979	3,904	3,160	79.4	2.7	80.9	2.6	3,018	75.9	2.8	77.3	2.8
	Black alone	1,237	1,129	764	61.8	5.5	67.7	5.6	722	58.3	5.6	63.9	5.7
	Asian alone	512	409	271	52.9	9.1	66.1	9.6	253	49.4	9.1	61.8	9.9
	Hispanic (of any race)	678	425	271	39.5	8.2	63.8	10.2	218	32.1	7.8	51.3	10.6
	White alone or in combination	4,620	4,362	3,454	74.8	2.7	79.2	2.6	3,248	70.3	2.8	74.5	2.8
	Black alone or in combination	1,304	1,196	805	61.7	5.4	67.3	5.4	748	57.4	5.5	62.5	5.6
WASHINGTON	Asian alone or in combination	535	432	287	53.6	8.9	66.4	9.3	269	50.3	8.9	62.3	9.6
	Total	5,993	5,389	4,029	67.2	2.5	74.8	2.4	3,854	64.3	2.6	71.5	2.5
	Male	2,947	2,638	1,921	65.2	3.6	72.8	3.6	1,806	61.3	3.7	68.5	3.7
	Female	3,046	2,751	2,109	69.2	3.5	76.7	3.3	2,047	67.2	3.5	74.4	3.4
	White alone	4,735	4,413	3,452	72.9	2.7	78.2	2.6	3,309	69.9	2.8	75.0	2.7
	White non-Hispanic alone	4,122	3,985	3,177	77.1	2.7	79.7	2.6	3,070	74.5	2.8	77.0	2.8
	Black alone	257	210	136	53.1	12.3	64.7	13.0	130	50.8	12.3	61.9	13.2
	Asian alone	557	334	213	38.3	8.4	63.9	10.7	210	37.7	8.4	62.8	10.8
	Hispanic (of any race)	680	485	296	43.6	8.2	61.0	9.6	261	38.4	8.1	53.7	9.8
	White alone or in combination	4,928	4,593	3,573	72.5	2.6	77.8	2.5	3,426	69.5	2.7	74.6	2.7
WEST VIRGINIA	Black alone or in combination	331	285	170	51.2	10.9	59.5	11.5	164	49.4	10.9	57.4	11.6
	Asian alone or in combination	590	363	227	38.5	8.2	62.5	10.4	224	37.9	8.1	61.6	10.4
	Total	1,397	1,379	928	66.4	3.4	67.3	3.4	773	55.3	3.6	56.1	3.6
	Male	684	675	457	66.9	4.9	67.7	4.9	379	55.4	5.1	56.1	5.2
	Female	714	704	471	65.9	4.8	66.8	4.8	395	55.3	5.0	56.0	5.1
	White alone	1,324	1,314	879	66.4	3.5	66.9	3.5	735	55.5	3.7	56.0	3.7
	White non-Hispanic alone	1,303	1,301	871	66.9	3.5	67.0	3.5	729	56.0	3.7	56.1	3.7
	Black alone	45	42	26	B	B	B	B	18	B	B	B	B
	Asian alone	5	1	1	B	B	B	B	1	B	B	B	B
	Hispanic (of any race)	23	15	10	B	B	B	B	8	B	B	B	B
WISCONSIN	White alone or in combination	1,346	1,336	900	66.9	3.5	67.4	3.5	754	56.0	3.7	56.5	3.7
	Black alone or in combination	54	50	34	B	B	B	B	25	B	B	B	B
	Asian alone or in combination	6	2	2	B	B	B	B	2	B	B	B	B
	Total	4,538	4,421	3,391	74.7	2.7	76.7	2.6	3,253	71.7	2.8	73.6	2.7
	Male	2,223	2,158	1,616	72.7	3.9	74.9	3.8	1,533	68.9	4.0	71.0	4.0
	Female	2,315	2,263	1,775	76.7	3.6	78.5	3.6	1,720	74.3	3.7	76.0	3.7
	White alone	4,005	3,931	3,119	77.9	2.7	79.3	2.7	3,008	75.1	2.8	76.5	2.8
	White non-Hispanic alone	3,776	3,772	3,020	80.0	2.7	80.1	2.7	2,914	77.2	2.8	77.2	2.8
	Black alone	263	263	126	47.7	12.1	47.7	12.1	114	43.5	12.0	43.5	12.0
	Asian alone	117	73	44	B	B	B	B	44	B	B	B	B
	Hispanic (of any race)	242	173	105	43.5	13.7	61.0	16.0	101	41.7	13.7	58.4	16.2
WYOMING	White alone or in combination	4,113	4,040	3,192	77.6	2.7	79.0	2.6	3,081	74.9	2.8	76.3	2.8
	Black alone or in combination	318	318	152	47.8	11.0	47.8	11.0	141	44.3	11.0	44.3	11.0
	Asian alone or in combination	138	94	59	42.4	17.1	62.0	20.3	59	42.4	17.1	62.0	20.3
	Total	436	427	296	67.9	3.4	69.3	3.4	280	64.1	3.5	65.5	3.5
	Male	217	212	141	65.0	5.0	66.5	5.0	132	61.1	5.1	62.5	5.1
	Female	219	215	155	70.8	4.7	72.1	4.7	147	67.2	4.9	68.4	4.8
	White alone	410	405	280	68.3	3.5	69.2	3.5	265	64.5	3.6	65.4	3.6
	White non-Hispanic alone	379	376	265	70.0	3.6	70.6	3.6	251	66.2	3.7	66.8	3.7
	Black alone	2	2	1	B	B	B	B	1	B	B	B	B
	Asian alone	2	-	-	B	B	B	B	-	B	B	B	B
	Hispanic (of any race)	40	38	23	B	B	B	B	21	B	B	B	B
	White alone or in combination	422	416	290	68.6	3.5	69.6	3.5	273	64.7	3.6	65.7	3.6
	Black alone or in combination	4	3	3	B	B	B	B	3	B	B	B	B
	Asian alone or in combination	4	2	2	B	B	B	B	2	B	B	B	B

<sup>1</sup> This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

NOTES:

A dash '-' represents zero or rounds to zero.

The symbol B means that the base is less than 75,000 and therefore too small to show the derived measure.

Estimates may not sum to totals due to rounding.

For information on confidentiality protection, sampling error, nonsampling error, and definitions, see <https://www.census.gov/programs-surveys/cps/technical-documentation/complete.2020.html>

Source: U.S. Census Bureau, Current Population Survey, November 2020

<sup>1</sup> This figure added to or subtracted from the estimate provides the 90-percent confidence interval.

Source: U.S. Census Bureau, Current Population Survey, November 2020