

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

EVAN MILLIGAN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No.: 2:21-cv-01530-AMM
)	
JOHN H. MERRILL, in his)	THREE-JUDGE COURT
official capacity as Secretary of)	
State of Alabama, et al.,)	
)	
<i>Defendants.</i>)	

DEFENDANT JOHN H. MERRILL'S EXHIBIT LIST

Comes now Defendant Secretary of State John Merrill and identifies his exhibits relating to this Court's preliminary injunction proceedings in the attached Exhibit List. Each of these exhibits may be presented by Elmo or other means of projection.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that on December 27, 2021, I electronically filed the foregoing notice with the Clerk of the Court using the CM/ECF system, which will send notice to all counsel of record.

/s/ James W Davis

Counsel for Secretary Merrill

TRIAL EX. NO.	DESCRIPTION	OFFERED	ADMITTED
1.	Thomas M. Bryan – Singleton Report		
2.	Thomas M. Bryan – Milligan Report		
3.	Thomas M. Bryan CV		
4.	Thomas M. Bryan Supplemental Report – Final		
5.	M.V. Hood III Expert Report		
6.	M.V. Hood III Supplemental Report – Final		
7.	Clay Helms Declaration		
8.	Mary McIntyre Declaration (12.20.21)		
9.	Declaration of Josiah Bonner, Jr.		
10.	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 1		
11.	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 2		
12.	Bonner Declaration Bonner Deposition Testimony with exhibits - Part 3		
13.	Byrne Testimony and Exhibits Part 1		
14.	Byrne Testimony and Exhibits Part 2		
15.	1991-06-14 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Mobile , AL) SOS008654		
16.	1991.08.21 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Montgomery AL) SOS 007291		
17.	1991.10.02 Public Hearing Transcript - Joint Legislative Committee on Reapportionment (Montgomery AL) SOS007200		
18.	1992.03.29 DOJ Objection letter		
19.	Evans Letter to DOJ 4.15.1992 SOS007081		
20.	Evans letter to DOJ 3.10.1992 SOS007085		
21.	Evans Letter to Justice Dept. 3.10.1992, Section 5 Submission by State of Alabama SOS007070		
22.	Evans Letter to Justice Dept. 3.10.1992, Section 5 Submission by State of Alabama SOS007070 Part 2		
23.	DOJ Letter to Jimmy Evans 3.27.1992 SOS007071		
24.	Kathleen L. Wilde fax to John Tanner of the DOJ 3.25.1992 SOS007079		

25.	Letter to DOJ re Preclearance Submission of Al. Act. No. 2011-518 SOS002646		
26.	2001 Alabama State Board of Education Districts		
27.	2011 Plan - <i>Alabama v. Holder</i> (DDC) Complaint		
28.	2011 Plan – <i>Alabama v. Holder</i> (DDC) Dismissal		
29.	2011 Plan - <i>Alabama v. Holder</i> (DDC) DOJ Preclearance		
30.	<i>State of Alabama v. Holder</i> Errata to Complaint SOS000172		
31.	2010 Allen Congressional Plan 4 SOS001466		
32.	2011 Preclearance Allen Plan 6 SOS001551		
33.	2011 Preclearance Beason Plan SOS001565		
34.	2011 Preclearance bpshan SOS001448		
35.	2011 Preclearance Buskey Congressional Plan SOS001621		
36.	2011 Preclearance Hammon All District Status SOS001579		
37.	2011 Preclearance Map McClendon Congressional Plan 1 - Map-0SOS001431		
38.	2011 Preclearance McClendon Congressional Plan 1 SOS001593		
39.	2011 Preclearance Poole Congressional Plan 4 SOS001607		
40.	2011 Preclearance Population Summary Report State 1 SOS001537		
41.	2011 Plan - 2 - Population and VAP Summary - Single Race		
42.	2011 Plan - 3 - Population and VAP Summary - Any Part Race		
43.	2011 Plan - 4 - Plan Components' Population and VAP - Any Part Race		
44.	2011 Plan - 5 - Plan Components' Population and VAP - Single Race		
45.	2011 Plan - 6 - County and Voting Districts Splits		
46.	2011 Preclearance Population Summary Report Allen SOS001635		

47.	2011 Preclearance Population Summary Report McClammy SOS001509		
48.	2011 Preclearance Population Summary Report SOS001649		
49.	2020 Annual Report - State Personnel Board		
50.	2020 Democratic Runoff		
51.	2020-03 Certification AL Democratic Party Primary Runoff Candidates 2020-03-11		
52.	2021-10-25 2021 2nd Special Session Proclamation		
53.	2021 Alabama Congressional Plan Bill History with Recorded Votes		
54.	2021 Redistricting Plans Comparative by District Analysis Congressional		
55.	2021 Plan - 1 - Map		
56.	2021 Plan - 2 - District Statistics		
57.	2021 Plan - 3 - Population Summary - Single Race		
58.	2021 Plan - 4 - VAP Summary - Single Race		
59.	2021 Plan - 5 - Population Summary - Any Part Race		
60.	2021 Plan - 6 - VAP Summary - Any Part Race		
61.	2021 Plan - 7 - Plan Components' Population and VAP		
62.	2021 Plan - 8 - County and Voting District Splits		
63.	2021 Plan - 9 - City Splits		
64.	2021 Plan - 10 - Reock Compactness Measure		
65.	2021 Plan - 11 - Schwartzberg Compactness Measure		
66.	2021.09.07 Public Hearing Transcript - Permanent Legislative Committee On Reapportionment (Shelton State - Tuscaloosa AL)		
67.	AL DEM Cert. Amend 12182019		
68.	Application of Appellant Billy Joe Camp, Secretary of State of Alabama, for Stay of Judgment Pending Appeal		
69.	Certification of Results June 4, 1996, Constitutional Amendments		

70.	Democratic Party-Official 2020 Primary Election Results (1)		
71.	District Statistics Report Congressional Final, May 16		
72.	2021 Reapportionment Committee's Guidelines		
73.	Exhibits to Congressional Submission SOS002005		
74.	Final Exhibits - District Statistics Report Congressional Final, May 16		
75.	Hatcher Plan - 1 - Map		
76.	Hatcher Plan - 2 - District Statistics		
77.	Hatcher Plan - 3- Population Summary - Single Race		
78.	Hatcher Plan - 4 - VAP Summary - Single Race		
79.	Hatcher Plan - 5- VAP Summary - Any Part Race		
80.	Hatcher Plan - 6 - Population Summary - Any Part Race		
81.	Hatcher Plan - 7 - Plan Components' Population and VAP		
82.	Hatcher Plan - 8 - County and Voting District Splits		
83.	Hatcher Plan - 9 - City Splits		
84.	Hatcher Plan - 10 - Reock Compactness Measure		
85.	Hatcher Plan - 11 - Schwartzberg Compactness Measure		
86.	<i>Jones v. Jefferson County</i> – Motion for Consent Order (agreed before litigation)		
87.	Kiani Gardner – CD-1 candidate endorsed by ADC		
88.	Alabama Advisory Committee to U.S. Commission on Civil Rights Report (July 2020)		
89.	Letter to John Park Jr. 11.21.2011 SOS000514		
90.	Letter to John Tanner dated 4.15.1992		
91.	Liu – Alabama Democrats Candidate list 2020 Primaries		

92.	SCOTUS No. 91-1553 - Appellee Paul Charles Wesch's Motion to Dismiss or Affirm		
93.	SCOTUS No. 91-1553 - Jurisdictional Statement		
94.	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 1		
95.	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 2		
96.	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 3		
97.	SCOTUS No. 91-1553 - Appendix to the Jurisdictional Statement Part 4		
98.	Pierce Map 9.91991 SOS007159		
99.	Pleasant Grove Settlement Agreement		
100.	Preclearance submission Exhibit C-10 alternative plan McClammy		
101.	Preclearance submission Exhibit C-11 alternative plan McClammy 2M		
102.	Preclearance submission Exhibit C-12 alternative plan McClammy PPB		
103.	Preclearance submission Exhibit C-13 alternative plan Poole-Hubbard		
104.	Preclearance submission Exhibit C-14 alternative plan alternative plan State 1		
105.	Preclearance submission Exhibit C-8 alternative plan Allen		
106.	Preclearance submission Exhibit C-9 alternative plan Greer 2		
107.	Reapportionment Committee Guidelines for Legislative, State Board of Education, and Congressional Redistricting State of Alabama May 2011		
108.	Legislative Reapportionment Public Hearings_Aug 5		
109.	Singleton 1 Plan - 1 - Map		
110.	Singleton 1 Plan - 3 - District Statistics		
111.	Singleton 1 Plan - 4 - Population Summary - Single Race		
112.	Singleton 1 Plan - 5 - VAP Summary - Single Race		

113.	Singleton 1 Plan - 6 - Population Summary - Any Part Race		
114.	Singleton 1 Plan - 7 - VAP Summary - Any Part Race		
115.	Singleton 1 Plan - 8 - Plan Components' Population and VAP		
116.	Singleton 1 Plan - 9 - County and Voting District Splits		
117.	Singleton 1 Plan - 10 - City Splits		
118.	Singleton 1 Plan - 11 - Reock Compactness Measure		
119.	Singleton 1 Plan - 12 - Schwartzberg Compactness Measure		
120.	Singleton 2 Plan - 3 - District Statistics		
121.	Singleton 2 Plan - 4 - Population Summary - Any Part Race		
122.	Singleton 2 Plan - 5 - VAP Summary - Any Part Race		
123.	Singleton 2 Plan - 6 - Plan Components' Population and VAP		
124.	Singleton 2 Plan - 7 - County and Voting District Splits		
125.	Singleton 2 Plan - 8 - City Splits		
126.	Singleton 2 Plan - 9 - Reock Compactness Measure		
127.	Singleton 2 Plan - 10 - Schwartzberg Compactness Measure		
128.	Singleton 3 Plan - 1 - Map		
129.	Singleton 3 Plan - 3 - District Statistics		
130.	Singleton 3 Plan - 4 - VAP Summary - Single Race		
131.	Singleton 3 Plan - 5 - Population Summary - Single Race		
132.	Singleton 3 Plan - 6 - Population and VAP Summary - Any Part Race		
133.	Singleton 3 Plan - 7 - Plan Components' Population and VAP		
134.	Singleton 3 Plan - 8 - County and Voting District Splits		
135.	Singleton 3 Plan - 9 - City Splits		
136.	Singleton 3 Plan - 10 - Reock Compactness Measure		

137.	Singleton 3 Plan - 11 - Schwartzberg Compactness Measure		
138.	SOS002410 Reapportionment Committee Guidelines May 2011		
139.	<i>Thompson v. Merrill</i> Alabama Board of Pardons and Paroles Chair Leigh Gwathney's Objections and Answers to Plaintiffs' First Set of Interrogatories to Her		
140.	<i>Thompson v. Merrill</i> SOS Merrill's Objections and Answers to Plaintiff's First Set of Interrogatories to Him		
141.	US election 2020 Why Trump gained support among minorities		
142.	DOJ Letter withdrawing objection		
143.	Wesch -Supplemental Stipulation		
144.	<i>Milligan v. Merrill</i> Deposition Transcript of Randy Hinaman 2021.12.09 Part 1		
145.	<i>Milligan v. Merrill</i> Deposition Transcript of Randy Hinaman 2021.12.09 Part 2		
146.	2000 Population State Board of Education		
147.	Letter to DOJ Feb. 7, 2002, re: Submission under Section 5 of the VRA of 65, Ala. Act No. 2002-73		
148.	Letter to Civil Rights Division re Preclearance Submission of Ala. Act. No. 2011-677 – 1212857 Sept. 21, 2011		
149.	US Congress Final District Statistics Report SOS001080		
150.	CDC MMWR – Study Showing vaccination by SVI index		
151.	2021 Census – Alabama Profile		
152.	Hispanic Voters Now Evenly Split Between Parties, WSJ Poll Finds		
153.	Sentencing Project, The Color of Justice Racial and Ethnic Disparity in Prison		
154.	Redistricting Alabama: How South Alabama could be split due to Baldwin County's growth		
155.	Voting Determination Letters for Alabama		
156.	Felon Voting Rights Final Version		
157.	2017.08.09 Alabama Senate Profile – Robert Kennedy Jr. says he's more than a name		

158.	Economic Policy Institute, State unemployment by race and ethnicity (2021Q3)		
159.	Democratic_Party-Official 2020 Primary Election Results (only CD1 and CD2 results others hidden)		
160.	Census 2018 Voting and Reg by Race		
161.	Census 2016 Voting and Reg by Race		
162.	Becoming Less Separate		
163.	Defendant's First Evidentiary Submission		
164.	Randy Hinaman Amended Notice of Deposition 120921		
165.	Letter to Justice Dept. 3.10.1992 Section 5 Submission by State of Alabama Part 1		
166.	Letter to Justice Dept. 3.10.1992 Section 5 Submission by State of Alabama Part 2		
167.	Legislative Reapportionment Public Hearings_Aug 5		
168.	ACS 2019 Data Connecticut		
169.	ACS 2019 Data United States		
170.	Bradley Byrne Declaration		

My name is Thomas Bryan¹. I am a professional demographer and political redistricting expert witness. I have been retained by the State of Alabama to provide analysis and support in the case of *Singleton v. Merrill*.² A copy of my CV is attached to this report.

I am over 18 years of age and I have personal knowledge of the facts stated herein.

EXPERT QUALIFICATIONS

I graduated with a Bachelor of Science in History from Portland State University in 1992. I graduated with a Master of Urban Studies (MUS) from Portland State University in 1996, and in 2002 I graduated with a Masters in Management and Information Systems (MIS) from George Washington University. Concurrent with earning my Management and Information Systems degree, I earned my Chief Information Officer certification from the GSA.³

My background and experience with demography, census data and advanced analytics using statistics and population data began in 1996 with an analyst role for the Oregon State Data Center. In 1998 I began working as a statistician for the US Census Bureau in the Population Division – developing population estimates and innovative demographic methods. In 2001 I began my role as a professional demographer for ESRI Business Information Solutions, where I began developing my expertise in Geographic Information Systems (GIS) for population studies. In May 2004 I continued my career as a demographer, data scientist and expert in analytics in continuously advanced corporate roles, including at Altria and Microsoft through 2020.

In 2001 I developed a private demographic consulting firm “BryanGeoDemographics” or “BGD”. I founded BGD as a demographic and analytic consultancy to meet the expanding demand for advanced analytic expertise in applied demographic research and analysis. Since then, my consultancy has broadened to include litigation support, state and local redistricting, school redistricting, and municipal infrastructure initiatives. Since 2001, I have undertaken over 150 such engagements in three broad areas:

- 1) state and local redistricting,
- 2) applied demographic studies, and
- 3) school redistricting and municipal Infrastructure analysis.

¹ <https://www.linkedin.com/in/thomas-bryan-424a6912/>

² <https://redistricting.lls.edu/wp-content/uploads/AL-singleton-20210927-complaint.pdf>

³ Granted by the General Services Administration (GSA) and the Federal IT Workforce Committee of the CIO Council.

My background and experience with redistricting began with McKibben Demographics from 2004-2012, when I provided expert demographic and analytic support in over 120 separate school redistricting projects. These engagements involved developing demographic profiles of small areas to assist in building fertility, mortality and migration models used to support long-range population forecasts and infrastructure analysis. Over this time, I informally consulted on districting projects with Dr. Peter Morrison. In 2012 I formally began performing redistricting analytics and continue my collaboration with Dr. Morrison to this day.

I have been involved with over 40 significant redistricting projects, serving roles of increasing responsibility from population and statistical analyses to report writing to directly advising and supervising redistricting initiatives. Many of these roles were served in the capacity of performing Gingles analyses, risk assessments and Federal and State Voting Rights Act (VRA) analyses in state and local areas.

In each of those cases, I have personally built, or supervised the building of, one or more databases combining demographic data, local geographic data and election data from sources including the 2000, the 2010 and now 2020 decennial Census. I also innovated the use of the US Census Bureau's statistical technique of "iterative proportional fitting" or "IPF" of the Census Bureau's American Community Survey (ACS) and the Census Bureau's Special Tabulation of Citizen Voting Age Population Data to enable the development of districting plans at the Census block level. This method has been presented and accepted in numerous cases I have developed or litigated. These data have also been developed and used in the broader context of case-specific traditional redistricting principles and often alongside other state and local demographic and political data.

In 2012 I began publicly presenting my work at professional conferences. I have developed and publicly presented on measuring effective voting strength, how to develop demographic accounting models, applications of using big data and statistical techniques for measuring minority voting strength – and have developed and led numerous tutorials on redistricting. With the delivery of the 2020 Census, I have presented on new technical challenges of using 2020 Census data and the impact of the Census Bureau's new differential privacy (DP) system. This work culminated with being invited to chair the "Assessing the Quality of the 2020 Census" session of the 2021 Population Association of America meeting, featuring Census Director Ron Jarmin.

I have written professionally and been published since 2004 in numerous peer-reviewed academic publications. I am the author of “Population Estimates” and “Internal and Short Distance Migration” in the definitive demographic reference “The Methods and Materials of Demography”. In 2015 I joined a group of professional demographers serving as experts in the matter of *Evenwel, et al. v. Texas* case. In *Evenwel* I served in a leadership role in writing an Amicus Brief on the use of the American Community Survey (ACS) in measuring and assessing one-person, one vote. I also successfully drew a map for the State of Texas balancing both total population from the decennial census and citizen voting age population from the ACS (thereby proving that this was possible – a key tenet of the case). I believe this was the first and still only time this technical accomplishment has been achieved in the nation at a state level. In 2017 I co-authored “From Legal Theory to Practical Application: A How-To for Performing Vote Dilution Analyses.” In 2019 I co-authored “Redistricting: A Manual for Analysts, Practitioners, and Citizens”. In 2021 I authored an assessment of the impact of the U.S. Census Bureau’s approach to ensuring respondent privacy and Title XIII compliance by using a disclosure avoidance system involving differential privacy and was certified as an expert by the US District Court of Alabama Eastern Division. In 2021 I also co-authored ““The Effect of the Differential Privacy Disclosure Avoidance System Proposed by the Census Bureau on 2020 Census Products: Four Case Studies of Census Blocks in Alaska”.

I have been retained to develop, analyze and/or critique four state redistricting plans in 2021, including the state legislature for the Republican Texas House Committee on Redistricting, the state senate for Democratic Counsel for the State of Illinois, and state senate and legislature for Republican Counsel for the State of Wisconsin.

I have been deposed once in the last four years, in the matter of *Harding v. County of Dallas*.

I maintain membership in numerous professional affiliations, including:

- International Association of Applied Demographers (Member and Board of Directors)
- American Statistical Association (Member)
- Population Association of America (Member)
- Southern Demographic Association (Member)

My rate is \$350 per hour for analysis, research and report writing, and \$500 per hour for depositions and testimony.

In this report, I provide:

- 1) A demographer's perspective on the Alabama redistricting process and the *Singleton v. Merrill* case.
- 2) A summary and interpretation of traditional redistricting principles.
- 3) A discussion of "One Person One Vote" (OPOV) and its relevance to this case.
- 4) A discussion and analysis of the census and DOJ definitions of "Black" population.
- 5) An independent and factual analysis of plaintiffs' plan, the State of Alabama's enacted plan, and several other hypothetical plan options illustrating further alternative plan scenarios worthy of consideration.
- 6) A series of maps of alternative whole-county plans, as well as maps demonstrating features of Plaintiff's plan and the enacted plan.

Based on my knowledge and experience as a demographer, I conclude, among other points presented in this report, that:

- 1) the whole county plan suggested by plaintiffs has population deviation among the districts so that some persons votes are weighted more than others, and that deviation at the beginning of the decade is likely to result in far greater deviation by the end of the decade than a plan with zero deviation;
- 2) a map-drawer can racially gerrymander while keeping counties whole;
- 3) a requirement to keep counties whole does not necessarily result in the political result plaintiffs apparently desire, which is two congressional districts likely to elect a Democrat;
- 4) while counties were historically important communities of interest, before advances in communications and transportation, they have far less importance today; and
- 5) plaintiffs' whole county plan does not observe the important traditional districting criteria of preserving the core of existing districts.

It is my understanding that plaintiffs have also proposed modification to the whole county plan with county splits to result in less, or no, deviation. Because such alternatives are no longer whole county plans, and because the focus of this report is on the effect of a whole county requirement, this report focuses on the whole county plan proposed in plaintiffs' complaint.

I reserve the right to supplement this report.

1) A demographer's perspectives on the Alabama redistricting process and issues posed in *Singleton v. Merrill*.

The Alabama State Legislature is responsible for drawing both congressional and state senate and state house boundaries, as well State Board of Education districts. Both chambers of the state legislature must approve a single redistricting plan. The governor may veto the lines drawn by the state legislature⁴ On May 5, 2021 the State of Alabama issued the "Reapportionment Committee Redistricting Guidelines", which stated among other things:

- "No district shall be drawn that subordinates race-neutral districting criteria to considerations of race, color, or membership in a language minority group (except...) to comply with Section 2";
- "Districts shall be composed of contiguous and reasonably compact geography";
- "Districts shall respect communities of interest...including but not limited to ethnic, racial, economic, tribal, social, geographic or historical identities"; and
- "The legislature shall try to preserve the cores of the existing districts"

Using population estimates from the Census Bureau, the Alabama legislature began to develop redistricting plans in May of 2021. Once the 2020 Census data were delivered in August of 2021, the Alabama legislature utilized that data to continue the redistricting process⁵. Plans were drawn in compliance with the published criteria for redistricting⁶, which includes (among other guidance):

- Ila. Districts shall comply with the United States Constitution, including the requirement that they equalize total population; and
- Iib. Congressional districts shall have minimal population deviation.

On November 4, 2021 the proposed plans were signed into law⁷ by Governor Kay Ivey.

⁴ https://ballotpedia.org/Redistricting_in_Alabama_after_the_2020_census

⁵ <https://www.census.gov/newsroom/press-releases/2021/population-changes-nations-diversity.html>,
<https://www.census.gov/newsroom/press-releases/2021/2020-census-redistricting-data-easier-to-use-format.html>

⁶ <http://www.legislature.state.al.us/aliswww/reapportionment/Reapportionment%20Guidelines%20for%20Redistricting.pdf>

⁷ Alabama enacted a congressional map on Nov. 4, 2021, after Gov. Kay Ivey (R) signed the proposal into law.[1] The Alabama House of Representatives voted 65-38 in favor of the map on Nov. 1 followed by the Alabama State Senate voting 22-7 on Nov. 3.[1][2] This map takes effect for Alabama's 2022 congressional elections.

Alabama enacted state legislative maps for the state Senate and House of Representatives on Nov. 4, 2021, after Gov. Kay Ivey (R) signed the proposals into law.[1] Senators approved the Senate map on Nov. 1 with a 25-7 vote.[3] Representatives approved the Senate map on Nov. 3 with a 76-26 vote.[1] For the House proposal, representatives

On September 27, 2021 (prior to the completion of the 2021 Alabama redistricting process) plaintiffs Bobby Singleton, Rodger Smitherman, Eddie Billingsley, Leonette W. Slay, Darryl Andrews, and Andrew Walker sued John H. Merrill in his official capacity as the Alabama Secretary of State stating:

“Alabama’s current Congressional redistricting plan, enacted in 2011, Ala. Act No. 2011-518, is malapportioned and racially gerrymandered, packing black voters in a single majority-black Congressional district and minimizing their influence in five majority-white districts. This action is brought to require the Alabama Legislature to enact a new plan with 2020 census data that remedies the existing unconstitutional gerrymander by restoring Alabama’s traditional redistricting principle of drawing its Congressional districts with whole counties.⁸”

Plaintiffs in the case thereby claim (prior to the delivery of the actual plan) that: a) there is an existing racial gerrymander; and b) the only appropriate remedy is drawing a plan using whole counties, subordinating all other traditional redistricting principles. It is asserted that strict adherence to the county-line rule would remedy the racial gerrymanders in Alabama’s current congressional redistricting plan, while affording Black voters two performing coalition districts instead of just the one majority-Black district, in which Black voters are now alleged to be excessively concentrated (“packed”). Plaintiffs go on to propose a remedial districting plan complying with their proposed county “bright line” rule. That is – Alabama’s congressional districts must exactly follow county boundaries – and in so doing must subordinate all other traditional redistricting criteria. Including achieving zero population deviation.

Plaintiffs state in their complaint (P.20) that

“By returning to Alabama’s traditional redistricting principle of aggregating whole counties, Alabama can remedy the existing racial gerrymander, restore a measure of rationality and fairness to Alabama’s Congressional redistricting process, and afford African Americans an opportunity to elect candidates of their choice in at

voted 68-35 in favor on Nov. 1 and senators followed on Nov. 3 with a 22-7 vote.[4] These maps take effect for Alabama's 2022 legislative elections.

Alabama's seven United States representatives and 140 state legislators are all elected from political divisions called districts. District lines are redrawn every 10 years following completion of the United States census. Federal law stipulates that districts must have nearly equal populations and must not discriminate on the basis of race or ethnicity.

Source: https://ballotpedia.org/Redistricting_in_Alabama_after_the_2020_census

⁸ <https://redistricting.ils.edu/wp-content/uploads/AL-singleton-20210927-complaint.pdf>

least two districts. Restoring the integrity of county boundaries will advance the representation of black citizens and, indeed, the fair representation of all Alabamians.”

After the Alabama Legislature passed a congressional districting plan, Plaintiffs amended their complaint to challenge the new plan as an alleged racial gerrymander. They continue to argue that the cure is to require Alabama to keep counties whole. Adjudicating the extent to which the Alabama enacted plan is or is not a racial gerrymander is not within the scope of this report or my expertise. However, in this report I shall examine evidence that supports a discussion of whether the Singleton remedy is a racial gerrymander or not.

It is unknown why plaintiffs attempt to revert Alabama congressional redistricting to comply with a county bright line rule as “the” remedy. As cited in the complaint – the use of county lines for redistricting is not without precedent. For a century and a half, Alabama drew its Congressional districts with whole counties⁹ until the 1960 Census. Alabama has not kept all counties whole for the purposes of congressional redistricting since then. Further, while Alabama’s state constitution (Art. IX, § 200) provides that state *senate* districts be contiguous and avoid county splits, the state constitution does not address counties in with respect to congressional districts.

All states must comply with the federal constitutional requirements related to population and anti-discrimination. For congressional redistricting, the Apportionment Clause of Article I, Section 2, of the U.S. Constitution requires that all districts be as nearly equal in population as practicable, which essentially means exactly equal¹⁰. Since the 1960 Census, the “one person, one vote” rule emerged from the Supreme Court’s decision in *Wesberry v. Sanders* (1964) means that Congressional districts must have equal populations so that one person’s vote counts as much as another’s vote. However, it is my understanding that in *Tennant v. Jefferson County*, the Supreme Court of the United States reaffirmed that mathematical precision is not constitutionally required for Congressional districts and that minor deviations from population equality *can be justified* by sufficiently important state interests.

⁹ See https://archives.alabama.gov/legislat/ala_maps/getstart.html State’s exhibit 114-1 in *Chestnut v. Merrill*, CA No. 2:18-CV-00907-KOB (N.D. Ala.)

¹⁰ <https://www.ncsl.org/research/redistricting/redistricting-criteria.aspx>

Plaintiffs also cite the New Jersey SCOTUS case of *Karcher v. Daggett*, which explains circumstances¹¹ under which states can deviate from absolutely perfectly balanced districts. In addition to the instructive outcomes of these cases, the Congressional Research Service has published history and guidance on the use of counties in the context of other criteria¹²:

“...county boundaries, along with contiguity and compactness criteria, as the basis for the construction of congressional district boundaries have historically been state requirements. It appears that it is the fact that many states had such a requirement that makes Altman note that “most congressional districts were contiguous...; and, with the exception of districts in large urban areas, most congressional districts during this period [presumably, 1842-, 1963] were composed of whole counties.” Courts have recognized that preserving political boundaries is a valid consideration for redistricting. The splitting of county and city boundaries has primarily occurred as a result of the political equality requirement in the post-*Baker v. Carr* era and as a result of the Voting Rights Act redistricting requirements. Nineteen states required that the preservation of political subdivision boundaries be a factor in congressional redistricting, and one state allowed it to be a factor in the 2000 redistricting cycle.”

Therefore, while preserving county boundaries is a traditional districting principle, and was used more strictly before the “one person, one vote” rule was announced, it is unclear why county lines should be prioritized over other redistricting criteria or why doing so would result in a better plan. Therefore, it is this demographer’s goal in this report to offer an independent, objective, and factual analysis of the performance of plaintiff’s plan, the State of Alabama’s enacted plan, and several independently generated plans that could be considered other options or scenarios not considered by either party.

¹¹ In *Karcher v. Daggett*, another case that did not involve the more demanding racial gerrymandering standards, the Court suggested that acceptable population deviations for a Congressional redistricting plan can be determined by identifying those alternative plans which produce the lowest population deviations while respecting the state’s policy of preserving political subdivisions (in that case municipalities). 462 U.S. at 739-40. “The showing required to justify population deviations is flexible, depending on the size of the deviations, the importance of the State’s interests, the consistency with which the plan as a whole reflects those interests, and the availability of alternatives that might substantially vindicate those interests yet approximate population equality more closely. By necessity, whether deviations are justified requires case-by-case attention to these factors.” *Id.* at 741.

¹² <https://crsreports.congress.gov/product/pdf/R/R42831/3>

2) Traditional Redistricting Principles

In addition to these mandatory standards set out by the U.S Constitution and the Voting Rights Act, states may adopt their own redistricting criteria, or principles, for drawing the plans. Those criteria appear in state constitutions or statutes, or may be adopted by a legislature, chamber, or committee, or by a court that is called upon to draw a plan when the legislative process fails. The Congressional Research Service explains¹³:

“Many of the “rules” or criteria for drawing congressional boundaries are meant to enhance fairness and minimize the impact of gerrymandering. These rules, standards, or criteria include assuring population equality among districts within the same state; protecting racial and language minorities from vote dilution while at the same time not promoting racial segregation; promoting geographic compactness and contiguity when drawing districts; minimizing the number of split political subdivisions and “communities of interest” within congressional districts; and preserving historical stability in the cores of previous congressional districts.”

The following districting principles (or criteria) have been adopted by many states:

- *Preservation of communities of interest*: District boundaries should respect geographic areas whose residents have shared interests, such as neighborhoods and historic areas.
- *Continuity of representation*. There is a benefit to continuing the political and geographic stability of districts. This can be measured with:
 - *Preservation of districts (“core retention”)*: A redrawn district should include as much of the same residential population as the former district did, as allowed by the minimum population that needs to be rebalanced.
 - *Incumbents*: Districts should not be drawn to include pairs of incumbents.
- *Compactness*: Districts should be geographically compact and not irregular.
- *Contiguity*: All parts of a district should be connected at some point with the rest of the district. Simply put, contiguity means that a pedestrian could walk from any point within the district to any other point within it without needing to cross the district’s boundaries; and
- *Preservation of counties and other political subdivisions*: District boundaries should not cross county, city, or town, boundaries to the extent practicable.

¹³ <https://crsreports.congress.gov/product/pdf/R/R42831/3>

Plaintiffs' allegations fixate on the preservation of county boundaries, and it is in this regard that I now focus. More than a dozen states consider using counties as boundaries for redistricting a state or federal plan, including Alabama, Iowa, Idaho, Kentucky, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Jersey, North Carolina Ohio, Texas, West Virginia and Wyoming. Iowa and West Virginia stand out as states that particularly emphasize the use of counties in drawing congressional districts.¹⁴

In Iowa, Section 37 of their constitution states "a congressional district is composed of two or more counties it shall not be entirely separated by a county belonging to another district and no county shall be divided in forming a congressional district." §42.4.b Redistricting Standards goes on to state:

"Congressional districts shall each have a population as nearly equal as practicable to the ideal district population, derived as prescribed in paragraph "a" of this subsection. No congressional district shall have a population which varies by more than one percent from the applicable ideal district population, except as necessary to comply with Article III, section 37 of the Constitution of the State of Iowa."

I am aware of no such requirement under Alabama law. The Singleton complaint does not acknowledge Iowa as an example of using county boundaries for congressional redistricting but does refer to West Virginia. Article 1, Section 4 of the West Virginia Constitution states "Representatives to Congress. For the election of representatives to Congress, the state shall be divided into districts which shall be formed of contiguous counties and be compact. Each district shall contain, as nearly as may be, an equal number of population, to be determined according to the rule prescribed in the constitution of the United States." I am aware of no such requirement under Alabama law. It is also my understanding that West Virginia never split counties in a congressional map prior to 2010, when the map was challenged and ultimately addressed in *Tennant v. Jefferson County*. I am aware of no such history in Alabama; rather, it is my understanding that Alabama has routinely split one or more counties in its congressional map since the 1960s.

¹⁴ <https://www.ncsl.org/Portals/1/Documents/Redistricting/DistrictingPrinciplesFor2010andBeyond-9.pdf>

Plaintiffs also refer to Georgia and the case of in *Abrams v. Johnson*. On pages 44 of their amended complaint, plaintiffs write:

“the Supreme Court affirmed a court-ordered Congressional redistricting plan that honored “Georgia’s ‘strong historical preference’ for not splitting counties outside the Atlanta area.” Id. At 99 (citation omitted). The Court agreed that Georgia’s 159 counties provide “ample building blocks for acceptable voting districts without chopping any of those blocks in half.”

What plaintiffs did not mention in their complaint was the actual text in the decision that explained why counties were an acceptable form of geography specific to use in Georgia:

“The court acknowledged that maintaining political subdivisions alone was not enough to justify less than perfect deviation in a court plan... (“[W]e do not find legally acceptable the argument that variances are justified if they necessarily result from a State’s attempt to avoid fragmenting political subdivisions by drawing congressional district lines along existing county, municipal, or other political subdivision boundaries”). The District Court, in conformance with this standard, considered splitting counties outside the Atlanta area, but found other factors “unique to Georgia” weighed against it.

The court went on to state:

“Georgia has an unusually high number of counties: 159, the greatest number of any State in the Union apart from the much-larger Texas. These small counties represent communities of interest to a much greater degree than is common, and we agree with the District Court that “such a proliferation” provides “ample building blocks for acceptable voting districts without chopping any of those blocks in half.” 864 F. Supp., at 1377.”

The court then went on to describe the remarkably small deviations that resulted from having so many pieces of geography from which to use. The inference in the plaintiff’s complaint is that all of Georgia is drawn with intact counties (which it is not), that Georgia requires the use of counties statewide for congressional redistricting (which it does not) and that Georgia’s matter is somehow representative and can be considered illustrative for other states (which the court expressly said it was not). In summary, while there are a number of unique instances where states can and do rely on counties for congressional redistricting – they are very limited and are not generalizable to Alabama in the way plaintiffs suggest.

3) Abiding by “One Person, One Vote”

The core purpose of the Census is to apportion political power, and to allow states and localities to draw political districts that equalize political power through “one person, one vote” or OPOV. The “one person, one vote” principle is meant to ensure that voters in each election district hold equally weighted ballots. Equalizing total population during redistricting, to the last person, accomplishes this end. Any difference from perfectly balanced population during redistricting will introduce what is formally known as “deviation”. Using a simple example: let us say that:

- A state has 20,000 people and needs to be divided into 2 congressional districts.
- The state will redistrict using traditional redistricting principles.
- The state has gotten an exception to balancing their population perfectly. State leadership gives District 1 10,125 people (overpopulated by 1.25%), and District 2 9,875 (underpopulated by 1.25%).

In this scenario, the population deviation is 2.5%. The impact of this difference is beyond numeric though. District 1 does not enjoy the benefits of one person one vote. Since they are overpopulated, each resident’s vote is diluted. One person = .9875 votes. Similarly, District 2 *more than enjoys the* benefits of one person one vote. Since they are underpopulated, each resident’s vote is magnified. One person = 1.0125 votes.

The entire legal and political impact of OPOV and unbalanced population is beyond the scope of this paper, but the demographic impact is not. Conventionally, the concept of “deviation” is only measured at a point in time – when redistricting is done. In *Singleton v. Merrill* the court is being asked to accept what is characterized as a small amount of deviation to mitigate much more serious alleged ulterior motives. Since plaintiffs ask for leniency in allowing some population deviation as of 2020 in their plan, I contemplated the impact of that deviation not just in 2020 – but over the course of the decade from 2020 to 2030 (that is, the period of time that the districts are to be used). Other than as a thought exercise, I would not do this for a normal redistricting analysis because congressional districts usually start with the smallest deviation possible: 0 or 1 person. However, if we are being asked to allow for *some* deviation among districts now - then I argue that we should know the impact of this deviation over the decade of their anticipated use, not just the year they were developed. In Section 4 (“Deviations”) I perform a demographic analysis where I produce a series of rigorous population forecasts, then assess what I *expect* the deviations to be over time from the plaintiff’s plan, the State of Alabama’s plan and a variety of other independently developed plans. I did not have any a priori knowledge or expectations whether the plaintiffs plan would perform better than, the same, or worse than a plan such as Alabama’s starting with zero deviation.

4) Census Race Definitions

On page 29 of their amended complaint, plaintiffs state:

“The Plaintiffs’ proposed Whole County Plan uses the official 2020 census data released on August 12, 2021. With an overall maximum deviation of only 2.47%, it contains a Black Belt District 7 that is only 0.11% above ideal population and has 49.9% black registered voters...”

The text of their report refers to a percent of Black voters, without reference or citation. On the following pages of their complaint, plaintiffs present a map and an almost illegibly small table that appears to show “%BL 18 In this table, District 6 appears to have “40.55%”, District 7 appears to have “45.81%” and the total appears to have “25.06% of “%BL 18+”. It is unknown what this is because it is also presented without reference or citation.

In the field of demography, and indeed in redistricting cases, the definition of the population in question is critical. Since the foremost purpose of the census is to generate statistics for the purpose of apportionment and redistricting – it is unclear why here plaintiffs refer to undocumented voting strength statistics rather than census Black Voting Age Population. Before I proceed, I will here try to define and document the true “Black” population of the two Black districts in the plaintiff’s remedial plan.

The 2010 Census allowed respondents to self-declare their ethnic and racial identification:

“In order to facilitate enforcement of the Voting Rights Act, the Census Bureau asks each person counted to identify their race and whether they are of Hispanic or Latino origin. Beginning with the 2010 Census (and continuing in 2020) the racial categories available in the Census were: White, Black, American Indian, Asian, Native Hawaiians and other Pacific Islanders, and Some Other Race. Persons of Hispanic or Latino origin might be of any race. Persons were given the opportunity to select more than one race – and that race could be in combination with Hispanic or non-Hispanic origin.”¹⁵

The result is that the Census Bureau reports 263 different population counts for each level of Census geography in the country. A “Black” in Alabama therefore can be Black alone, or perhaps in combination with other races or possibly even also Hispanic. Since 2010, the number and proportions of multi-race populations in the United States has grown markedly.¹⁶ An examination of Appendix 1 “Census 2020 Alabama Black Population Total, non-Hispanic and

¹⁵ “How to Draw Redistricting Plans That Will Stand Up In Court”, National Conference of State Legislators (NCSL), January 22, 2011, p. 17.

¹⁶ Experts own independent observations.

Hispanic Combinations” reveals numerous new and important findings on who Blacks are in Alabama.

In Appendix 1 the population is reported starting in total, then progressing by row through race alone and race in combination for Alabama’s Black population. Column A shows the total population and Column B shows the % of the total population for that group. Column C shows the non-Hispanic population and Column D shows the % of the total population for that group. Column E shows the Hispanic population and Column F shows the % of the total population for that group. In Appendix 2, the same format follows for the Alabama Black Voting Age Population (VAP).

In Appendix 1 (P.43), Column A (Total Population) I show that the Black or African American alone population is 1,296,162 – or 25.8% of the population. At the bottom of the table, I show the incremental impact of Black alone or in combination. When all other race combinations are added, the Black population is 1,364,736 – or 27.2% of the population as shown in Table 4.1 (P.15). This represents an additional 68,574 Blacks, or 5.0% of the total Alabama Black population.

In Appendix 2, Column A (Voting Age Population) I see that the Black or African American alone population is 981,723 – or 25.1% of the population. At the bottom of the table, I show the incremental impact of Black alone or in combination. When all other race combinations are added, the Black population is 1,014,372 – or 25.9% of the VAP as shown in Table 4.2 (P.15). This represents an additional 68,574 Blacks, or 3.2% of the Alabama Black VAP.

The “%BLK 18+” population in the plaintiff’s report appears to be Alabama’s Black alone VAP from the 2020 Census. But in this matter precise definitions matter. This “alone” definition is the one most consistently used historically in VRA cases because a) a multi-race classification did not exist prior to 2000; and b) the “alone” definition has been most defensible from a political science / Gingles 2 voting behavior perspective. On September 1, 2021 the DOJ published “Guidance under Section 2 of the Voting Rights Act, 52 U.S.C. 10301, for redistricting and methods of electing government bodies”¹⁷ which states:

The Department’s initial review will be based upon allocating any response that includes white and one of the five other race categories identified in the response. Thus, the total numbers for “Black/African American,” “Asian,” “American Indian/Alaska Native,” “Native Hawaiian or Other Pacific Islander,” and “Some other race” reflect the total of the single-race responses and the multiple

¹⁷ <https://www.justice.gov/opa/pr/justice-department-issues-guidance-federal-statutes-regarding-redistricting-and-methods>

responses in which an individual selected a minority race and white race. The Department will then move to the second step in its application of the census data by reviewing the other multiple-race category, which is comprised of all multiple-race responses consisting of more than one minority race. Where there are significant numbers of such responses, the Department will, as required by both the OMB guidance and judicial opinions, allocate these responses on an iterative basis to each of the component single-race categories for analysis. *Georgia v. Ashcroft*, 539 U.S. 461, 473, n.1 (2003).

In order to facilitate analysis that reflects current DOJ guidance, I will include analysis containing both Black alone (individuals who identify Black as their only race and are not Hispanic) or in combination (people who identify as Black plus one or more other categories, hereafter referred to as the “All Black” definition in this report) as appropriate.

Table 4.1 Singleton Plan Total Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	720,903	178,921	190,043	24.8%	26.4%
2	709,514	184,471	197,316	26.0%	27.8%
3	715,486	121,007	131,328	16.9%	18.4%
4	712,333	40,533	47,917	5.7%	6.7%
5	727,206	125,405	139,063	17.2%	19.1%
6	720,310	298,729	308,741	41.5%	42.9%
7	718,527	339,093	350,328	47.2%	48.8%
Grand Total	5,024,279	1,288,159	1,364,736	25.6%	27.2%

Table 4.2 Singleton Plan Voting Age Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	559,860	131,988	137,385	23.6%	24.5%
2	553,805	139,700	145,697	25.2%	26.3%
3	556,784	92,167	96,652	16.6%	17.4%
4	550,055	31,122	33,882	5.7%	6.2%
5	569,546	96,864	103,325	17.0%	18.1%
6	562,843	227,389	233,260	40.4%	41.4%
7	564,273	257,502	264,171	45.6%	46.8%
Grand Total	3,917,166	976,732	1,014,372	24.9%	25.9%

Table 4.3 HB1 Plan Total Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	717,754	185,771	196,827	25.9%	27.4%
2	717,755	216,019	228,648	30.1%	31.9%
3	717,754	175,783	187,284	24.5%	26.1%
4	717,754	51,314	59,655	7.1%	8.3%
5	717,754	123,355	136,782	17.2%	19.1%
6	717,754	137,209	145,897	19.1%	20.3%
7	717,754	398,708	409,643	55.5%	57.1%
Grand Total	5,024,279	1,288,159	1,364,736	25.6%	27.2%

Table 4.4 HB1 Plan Voting Age Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	557,535	137,354	142,777	24.6%	25.6%
2	557,677	161,893	167,971	29.0%	30.1%
3	564,281	135,659	141,011	24.0%	25.0%
4	556,133	39,507	42,819	7.1%	7.7%
5	561,187	95,014	101,339	16.9%	18.1%
6	552,286	100,385	104,551	18.2%	18.9%
7	568,067	306,920	313,904	54.0%	55.3%
Grand Total	3,917,166	976,732	1,014,372	24.9%	25.9%

Table 4.5 Existing 2011 Plan Total Population by District (Replicates in part Plaintiff Figure 10)

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	726,276	188,431	199,586	25.9%	27.5%
2	693,466	211,862	224,221	30.6%	32.3%
3	735,132	186,438	198,228	25.4%	27.0%
4	702,982	46,919	54,662	6.7%	7.8%
5	761,102	130,351	144,648	17.1%	19.0%
6	740,710	120,130	128,681	16.2%	17.4%
7	664,611	404,028	414,710	60.8%	62.4%
Grand Total	5,024,279	1,288,159	1,364,736	25.6%	27.2%

Table 4.6 Existing 2011 Plan Voting Age Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	564,302	139,380	144,863	24.7%	25.7%
2	539,812	159,212	165,202	29.5%	30.6%
3	576,455	143,415	148,910	24.9%	25.8%
4	543,423	36,006	39,038	6.6%	7.2%
5	595,873	100,325	107,050	16.8%	18.0%
6	572,838	89,754	93,787	15.7%	16.4%
7	524,463	308,640	315,522	58.8%	60.2%
Grand Total	3,917,166	976,732	1,014,372	24.9%	25.9%

5) Analysis and Evaluation of Plans

Next, I analyze and evaluate the enacted Alabama plan and plaintiffs' proposed plan using the following measures traditional redistricting criteria:

- A. communities of interest, including:
- B. core retention analysis;
- C. incumbency; and
- D. compactness.

For the purposes of independent comparison and context, I attempted to develop additional Alabama redistricting plans using plaintiff's method of whole counties¹⁸ (consistent with our understanding of the Plaintiff's plan that no other traditional redistricting criteria were considered). In their complaint, plaintiffs go to great lengths discussing the history of redistricting in Alabama and enacted and contested congressional plans. But plaintiffs only offer one remedial plan, with no discussion of whether alternate plan scenarios (and their associated political and demographic outcomes) using their county bright line rule are even possible, nor the long-term consequences of the population deviation they propose. Plaintiffs also do not discuss whether keeping counties whole will always necessarily result in a plan with two Black minority influence districts. It does not.

In the vacuum created by that omission, our goal was to determine whether the plaintiffs plan was the *only way* to develop Alabama congressional districts using whole counties (with their unique demographic and political outcomes and unavoidable population deviation). Was the omission of alternative county-based plans an oversight, or by necessity? Are there *less* favorable political or demographic outcomes plaintiffs chose to overlook? Perhaps there are better outcomes the plaintiffs were unaware of? Without alternate scenarios or analysis, I cannot know. The only way of knowing whether their exact use of whole counties is the best remedy to a questionable harm, I need to know the breadth of outcomes possible with plaintiff's proposed remedy. Is it the strategy and methodology of using whole counties that provides the needed potential relief, or is it the exact combination of counties they propose? If no other combinations of counties provide viable relief, then I must ask why the inflexibility and consequences of one exact county-based plan proposed by the plaintiffs best serves the needs of all the people of Alabama.

¹⁸ Since these plans are developed using counties, the preservation of political subdivisions is given. The contiguity of counties in these alternate plans was enforced.

A. Communities of Interest

The concept of “communities of interest” (COIs) is frequently used, but not always easy to apply to redistricting. The U.S. Supreme Court has specified districts should contain “communities defined by actual shared interests.”¹⁹ The concept of COI can be difficult to define, and, consequently, making use of such an intangible concept in the actual constructing of boundaries may be difficult and arbitrary.²⁰ A broad, commonly used definition is “a group of people who share similar social, cultural, and economic interests, and who live in a geographically defined area”. Others have gone to greater lengths. The University of Michigan Center for Urban, State and Local Policy (CLOSUP) defined communities of interest as:

“While there is no set definition of COIs, we think of a COI as a group of people in a specific geographic area who share common interests (such as economic, historic, cultural, or other bonds) that are linked to public policy issues that may be affected by legislation. CLOSUP's research suggests that COIs can consist of religious, ethnic, or immigrant communities, neighborhoods, people in tourism areas, regional media markets, outdoor recreation or natural resource areas, economic zones, and much more. Examples of COIs include: historical communities; economic communities; racial communities; ethnic communities; cultural communities; religious communities; immigrant communities; language communities; geographic communities; neighborhoods; economic opportunity zones; tourism areas; school districts; outdoor recreation areas; communities defined by natural features; creative arts communities; media markets, etc.

Notably, CLOSUP’s definition does *not* include administrative geography such as counties. Thus COIs can have an infinite array of interpretations and applications in redistricting. In a statewide plan such as in Alabama, meaningful COIs may exist at various geographic scales; not all of them can be preserved simultaneously. Even if one were to consider them all, it would not be possible to preserve them all. In preserving any one or more of them, it would necessarily divide other communities. And those COIs in one part of the state may not prevail in others. Do statewide COIs trump local ones? So then, which COIs should Alabama seek to preserve? Should Alabama rank those in any given area, and if so, on what basis? According to how many members they have? But how can that even be ascertained?

¹⁹ *Miller v. Johnson*, 515 U.S. 900, 919–20 (1995).

²⁰ Matthew J. Streb, *Rethinking American Electoral Democracy*, 2nd ed. (New York: Routledge, 2011), p. 111; Brunell, *Redistricting and Representation*, p. 66; Brickner, “Reading Between the Lines...,” p. 16.

Plaintiffs in this case have sought to elevate just one COI above all others: county geography. Before I proceeded, I investigated county geography and its uses in Alabama's history further to better understand and possibly defend the use of counties for redistricting. In the United States, counties are administrative units of geography and can be thought of as communities of interest. There are over 3,000 of them nationwide (and 67 in Alabama). As administrative units of geography they serve a wide variety of purposes, from finance to infrastructure to services and planning and more. While counties are unquestionably "geographically defined areas" from our first COI definition above, they are rarely uniquely and decisively bound historical communities; economic communities; racial communities; ethnic communities and so forth (from CLOSUP's definition). And this is true in Alabama.

In states such as Alabama, county boundaries preceded the introduction of the automobile. Drawing on the work of Stephan²¹ (1977), a county can be described as a community representing the spatial distribution of a population resulting from its interaction with a governmental unit in accordance with time-minimization theory. Prior to the widespread adoption of long-distance communication devices, transportation technology was the determining factor in this interaction. Thus, county boundaries resulted from the necessity for people to travel between dispersed residences and a county seat under limiting conditions of time and the average velocity of the means of transportation. If county boundaries were too large, portions of the population would not have been able to interact with a center; if too small, then the cost of maintaining the centers would have been unnecessarily high, assuming there were enough local resources to maintain them at all. Ergo, counties are communities of interest historically formed under the constraints of time minimization. They do not have the same importance today that they held before modern communications and transportation.

Alabama is a state rich in history and diversity. With over 5 million residents, the yellowhammer state spans from the mountainous Tennessee Valley to the south by Mobile Bay covering over 52,000 square miles. It contains some of the richest farming country in the nation, alongside tech corridors and growing urban areas. The communities of interest shared by people dependent on a local economy is not defined by county boundaries, when citizens often live in suburbs and bedroom communities in neighboring counties. It could be argued that few Alabamians perceptively regard the administrative county they live in as the foremost, let alone singular definition of their "community of interest". Indeed, it would be difficult to imagine any resident arguing their administrative geography topping their college football allegiances.

²¹ Stephan, G. (1977). Territorial Division: The least-time constraint behind the formation of subnational boundaries. *Science* 1996 (April): 522-523.

Today, much of the historic development and utility of counties as transportation hubs has changed. We no longer need to consider how long it takes on horseback to get from one county seat to another. Their current characteristics and utility are based on residuals of this history. Thus the historic utility of counties and their relevance as communities of interest is changing. If a redistricter were to argue for their prevailing use in designing a plan, they would need to do so for them as individual units as well as for why certain counties in aggregate represent a unifying geography. To the very degree that one argues administrative geographies are important as unique and defining COIs, one argues *against* their collective use and value as homogeneous and representative units of political geography. As with any COI, the aggregation of counties as communities of interest does not somehow a priori create a greater COI. In fact – the voice of any individual county may be eroded when it is aggregated into election districts with other counties. In the *Singleton v. Merrill* complaint – there are no arguments for why counties should prevail not only as a community of interest, but *the* community of interest. In the absence of such a justification, I argue that other COIs capturing regional characteristics, cultural differences and more in Alabama can only be considered and captured using sub-county granularity.

I will go on to show in this section that not only are numerous other configurations of congressional districts possible using counties in Alabama, but that:

- a) there are significant and negative continuity of representation impacts of a county-based redistricting plan on Alabama's Black residents, as demonstrated with a core retention analysis and incumbency analysis;
- b) the use of counties does not remedy gerrymandering, as shown with a compactness analysis; and
- c) the introduction of a deviation from perfectly balancing the size of congressional districts today has long-term and far reaching implications for One Person One Vote in Alabama, as shown with a series of population forecasts.

I conclude by discussing the political performance, the racial outcomes and impact to incumbents of the Plaintiff's plan and more.

B. Core Retention Analysis

Courts have recognized the need to preserve the core of a prior established district as a legitimate redistricting criterion,²² as well as the avoidance of contests between incumbents.²³ Core retention fosters the continuity of political representation. A *Core Retention Analysis* (CRA) is simply a demographic accounting of the addition, subtraction, and substitution of persons that would be brought about by a proposed realignment of a district's existing boundaries. A CRA is a way of quantifying precisely how a proposed realignment would affect the continuity of political representation among a district's current residents and eligible voters.

Here, a CRA can be especially useful in exposing differential effects on specific groups of residents that amount to the denial or abridgement of the right to vote. To illustrate: suppose that 1,000 people now reside in a district in which Blacks constitute 480 (48%) of all the district's eligible voters (a Black "influence" district). Since this district now has too many residents (based upon the 2020 Census), a proposed boundary change retains 800 of its current residents and resituate 200 others in an adjacent district with too few people, thereby satisfying the newly-established requirement that every newly-drawn district be properly apportioned with 800 residents. Here, the "core" of the former district has fully retained numerically: all 800 residents of the newly-drawn district were part of the former district, maintaining the continuity of political representation among the proposed new district's current residents and eligible voters. That district would have a Core Retention percentage of 100%.

The CRA might also show that 150 of all 200 proposed resituated residents are Black. By this measure, "core retention" differs markedly for Blacks, because only 330 (480 minus 150) of the original 480 Black "core" of the former district has been retained. In short, the proposed new district would retain only 69% of the original Black core, thereby depriving 31% of Blacks of continuity of political representation.

Core Retention Analysis has usually only considered only the total populations of districts in comparisons across plans. As illustrated above, that limitation obscures other potentially problematic aspects of redistricting. In this case, I have broadened this standard demographic accounting model, using standard methodology, to present a full evaluation of various alternative redistricting plans, focusing on the right to vote by a protected group.

²² *Abrams v. Johnson*, 521 U.S. 74, 84 (1997).

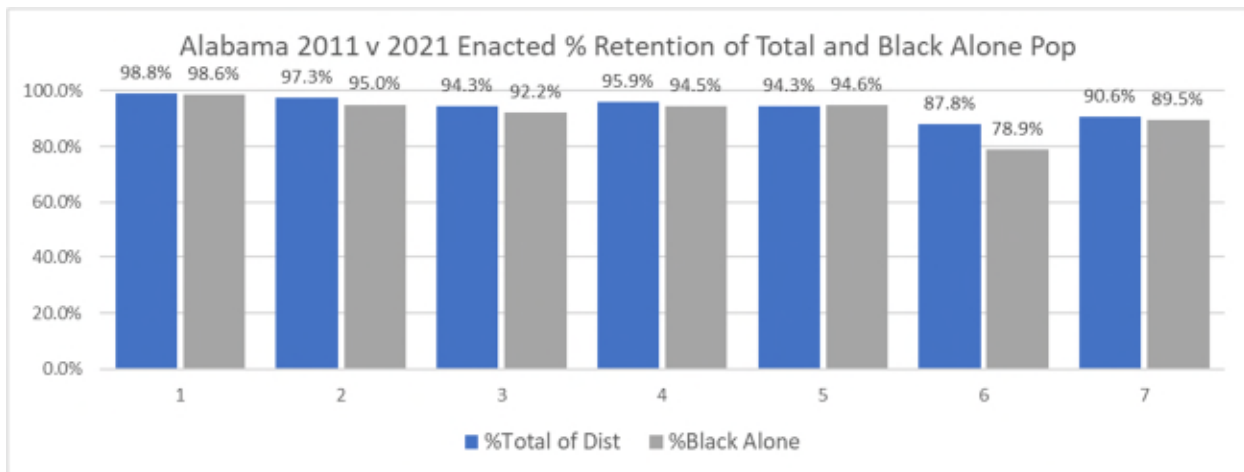
²³ *Bush v. Vera*, 517 U.S. 952 (1996).

Three core retention analyses follow:

- 1) Alabama 2011 v Alabama 2021 enacted
- 2) Alabama 2011 v Singleton
- 3) Alabama 2021 v Singleton

In Figure 5.1 it can plainly be seen that core retention of the total population and the Black population by the State of Alabama 2021 enacted plan compared to the 2011 existing Alabama plan is significant, consistent and comparable, which should have been expected given the least change approach of the 2021 plan.

Figure 5.1 Core Retention of Total and Black Population: 2011 Existing v 2011 Enacted Plans



In Tabl1 5.1 (below) the 2011 existing plan is shown in column 1, and the 2021 enacted plan is shown in column 2. The total population in column 3 is the number of total persons, and the Black population in column 4 is the number of Black persons who were retained and displaced in the 2021 enacted plan. For example, in the first row (1, 1) the total population of 717,754. This is intuitive. The existing 2011 D1 was reduced by exactly the number of persons necessary to balance – leaving 739 persons displaced to D2 and 7,783 persons displaced to D7. Concurrently, 185,771 Black persons are retained in D1, while 158 are displaced to D2 and 2,502 are displaced to D7.

At the bottom of Table 5.1(P.23) is a row named “Number Retained” which is the population in Alabama that did not change districts in the 2021 plan. The next row is “Percent Retained” which is the percent of the population that did not change districts in the 2021 plan. Alabama kept a remarkable 94.1% of the total population and 91.8% of the Black population intact with their 2021 enacted plan. The remainder is “Number Displaced” that were moved to some other district.

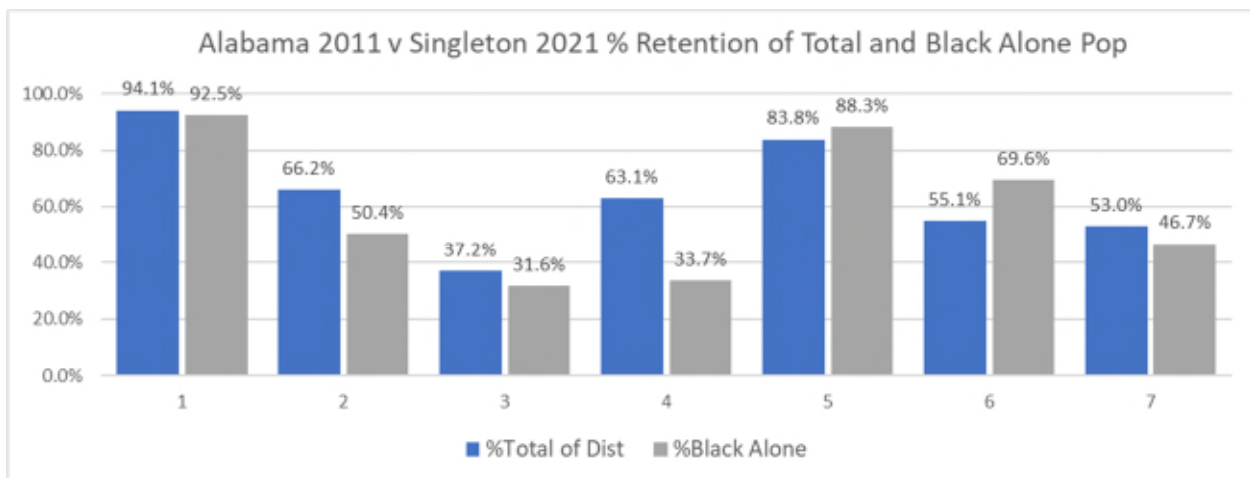
Table 5.1 Core Retention of 2011 Existing and 2021 Enacted Plan

Current 2011 Base District	New 2021 Enacted District	Total Population	Black Alone Population
1	1	717,754	185,771
	2	739	158
	7	7,783	2,502
1 Total		726,276	188,431
2	2	674,947	201,201
	7	18,519	10,661
2 Total		693,466	211,862
3	2	41,867	14,534
	3	693,265	171,904
3 Total		735,132	186,438
4	3	1,697	2
	4	674,218	44,318
	5	185	0
	6	5,012	18
	7	21,870	2,581
4 Total		702,982	46,919
5	4	43,533	6,996
	5	717,569	123,355
5 Total		761,102	130,351
6	3	22,792	3,877
	6	650,382	94,806
	7	67,536	21,447
6 Total		740,710	120,130
7	2	202	126
	4	3	0
	6	62,360	42,385
	7	602,046	361,517
7 Total		664,611	404,028
Number Retained		4,730,181	1,182,872
Percent Retained		94.1%	91.8%
Number Displaced		294,098	105,287
Grand Total		5,024,279	1,288,159

Figure 5.2 presents a core retention analysis of total population and Black population for the Singleton plan compared to the 2011 existing Alabama plan. Here I show two significant effects. First, the Singleton plan has significantly lower core retention, due to the large movements of population necessary to support their plan objective. To that end, I can see that the core retention of the Black population relative to total is:

- comparable in D1;
- much poorer in D2, D3 and D4;
- slightly better in D5 (in a part of Alabama distant from the Black influence discussion);
- slightly better in D6 (due to significant *non*-Black population being disgorged to other districts as part of the apparent attempt to improve the Black racial performance of D6); and
- worse in D7 (where Black population was disproportionately disgorged to D6 in an apparent attempt to balance the Black populations between the two districts).

Figure 5.2 Core Retention of Total and Black Population: State of Alabama 2011 v Singleton



Clearly, the State of Alabama's newly enacted 2021 plan registers consistently and significantly higher levels of core retention for both total and Black population than the Singleton plan - a result that should have been anticipated by the plaintiffs.

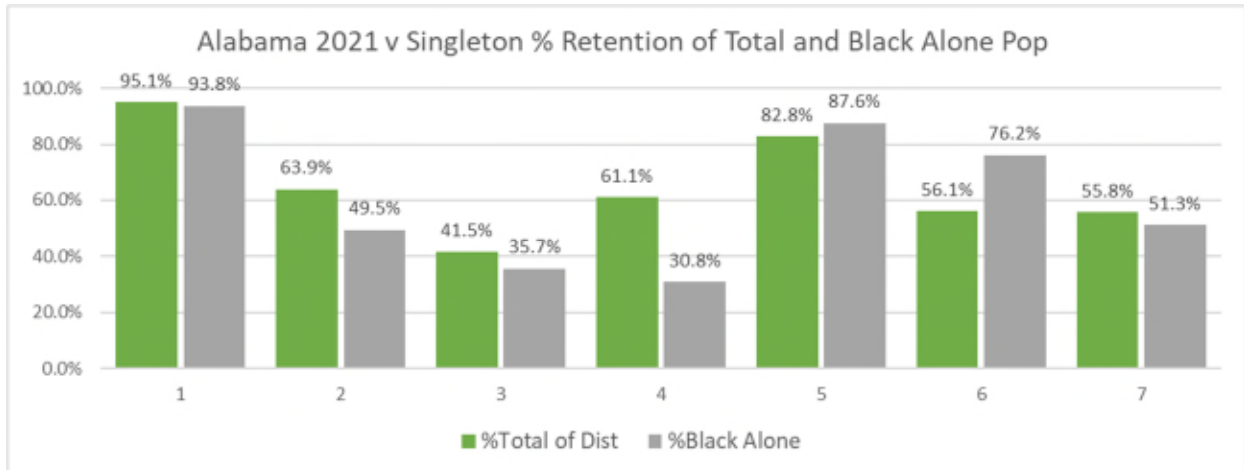
Table 5.2 (P.25) is consistent with Table 5.1 (P.23) except that it compares the Singleton plan with the 2011 existing plan. The significant difference shown in Figures 5.1 and 5.2 are reflected numerically here. The total population and Black population retained is significantly lower than Alabama's CRA shows, and the number displaced is significantly higher. At the bottom of Table 5.2 is the total retained population: 3,257,263 and Black retained population: 743,381. The Singleton plan displaces 1,472,918 more total and 439,491 more Black Alabamians than the enacted 2021 Alabama plan.

Table 5.2 Core Retention of 2011 Existing and Singleton Proposed Plan

Current 2011 Base District	Proposed 2021 Singleton District	Total Population	Black Alone Population
1	1	683,333	174,358
	7	42,943	14,073
1 Total		726,276	188,431
2	1	37,570	4,563
	2	458,812	106,834
	7	197,084	100,465
2 Total		693,466	211,862
3	2	309,507	88,989
	3	273,123	58,903
	4	91,103	8,617
	7	61,399	29,929
3 Total		735,132	186,438
4	3	105,133	15,001
	4	443,687	15,801
	5	89,525	10,361
	7	64,637	5,756
4 Total		702,982	46,919
5	4	123,421	15,307
	5	637,681	115,044
5 Total		761,102	130,351
6	3	278,425	35,751
	4	54,122	808
	6	408,163	83,571
6 Total		740,710	120,130
7	6	312,147	215,158
	7	352,464	188,870
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159
Number Retained		3,257,263	743,381
Percent Retained		64.8%	57.7%
Number Displaced		1,767,016	544,778
Grand Total		5,024,279	1,288,159

This analysis is followed by a core retention analysis of the Singleton plan compared to the State of Alabama 2021 enacted plan. Since the Alabama 2021 enacted plan is similar to the original 2011 plan – it is no surprise that the pattern of retention by district, by total and Black population is consistent – but just slightly different.

Figure 5.3 Core Retention of Total and Black Population: State of Alabama 2021 v Singleton



This superior record for the State’s Plan reflects the advantage of a least change approach: simply adjusting existing boundaries where necessary, instead of completely redrawing all districts, as plaintiffs did. Overall, the differences in core retention shows the significant incremental loss of the continuity of representation borne disproportionately by Alabama’s Black population.

It is also worth noting that in the process of reapportioning the state population after Census 2020, the state effectively unpacked District 7 in an effort to balance each districts population. In examining Table 4.5 (P.16) I show that the existing (that is, pre-apportionment) plan had 664,611 total and 404,028 Black alone population. I show in Table 4.3 (P.16) that the new HB1 plan has 717,754 total and 398,708 Black alone population. That is, D7 added (717,754-664,611) or 53,143 total persons, while disgorging (404,028 – 398,708) or 5,320 Black alone persons to adjacent districts. It is difficult to argue that the State of Alabama deliberately packed Black population when their plan demonstrates that they in fact *unpacked* District 7 (resulting in a reduction in Black alone population from 60.8% to 55.5%) of the total population to the degree practicable while holding other traditional redistricting criteria.

C. Incumbency Analysis

The current residential address of congressional incumbents were geocoded on 11-14-2021. Alabama's enacted plan respects incumbents. While not stated explicitly in their report, the plaintiff plan *does not* respect incumbents. Plaintiffs' plan (Figure 5.4) pairs Palmer and Rogers in proposed District 3 and leaves District 7 unrepresented.

In our subsequent analysis, I consider 13 alternate plans built from counties. Among these - two plans: Plan 2 (S2) Figure 5.5 and Plan 3 (1) Figure 5.6 avoid pairing incumbents - demonstrating that other combinations of counties are possible that respect traditional redistricting principles.

Figure 5.4 Hatcher Plan

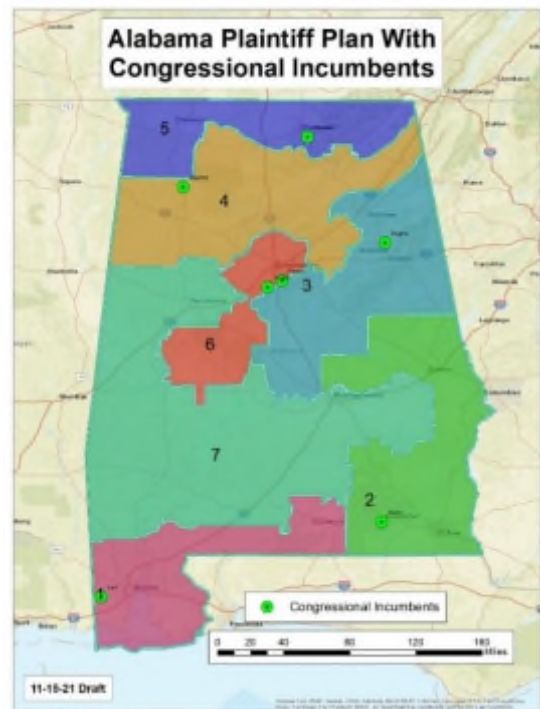


Figure 5.5 Alternate Plan 2 (S2)

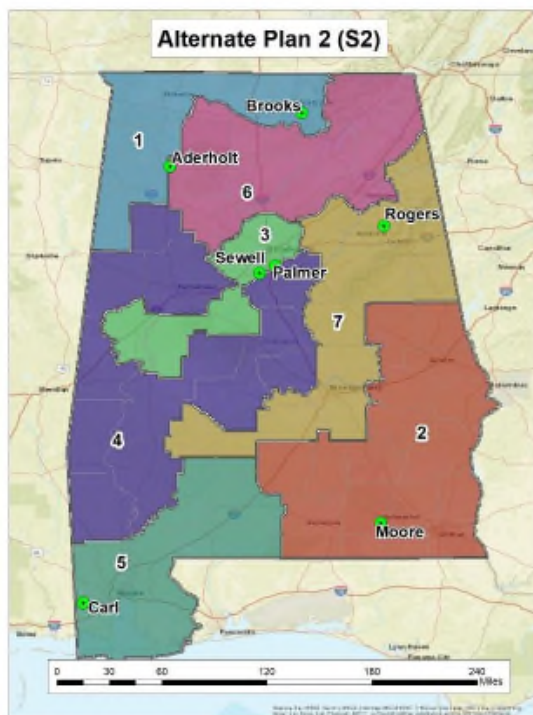
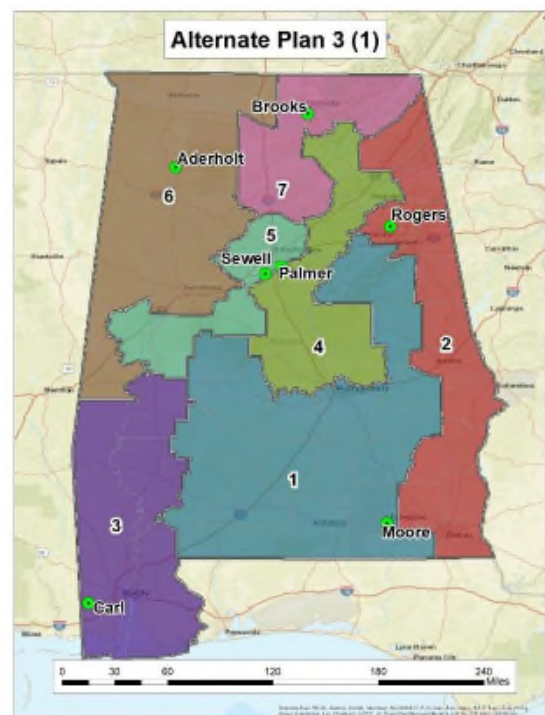


Figure 5.6 Alternate Plan 3 (1)



D. Compactness

Compactness of districts is a measure to ensure that districts do not excessively deviate from being “reasonably shaped” that is intended to deter gerrymandering. This of course is an enormously ambiguous and arbitrary description of what compactness actually is. Compactness was relatively easy to attain before “One Person One Vote”. However, with the development of both technology²⁴ and redistricting law (especially Baker v. Carr, which led to splitting of geography as population deviations were driven lower) compactness became less and less possible. Today, while most compactness measures are absolute, they can still effectively serve as a tool compare one plan against another and to determine which is superior (even if multiple plans have poor compactness).²⁵ But what measure does an expert use? “To deter gerrymandering, many state constitutions require legislative districts to be “compact.” Yet, the law offers few precise definitions other than “you know it when you see it,” which effectively implies a common understanding of the concept. In contrast, academics have shown that compactness has multiple dimensions and have generated many conflicting measures”.²⁶ There is no professional consensus on a “right” measure, and every widely used measure works differently. A district that is “most compact” by one measure can easily and frequently be less compact by another. For this reason, I pick the four most common compactness measures (Polsby-Popper, Schwartzberg, Reock and Convex Hull) - each of which has unique features, and strengths and weaknesses.²⁷ I then compare the compactness of each district of each plan individually and in aggregate.



²⁴ The 1971 and 1981 Reapportionments used limited computer mapping for the first time. 1991 added significant geographic technology— Census Tiger Files— Geographic Information Systems.

²⁵ <https://www.ncsl.org/Documents/legismgt/Compactness-Hofeller.pdf>

²⁶ “How to Measure Legislative District Compactness If You Only Know it When You See it” <https://gking.harvard.edu/presentations/how-measure-legislative-district-compactness-if-you-only-know-it-when-you-see-it-7>

²⁷ The Polsby-Popper and Schwartzberg ratios place high importance on district perimeter. Thus, they are highly susceptible to bias due to shoreline complexity. Therefore, districts that are trimmed around shorelines may end up with a low compactness score through no fault of the district's authors and may not necessarily be a true indicator of gerrymandering. This is precisely why it's important to use multiple compactness scores (in this case the Polsby-Popper, Schwartzberg, Reock and Convex Hull measures) and let the reader judge which one is a better fit based on the geography of the district and method of calculation each score uses. A higher score means more compact, but the scores using different measures cannot be directly compared to each other. Source: https://cdn.azavea.com/com.redistrictingthenation/pdfs/Redistricting_The_Nation_Addendum.pdf

In Table 5.3 below I assess the State of Alabama compactness by district, by method. Within each method, the higher the score the better. Using District 5 as an example, it scores highest in Polsby-Popper, Schwartzberg and Convex Hull, but in fact performs the worst in Reock. This table enables us to assess the performance of individual districts across methods. This illustrates exactly why it is beneficial to look at multiple, highly regarded methods when performing compactness analysis. Since the values within each method are similar (but are in fact mathematically different) it is not possible to summarize accurately across plans. In order to compare the Alabama enacted plan with the plaintiff plan, I summarize the compactness scores by method.

Going into this analysis, I gave the plaintiff plan the benefit of the doubt. Alabama's plan was built from the lowest level of Census geography: census blocks, which is exactly the geography and methodology alleged by the plaintiffs to create the gerrymandering problem they seek to remedy. I assumed that because the plaintiff plan was alleged to remedy gerrymandering and was built from whole, geometrically simple counties, it would score decisively better in a compactness analysis over a plan such as Alabama's. I was wrong.

In Table 5.3 below I show the existing scores by district, by compactness measure. The scores shaded in green are the "best" in each measure, that is: most compact. The scores shaded in red are the poorest, that is: least compact. Not all districts are ranked the same in each measure, which is why I use multiple measures and examine each individually as well as in aggregate. The last column "Total" is simply a sum of the scores across plans for that district and is designed to provide a final summary ranking of the compactness of each district. The last row "Sum" is simply a sum of the scores for all districts in the plan for that measure. This is calculated to enable a summary comparison of metrics from one plan to another. A higher score in "Sum" means that by that measure, that plan is more compact. For this exercise, I interpret whichever plan has the majority of high scores to be the "more compact" plan. Table 5.3 is the compactness scores for the existing Alabama 116th congressional plan and serves as a basis for comparison.

Table 5.3 Alabama Existing (2011) 116th Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.40	0.42	0.71	1.70
2	0.22	0.47	0.49	0.74	1.93
3	0.22	0.47	0.36	0.73	1.79
4	0.18	0.43	0.36	0.62	1.59
5	0.29	0.53	0.22	0.77	1.82
6	0.14	0.37	0.43	0.69	1.63
7	0.13	0.36	0.38	0.62	1.49
Sum	1.34	3.04	2.66	4.90	

In Table 5.4 below the results pass the “eyeball test” that is: you can just look at District 2 and see that it has simple geometry. It has numerous straight segments and is compact in the sense it fits nicely in its circumscribing circle. But some details in the table are not intuitive. The districts with significant lengths of riparian boundaries tend to score poorly (and are hard to see from a statewide map). Smaller river segments have greater sinuosity, thus greater lengths. Districts 1, 4, 6, and 7 have long lengths of river boundaries. District 5 has a lot of straight segments but suffers from being elongated (fits poorly in a circle).

Table 5.4 Alabama 2021 Enacted Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.20	0.44	0.40	0.71	1.75
2	0.26	0.51	0.50	0.76	2.02
3	0.25	0.50	0.36	0.77	1.88
4	0.19	0.44	0.36	0.61	1.60
5	0.32	0.56	0.30	0.80	1.98
6	0.15	0.39	0.31	0.68	1.55
7	0.19	0.44	0.43	0.68	1.74
Sum	1.55	3.28	2.67	5.01	

In Table 5.4, I first note that by looking at the “Sum” row at the bottom - compactness scores are higher in each measure than the 2011 congressional plan. As expected, each method ranks each district differently. Polsby-Popper and Schwartzberg and Convex-Hull ranks D5 as being the best, while Reock ranks D2 highest. In looking at the last column “Total” I show that D2 actually prevails as the most compact district. My interpretation is that the highest ranking districts are comparable, but that D4, D6 and D7 are least compact – due in part to a significant amount of border being waterways at the Bankhead Lake intersection in western Jefferson County.

In Table 5.5 I show the compactness scores by district for the Singleton proposed plan. The Polsby-Popper and Schwartzberg scores join the Alabama enacted plan in outperforming the existing congressional plan. However, by the Reock and Convex Hull measures, the plaintiff plan trails not only the existing (2011) plan but also the enacted Alabama plan.

Table 5.5 Singleton Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.23	0.48	0.29	0.65	1.67
2	0.22	0.46	0.41	0.70	1.79
3	0.24	0.49	0.31	0.73	1.77
4	0.22	0.47	0.32	0.67	1.69
5	0.27	0.52	0.25	0.75	1.79
6	0.19	0.44	0.30	0.68	1.61
7	0.18	0.42	0.45	0.70	1.74
Sum	1.56	3.29	2.33	4.88	

Alternate Plans

In their complaint, plaintiffs propose one remedial plan using whole counties. Plaintiffs do not acknowledge let alone propose any alternative plans or strategies or address whether any other configuration of counties is even possible. Plaintiffs do not mention protecting incumbents, and in fact pair two incumbents in District 3 (Alabama's existing plan and proposed plan protect incumbents). So. Alternative plans were explored and drawn with whole counties to demonstrate that options exist under the plaintiff's premise. Many in fact. The alternative plans are presented to make points about expanded deviations and possible political outcomes of drawing other whole county maps. I do not express an opinion about the legality of any deviation in the alternative plans.

2018 Election Gov # and % D Districts

In order to characterize the plans and compare them with the performance of the plaintiff's plan, I collected the results of the 2018 election²⁸ which were reported for each of Alabama's 1,992 voting precincts. I aggregated these precincts to the county level for assessing the plaintiff's plan and alternate plans 1-13, and I approximated the geography of the 7 whole districts of the enacted Alabama plan. I then measured the voting performance for governor as:

G18GOVRIVE (# of Republican governor votes) /

G18GOVRIVE (# of Republican governor votes) + G18GOVDMAD (# of Democratic governor votes) + G18GOVOWRI (# of other / write in governor votes).

Percentages shown are the resulting % voting for the Republican governor in each plan.

In order to create a uniform and accurate measure of the number and percent Black majority or influence districts, I calculated the number of Black alone or in combination first for counties, then for Census blocks. The number of Black districts reported in Table 5.6 (P.32) refers to the number that are over 40% "All Black" in the plan, and the percent refers to the exact percent "All Black" in those districts. I reinforce: no effort has been made in this analysis to create "alternative" plans to complement the Alabama plan using sub-county geography. As I am sure both parties in this case would concede – the number of "alternative" plans using subcounty geography such as voting precincts or even Census blocks is immeasurable.

²⁸ <https://redistrictingdatahub.org/state/alabama/>

Table 5.6 Alternate Plan Characteristics

Plan	Deviation	Incumbents Safe?	2018 Election Gov # and % D Districts	# and % Black Districts > 40%
Plaintiff	2.5%	N	Two, 41.4% and 44.0%	Two, 42.9% and 48.8%
1 (S1)	0.6%	N	One, 41.3%	One, 43.0%
2 (S2)	1.0%	Y	One, 41.3%	One, 43.0%
3 (1)	2.1%	Y	One, 41.3%	One, 43.9%
4 (2)	2.1%	N	One, 41.4%	One, 42.9%
5 (3)	1.2%	N	One, 41.4%	One, 42.9%
6 (4)	1.5%	N	One, 41.3%	Two, 42.4% and 43.0%
7 (5)	0.7%	N	One, 41.3%	One, 43.0%
8 (1B)	2.5%	N	Two, 41.3% and 44.1%	Two, 43.0% and 48.7%
9 (2B)	6.2%	N	One, 44.2%	None
10 (3B)	4.9%	N	One, 41.3%	Two, 42.6% and 43.0%
11 (4B)	4.3%	N	One, 44.2%	One, 41.1%
12 (5B)	6.0%	N	Two, 41.3% and 45.4%	Two, 43.0% and 46.2%
13 (6B)	3.1%	N	One, 41.4%	Two, 42.5% and 42.9%
Alabama	0.0%	Y	31.9%	57.1%

The plaintiffs plan, alternate plans and the Alabama enacted plan are shown in the Map Appendices 1-16. Detailed maps of the Alabama and plaintiff plans are as follows:

The Alabama Enacted Plan:

- Percent Black Alone Voting Age Population by county is presented in Map Appendix 17.
- Voting Age Population by County is presented in Map Appendix 18.
- Percent Black Alone Voting Age Population by VTD²⁹ is presented in Map Appendix 19.
- Voting Age Population by VTD is presented in Map Appendix 20.

The Singleton Proposed Plan:

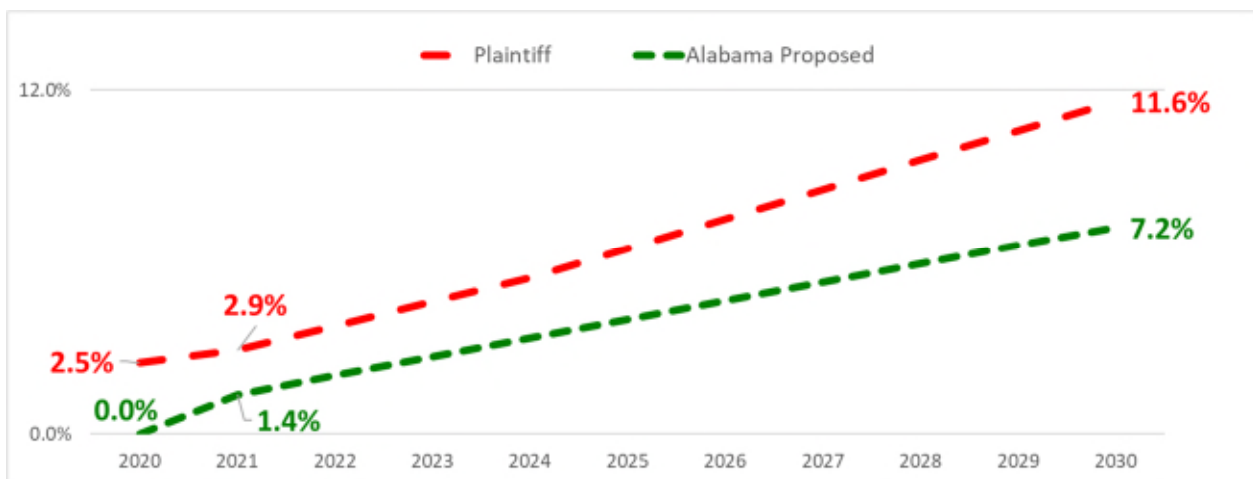
- Percent Black Alone Voting Age Population by county is presented in Map Appendix 21.
- Voting Age Population by County is presented in Map Appendix 22.
- Percent Black Alone Voting Age Population by VTD is presented in Map Appendix 23.
- Age Population by VTD is presented in Map Appendix 24.
- District 6 Percent Black Alone Voting Age Population by VTD is presented in Map Appendix 25.

²⁹ VTDs are Voting Districts. "VTD" is a census term for a geographic area, such as an election precinct, where election information and data are collected; boundaries are provided to the Census Bureau by the states. Since boundaries must coincide with census blocks, VTD boundaries may not be the same as the election precinct and may include more than one precinct. Source: <https://www.ncsl.org/research/redistricting/the-redistricting-lexicon-glossary.aspx>

Deviation

The Plaintiff's plan results in a 2020 population deviation of 2.5%, well beyond the one person/one vote conventional deviation of +/- 1 person for congressional districts. Compare this to the State of Alabama's enacted plan, which is actually +/- one person. However, neither of these two deviations are likely to remain static until redistricting again can be effected using the 2030 census. That is, these deviations are likely to change over the coming decade. As such, I have developed an approach using conventional demographic methods to estimate the population deviation of the plans over the course of the decade to 2030. The premise is that if we are going to consider opening the door to *some* deviation in 2020 to meet other redistricting requirements - we should make an informed decision based on the expected deviation over the course of the decade that will follow. As a demographic expert, I propose under this circumstance that it is beneficial to assess the impact and utility of a districting plan *over the course of the decade that it is expected to perform*. Not just the base redistricting year that it begins. Using professionally developed small-area population projection methods (see Appendix 4) I am able to forecast the annual population by congressional district of: 1) the plaintiff's plan; 2) the State of Alabama enacted plan; and 3) other draft plans I have developed for 2020-2030. This approach allows one to see the expected annual deviation over the period of time that a given plan is likely to be in effect, which is from 2020 to 2030, when the next decennial census will be taken.

Figure 5.7: Population Deviations 2020-2030: Plaintiff Proposed and Alabama Enacted Plans – Projected 2020-2030



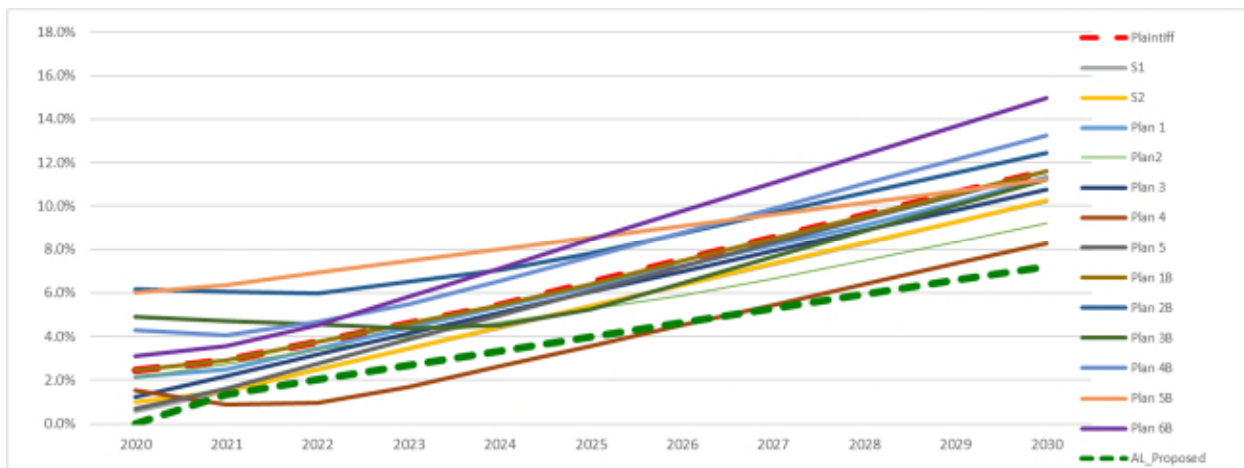
In Figure 5.7, the red dotted line is the plaintiff's plan, and the green dotted line is the enacted Alabama plan. The plaintiff's plan begins in 2020 with a deviation of 2.5%. Based on the forecast population growth over the decade from 2020-2030, the deviation of the plaintiff plan is expected to grow to 11.6%.

By comparison, the Alabama enacted plan begins in 2020 with a deviation of 0.0%. Based on the forecast population growth over the decade from 2020-2030, the deviation of the Alabama enacted plan is expected to grow to 7.2%. The change is already underway, impacting both plans. In 2021, I estimate the 2.5% deviation in the plaintiff's plan for 2020 is currently actually 2.9%, and the deviation in the Alabama enacted plan is already actually 1.4% because of likely population shifts between the date of the census and today.

In Figure 5.8 the plaintiff plan and Alabama enacted plan are compared with 13 alternative county-based plans that I independently and personally developed using whole counties. As with Figure 5.8, the deviation trends for these alternate plans range anywhere from 0.7% to 6.2% in 2020 and grow to between 8.3% and 15% by 2030. One plan, Plan 4 actually shows a short-term decline in deviation, before increasing modestly throughout the decade.

In examining these trends, I have two observations. First – where the deviation is throughout the decade and where it ends in 2030 is strongly driven by where they start in 2020. The plans that start with the lowest deviation tend to end with the lowest deviations. This is critical to understanding their utility throughout the decade. Deviations in congressional plans are conventionally zero, to support the concept of “one-person, one vote”. Here, plaintiffs argue that *some* deviation is palatable for their benefit of realizing two Democrat performing districts. But plaintiffs do not argue how much deviation is palatable, nor do they address the long-term consequences of opening this door. I argue that if some deviation in the base year is tolerable, that in order to make an informed decision whether the trade-off is worth it, one must consider the expected impact of the introduced deviation for the lifespan of the plan – not just for the year it was based.

Figure 5.8: Population Deviations 2020-2030: Plaintiff Proposed and Alabama Enacted Plans – Projected 2020-2030



The second observation is that difference in the trends and their outcomes are also driven by unique combinations of geography across the state – some of which are going to have continued population decline over the decade, while some will remain relatively stable, while others will grow dramatically. So. Not only does the starting point matter, but the combination of shrinking, stable and growing geographies that comprise the districts matters as well. This is not to argue that population forecasts should now become a traditional redistricting criteria. Rather, population forecasts should be created, studied and considered as I have done here for their unique ability to show long-term impacts and utility of redistricting plans.

Index of Misallocation

In addition to the obvious insights on long-term utility of a redistricting plan provided by population forecasts, I have gone on to link these forecasts to a measure that shows how many people would need to be “re-allocated” in order to meet the one person one vote +/- 1 person standard over time. This measure, known as the Index of Misallocation (IOM), was introduced by Swanson³⁰ to examine the effect of population estimation errors. Comparing the misallocation under the Plaintiff’s plan to that under the State’s plan, as shown in Figure 5.9 (P.36):

In 2020:

- The IOM under the State’s enacted plan is 0.08295%. Multiplying 0.008295 by the total 2020 population of 5,024,279 yields **4,168**, the number of people that would have to be re-distributed to meet the one person/one vote requirement in 2020 by reducing the IOM (and total deviation) to zero.
- The IOM under the Singleton proposed 2020 plan is 0.317056%. Multiplying 0.00317056 by the total 2020 population of 5,024,279 yields **15,929**, the number of people that would have to be re-distributed to meet the one person/one vote requirement in 2020 by reducing the IOM (and total deviation) to zero.

In 2020 the State’s plan requires 11,761 fewer people to be re-distributed in order to have an IOM of zero in 2020 than does the Plaintiff’s plan.

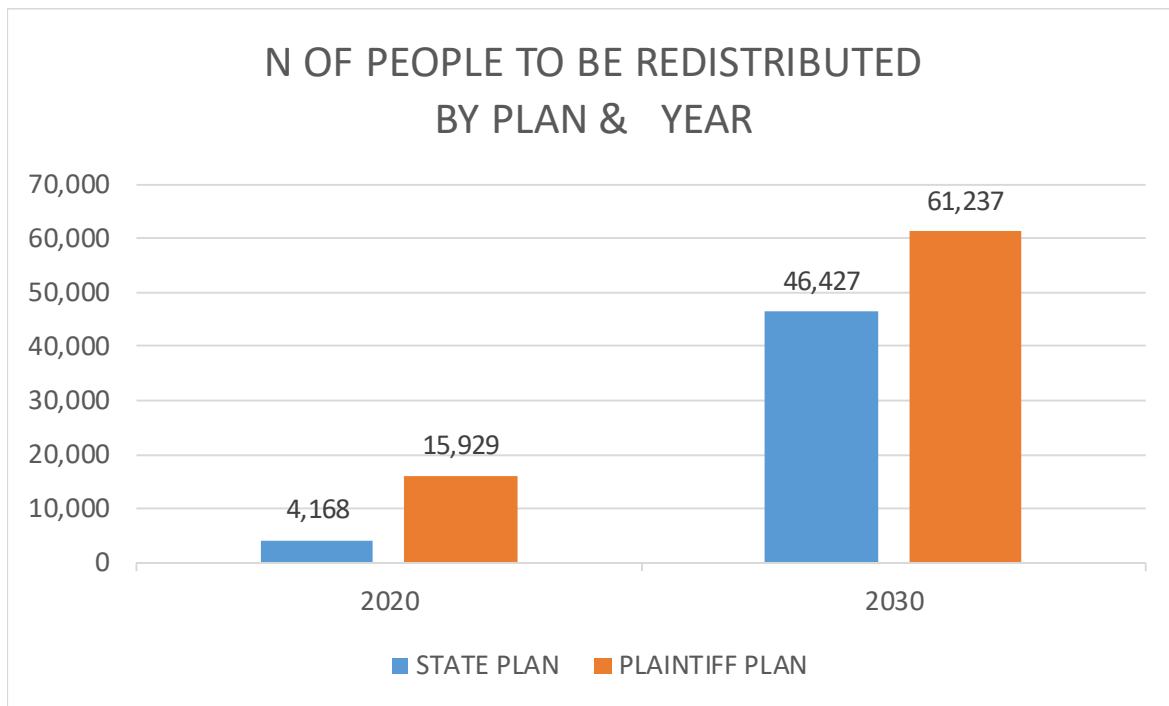
³⁰ Swanson, D. A. (1981) Allocation Accuracy in Population Estimates: An Overlooked Criterion with Fiscal Implications. pp. 13-21 in Small Area Population Estimates, Methods and Their Accuracy and New Metropolitan Areas Definitions and Their Impact on the Private and Public Sector, Series GE-41 No.7, U.S. Bureau of the Census.

In 2030:

- The IOM under the State's enacted plan is 0.88012%. Multiplying 0.0088012 by 5,275,078, the expected total 2030 population under the State's Plan, yields **46,427**, the number of people that would have to be re-distributed to meet the one person/one vote requirement in 2020 by reducing the IOM (and total deviation) to zero.
- The IOM under the Singleton plan is 1.15424%. Multiplying 0.0115424 by 5,305,364, the expected total 2030 population under the Plaintiff's plan, yields **61,237**, the number of people that would have to be re-distributed to meet the one person/one vote requirement by reducing the 2030 IOM (and the total deviation) to zero.

By 2030, the State's plan requires 14,810 fewer people to be re-distributed in order to have an IOM of zero than does the Plaintiff's plan.

Figure 5.9: Index of Misallocation by Plan and by Year

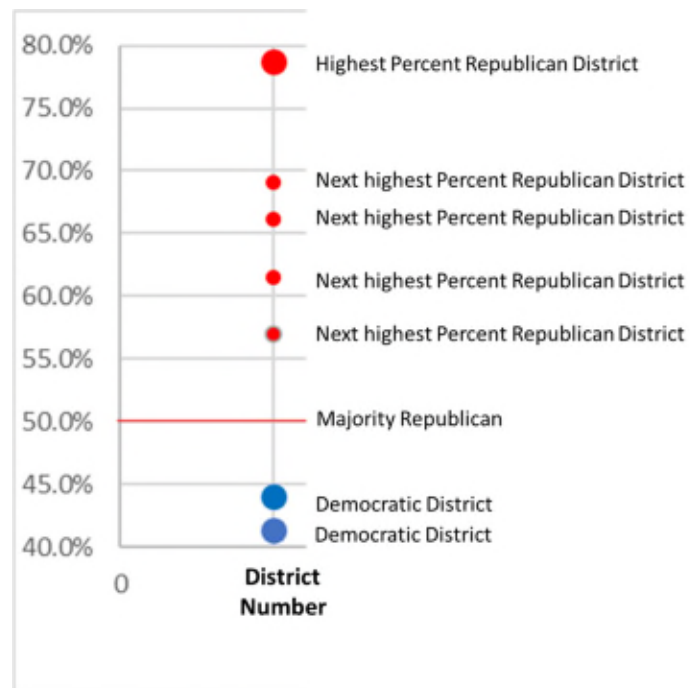


Political Performance

In order to characterize the plans and compare them with the performance of the plaintiff's plan, I collected the results of the 2018 election³¹ which were reported for each of Alabama's 1,992 voting precincts. I aggregated these precincts to the county level for assessing the plaintiff's plan and alternate plans 1-13, and I approximated the geography of the 7 whole districts of the enacted Alabama plan. Percentages shown in this analysis are the resulting % voting for the Republican governor in each plan.

As shown in Figure 5.10 below - for ease of explanation, the percent voting Republican in the 2018 governor's race is shown as points on a vertical axis for each plan. The lower numbers, *below* the 50% mark, represent districts that did (or would) have voted for the Democratic candidate. Those points *above* the 50% mark, represent districts that did (or would) have voted for the Republican governor.

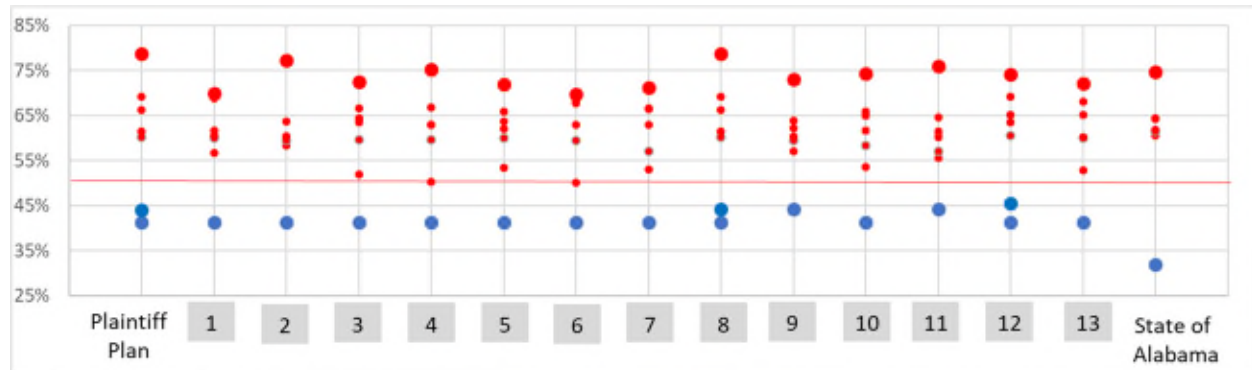
Figure 5.10 Political Performance Data Visualization Explanation



³¹ <https://redistrictingdatahub.org/state/alabama/>

Figure 5.11 shows the variety of outcomes by plan for the 2018 Alabama governor's race. To the left, I show the plaintiff's plan. Note the two blue dots at the bottom, representing the two districts that would have voted democratic in the 2018 election – consistent with the election performance proffered in the plaintiff's complaint. Moving from left to right, I work through 13 alternate plans. Plans 8 and Plan 12 are distinctive in that they both offer a political remedy of two democratic voting districts, consistent with the plaintiff's plan. These two plans are also notable because they are options that also afford strong Black voting strength options. Plan 9 in particular is notable because it creates one "super-majority" district near 80% 2018 Republican voting strength – consistent with the plaintiff plan. Other plans, including 1-7, 9-11 and 13 show a variety of distributions of Republican and Democratic voting strength for the seven congressional districts. To the right, I show the State of Alabama's enacted plan.

Figure 5.11 Political Performance of Alabama Plans: % Republican Votes in 2018 Governor's Race



Racial Composition

Next, I measured the % Black alone or in combination (including with Hispanic) under different scenarios, demonstrating that there are numerous districting scenarios that can afford a variety of Black influence districts.

As shown in Figure 5.12 (P.39) - for ease of explanation, the percent All Black (that is – percent Black alone or in combination) is shown on a vertical axis, with a point representing the value for each of the 7 Congressional districts. The lower numbers, *below* the red 40% mark, are values for districts lower than the threshold presented in the plaintiff's complaint. The two values *above* the red line are the two districts presented as viable Black influence districts in the plaintiff's complaint.

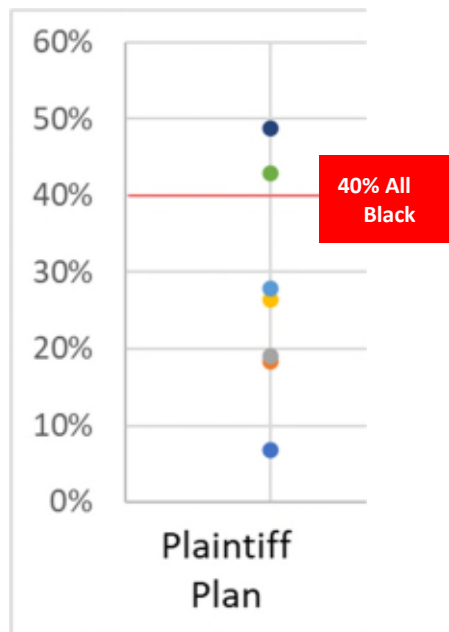
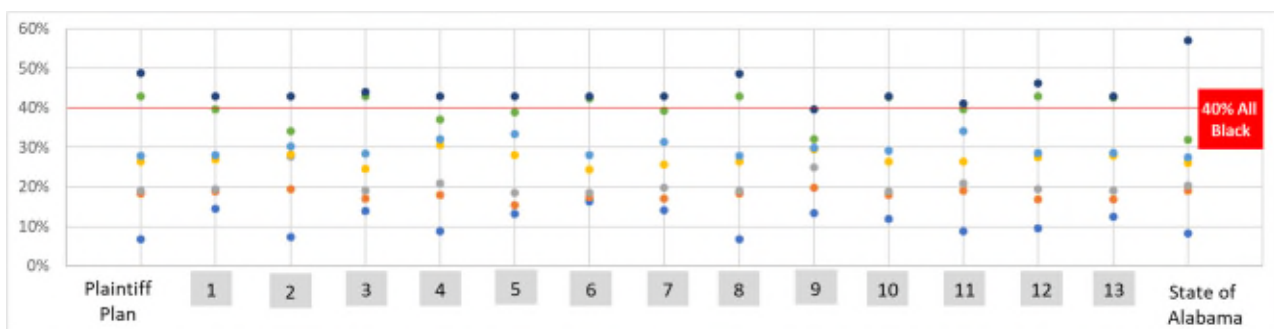
Figure 5.12 Racial and Ethnic Performance of Alabama Plans Data Visualization Explanation

Figure 5.13 shows the variety of race outcomes by plan. To the left, I show the plaintiff's plan. Note the two dots at the top, above the red line representing the two districts that are Black influence. Moving from left to right, I work through 13 alternate plans. As with our findings for political performance, Plans 8 and Plan 12 are distinctive in that they both offer two Black influence districts. Other plans, including 1-7, 9-11 and 13 show a variety of distributions "All Black" strength representation. To the right, the State of Alabama's enacted plan is shown with one Black majority district.

Figure 5.13 Racial and Ethnic Performance of Alabama Plans: % All Black

It is here that I pause to reflect on the possibility that the Singleton plan, not the State of Alabama plan represents a racial gerrymander.

First, I performed a simple examination of the area that was produced as District 6 in the Singleton plan. As shown in Map 25, District 6 is anchored in Birmingham and extends southwest. A visual examination suggests that if an analyst were to begin with a district in Birmingham with the objective of creating a Black minority influence district – the only *possible* direction they could have gone was southwest – into the northern black belt portion of District 7. As shown the area encircled on Map 25 in the Map Appendix, an analyst would by necessity need to exclude as much *non-Black* possible along the way to do so. And that is in fact what the Singleton plan shows. There is a significant “choke point” in the middle of the district where the plaintiffs appear to have avoided as much non-Black population as possible – then they appear to have expanded the district just as much as possible to capture as much Black population as possible to raise District 6 to a point of semi-equitability in terms of race and political performance as District 7. There is no other direction or way District 6 could be extended beyond Birmingham except to achieve this goal. As a results, in Table 5.5 (P.30) “Singleton Plan Compactness Scores” District 6 is shown as having the lowest compactness scores in the Singleton plan – by far.

Plaintiffs may say that the combination of counties they chose for District 6 was driven by a desire to come as close to perfect deviation as possible while using whole counties. Even if that were true, the fact remains that a map drawer can still racially gerrymander while using whole counties if race predominates in his choice of which counties to include in a district. In examining the numerous possible combinations of counties that could possibly comprise a remedial plan, I observe that alternate plans 3, 6, 8, 10, 12 and 13 offer county-based solutions that yield two Black influence districts that are above 40%. Conversely, alternate plans 1, 2, 4, 5, 7, 9, and 11 offer county-based solutions that yield only one Black influence district. It can hardly be argued that the simple use of counties, and the one remedial plan based on them is a unique solution to remedy alleged racial gerrymandering. With the use of counties removed as a unique, exclusive solution – the only remaining argument defending the plaintiff’s plan is that of political performance in their favor. That is, the argument that is made that Black registered voters have the opportunity to elect the candidates of their choice while remaining a minority influence in Districts 6 and 7. Without counties as the determining factor for this, I could argue that there are innumerable geographic combinations besides those constrained by counties that could potentially meet – and even exceed the performance touted by plaintiffs if that was their objective.

Conclusion

In summarizing this analysis, I reach several conclusions:

- 1) The introduction of population deviation in 2020 has long-standing and far reaching implications for OPOV. The whole county plan suggested by plaintiffs has population deviation among the districts so that some persons votes are weighted more than others. The introduction of *any amount* of deviation should be defended in terms of why that is an optimal amount (in the context of other plan deviations) weighing all of the other pros and cons of other viable scenarios using Alabama counties as the plaintiffs propose. Further, the long-term consequences of the 2020 deviation in the plaintiff's plan should be considered. A decision to accept the Singleton plan does not only have consequences for the present, but for many years in the future.
- 2) The use of counties to create congressional districts in Alabama does not prevent racial gerrymandering – and may in fact create it in the plaintiff's plan. The plaintiffs do not appear to have proven why the Alabama enacted plan is a racial gerrymander, and in the process have paid bare a process by which a map-drawer can racially gerrymander while keeping counties whole. There are numerous possible combinations of counties that can create Congressional district scenarios with low deviations. Some of these result in one Black minority influence district, some results in two.
- 3) A requirement to keep counties whole does not necessarily result in the political result plaintiffs apparently desire either, which is two congressional districts likely to elect a Democrat. In much the same way I have illustrated that different viable combinations of counties can results in one or two Black minority districts – so too can the use of counties yield one or two Democratic performing districts.
- 4) While counties were historically important communities of interest, before advances in communications and transportation, they have far less importance as communities of interest today; and
- 5) Plaintiffs' whole county plan does not observe the important traditional districting criteria of preserving the core of existing districts. Continuity of representation is a significant and prevailing factor and represents a well-established community of interest. The plaintiff plan introduces significant disruptions to continuity of representation. The plaintiff plan not only is vastly inferior to the State of Alabama enacted plan for the total population – but it is also demonstrably and significantly biased against the Black population of Alabama.

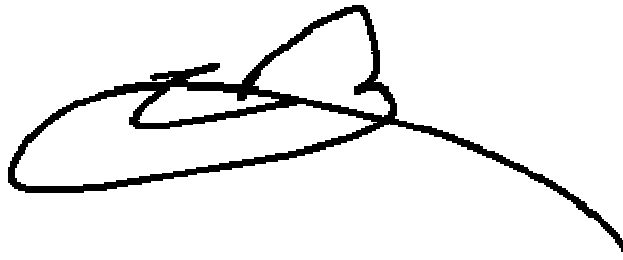
DECLARATION

* * * * *

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s Thomas Bryan
Thomas Bryan

December 10, 2021
Date

A handwritten signature in black ink, appearing to be 'Thomas M. Bryan', written over a horizontal line.

Appendix 1: Census 2020 Alabama Black Population Total, non-Hispanic and Hispanic Combinations (through 3 races, excluding 4-, 5- and 6-race Black combinations)

Race	Total (A)	% of Total (B)	AL non-Hisp (C)	% of Total (D)	AL Hispanic (E)	% of Total (F)
Total, Hispanic or Latino:	5,024,279		4,760,232		264,047	
Population of one race:	4,767,326	94.89%	4,575,614	91.07%	191,712	3.82%
Black or African American alone	1,296,162	25.80%	1,288,159	25.64%	8,003	0.16%
Population of two races:	243,473	4.85%	175,750	3.50%	67,723	1.35%
White; Black or African American	45,429	0.90%	43,911	0.87%	1,518	0.03%
Black or African American; American Indian and Alaska Native	6,301	0.13%	6,012	0.12%	289	0.01%
Black or African American; Asian	2,049	0.04%	1,939	0.04%	110	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander	492	0.01%	456	0.01%	36	0.00%
Black or African American; Some Other Race	5,421	0.11%	2,983	0.06%	2,438	0.05%
Population of three races:	12,093	0.24%	8,085	0.16%	4,008	0.08%
White; Black or African American; American Indian and Alaska Native	4,493	0.09%	3,986	0.08%	507	0.01%
White; Black or African American; Asian	972	0.02%	899	0.02%	73	0.00%
White; Black or African American; Native Hawaiian and Other Pacific Islander	172	0.00%	165	0.00%	7	0.00%
White; Black or African American; Some Other Race	1,441	0.03%	573	0.01%	868	0.02%
Black or African American; American Indian and Alaska Native; Asian	124	0.00%	115	0.00%	9	0.00%
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander	13	0.00%	13	0.00%	0	0.00%
Black or African American; American Indian and Alaska Native; Some Other Race	146	0.00%	72	0.00%	74	0.00%
Black or African American; Asian; Native Hawaiian and Other Pacific Islander	145	0.00%	129	0.00%	16	0.00%
Black or African American; Asian; Some Other Race	86	0.00%	43	0.00%	43	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race	27	0.00%	20	0.00%	7	0.00%
Total "All Black"	1,364,736	27.2%	1,350,192	26.9%	14,544	0.3%

Appendix 2: Census 2020 Alabama Black Voting Age Population, non-Hispanic and Hispanic Combinations (through 3 races, excluding 4-, 5- and 6-race Black combinations)

Race	VAP (A)	% of VAP (B)	AL non-Hisp (C)	% of Total (D)	AL Hispanic (E)	% of Total (F)
Total:	3,917,166		3,750,310		166,856	
Population of one race:	3,751,169	95.76%	3,630,366	92.68%	120,803	3.08%
Black or African American alone	981,723	25.06%	976,732	24.93%	4,991	0.13%
Population of two races:	158,371	4.04%	114,790	2.93%	43,581	1.11%
White; Black or African American	18,106	0.46%	17,569	0.45%	537	0.01%
Black or African American; American Indian and Alaska Native	4,692	0.12%	4,530	0.12%	162	0.00%
Black or African American; Asian	1,130	0.03%	1,075	0.03%	55	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander	262	0.01%	250	0.01%	12	0.00%
Black or African American; Some Other Race	3,470	0.09%	2,024	0.05%	1,446	0.04%
Population of three races:	6,741	0.17%	4,620	0.12%	2,121	0.05%
White; Black or African American; American Indian and Alaska Native	2,714	0.07%	2,452	0.06%	262	0.01%
White; Black or African American; Asian	325	0.01%	295	0.01%	30	0.00%
White; Black or African American; Native Hawaiian and Other Pacific Islander	75	0.00%	69	0.00%	6	0.00%
White; Black or African American; Some Other Race	721	0.02%	344	0.01%	377	0.01%
Black or African American; American Indian and Alaska Native; Asian	80	0.00%	73	0.00%	7	0.00%
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander	12	0.00%	12	0.00%	0	0.00%
Black or African American; American Indian and Alaska Native; Some Other Race	103	0.00%	55	0.00%	48	0.00%
Black or African American; Asian; Native Hawaiian and Other Pacific Islander	82	0.00%	76	0.00%	6	0.00%
Black or African American; Asian; Some Other Race	51	0.00%	31	0.00%	20	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race	14	0.00%	11	0.00%	3	0.00%
	1,014,372	25.9%	1,006,083	25.7%	8,289	0.2%

Appendix 3 Compactness Measures

Polsby-Popper

The Polsby-Popper (PP) measure (Polsby & Popper, 1991) is the ratio of the area of the district (A_D) to the area of a circle whose circumference is equal to the perimeter of the district (P_D). A district's Polsby-Popper score falls with the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$PP = \frac{4\pi}{P_D^2} \times A_D$$



Circumference Equal to District Perimeter

Schwartzberg

The Schwartzberg score (S) compactness score is the ratio of the perimeter of the district (P_D) to the circumference of a circle whose area is equal to the area of the district. A district's Schwartzberg score as calculated below falls with the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$S = \frac{1}{P_D/C} = \frac{1}{P_D/(2\pi\sqrt{A_D/\pi})}$$



Circle with Area Equivalent to the District

Source: <https://fisherzachary.github.io/public/r-output.html>

Appendix 3 Compactness Measures (continued)

Reock Score

The Reock Score (R) is the ratio of the area of the district (A_D) to the area of a minimum bounding circle (A_{MBC}) that encloses the district's geometry. A district's Reock score falls within the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$R = \frac{A_D}{A_{MBC}}$$



Minimum Bounding Circle of Original Gerrymander

Convex Hull

The Convex Hull score is a ratio of the area of the district to the area of the minimum convex polygon that can enclose the district's geometry. A district's Convex Hull score falls within the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$CH = \frac{A_D}{A_{MCP}}$$



Convex Hull of Original Gerrymander

Appendix 4 Forecasting Methodology

The population forecasting methodology found in this report is based on two concepts known as face validity (Smith, Tayman, and Swanson, 2013: 304) and Plausibility (Smith, Tayman, and Swanson, 2013: 307-308)¹. Face validity is the extent to which a forecast uses the best methods for a particular purpose, is based on reliable data, and uses reasonable assumptions. Plausibility is the extent to which a forecast is consistent with historical trends, with the assumptions inherent in the model, and with projections for other areas.

Using these concepts as a foundation, the population forecasts found in this report are developed from three standard methods, linear extrapolation and geometric extrapolation, each of which is used separately and also in conjunction with the third, a “ratio” method known as “shift-share,” creating four separate projections: (1) linear (2) geometric; (3) linear shift-share; and (4) geometric shift-share. As will be discussed along with the descriptions of these methods, the four projections are then averaged to produce a single forecast. Geometric, linear and “ratio” extrapolative projection methods are particularly useful when data series are limited temporally, which is the case with the data used to redistrict Alabama, where I have only limited 2010 and 2020 data that are both in the form of 2020 census geography per PL 94-171.

What are trend extrapolation methods? Trend extrapolation involves fitting mathematical models to historical data and using these models to project future population values. Although there are many different methods by which historical values can be modeled, it is convenient to organize these methods into three categories (Smith, Tayman, and Swanson, 2013: 185-213): (1) Simple extrapolation methods, which require data from only two points in time and of which there are three major approaches, linear change, geometric change, and exponential change; (2) Complex extrapolation methods, which require data from a number of points in time and of which there are different approaches, including linear trends, curve fitting and ARIMA time series; and (3) Ratio extrapolation methods, in which the population of a smaller area is expressed as a proportion of the population of a larger area in which the smaller area is located and of which there are three major approaches, constant-share, shift-share, and share-of-growth.

Both simple and complex trend extrapolation methods suffer from several shortcomings. They do not account for differences in demographic composition or for differences in the components of growth. That is, they are not fundamentally based on the fundamental demographic equation and are unable to incorporate information specific to trends in births, deaths, and migration. As such, they can provide little if any information on the projected demographic characteristics of the population. Because they have no theoretical content beyond the structure of a given model itself, they cannot be related to behavioral or socioeconomic theories of population growth.

Consequently, they have limited usefulness for analyzing the determinants of population growth or for simulating the effects of changes in particular variables or assumptions. In addition, they can lead to unrealistic or even absurd results if carried too far into the future. In spite of their shortcomings, trend extrapolation methods have a number of advantages over other projection methods. They do not need large amounts of data, can be readily applied and are easy to describe.

In spite of their simplicity and lack of theoretical content and demographic detail, applications of the Trend Extrapolation Method (TEM) often produced reasonably accurate projections of total population, even for projection horizons extending far into the future (Smith, Tayman, and Swanson 2013: 185). Small data requirements make these methods particularly useful for small geographic area population projections. In fact, a TEM is used to create the official sub-county population projections for Arizona (Office of the State Demographer 2016). Despite their simplicity and lack of demographic dynamics, TEMs can produce total population projections with a similar degree of accuracy as total population projections from more complex models (Smith, Tayman, and Swanson 2013: 331-337). On this note, it is important to keep in mind that there is a certain irreducible level of uncertainty regarding the future and no projection method—no matter how complex or sophisticated—can consistently improve projection accuracy beyond that level. Based on evidence to date, the relatively small amount contained in TEMs provide as much guidance about the future as does the much larger amount of information contained in more complex models.

So, I employ three of the extrapolative models described earlier (linear, geometric, and shift-share) for four major reasons. First, in this redistricting exercise, only a total population number is needed, not age-sex and other characteristics of Alabama's population. As already noted, simple extrapolative models are well suited for this task because they can generate projected total populations from low input requirements with minimal computational and assumption burdens. Second, there is no need to "borrow" data from other sources, which means there are data transfers and computations that are at higher risk of containing transcription, computing, and assumption errors than are the extrapolative models. Third, the extrapolative methods I employ are highly transparent and can be replicated and described easily. Fourth, also as noted earlier, there is no evidence that complex models provide more accurate forecasts of the total population than those produced by simple methods (Green and Armstrong, 2015). To the specific point of using extrapolative methods, Tayman, Swanson, and Baker (2021) observe that "the preponderance of evidence suggests that these methods can produce total population forecasts of comparable accuracy to those produced by more complicated forecasting techniques."

Because a geometric model moves a population through time in accordance with a constant ratio, the population will increase faster than would be the case if a linear model was used, which will only increase the population by a constant difference. This means that the geometric model will produce higher population projections at a given point in the future than will a linear model using the same data. As such, these two approaches can be viewed, respectively, as providing high and low scenarios from the same input data, which can be viewed as providing an indication of the uncertainty inherent in the forecasting process by giving high and low boundaries for each annual forecast from 2021 to 2030. Combining these two methods with the shift-share method will produce somewhat more nuanced views and by averaging all four of the projections, I obtain a “medium” scenario, which serves as the projection I expect to be the most accurate per Smith, Tayman, and Swanson (2013: 364). That is, the average becomes our forecast.

In spite of the uncertainty involving the future, the key question to ask is does a forecast provide a stronger basis for decision-making than the alternative, which is to not make a forecast, a decision that basically states that there will be no change from the present? I believe that a forecast provides a stronger basis when looking at alternative redistricting plans for Alabama because if there is one point upon which all parties can agree, there will be change as the state moves through the decade to 2030.

Linear Extrapolation (LINE)

The linear extrapolation method (LINE) assumes that the population will change by the same number of persons in the future as it did in the past. Past and future time periods are measured by years in this application. Using years as the time period, average annual absolute change (r) during the base period is computed as:

$$r = (PI - Pb) / y$$

where r is the average annual absolute change during the base period; PI is the population in the launch year (2020) ; Pb is the population in the base year (2010); and y is the number of years in the base period (i.e., 10). Population projections using the linear extrapolation method are computed as:

$$Pt = PI + (t \times r)$$

where Pt is the population in the target year and t is the number of years from the launch year, PI , which is 2020.

Geometric Extrapolation (GEO)

The average annual absolute “multiplier” during the base period is computed as:

$$R = (PI / Pb)(1/y)$$

where R is the average annual multiplier during the base period, PI is the population in the launch year (2020); Pb is the population in the base year (2010); and y is the number of years in the base period (i.e., 10). Population projections using the geometric extrapolation model are computed as

$$Pt = PI \times Rt$$

where Pt = the total population in the target year and t is the number of years from the launch year, PI, which is 2020.

Shift-Share (SHIFT)

The shift-share (SHIFT) method accounts for changes in population shares over the base period and this application assumes a linear trend in shares over the projection horizon (the number of years into the future that the target year is from the launch year) . It can be used in conjunction with either the LINE or the GEO method.

$$Pit = (Pt)[(Pil / PI) + ((t/y)\{(Pil / PI) - (Pib / Pb)\})]$$

where i denotes the smaller unit (i.e., county); P is the larger unit (State of Alabama); t is the number of years in the projection horizon; y is the number of years in the base period (2020-2010); and b, l, and t refer to the base, launch, and target years. The t/y term implements the linear trend and relates the length of the base period to the length of the projection horizon.

Endnote

1. A population estimate provides information about a present or past population (Swanson and Stephan, 2004: 770). Demographers typically refer to information about the future as either a projection or a forecast (Smith, Tayman, and Swanson, 2013: 2-4). Although these two terms are often used interchangeably, they can be differentiated according to the expected likelihood of their outcomes. A projection may be defined as the numerical outcome of a particular set of assumptions regarding the future population. It is a conditional calculation showing what the future population would be if a particular set of assumptions were to hold true. Because a projection does not attempt to predict whether those assumptions actually will hold true, it can be incorrect only if a mathematical error is made in its calculation. A projection can never be proven right or wrong by future events. A forecast may be defined as the projection that is most likely to provide an accurate prediction of the future population. As such, it represents a specific viewpoint regarding the validity of the underlying data and assumptions. A forecast reflects a level of judgment beyond that found in a projection, and it can be proven right or wrong by future

events (or, more realistically, it can be found to have a relatively small or large error). Projection is a more inclusive term than forecast: All forecasts are projections but not all projections are forecasts.

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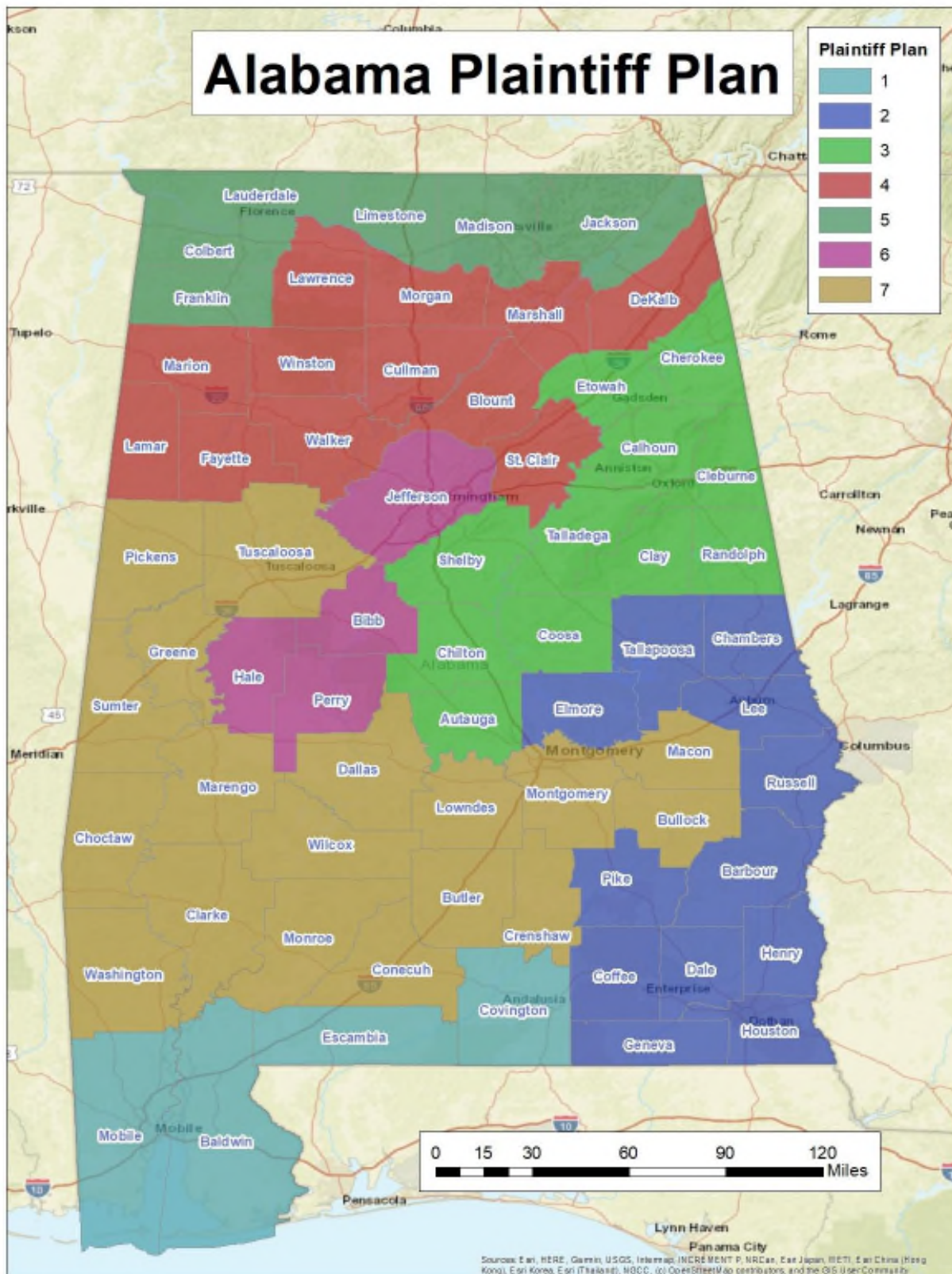
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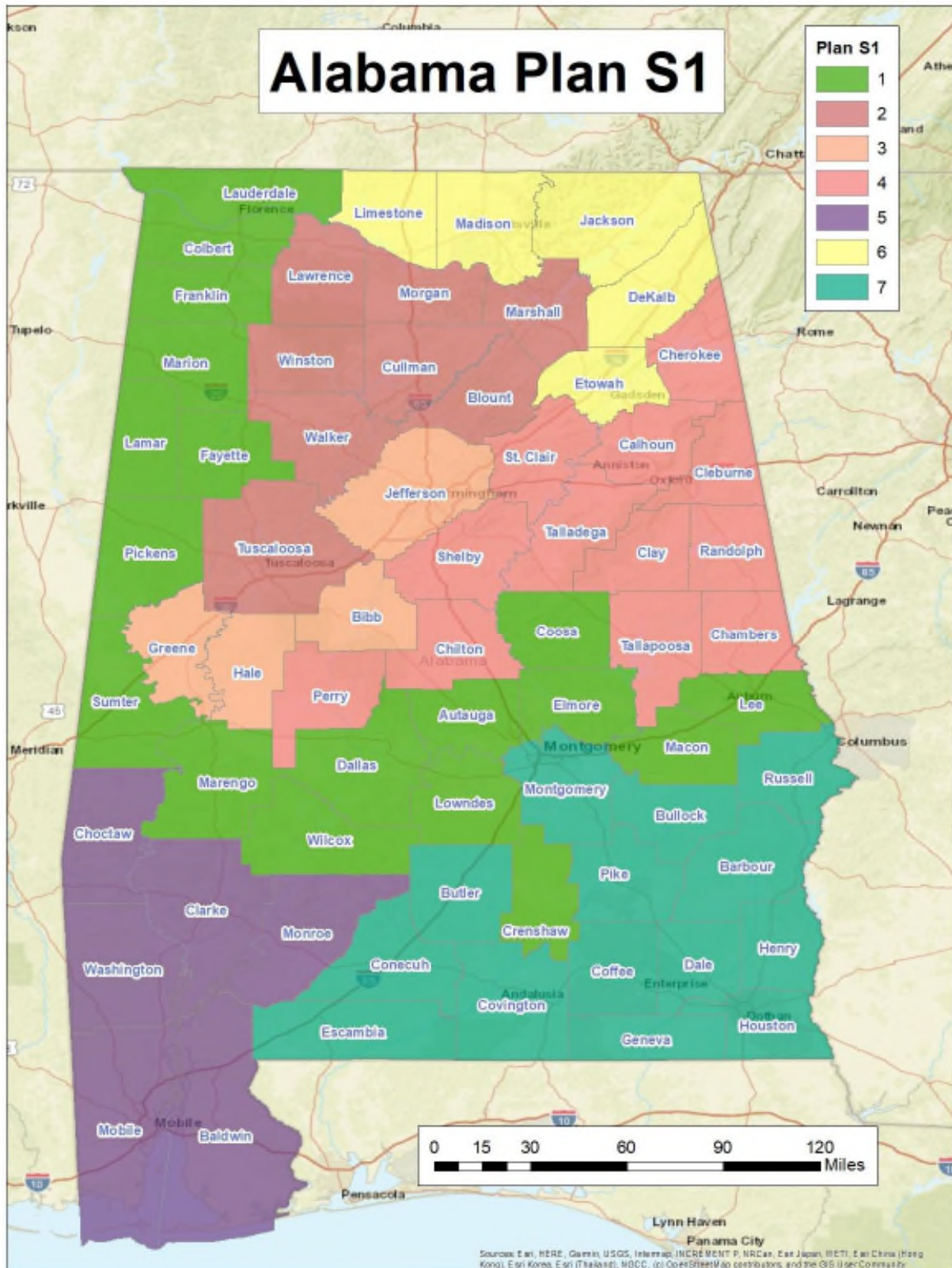
Tayman, J., D. A. Swanson, and J. Baker. (2021). Using Synthetic Adjustments and Controlling to Improve County Population Forecasts from the Hamilton–Perry Method. *Population Research and Policy Review* 40 (6): 1355-1383.

Map Appendices

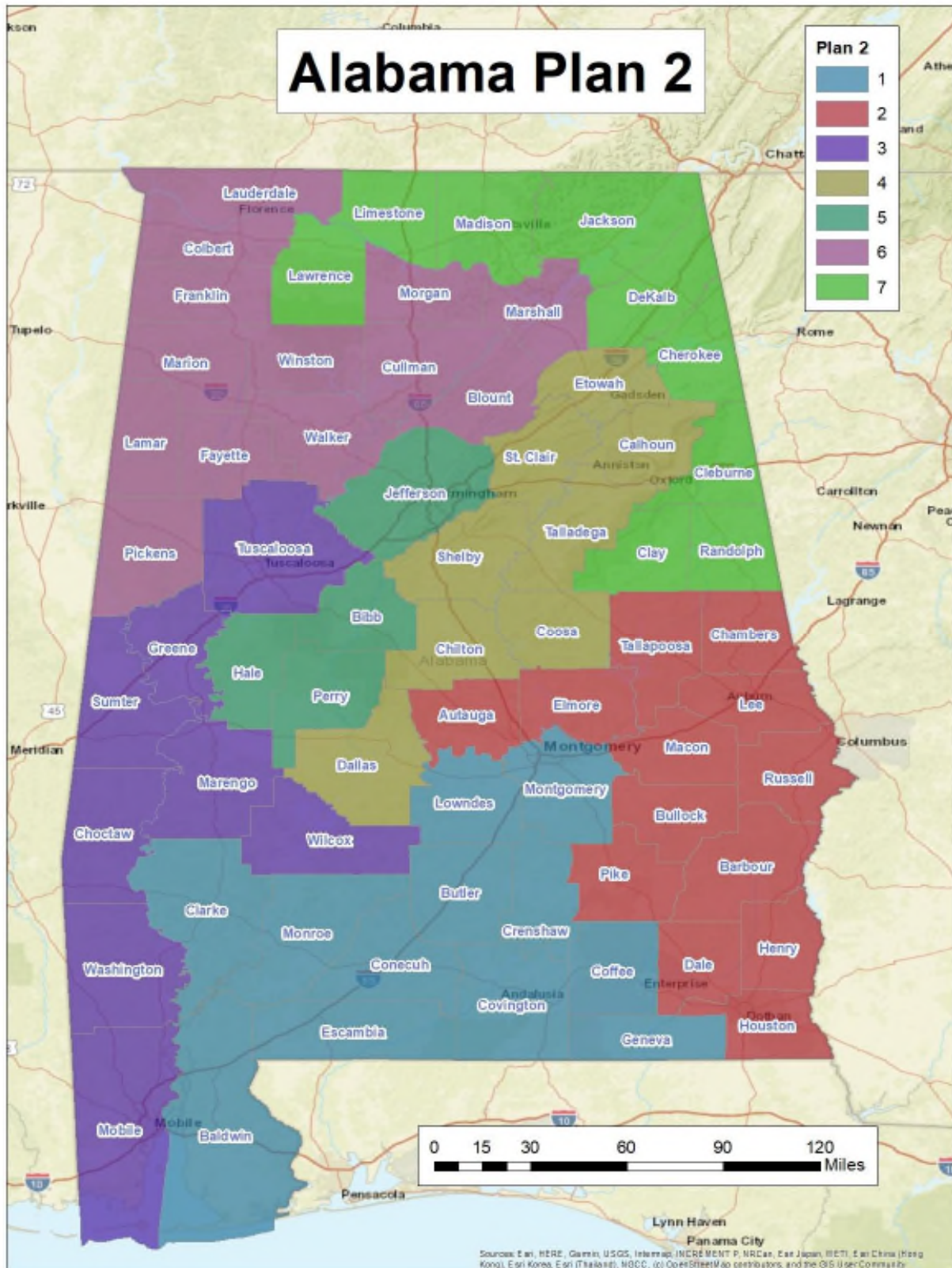
Map Appendix 1 (Plaintiff Plan)



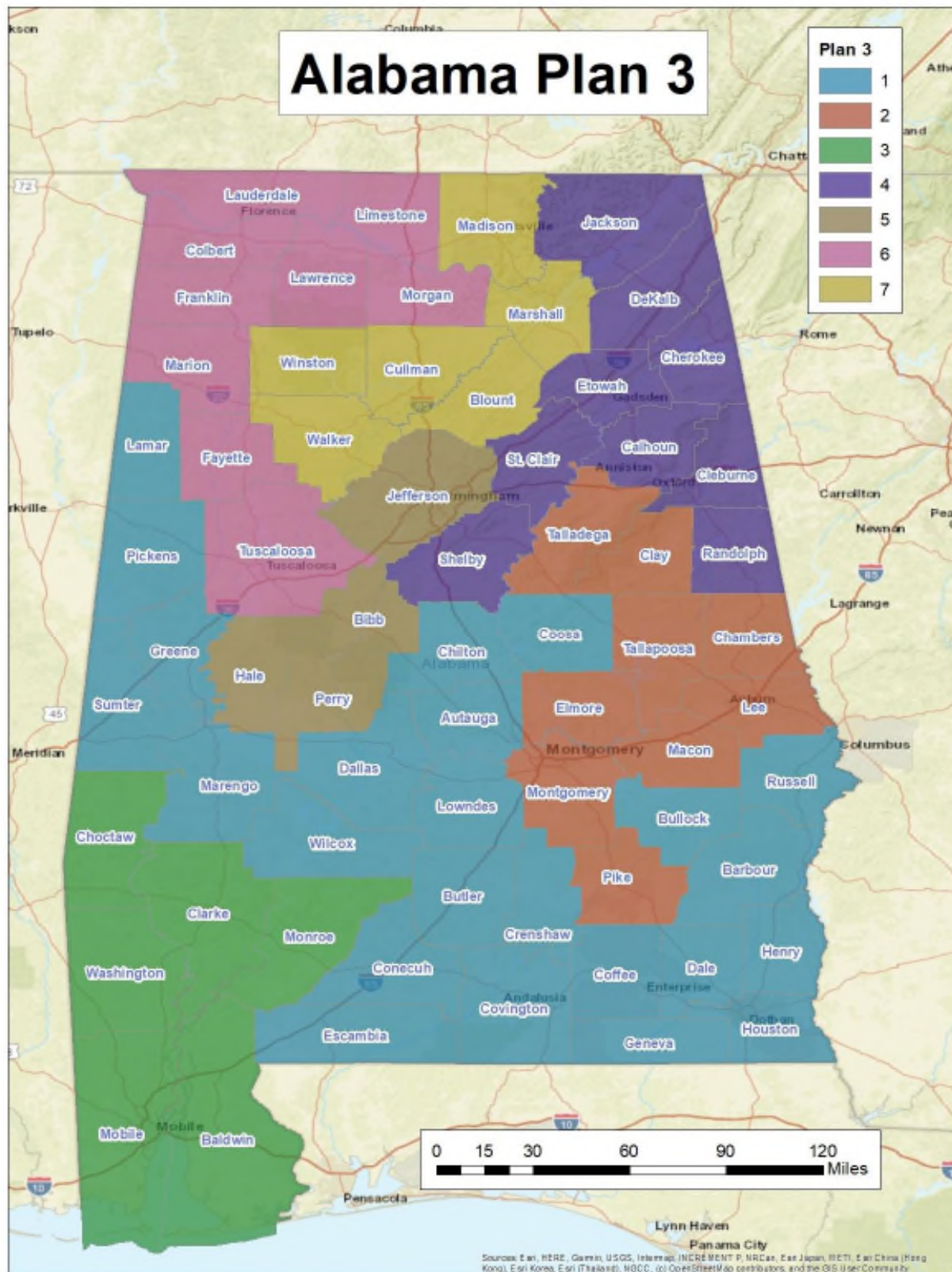
Map Appendix 2 (Plan S1)



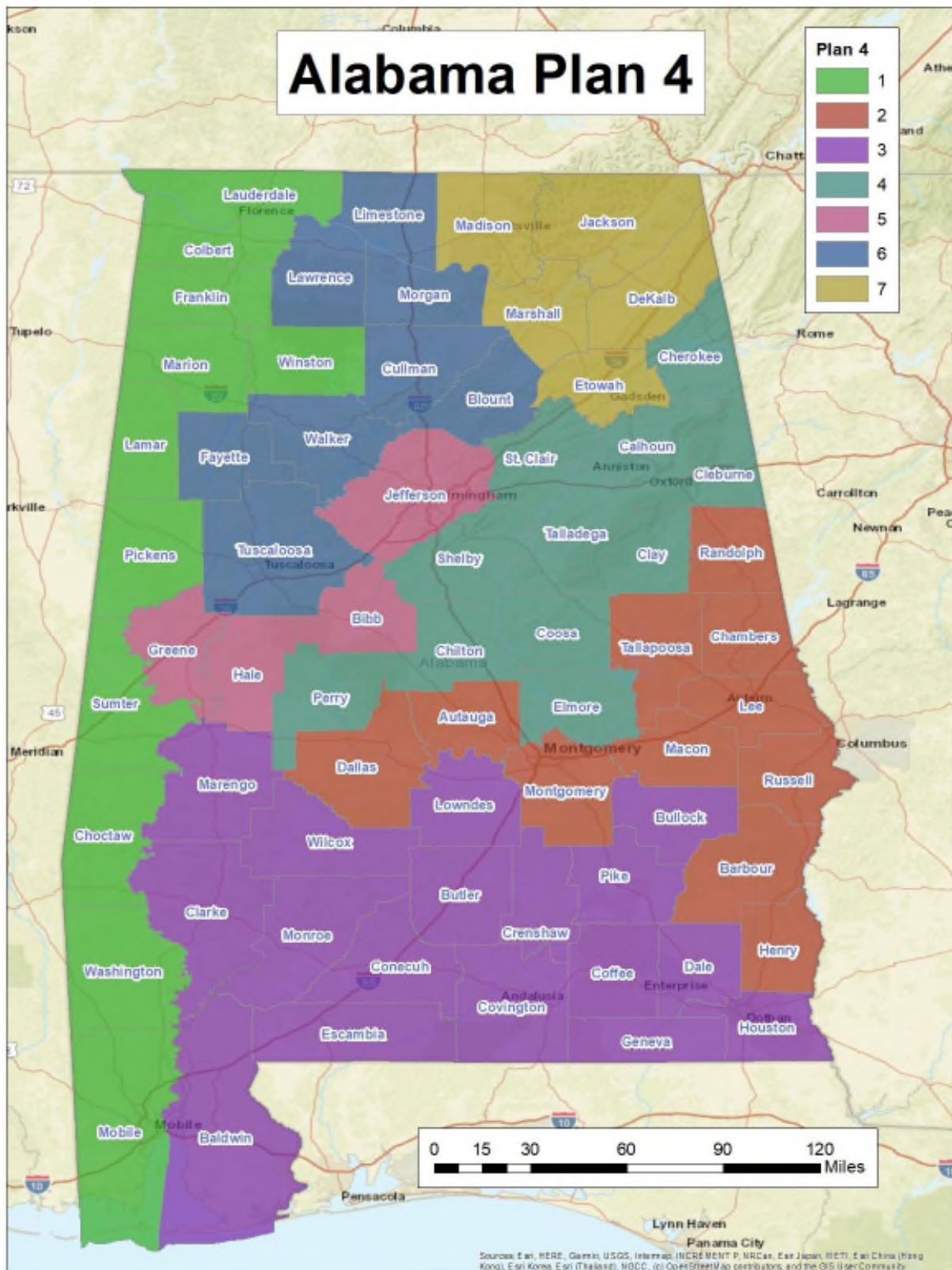
Map Appendix 5 (Plan 2)



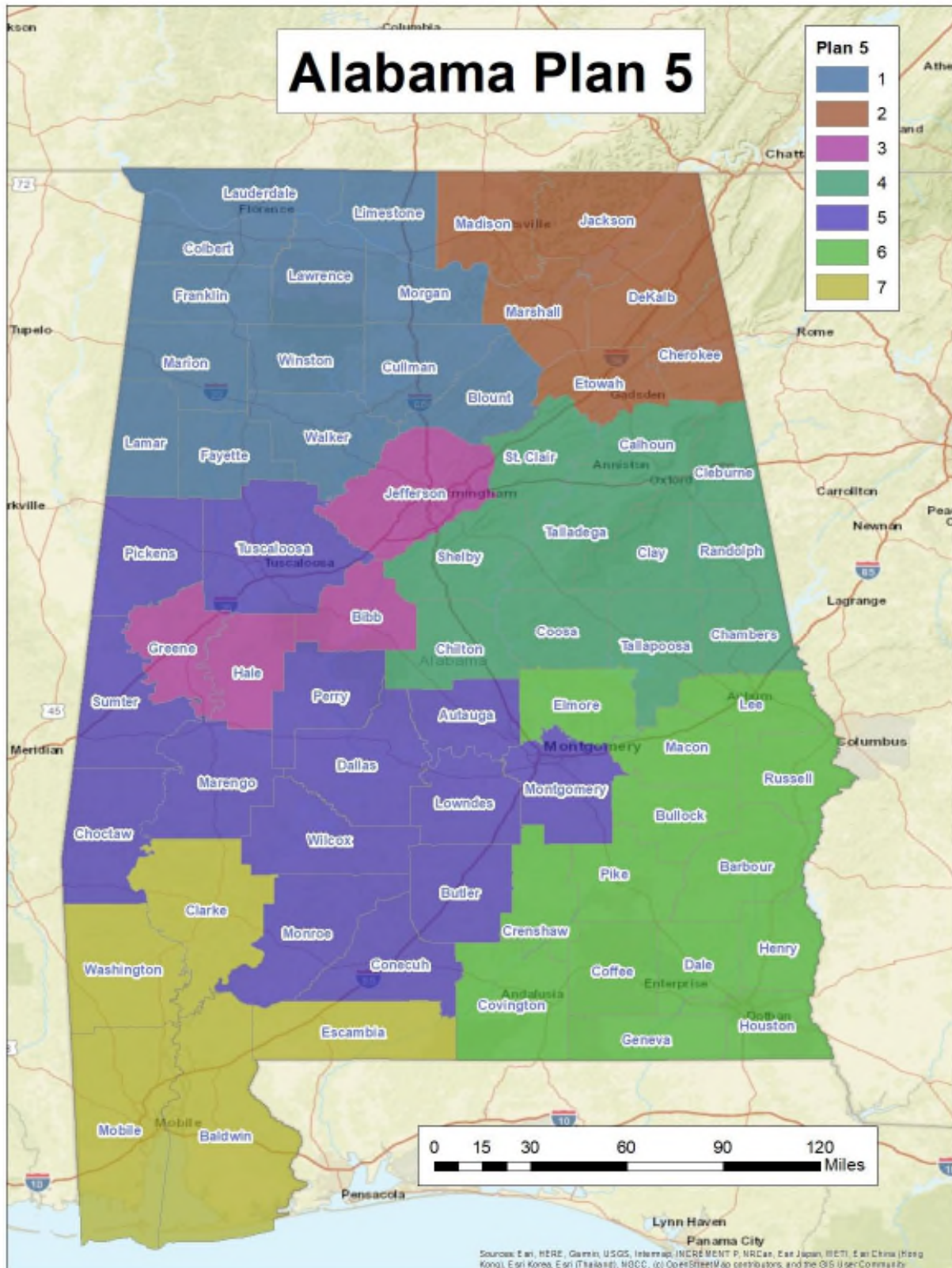
Map Appendix 6 (Plan 3)



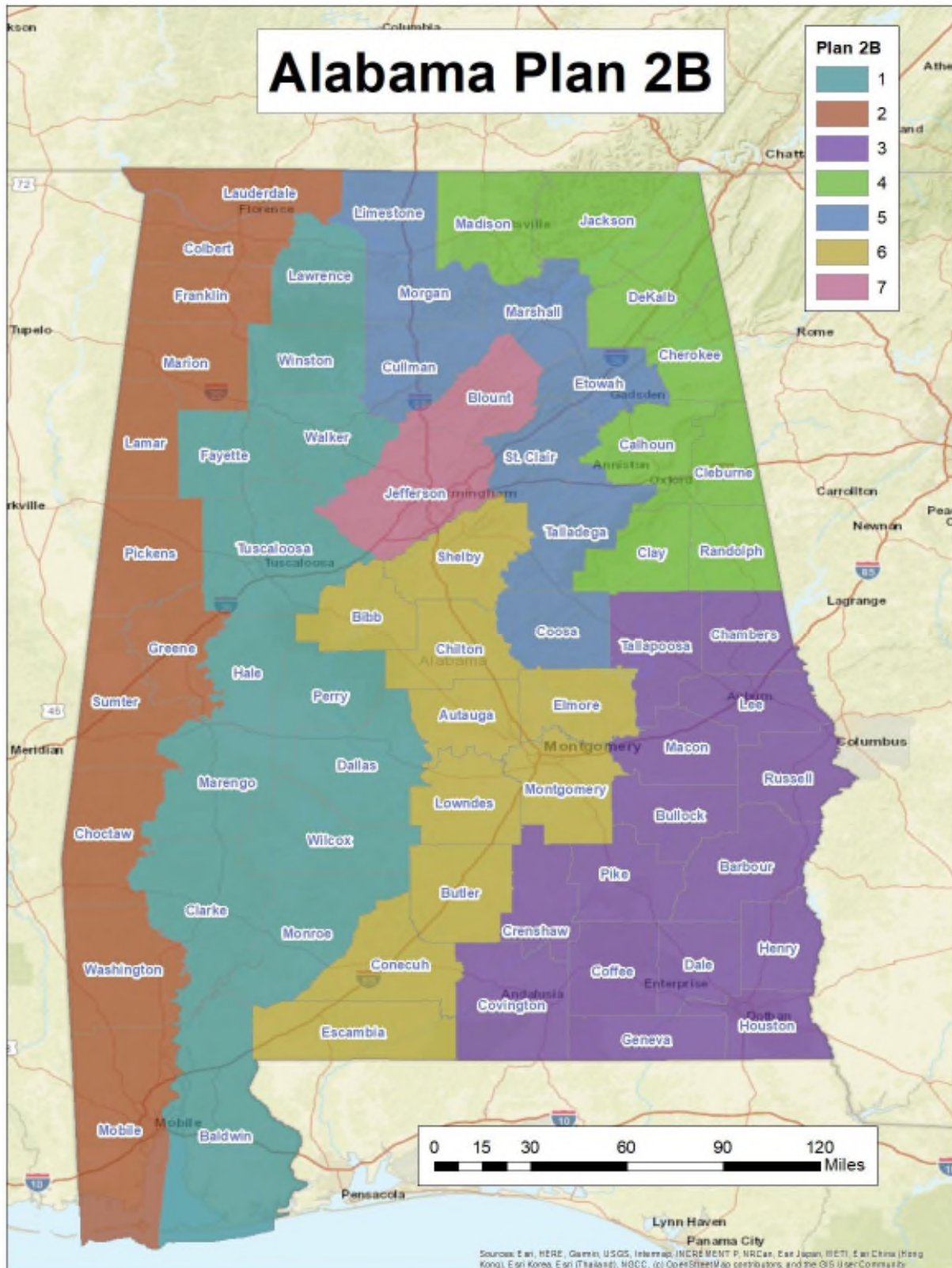
Map Appendix 7 (Plan 4)



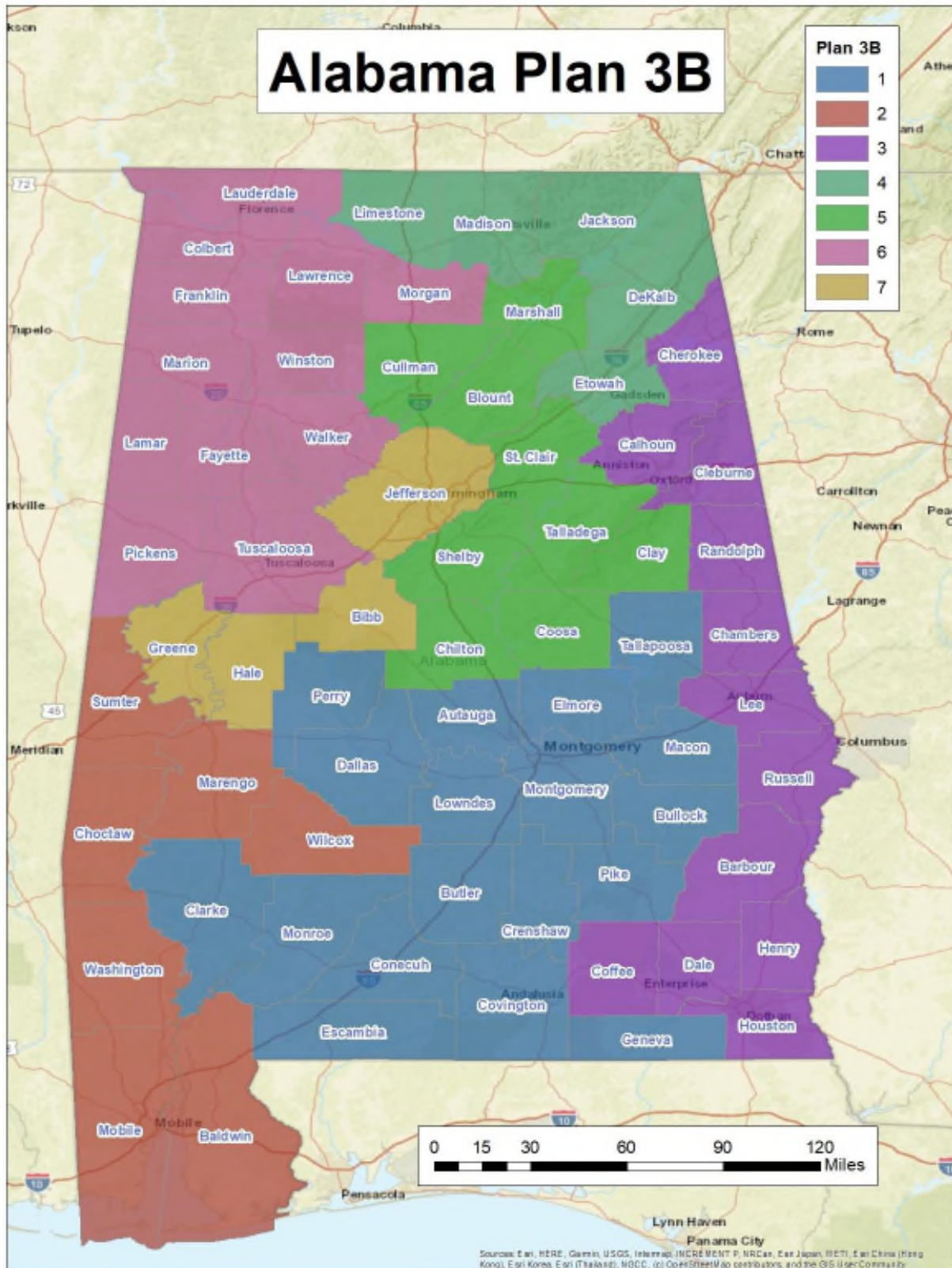
Map Appendix 8 (Plan 5)



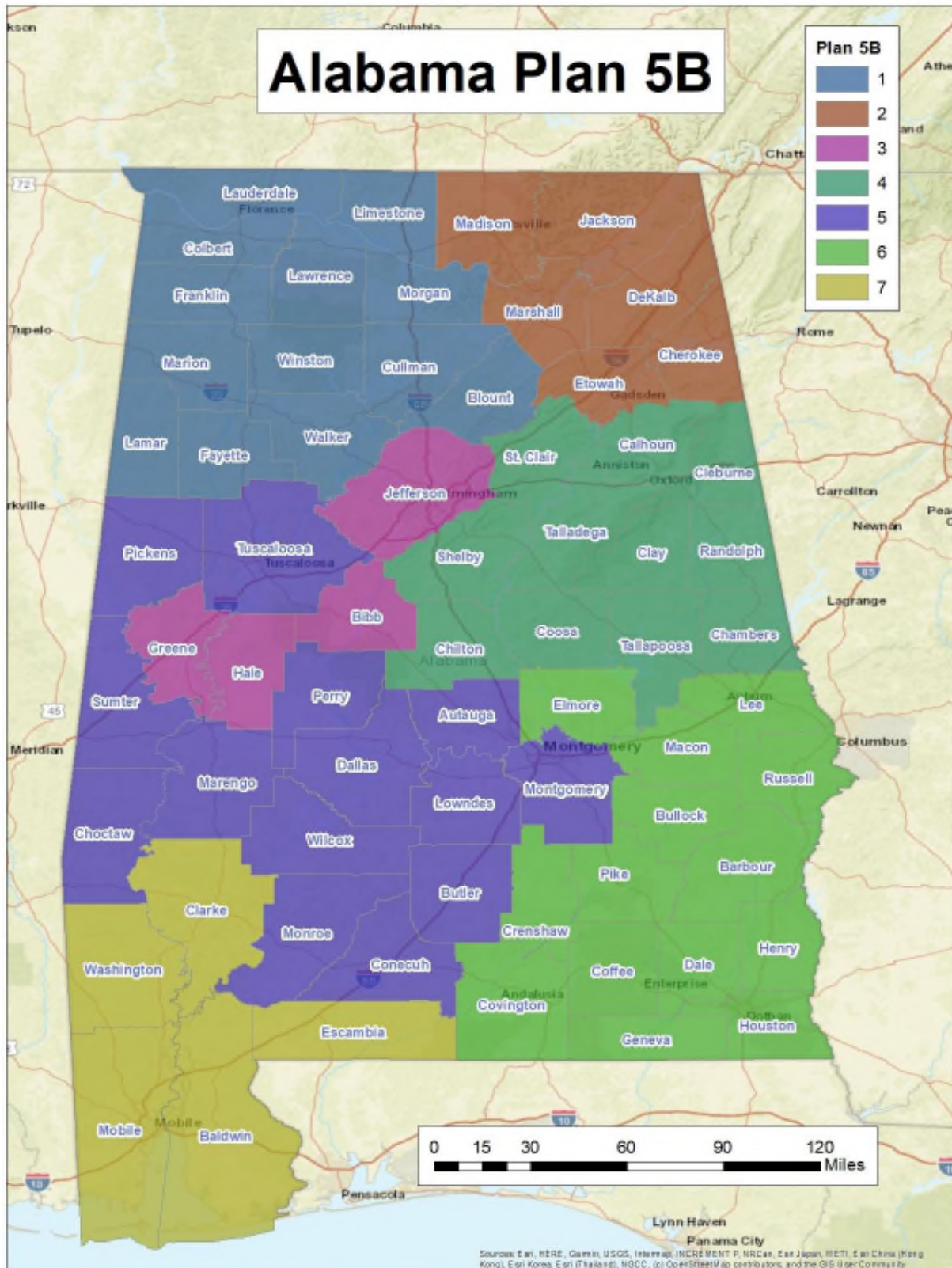
Map Appendix 10 (Plan 2B)



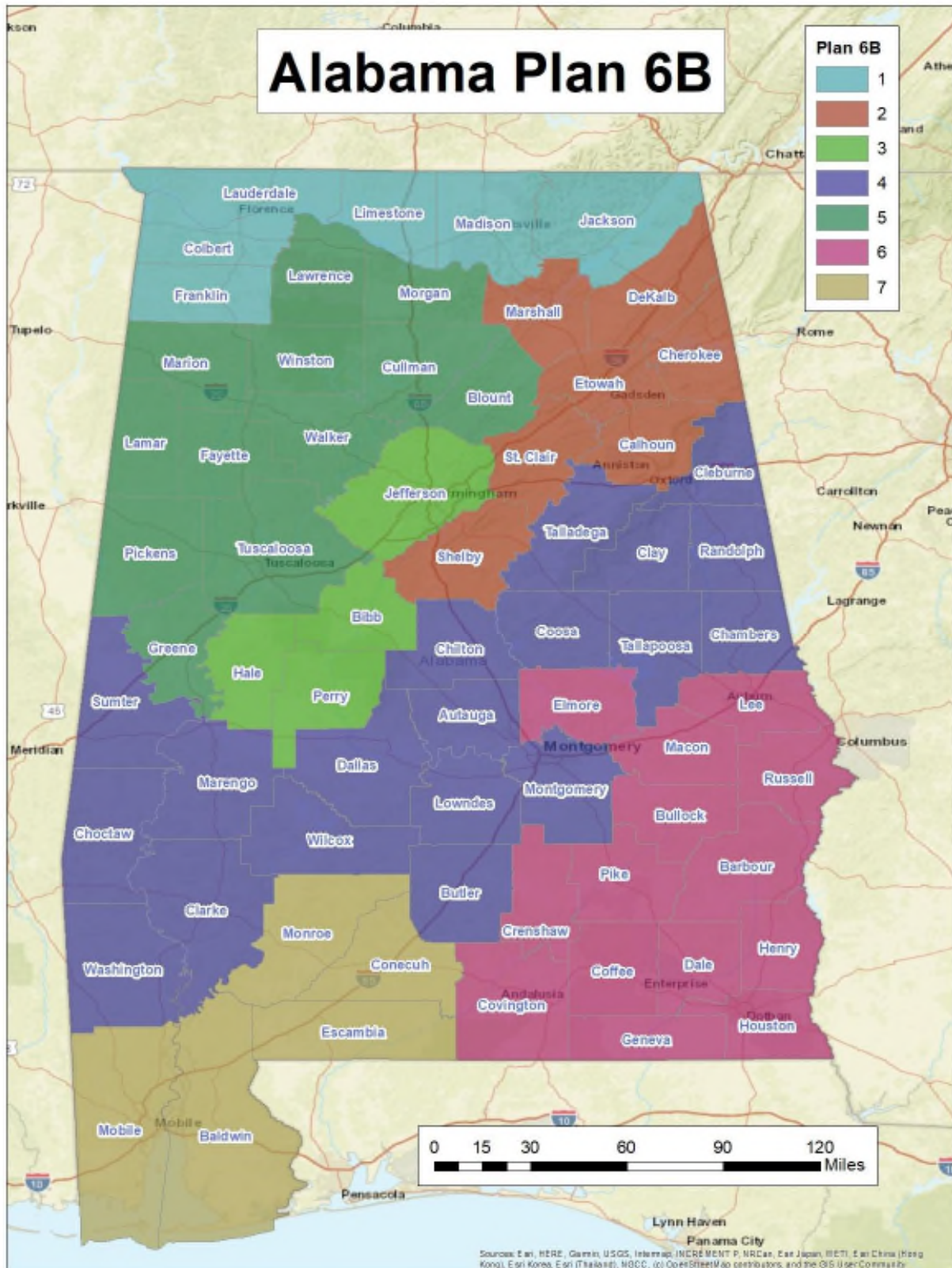
Map Appendix 11 (Plan 3B)



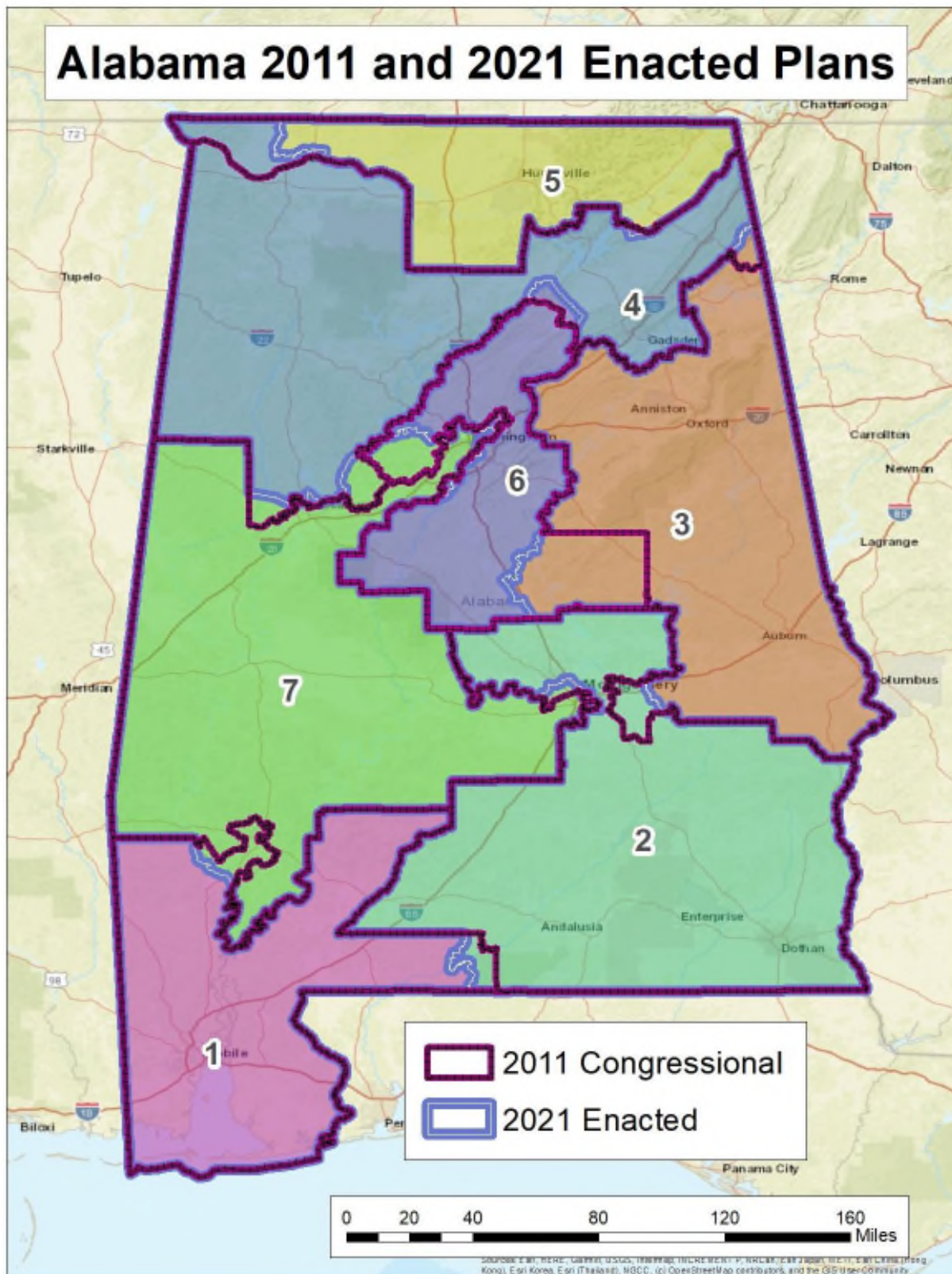
Map Appendix 13 (Plan 5B)



Map Appendix 14 (Plan 6B)

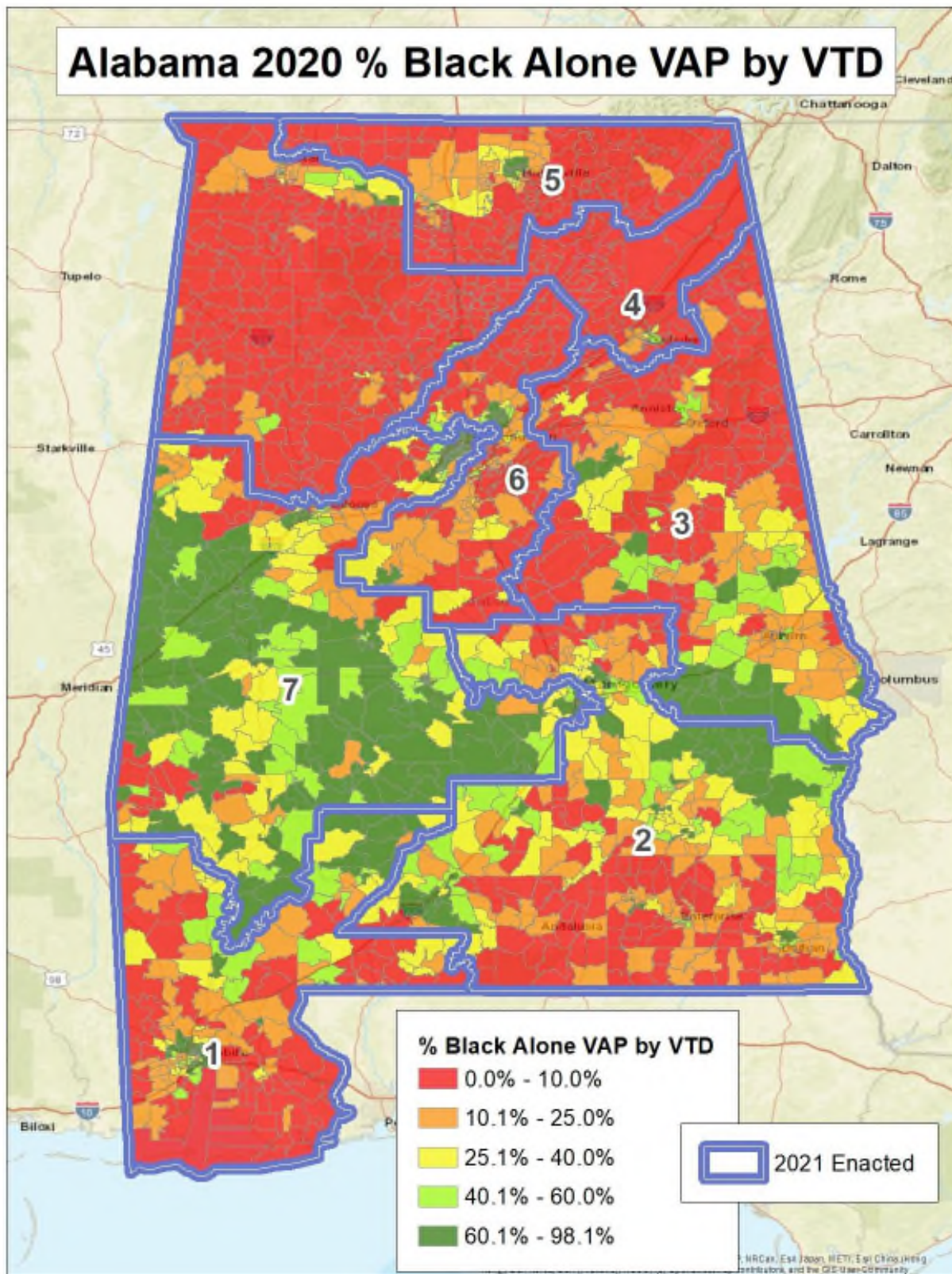


Map Appendix 16 (State of Alabama 2011 and 2021 Enacted Plans)

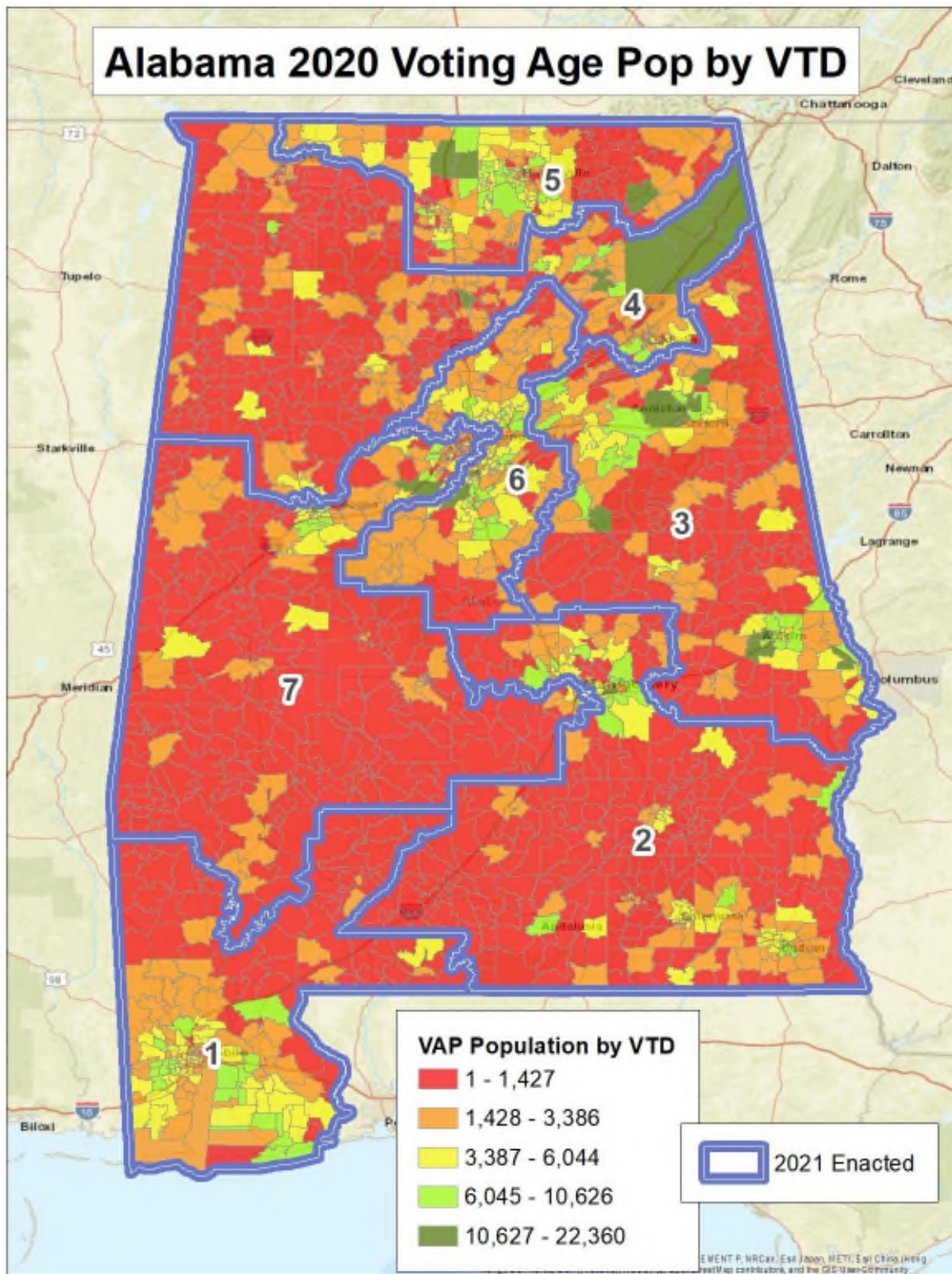


**Alabama Enacted Plan
Map Appendices
% Black Alone and VAP
By County and VTD**

Map Appendix 19 (State of Alabama Percent Black Alone VAP by VTD)

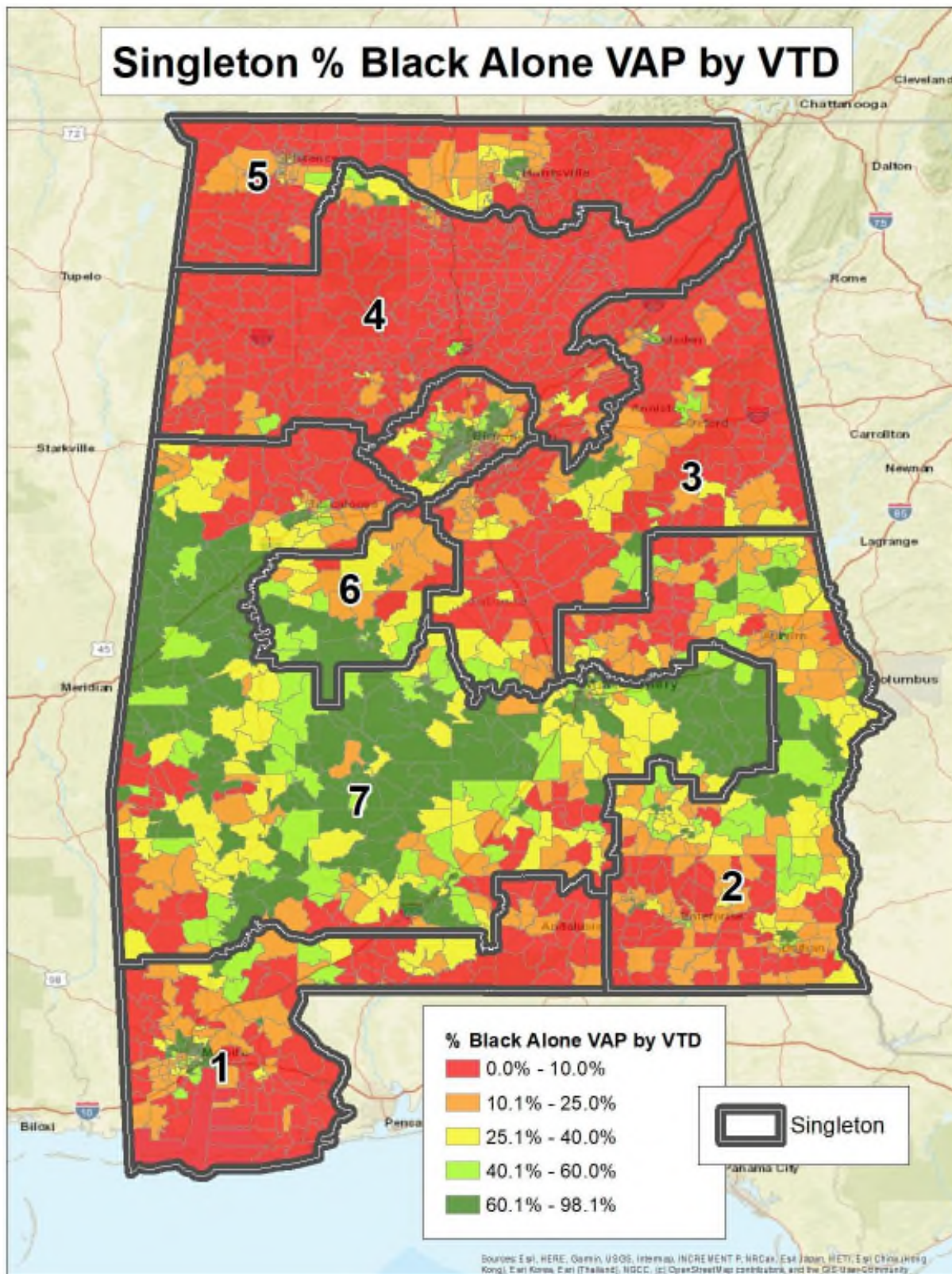


Map Appendix 20 (State of Alabama Voting Age Population by VTD)

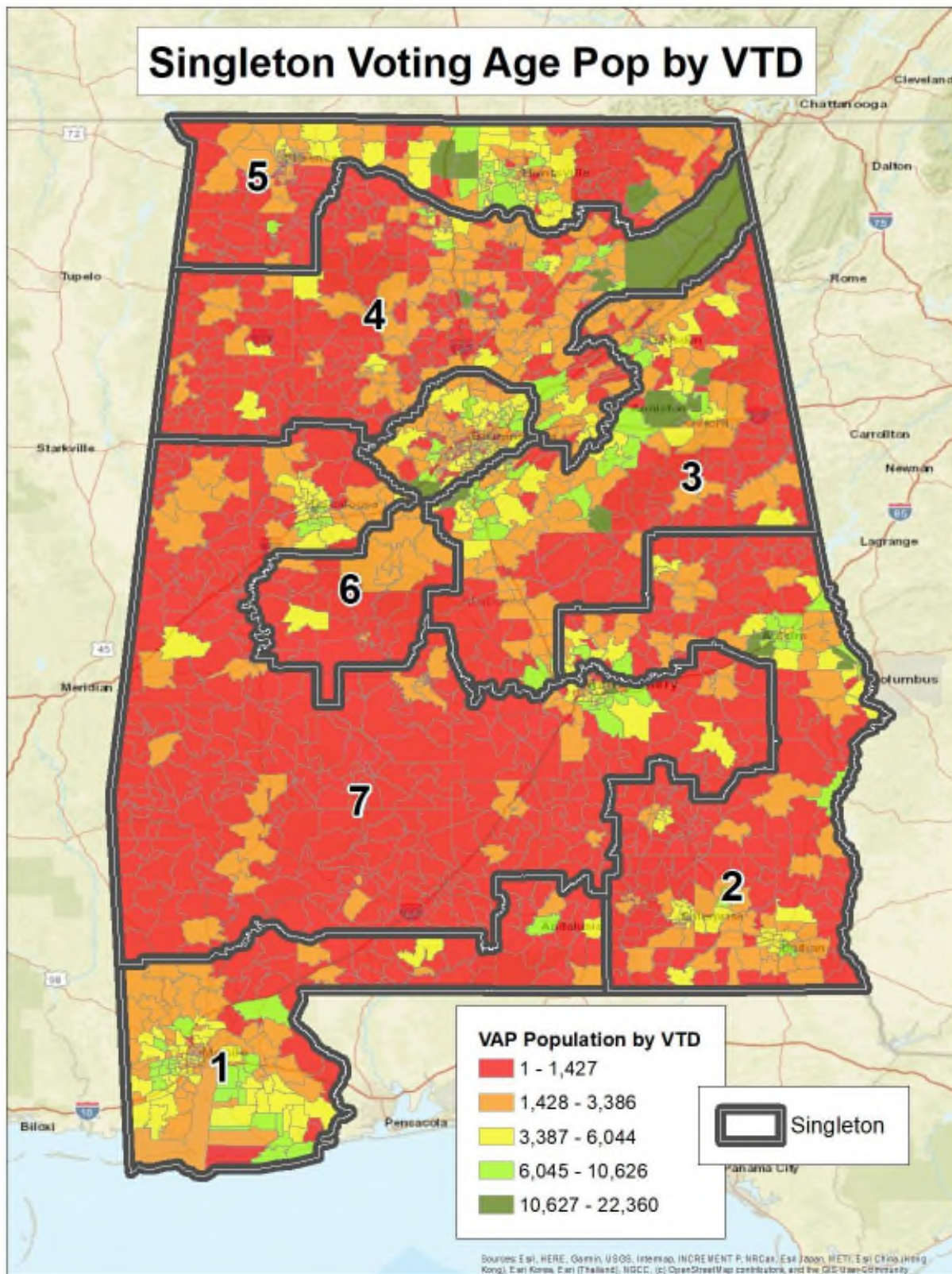


**Singleton Plan
Map Appendices
% Black Alone and VAP
By County and VTD**

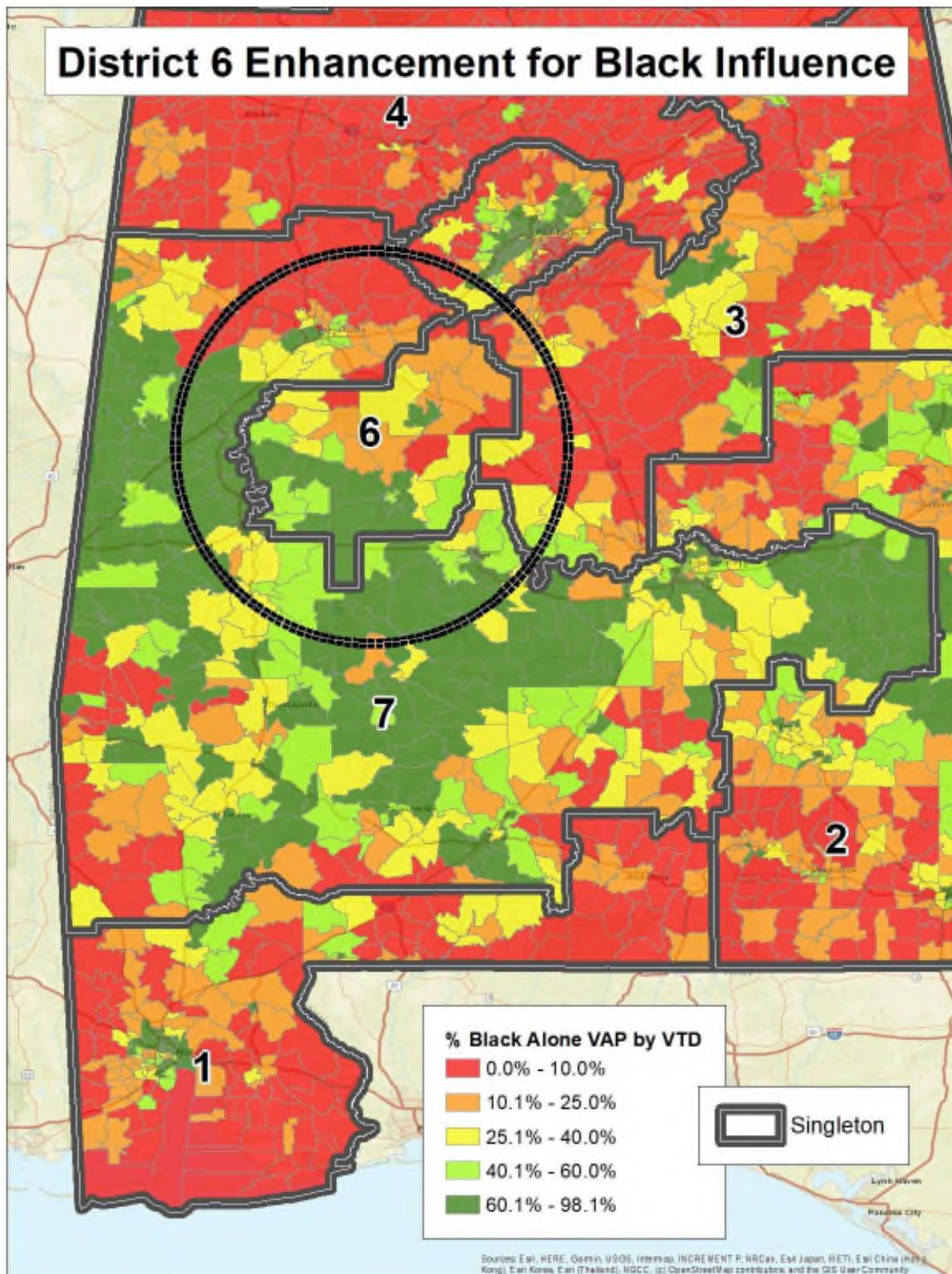
Map Appendix 23 (Singleton Percent Black Alone VAP by VTD)



Map Appendix 24 (Singleton Voting Age Population by VTD)



Map Appendix 25 (Singleton Percent Black Alone VAP by VTD)



My name is Thomas Bryan¹. I am a professional demographer and political redistricting expert witness. I have been retained by the State of Alabama to provide analysis and support in the case of *Milligan v. Merrill* and *Caster v. Merrill*.² A copy of my CV is attached to this report.

I am over 18 years of age and I have personal knowledge of the facts stated herein.

EXPERT QUALIFICATIONS

I graduated with a Bachelor of Science in History from Portland State University in 1992. I graduated with a Master of Urban Studies (MUS) from Portland State University in 1996, and in 2002 I graduated with a Masters in Management and Information Systems (MIS) from George Washington University. Concurrent with earning my Management and Information Systems degree, I earned my Chief Information Officer certification from the GSA.³

My background and experience with demography, census data and advanced analytics using statistics and population data began in 1996 with an analyst role for the Oregon State Data Center. In 1998 I began working as a statistician for the US Census Bureau in the Population Division – developing population estimates and innovative demographic methods. In 2001 I began my role as a professional demographer for ESRI Business Information Solutions, where I began developing my expertise in Geographic Information Systems (GIS) for population studies. In May 2004 I continued my career as a demographer, data scientist and expert in analytics in continuously advanced corporate roles, including at Altria and Microsoft through 2020.

In 2001 I developed a private demographic consulting firm “BryanGeoDemographics” or “BGD”. I founded BGD as a demographic and analytic consultancy to meet the expanding demand for advanced analytic expertise in applied demographic research and analysis. Since then, my consultancy has broadened to include litigation support, state and local redistricting, school redistricting, and municipal infrastructure initiatives. Since 2001, I have undertaken over 150 such engagements in three broad areas:

- 1) state and local redistricting,
- 2) applied demographic studies, and
- 3) school redistricting and municipal Infrastructure analysis.

¹ <https://www.linkedin.com/in/thomas-bryan-424a6912/>

² <https://redistricting.ils.edu/case/milligan-v-merrill/> and <https://redistricting.ils.edu/case/caster-v-merrill/>

³ Granted by the General Services Administration (GSA) and the Federal IT Workforce Committee of the CIO Council.

My background and experience with redistricting began with McKibben Demographics from 2004-2012, when I provided expert demographic and analytic support in over 120 separate school redistricting projects. These engagements involved developing demographic profiles of small areas to assist in building fertility, mortality and migration models used to support long-range population forecasts and infrastructure analysis. Over this time, I informally consulted on districting projects with Dr. Peter Morrison. In 2012 I formally began performing redistricting analytics and continue my collaboration with Dr. Morrison to this day.

I have been involved with over 40 significant redistricting projects, serving roles of increasing responsibility from population and statistical analyses to report writing to directly advising and supervising redistricting initiatives. Many of these roles were served in the capacity of performing Gingles analyses, risk assessments and Federal and State Voting Rights Act (VRA) analyses in state and local areas.

In each of those cases, I have personally built, or supervised the building of, one or more databases combining demographic data, local geographic data and election data from sources including the 2000, the 2010 and now 2020 decennial Census. I also innovated the use of the US Census Bureau's statistical technique of "iterative proportional fitting" or "IPF" of the Census Bureau's American Community Survey (ACS) and the Census Bureau's Special Tabulation of Citizen Voting Age Population Data to enable the development of districting plans at the Census block level. This method has been presented and accepted in numerous cases we have developed or litigated. These data have also been developed and used in the broader context of case-specific traditional redistricting principles and often alongside other state and local demographic and political data.

In 2012 I began publicly presenting my work at professional conferences. I have developed and publicly presented on measuring effective voting strength, how to develop demographic accounting models, applications of using big data and statistical techniques for measuring minority voting strength – and have developed and led numerous tutorials on redistricting. With the delivery of the 2020 Census, I have presented on new technical challenges of using 2020 Census data and the impact of the Census Bureau's new differential privacy (DP) system. This work culminated with being invited to chair the "Assessing the Quality of the 2020 Census" session of the 2021 Population Association of America meeting, featuring Census Director Ron Jarmin.

I have written professionally and been published since 2004. I am the author of “Population Estimates” and “Internal and Short Distance Migration” in the definitive demographic reference “The Methods and Materials of Demography”. In 2015 I joined a group of professional demographers serving as experts in the matter of *Evenwel, et al. v. Texas* case. In *Evenwel* I served in a leadership role in writing an Amicus Brief on the use of the American Community Survey (ACS) in measuring and assessing one-person, one vote. I also successfully drew a map for the State of Texas balancing both total population from the decennial census and citizen voting age population from the ACS (thereby proving that this was possible – a key tenet of the case). We believe this was the first and still only time this technical accomplishment has been achieved in the nation at a state level. In 2017 I co-authored “From Legal Theory to Practical Application: A How-To for Performing Vote Dilution Analyses.” In 2019 I co-authored “Redistricting: A Manual for Analysts, Practitioners, and Citizens”. In 2021 I authored an assessment of the impact of the U.S. Census Bureau’s approach to ensuring respondent privacy and Title XIII compliance by using a disclosure avoidance system involving differential privacy and was certified as an expert by the US District Court of Alabama Eastern Division. In 2021 I also co-authored ““The Effect of the Differential Privacy Disclosure Avoidance System Proposed by the Census Bureau on 2020 Census Products: Four Case Studies of Census Blocks in Alaska”.

I have been retained to develop, analyze and/or critique four state redistricting plans in 2021, including the state legislature for the Republican Texas House Committee on Redistricting, the state senate for Democratic Counsel for the State of Illinois, and state senate and legislature for Republican Counsel for the State of Wisconsin.

I maintain membership in numerous professional affiliations, including:

- International Association of Applied Demographers (Member and Board of Directors)
- American Statistical Association (Member)
- Population Association of America (Member)
- Southern Demographic Association (Member)

I have been deposed once in the last four years, in the matter of *Harding v. County of Dallas*.

My rate is \$350 per hour for analysis, research and report writing, and \$500 per hour for depositions and testimony.

In this report, I provide:

- 1) A demographer's perspective on the Alabama redistricting process and the *Milligan v. Merrill* and *Caster v. Merrill*.⁴
- 2) A summary and interpretation of traditional redistricting principles.
- 3) A discussion and analysis of the census and DOJ definitions of "Black" population.
- 4) An independent and factual analysis of the plaintiffs' plan and the State of Alabama's enacted plan using the traditional redistricting criteria of:
 - A. communities of interest, including:
 - B. core retention analysis;
 - C. incumbency; and
 - D. compactness.

This includes an in-depth analysis of proposed remedial Black majority districts 2 and 7.

Note that I use the terms "*Milligan*" and "*Hatcher Plan*" referring to plan characteristics and maps throughout my report interchangeably.

⁴<https://redistricting.lls.edu/case/milligan-v-merrill/> and <https://redistricting.lls.edu/case/caster-v-merrill/>

1) A demographer's perspectives on the Alabama redistricting process and issues posed in *Milligan v. Merrill* and *Caster v. Merrill*

The Alabama State Legislature is responsible for drawing both congressional and state senate and state house boundaries, as well State Board of Education districts. Both chambers of the state legislature must approve a single redistricting plan. The governor may veto the lines drawn by the state legislature⁵ On May 5, 2021 the State of Alabama issued the "Reapportionment Committee Redistricting Guidelines", which stated among other things:

- "No district shall be drawn that subordinates race-neutral districting criteria to considerations of race, color, or membership in a language minority group (except...) to comply with Section 2";
- "Districts shall be composed of contiguous and reasonably compact geography";
- "Districts shall respect communities of interest...including but not limited to ethnic, racial, economic, tribal, social, geographic or historical identities"; and
- "The legislature shall try to preserve the cores of the existing districts"

Using population estimates from the Census Bureau, the Alabama legislature began to develop redistricting plans in May of 2021. Once the 2020 Census data were delivered in August of 2021, the Alabama legislature utilized that data to continue the redistricting process⁶. Plans were drawn in compliance with the published criteria for redistricting⁷, which includes (among other guidance):

- Ila. Districts shall comply with the United States Constitution, including the requirement that they equalize total population; and
- Iib. Congressional districts shall have minimal population deviation.

On November 4, 2021 the proposed plans were signed into law⁸ by Governor Kay Ivey.

⁵ https://ballotpedia.org/Redistricting_in_Alabama_after_the_2020_census

⁶ <https://www.census.gov/newsroom/press-releases/2021/population-changes-nations-diversity.html>,
<https://www.census.gov/newsroom/press-releases/2021/2020-census-redistricting-data-easier-to-use-format.html>

⁷ <http://www.legislature.state.al.us/aliswww/reapportionment/Reapportionment%20Guidelines%20for%20Redistricting.pdf>

⁸ Alabama enacted a congressional map on Nov. 4, 2021, after Gov. Kay Ivey (R) signed the proposal into law.[1] The Alabama House of Representatives voted 65-38 in favor of the map on Nov. 1 followed by the Alabama State Senate voting 22-7 on Nov. 3.[1][2] This map takes effect for Alabama's 2022 congressional elections.

Alabama enacted state legislative maps for the state Senate and House of Representatives on Nov. 4, 2021, after Gov. Kay Ivey (R) signed the proposals into law.[1] Senators approved the Senate map on Nov. 1 with a 25-7 vote.[3]

This report is submitted in *Milligan v. Merrill* and *Caster v. Merrill*. Plaintiffs in both cases allege that Section 2 of the Voting Rights Act requires Alabama to draw two majority-black districts (the Milligan Plaintiffs also assert claims of racial gerrymandering and intentional gerrymandering). The Milligan plaintiffs present a plan in their complaint (“the Hatcher plan”) that significantly changes the representational landscape of the state and deviates far from a “least change” approach.

Districts 2 and 7 are majority black by plaintiffs’ calculations, but barely so. In order for them to have accomplished this, some of the most obvious changes introduced by the Hatcher plan include numerous splits of counties that have always remained whole in districting plans and in aggregate have remained in the same congressional district for decades. The most significant of these splits are the ones of District 1 and District 2 through Mobile and Baldwin counties. In the Hatcher plan, District 2 connects the areas in Mobile County that are heavily black in population with counties in the Black Belt region, including Barbour and Russell counties on the Georgia line. District 1 connects the whiter areas of Mobile County with wiregrass counties, extending along the Florida line to Houston County. In the Hatcher plan, District 7 includes areas of west central Alabama that are heavily black in population – also with counties in the Black Belt region. The *Caster* plaintiffs have not yet presented a demonstrative plan, and no plaintiffs will submit an expert report until the day this report is due.

For purposes of this report, I am assuming that the demonstrative plans in both cases will be based on the same basic structure as the Hatcher plan, even if there are differences around the edges. If any plaintiffs present a demonstrative plan with a substantially different structure or that alters the opinions herein, those issues will be addressed in a supplemental or rebuttal report. Because of time constraints during this accelerated schedule, most of my focus will be on the *Milligan* plaintiffs’ allegations, but the opinions asserted about the “Hatcher plan” apply equally to *Caster* to the extent the *Caster* plaintiffs rely on a similar demonstrative plan. Some of my opinions asserted in my report for *Singleton v. Merrill* (the “whole county” case) may be

Representatives approved the Senate map on Nov. 3 with a 76-26 vote.[1] For the House proposal, representatives voted 68-35 in favor on Nov. 1 and senators followed on Nov. 3 with a 22-7 vote.[4] These maps take effect for Alabama's 2022 legislative elections.

Alabama's seven United States representatives and 140 state legislators are all elected from political divisions called districts. District lines are redrawn every 10 years following completion of the United States census. Federal law stipulates that districts must have nearly equal populations and must not discriminate on the basis of race or ethnicity.

Source: https://ballotpedia.org/Redistricting_in_Alabama_after_the_2020_census

applicable to arguments made in *Milligan* and *Caster*, and I understand that my Singleton report may be submitted for that purpose. I reserve the right to supplement this report.

2) Traditional Redistricting Principles

In addition to these mandatory standards set out by the U.S Constitution and the Voting Rights Act, states may adopt their own redistricting criteria, or principles, for drawing the plans. Those criteria appear in state constitutions or statutes, or may be adopted by a legislature, chamber, or committee, or by a court that is called upon to draw a plan when the legislative process fails. The Congressional Research Service explains⁹:

“Many of the “rules” or criteria for drawing congressional boundaries are meant to enhance fairness and minimize the impact of gerrymandering. These rules, standards, or criteria include assuring population equality among districts within the same state; protecting racial and language minorities from vote dilution while at the same time not promoting racial segregation; promoting geographic compactness and contiguity when drawing districts; minimizing the number of split political subdivisions and “communities of interest” within congressional districts; and preserving historical stability in the cores of previous congressional districts.”

These traditional districting principles (or criteria) have been adopted by many states and serve as the framework that I will use in this report:

- *Preservation of communities of interest*: District boundaries should respect geographic areas whose residents have shared interests, such as neighborhoods and historic areas.
- *Continuity of representation*. There is a benefit to continuing the political and geographic stability of districts. This can be measured with:
 - *Preservation of districts (“core retention”)*: A redrawn district should include as much of the same residential population as the former district did, as allowed by the minimum population that needs to be rebalanced.
 - *Incumbents*: Districts should not be drawn to include pairs of incumbents.
- *Compactness*: Districts should be geographically compact and not irregular.
- *Contiguity*: All parts of a district should be connected at some point with the rest of the district. Simply put, contiguity means that a pedestrian could walk from any point within the district to any other point within it without needing to cross the district’s boundaries; and finally:
- *Preservation of counties and other political subdivisions*: District boundaries should not cross county, city, or town, boundaries to the extent practicable.

⁹ <https://crsreports.congress.gov/product/pdf/R/R42831/3>

3) Census Race Definitions

In the field of demography, and indeed in redistricting cases, the definition of the population in question is critical. Since the foremost purpose of the census is to generate statistics for the purpose of apportionment and redistricting, it is unclear why here plaintiffs refer to undocumented voting strength statistics rather than census Black Voting Age Population. Before we proceed, we will here try to define and document the true “Black” population of the two Black districts in the plaintiff’s remedial plan.

The 2010 Census allowed respondents to self-declare their ethnic and racial identification:

In order to facilitate enforcement of the Voting Rights Act, the Census Bureau asks each person counted to identify their race and whether they are of Hispanic or Latino origin. Beginning with the 2010 Census (and continuing in 2020) the racial categories available in the Census were: White, Black, American Indian, Asian, Native Hawaiians and other Pacific Islanders, and Some Other Race. Persons of Hispanic or Latino origin might be of any race. Persons were given the opportunity to select more than one race – and that race could be in combination with Hispanic or non-Hispanic origin.¹⁰

The result is that the Census Bureau reports 263 different population counts for each level of Census geography in the country. A “Black” in Alabama therefore can be Black alone, or perhaps in combination with other races or possibly even also Hispanic. Since 2010, the number and proportions of multi-race populations in the United States has grown markedly.¹¹ An examination of Appendix 1 (P.31) “Census 2020 Alabama Black Population Total, non-Hispanic and Hispanic Combinations” reveals numerous new and important findings on who Blacks are in Alabama.

In Appendix 1 (P.31) the population is reported starting in total, then progressing by row through race alone and race in combination for Alabama’s Black population. Column A shows the total population and Column B shows the % of the total population for that group. Column C shows the non-Hispanic population and Column D shows the % of the total population for that group. Column E shows the Hispanic population and Column F shows the % of the total population for that group. In Appendix 2 (P.32), the same format follows for the Alabama Black Voting Age Population (VAP).

¹⁰ “How to Draw Redistricting Plans That Will Stand Up In Court”, National Conference of State Legislators (NCSL), January 22, 2011, p. 17.

¹¹ Experts own independent observations.

In Appendix 1 (P.31), Column A (Total Population) we see that the Black or African American alone population is 1,296,162 – or 25.8% of the population. At the bottom of the table, we see the incremental impact of Black alone or in combination. When all other race combinations are added, the Black population is 1,364,736 – or 27.2% of the population. This represents an additional 68,574 Blacks, or 5.0% of the total Alabama Black population.

In Appendix 2 (P.32), Column A (Voting Age Population) we see that the Black or African American alone population is 981,723 – or 25.1% of the population. At the bottom of the table, we see the incremental impact of Black alone or in combination. When all other race combinations are added, the Black population is 1,014,372 – or 25.9% of the VAP. This represents an additional 68,574 Blacks, or 3.2% of the Alabama Black VAP.

In this matter precise definitions matter. This “alone” definition is the one most consistently used historically in VRA cases because a) a multi-race classification did not exist prior to 2000; and b) the “alone” definition has been most defensible from a political science / Gingles 2 voting behavior perspective. On September 1, 2021 the DOJ published “Guidance under Section 2 of the Voting Rights Act, 52 U.S.C. 10301, for redistricting and methods of electing government bodies”¹² which states:

“The Department’s initial review will be based upon allocating any response that includes white and one of the five other race categories identified in the response. Thus, the total numbers for “Black/African American,” “Asian,” “American Indian/Alaska Native,” “Native Hawaiian or Other Pacific Islander,” and “Some other race” reflect the total of the single-race responses and the multiple responses in which an individual selected a minority race and white race. The Department will then move to the second step in its application of the census data by reviewing the other multiple-race category, which is comprised of all multiple-race responses consisting of more than one minority race. Where there are significant numbers of such responses, the Department will, as required by both the OMB guidance and judicial opinions, allocate these responses on an iterative basis to each of the component single-race categories for analysis.”¹³

In order to facilitate analysis that reflects current DOJ guidance, we will include analysis containing both Black alone or in combination (hereafter referred to as the “All Black” definition in this report as appropriate.

¹² <https://www.justice.gov/opa/pr/justice-department-issues-guidance-federal-statutes-regarding-redistricting-and-methods>

¹³ *Georgia v. Ashcroft*, 539 U.S. 461, 473, n.1 (2003).

Table 4.1 Hatcher Plan Total Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	717,754	110,043	121,355	15.3%	16.9%
2	717,755	369,876	383,401	51.5%	53.4%
3	717,753	153,144	163,967	21.3%	22.8%
4	717,753	50,872	58,822	7.1%	8.2%
5	717,755	129,314	143,250	18.0%	20.0%
6	717,754	85,270	93,167	11.9%	13.0%
7	717,755	389,640	400,774	54.3%	55.8%
Grand Total	5,024,279	1,288,159	1,364,736	25.6%	27.2%

Table 4.2 Hatcher Plan Voting Age Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	556,317	81,316	86,113	14.6%	15.5%
2	559,876	278,856	286,698	49.8%	51.2%
3	563,228	117,517	122,319	20.9%	21.7%
4	555,304	38,846	41,937	7.0%	7.6%
5	562,504	99,539	106,140	17.7%	18.9%
6	553,734	64,095	67,699	11.6%	12.2%
7	566,203	296,563	303,466	52.4%	53.6%
Grand Total	3,917,166	976,732	1,014,372	24.9%	25.9%

Table 4.3 HB1 Plan Total Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	717,754	185,771	196,827	25.9%	27.4%
2	717,755	216,019	228,648	30.1%	31.9%
3	717,754	175,783	187,284	24.5%	26.1%
4	717,754	51,314	59,655	7.1%	8.3%
5	717,754	123,355	136,782	17.2%	19.1%
6	717,754	137,209	145,897	19.1%	20.3%
7	717,754	398,708	409,643	55.5%	57.1%
Grand Total	5,024,279	1,288,159	1,364,736	25.6%	27.2%

Table 4.4 HB1 Plan Voting Age Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	557,535	137,354	142,777	24.6%	25.6%
2	557,677	161,893	167,971	29.0%	30.1%
3	564,281	135,659	141,011	24.0%	25.0%
4	556,133	39,507	42,819	7.1%	7.7%
5	561,187	95,014	101,339	16.9%	18.1%
6	552,286	100,385	104,551	18.2%	18.9%
7	568,067	306,920	313,904	54.0%	55.3%
Grand Total	3,917,166	976,732	1,014,372	24.9%	25.9%

Table 4.5 Existing 2011 Plan Total Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	726,276	188,431	199,586	25.9%	27.5%
2	693,466	211,862	224,221	30.6%	32.3%
3	735,132	186,438	198,228	25.4%	27.0%
4	702,982	46,919	54,662	6.7%	7.8%
5	761,102	130,351	144,648	17.1%	19.0%
6	740,710	120,130	128,681	16.2%	17.4%
7	664,611	404,028	414,710	60.8%	62.4%
Grand Total	5,024,279	1,288,159	1,364,736	25.6%	27.2%

Table 4.6 Existing 2011 Plan Voting Age Population by District

District	Total Pop	Black Alone Pop	All Black Pop	% Black Alone	% All Black
1	564,302	139,380	144,863	24.7%	25.7%
2	539,812	159,212	165,202	29.5%	30.6%
3	576,455	143,415	148,910	24.9%	25.8%
4	543,423	36,006	39,038	6.6%	7.2%
5	595,873	100,325	107,050	16.8%	18.0%
6	572,838	89,754	93,787	15.7%	16.4%
7	524,463	308,640	315,522	58.8%	60.2%
Grand Total	3,917,166	976,732	1,014,372	24.9%	25.9%

Precision here is important. Plaintiffs cite numerous demographic figures without defining them. In districts they are proposing such as D2, the Black alone population is 49.8% - e.g. not a majority.¹⁴ While the Black alone *or in combination* population is 51.2%. Whether D2 is defensible as a majority district depends on the definition being used. In this case, if the plaintiffs use any other definition of Black besides “Black alone” an analysis of the voting behavior of those incremental, not Black alone voters would be warranted for a Gingles claim.

Using the tables above and Appendix 1(P.31) / Appendix 2 (P.32) I documented the demographic references by paragraph in the Milligan report and attempted to replicate them.

- Para 42. “On August 12, 2021, the U.S. Census Bureau released the results of the 2020 Census. Alabama’s population grew by 5.1% between 2010 and 2020. Alabama’s current population identifies as 63.1% non-Hispanic white, 26.9% as any part Black, 5.3% as Hispanic or Latino, 2.3% as any part American Indian/Alaska Native, and 2% as any part Asian.” My analysis shows that the 26.9% Black here is actually Black alone and Hispanic and Black + White and Hispanic. The true % any part Black is in fact 27.2%

¹⁴ Milligan complaint paragraph 88

- Para 87. “Demonstrative CD 7 would have a BVAP of 52.6%, which is sufficient for Black voters to elect a representative of choice despite the persistence of racially polarized voting in Alabama.” My analysis in Table 4.2 (P.10) shows BVAP for Hatcher D7 as being 52.4% and All Black as 53.6%. I am unable to ascertain the definition of the BVAP of 52.6% or the defense of it being sufficient for Black voters.
- Para 100. “District 1 is a district that was approximately 25.7% BVAP.” My analysis in Table 4.6 (P.11) shows D1 All Black as 25.7%.
- Para 101. “District 1 is a district that was approximately 30.6% BVAP.” My analysis in Table 4.6 (P.11) shows D2 All Black as 30.6%.
- Para 102. “District 1 is a district that was approximately 25.8% BVAP.” My analysis in Table 4.6 (P.11) shows D3 All Black as 25.8%.
- Para 165. “In the HB 1 plan signed by the Governor, the BVAP in CD 1 is 25.6%, the BVAP in CD 2 is 30.1%, and the BVAP in CD 3 is 25%.” My analysis in Table 4.4 (P.10) shows all three of these populations as being “All Black”.

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4) Analysis and Evaluation of Plans

Next, we analyze and evaluate the enacted Alabama plan and plaintiffs' proposed plan and using the following traditional redistricting principles:

- A. communities of interest, including:
- B. core retention analysis
- C. incumbency; and
- D. compactness.

A. Communities of Interest

The concept of "communities of interest" (COIs) is frequently used, but not always easy to apply to redistricting. The U.S. Supreme Court has specified districts should contain "communities defined by actual shared interests."¹⁵ The concept of COI can be difficult to define, and, consequently, making use of such an intangible concept in the actual constructing of boundaries may be difficult and arbitrary.¹⁶ A broad, commonly used definition is "a group of people who share similar social, cultural, and economic interests, and who live in a geographically defined area". Others have gone to greater lengths. The University of Michigan Center for Urban, State and Local Policy (CLOSUP) defined communities of interest as:

"While there is no set definition of COIs, we think of a COI as a group of people in a specific geographic area who share common interests (such as economic, historic, cultural, or other bonds) that are linked to public policy issues that may be affected by legislation. CLOSUP's research suggests that COIs can consist of religious, ethnic, or immigrant communities, neighborhoods, people in tourism areas, regional media markets, outdoor recreation or natural resource areas, economic zones, and much more. Examples of COIs include: historical communities; economic communities; racial communities; ethnic communities; cultural communities; religious communities; immigrant communities; language communities; geographic communities; neighborhoods; economic opportunity zones; tourism areas; school districts; outdoor recreation areas; communities defined by natural features; creative arts communities; media markets, etc."

Alabama is a state rich in history and diversity. With over 5 million residents, the yellowhammer state spans from the mountainous Tennessee Valley to the south by Mobile Bay covering over

¹⁵ *Miller v. Johnson*, 515 U.S. 900, 919–20 (1995).

¹⁶ Matthew J. Streb, *Rethinking American Electoral Democracy*, 2nd ed. (New York: Routledge, 2011), p. 111; Brunell, *Redistricting and Representation*, p. 66; Brickner, "Reading Between the Lines...", p. 16.

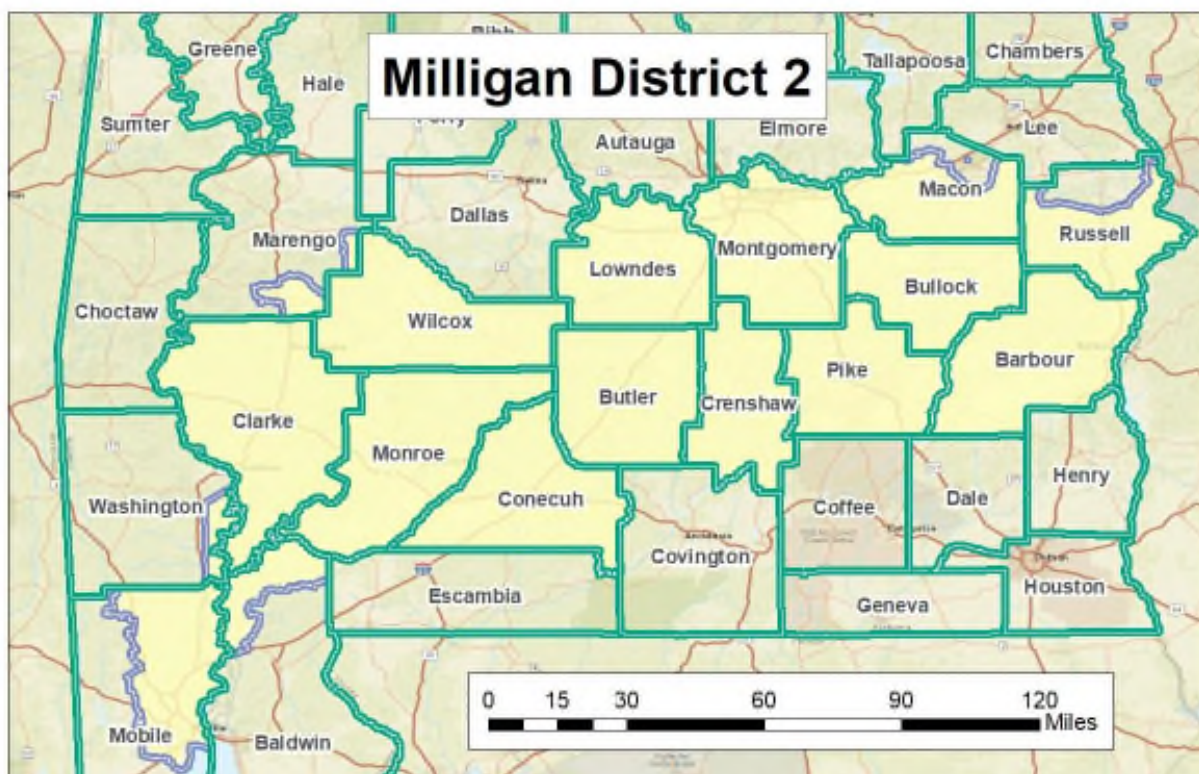
52,000 square miles. It contains some of the richest farming country in the nation, alongside tech corridors and growing urban areas.

Here I assess the Hatcher plan Districts 2 and 7 – the *Milligan* remedial majority Black districts. In examining Map Appendix 7 (P.44 Hatcher Percent Black Alone VAP by VTD) it seems visually obvious that two majority Black districts cannot be created without some equitable division of the Black belt – adding some portion to Mobile to create a Black majority District 2 and adding some portion Birmingham to create a Black majority District 7.

Hatcher Plan District 2

In examining Figure 4.1 below, I note that several previously intact counties have been split – including Baldwin, Mobile, Macon, Marengo, Macon, Russell and Washington, none of which have historically been split between districts.

Figure 4.1 Milligan District 2



In examining District 2 – my attention was drawn to the southeasterly Mobile / Baldwin County area – which have been split in a way in the Hatcher plan that is not consistent with any existing administrative or physical geography. My investigation revealed that neither Mobile nor Baldwin County have ever been split in any historical congressional configuration. And since the 1970s, both counties have been paired together in one whole district with the same representative.

Looking closer at Map Appendix 11 (P.48, D2 Division of Mobile in Hatcher Plan) it can be seen that District 2 was drawn into Mobile County just as far as was necessary to include the several heavily Black populous VTDs¹⁷ in and around Mobile. In fact, no effort was made to try and conform the boundaries of D2 to the existing city boundaries of Mobile. Doing so would have included several heavily *non-Black* VTDs that would dilute the percent Black in D2 to something less than a defensible majority. It is difficult to argue that the extension of D2 into central Mobile County was for any other purpose than adding Black population to reach the bare majority plaintiffs claim to have achieved there. There are no other surrounding (non-Black) areas that were included.

I have reviewed the testimony of Bradley Byrne and Jo Bonner from the case of *Chestnut v. Merrill*, where I understand the plaintiffs requested essentially the same relief as the *Milligan* and *Caster* plaintiffs (two majority-black districts with a structure similar to the Hatcher plan). As former Congressmen who represented District 1, I would expect them to be knowledgeable of communities of interest in the area. Aside from racial differences, the entire southwest corner of Alabama represents a significant Alabamian community of interest (COI) – with numerous strong economic, transportation, cultural and historic interests. Mobile County has a rich history as the first European settlement in Alabama and as one of the oldest cities in the U.S., Mobile is also home to North America’s first Mardi Gras celebration. The history steeped in being Alabama’s only port and its coastal location brings the people of Mobile County together economically as well as socially.

This COI has similar and shared economic, geographical, historical and social interests, as well as being key to Alabama’s economy. Mobile and Baldwin Counties make up Alabama’s only coastal district and the state’s only port (Mobile) is in Mobile County. Major shipping, rail and highways merge along the Mobile River and Mobile Bay. Mobile County has many large employers in key industries such as aviation/aerospace, shipbuilding, chemical, steel manufacturing, healthcare, and oil/gas. Many residents in Mobile County work in these industries. Highways and major interstates (10 and 65) connect the different parts of the county so people who live in different parts of the county can easily get to the main port of Mobile where the economy and culture thrive. The county is a national leader in training and workforce development. They train locals who live in Mobile County to stay and work there as well.

¹⁷ VTDs are Voting Districts. “VTD” is a census term for a geographic area, such as an election precinct, where election information and data are collected; boundaries are provided to the Census Bureau by the states. Since boundaries must coincide with census blocks, VTD boundaries may not be the same as the election precinct and may include more than one precinct. Source: <https://www.ncsl.org/research/redistricting/the-redistricting-lexicon-glossary.aspx>

Baldwin County is the fastest growing county in the state. It is connected to Mobile County by Interstates 10 and 65. There are shipyards in both counties and Alabama's shoreline covers both counties. Baldwin County is a major tourist area along the Gulf Coast. The economic development of both sides of the two counties have been merging. There is also cooperation between the local governments of both counties as they have a shared economy and shared political interest. Mobile, Baldwin County and adjacent counties should be considered a unified community of interest (COI) when creating districts.

As Congressman Bradley Byrne testified in the *Chestnut v Merrill* case in 2019, Mobile and Baldwin Counties are closely connected culturally and economically:

"you've got people who have some sort of a connection on both sides of the bay. And we've found over the last 20 years that the economic development efforts of both sides of the bay have been merging. And so we're actually doing a lot more cooperative things between the two counties. And each county sort of living off of the other in various ways. So the cooperation between local government, local economic developers, local civic leaders on both sides of the bay is something we've worked very, very hard on. And it's paying off for us in a big way."¹⁸

Former Congressman Josiah Bonner also testified at the *Chestnut v Merrill* case, arguing that Mobile County and Baldwin County represent a Community of Interest:

"...you've got Mobile and Baldwin counties in the southern part of the district that not only are connected by Mobile Bay but front the Gulf of Mexico. And so, therefore, everything -- I would call it a hub and spoke. Everything that radiates out radiates from the shared economies, the shared history, the shared social occasions, such as Mardi Gras, the shared political interests from Mobile and Baldwin counties."¹⁹

Due to time constraints, I will rely on this history, evidence and testimony as my defense of why Mobile and Baldwin counties are an inseparable COI. I have limited my assessment of the D2 impact of the Hatcher plan to Mobile and Baldwin counties with population changes and the traditional redistricting principles of core retention and compactness. Other county splits in the Hatcher plan are not trivial – but it is my professional assessment that the splits in Mobile and Baldwin would create the most harm.

¹⁸ Chestnut v. Merrill, Transcript of Bench Trial V. IV page 679

¹⁹ Chestnut v. Merrill, Transcript of Bench Trial V. IV page 764

Comparing Table 4.2 Hatcher Plan Voting Age Population by District (P.10) with Table 4.6 Existing 2011 Plan Voting Age Population by District (P.11) with the numeric impact of the Hatcher plan on the Black population in D1 is clear. They are reduced from 139,380 (or 24.7% Black alone) to 81,316 (or 14.6% Black alone) – resulting in over 58,000 Blacks changing representation from their neighbors to a new constituency including large Black populations east to Montgomery and beyond. What is notable is that displacement of 58,000 Blacks is from areas where they have a high percentage of the total population. These “high percentage” Blacks replace very nearly the same number of Blacks from southeastern Alabama that had been in District 2 previously – that Hatcher now moves out into District 1. That is – the Hatcher plan trades a similar number of Blacks between D1 and D2 but just exchanges low Black density and high Black density populations. This effect can be seen in the core retention analysis (CRA) I performed on the Hatcher plan (P.23).

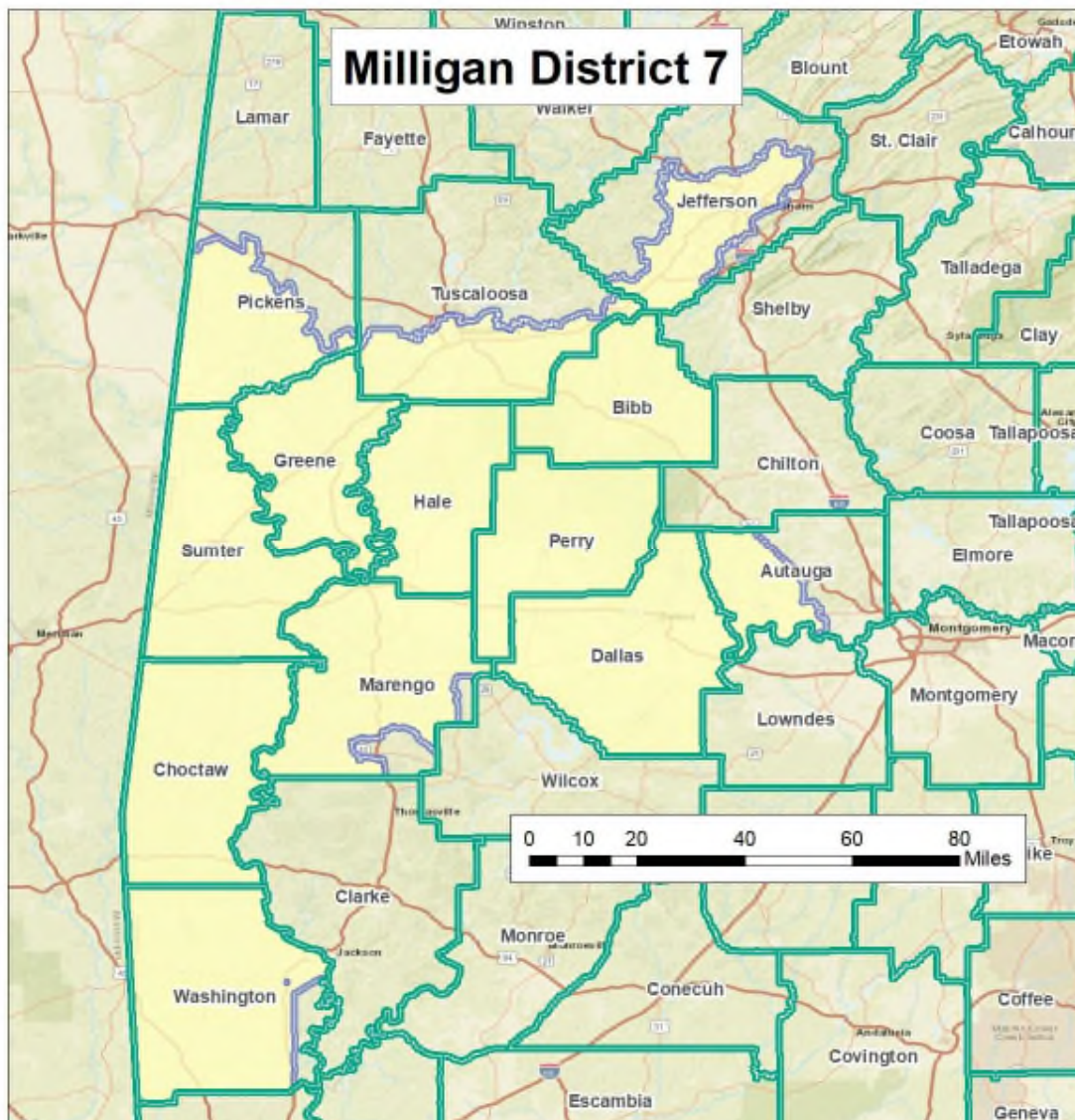
In my CRA Figure 5.2 (P.23) I show that District 1 (from which *Milligan* plaintiffs excise the Black portions of Mobile County) retains 58.7% of its total population while only retaining 27.6% of its Black population. Over 72% of the Black population (largely from Mobile) in District 1 would lose their continuity of representation under the Hatcher plan because they would be getting moved to District 2. In D2 I show that only 36.8% of the total population and 58.7% of the Black population is retained (because numerous non-Black populations were moved out of the district). If Plaintiffs wanted to strengthen D2 as a Black district – how does disgorging 41% of the existing Black population in the district accomplish that? The apparent answer is that the existing Black populations and neighborhoods in D2 were not the *right* Black populations. *Milligan* plaintiffs needed to replace them with a different Black population that represented a higher share of their neighboring population – no matter how far geographically they had to stretch or what consequences to communities of interest that created.. This leads me to compactness.

In my compactness analysis (P.27-29) I show that the overall Hatcher plan performs much more poorly than the existing (2011) Alabama Congressional plan – driven in part by the very poor compactness of the new D2 and even moreso by the collateral compactness damage done to D1. In the existing plan, the sum of the four compactness scores for D1 (Table 5.3, P.28) was 1.70 and D2 was 1.93. In the Alabama enacted plan, the sum of compactness scores (Table 5.4, P.29) was improved for D1 at 1.75 and D2 at 2.02. By comparison – the Hatcher compactness scores worsened considerably (Table 5.5, P.30) with the sum of compactness scores in D1 at 1.29 and D2 at 1.51.

Milligan District 7

In examining Figure 4.2 below, I note that several previously intact counties have been split – including Autauga, Marengo, Pickens and Washington (Tuscaloosa and Jefferson were already split).

Figure 4.2 Milligan District 7



Of these splits, the most closely examined historically is the often maligned “thumb” of D7 into Birmingham. . In examining Map Appendix 9 (P.46) (D6 to D7 Moves of Populous Black VTDs in Hatcher Plan – marked with dots) I closely studied the Hatcher plan relative to the existing 2011 plan boundaries. Knowing that the plaintiffs in *Milligan* had to add Black population in order to reach their Black majority requirement, I noted that the existing boundaries around Birmingham were expanded in a very nearly exact way to only add heavily Black VTDs, and to avoid less Black VTDs. These VTDs are noted with blue “dots” in Map Appendix 9.

Looking even more closely at Map Appendix 10 (P.47) (D6 to D7 Populous Black VTDs in Hatcher Plan) – it can be clearly seen that the HB1 boundary (in grey and white) is actually drawn more closely into Birmingham than the existing 2011 plan boundaries. This apparent race-blind attempt to improve D7 compactness has the effective consequence of disgorging several heavily Black VTDs out of D7 into D6. That is, the result of HB1 was that Black population was unpacked (rather than packed) out of the district. By comparison, plaintiffs clearly and deliberately drew their plan with the only purpose of *including* Black population. They made no apparent attempt to align their new boundaries with Birmingham municipal boundaries or any other community of interest, except those VTDs that are heavily Black.

As with our analysis of D1 and D2, we can see the impact of the changes in the Hatcher plan to D6 and D7. The core retention of Blacks in D6 is significantly altered. 81.5% of the total population in D6 is retained – while only 60% of the Black population is retained. The result here is that the continuity of representation for 40% of the Black population in D6 is disrupted. Further, the resulting core retention in the Hatcher plan for D7 (at 84.5% of total and 83.4% of Blacks) lags that of HB1 (at 90.6% of total and 89.5% of Blacks).

In my compactness analysis (P.27--29) I show that the Hatcher plan performs comparably to the existing (2011) Alabama Congressional plan for Districts 6 and 7. In the existing plan, the sum of compactness scores for D6 was 1.63 and D7 was 1.49. In the Alabama enacted plan, the sum of the four compactness scores for D6 was worse at 1.55 and for D7 was significantly better at 1.74. By comparison – the Hatcher compactness for D6 was identical at 1.63 and for D7 was only slightly worse at 1.42.

B. Core Retention Analysis

Courts have recognized the need to preserve the core of a prior established district as a legitimate redistricting criterion,²⁰ as well as the avoidance of contests between incumbents.²¹ Core retention fosters the continuity of political representation. A *Core Retention Analysis* (CRA) is simply a demographic accounting of the addition, subtraction, and substitution of persons that would be brought about by a proposed realignment of a district's existing boundaries. A CRA is a way of quantifying precisely how a proposed realignment would affect the continuity of political representation among a district's current residents and eligible voters.

Here, a CRA can be especially useful in exposing differential effects on specific groups of residents that amount to the denial or abridgement of the right to vote. To illustrate: suppose that 1,000 people now reside in a district in which Blacks constitute 480 (48%) of all the district's eligible voters (a Black "influence" district). Since this district now has too many residents (based upon the 2020 Census), a proposed boundary change retains 800 of its current residents and resituate 200 others in an adjacent district with too few people, thereby satisfying the newly-established requirement that every newly-drawn district be properly apportioned with 800 residents. Here, the "core" of the former district has been fully retained numerically: all 800 residents of the newly-drawn district were part of the former district, maintaining the continuity of political representation among the proposed new district's current residents and eligible voters.

The CRA might also show that 150 of all 200 proposed resituated residents are Black. By this measure, "core retention" differs markedly for Blacks, because only 330 (480 minus 150) of the original 480 Black "core" of the former district has been retained. In short, the proposed new district would retain only 69% of the original Black core, thereby depriving 31% of Blacks of continuity of political representation.

Core Retention Analysis has usually only considered only the total populations of districts in comparisons across plans. As illustrated above, that limitation obscures other potentially problematic aspects of redistricting. In this case, we have broadened this standard demographic accounting model, using standard methodology, to present a full evaluation of various alternative redistricting plans, focusing on the right to vote by a protected group.

²⁰ *Abrams v. Johnson*, 521 U.S. 74, 84 (1997).

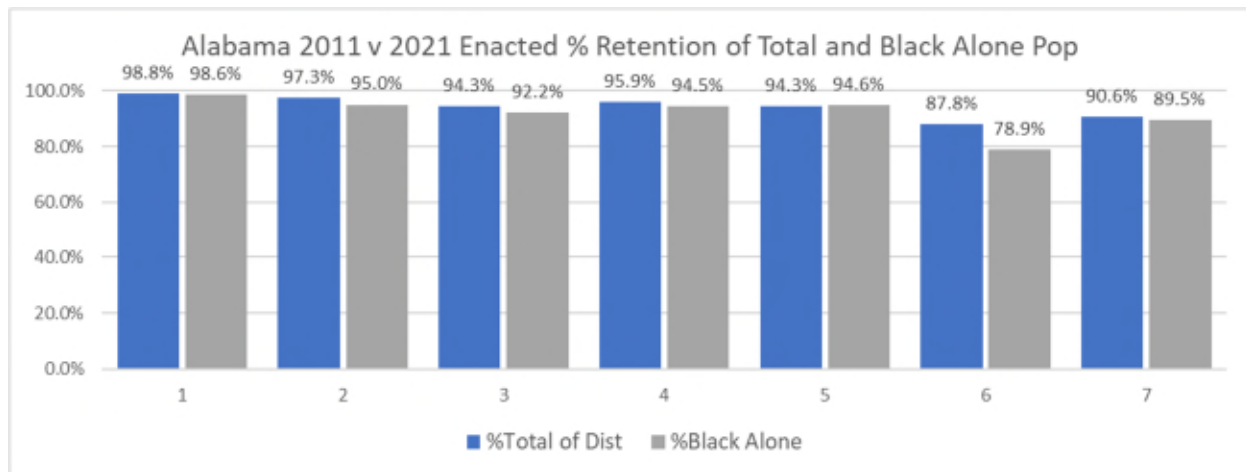
²¹ *Bush v. Vera*, 517 U.S. 952 (1996).

Three core retention analyses follow:

- 1) Alabama 2011 v Alabama 2021 enacted
- 2) Alabama 2011 v Hatcher
- 3) Alabama 2021 v Hatcher

In Figure 5.1 it can plainly be seen that core retention of the total population and the Black population by the State of Alabama 2021 enacted plan compared to the 2011 existing Alabama plan is significant, consistent and comparable, which should have been expected given the least change approach of the 2021 plan.

Figure 5.1 Core Retention of Total and Black Population: 2011 Existing v 2011 Enacted Plans



In Table 5.1 (P.22) the 2011 existing plan is shown in column 1, and the 2021 enacted plan is shown in column 2. The total population in column 3 is the number of total persons, and the Black population in column 4 is the number of Black persons who were retained and displaced in the 2021 enacted plan. For example, in the first row (1, 1) the total population is 717,754. This is intuitive. The existing 2011 D1 was reduced by exactly the number of persons necessary to balance – leaving 739 persons displaced to D2 and 7,783 persons displaced to D7. Concurrently, 185,771 Black persons are retained in D1, while 158 are displaced to D2 and 2,502 are displaced to D7.

At the bottom of Table 5.1 (P.22) is a row named “Number Retained” which is the population in Alabama that did not change districts in the 2021 plan. The next row is “Percent Retained” which is the percent of the population that did not change districts in the 2021 plan. Alabama kept a remarkable 94.1% of the total population and 91.8% of the Black population intact with their 2021 enacted plan. The remainder is “Number Displaced” that were moved to some other district.

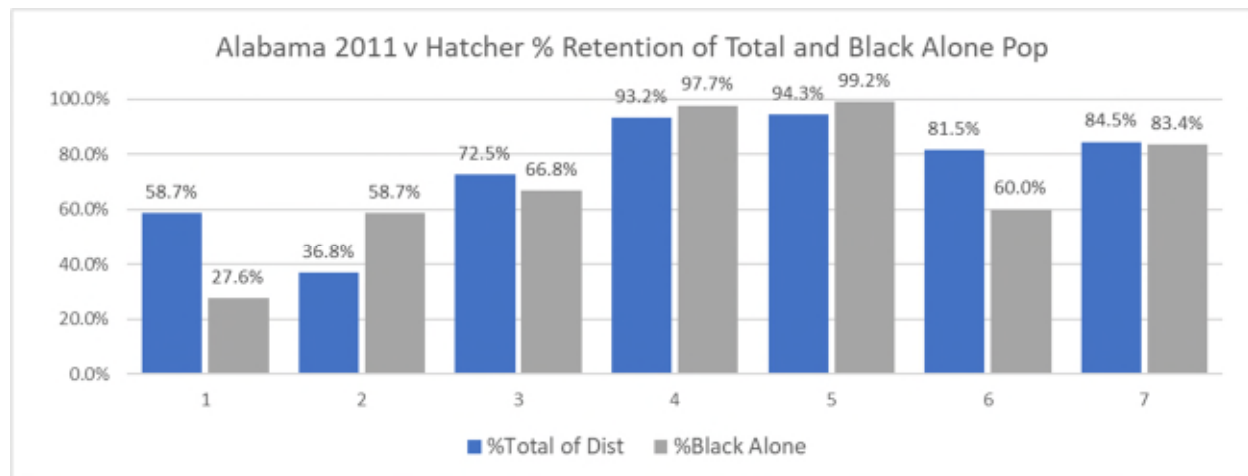
Table 5.1 Core Retention of 2011 Existing and 2021 Enacted Plan

Current 2011 Base District	New 2021 Enacted District	Total Population	Black Alone Population
1	1	717,754	185,771
	2	739	158
	7	7,783	2,502
1 Total		726,276	188,431
2	2	674,947	201,201
	7	18,519	10,661
2 Total		693,466	211,862
3	2	41,867	14,534
	3	693,265	171,904
3 Total		735,132	186,438
4	3	1,697	2
	4	674,218	44,318
	5	185	0
	6	5,012	18
	7	21,870	2,581
4 Total		702,982	46,919
5	4	43,533	6,996
	5	717,569	123,355
5 Total		761,102	130,351
6	3	22,792	3,877
	6	650,382	94,806
	7	67,536	21,447
6 Total		740,710	120,130
7	2	202	126
	4	3	0
	6	62,360	42,385
	7	602,046	361,517
7 Total		664,611	404,028
Number Retained		4,730,181	1,182,872
Percent Retained		94.1%	91.8%
Number Displaced		294,098	105,287
Grand Total		5,024,279	1,288,159

Figure 5.2 presents a core retention analysis of total population and Black population for the Hatcher plan compared to the 2011 existing Alabama plan. Here we can see two significant effects. First, the Hatcher plan has significantly lower core retention, due to the large movements of population necessary to support their plan objective. To that end, we can see that the core retention of the Black population relative to total is:

- much poorer in D1 (due to Black population around Mobile being disgorged to D2 as part of the apparent attempt to improve the Black racial performance in D2 - see Map Appendix 11, P.49);
- much better in D2 (due to significant *non*-Black population being disgorged to other districts as part of the apparent attempt to improve the Black racial performance in D2);
- worse in D6 (due to Black population around Birmingham being disgorged to D7 as part of the apparent attempt to improve the Black racial performance in D7 - see Map Appendix 9 and 10, P.47-48).
- comparable in D7

Figure 5.2 Core Retention of Total and Black Population: State of Alabama 2011 v Hatcher



Clearly, the State of Alabama's newly enacted 2021 plan registers consistently and significantly higher levels of core retention for both total and Black population than the Hatcher plan - a result that should have been anticipated by the plaintiffs.

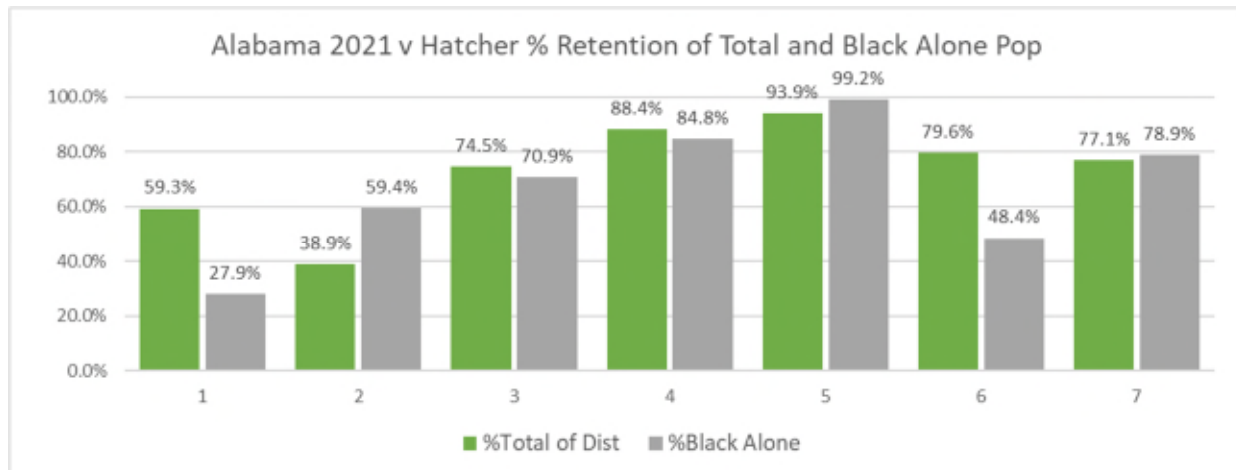
Table 5.2 (P.24) is consistent with Table 5.1 (P.22) except that it compares the Hatcher plan with the 2011 existing plan. The significant difference shown in Figures 5.1 and 5.2 are reflected numerically here. The total population and Black population retained is significantly lower than Alabama's CRA shows, and the number displaced is significantly higher. At the bottom of Table 5.2 is the total retained population: 3,752,981 and Black retained population: 885,238. The Hatcher plan displaces 977,200 more total and 297,634 more Black Alabamians than the enacted 2021 enacted Alabama plan.

Table 5.2 Core Retention of 2011 Existing and Hatcher Proposed Plan

Current 2011 Base District	Proposed 2021 Hatcher District	Total Population	Black Alone Population
1	1	426,386	52,042
	2	285,394	133,723
	7	14,496	2,666
1 Total		726,276	188,431
2	1	291,368	58,001
	2	255,316	124,383
	3	142,954	27,717
	7	3,828	1,761
2 Total		693,466	211,862
3	2	94,200	48,989
	3	533,053	124,597
	6	107,879	12,852
3 Total		735,132	186,438
4	3	41,746	830
	4	655,082	45,831
	5	185	0
	6	5,012	18
	7	957	240
4 Total		702,982	46,919
5	4	43,532	1,037
	5	717,570	129,314
5 Total		761,102	130,351
6	6	603,905	72,114
	7	136,805	48,016
6 Total		740,710	120,130
7	2	82,845	62,781
	4	19,139	4,004
	6	958	286
	7	561,669	336,957
7 Total		664,611	404,028
Number Retained		3,752,981	885,238
Percent Retained		74.7%	68.7%
Number Displaced		1,271,298	402,921
Grand Total		5,024,279	1,288,159

This analysis is followed by a core retention analysis of the Hatcher plan compared to the State of Alabama 2021 enacted plan. Since the Alabama 2021 enacted plan is similar to the original 2011 plan – it is no surprise that the pattern of retention by district, by total and Black population is consistent – but just slightly different.

Figure 5.3 Core Retention of Total and Black Population: State of Alabama 2021 v Hatcher



This superior record for the State’s Plan reflects the advantage of a least change approach: simply adjusting existing boundaries where necessary, instead of completely redrawing all districts, as plaintiffs did. Overall, the differences in core retention shows the significant incremental loss of the continuity of representation borne disproportionately by Alabama’s Black population.

It is also worth noting that in the process of reapportioning the state population after Census 2020, the state effectively unpacked District 7 in an effort to balance each district's population. In examining Table 4.5 (P.11) we see that the existing (that is, pre-apportionment) plan had 664,611 total and 404,028 Black alone population. We see in Table 4.3 (P.10) that the new 2021 HB1 plan has 717,754 total and 398,708 Black alone population. That is, D7 added (717,754-664,611) or 53,143 total persons, while disgorging (404,028 – 398,708) or 5,320 Black alone persons to adjacent districts. It is difficult to argue that the State of Alabama deliberately packed Black population when their plan demonstrates that they in fact *unpacked* District 7 (resulting in a reduction in Black alone population from 60.8% to 55.5%) of the total population.to the degree practicable while holding other traditional redistricting criteria.

C. Incumbency Analysis

The current residential address of congressional incumbents were geocoded on 11-14-2021. This file is acknowledged to be highly confidential and will be maintained as such throughout the analysis. Alabama's enacted plan respects incumbents (Figure 5.6).

While not stated explicitly in their report, the plaintiff plan *does not* respect incumbents (Figure 5.4).

Plaintiff's plan pairs Rep. Moore and Rep. Carl in proposed District 1 and leaves District 2 unrepresented.

Plaintiff's plan goes on to pair Rep. Sewell and Rep. Palmer both in District 6 leaving District 7 unrepresented.

Figure 5.4 Hatcher Plan

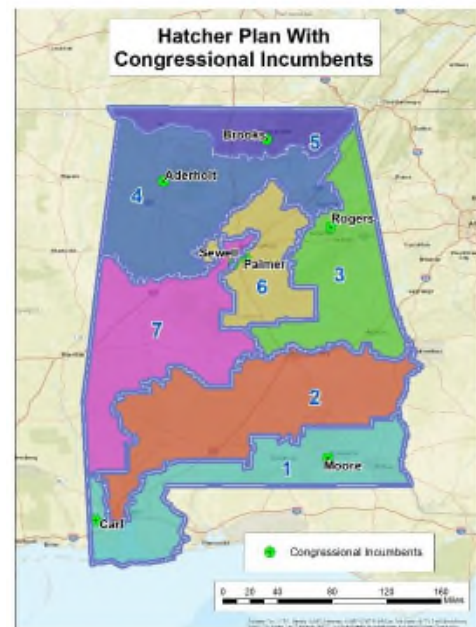


Figure 5.5 Alabama Existing 2011 Plan

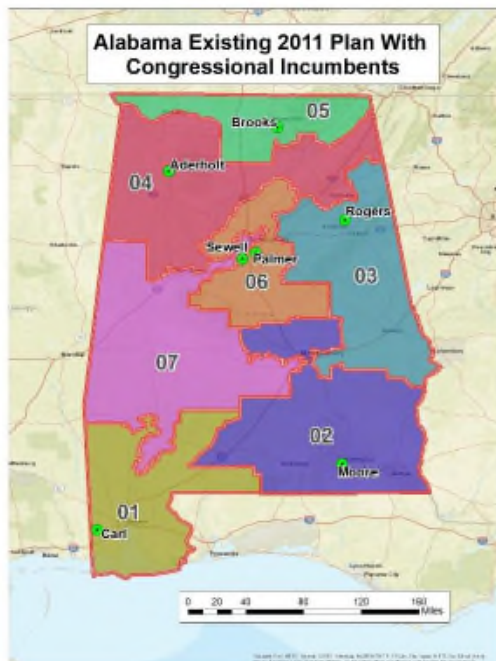
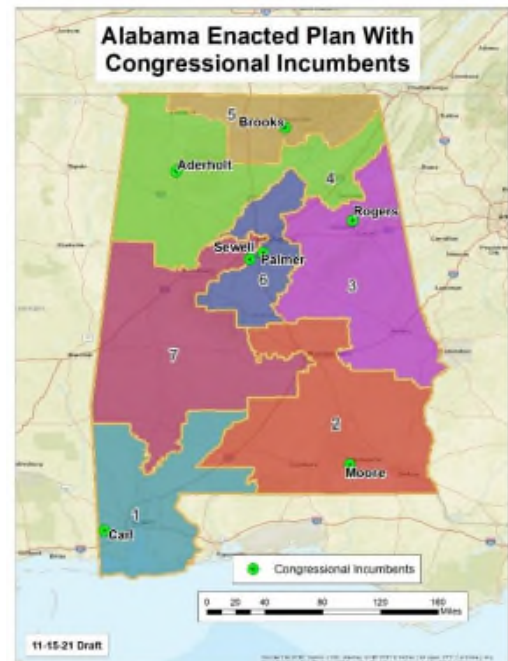


Figure 5.6 Alabama Enacted Plan



D. Compactness

Compactness of districts is a measure to ensure that districts do not excessively deviate from being “reasonably shaped” that is intended to deter gerrymandering. This of course is an enormously ambiguous and arbitrary description of what compactness actually is. Compactness was relatively easy to attain before “One Person One Vote”. However, with the development of both technology²² and redistricting law (especially *Baker v. Carr*, which led to splitting of geography as population deviations were driven lower) compactness became less and less possible. Today, while most compactness measures are absolute, they can still effectively serve as a tool compare one plan against another and to determine which is superior (even if multiple plans have poor compactness).²³ But what measure does an expert use? “To deter gerrymandering, many state constitutions require legislative districts to be “compact.” Yet, the law offers few precise definitions other than “you know it when you see it,” which effectively implies a common understanding of the concept. In contrast, academics have shown that compactness has multiple dimensions and have generated many conflicting measures”.²⁴ There is no professional consensus on a “right” measure, and every widely used measure works differently. A district that is “most compact” by one measure can easily and frequently be less compact by another. For this reason, we pick four of the most common statistical measures (Polsby-Popper, Schwartzberg, Reock and Convex Hull) - each of which has unique features, and strengths and weaknesses.²⁵ We then compare the compactness of each district of each plan individually and in aggregate.



²² The 1971 and 1981 Reapportionments used limited computer mapping for the first time. 1991 added significant geographic technology— Census Tiger Files— Geographic Information Systems.

²³ <https://www.ncsl.org/Documents/legismgt/Compactness-Hofeller.pdf>

²⁴ “How to Measure Legislative District Compactness If You Only Know it When You See it” <https://gking.harvard.edu/presentations/how-measure-legislative-district-compactness-if-you-only-know-it-when-you-see-it-7>

²⁵ The Polsby-Popper and Schwartzberg ratios place high importance on district perimeter. Thus, they are highly susceptible to bias due to shoreline complexity. Therefore, districts that are trimmed around shorelines may end up with a low compactness score through no fault of the district's authors and may not necessarily be a true indicator of gerrymandering. This is precisely why it's important to use multiple compactness scores (in this case the Polsby-Popper, Schwartzberg, Reock and Convex Hull measures) and let the reader judge which one is a better fit based on the geography of the district and method of calculation each score uses. A higher score means more compact, but the scores using different measures cannot be directly compared to each other. Source: https://cdn.azavea.com/com.redistrictingthenation/pdfs/Redistricting_The_Nation_Addendum.pdf

In Table 5.3 below we assess the State of Alabama compactness by district, by method. Within each method, the higher the score the better. Using District 5 as an example, it scores highest in Polsby-Popper, Schwartzberg and Convex Hull, but in fact performs the worst in Reock. This table enables us to assess the performance of individual districts across methods. This illustrates exactly why it is beneficial to look at multiple, highly regarded methods when performing compactness analysis. Since the values within each method are similar (but are in fact mathematically different) it is not possible to summarize accurately across plans. In order to compare the Alabama enacted plan with the plaintiff plan, we summarize the compactness scores by method.

In Table 5.3 we see the existing scores by district, by compactness measure. The scores shaded in green are the “best” in each measure, that is: most compact. The scores shaded in red are the poorest, that is: least compact. Not all districts are ranked the same in each measure, which is why we use multiple measures and examine each individually as well as in aggregate. The last column “Total” is simply a sum of the scores across plans for that district and is designed to provide a final summary ranking of the compactness of each district. The last row “Sum” is simply a sum of the scores for all districts in the plan for that measure. This is calculated to enable a summary comparison of metrics from one plan to another. A higher score in “Sum” means that by that measure, that plan is more compact. For this exercise, we interpret whichever plan has the majority of high scores to be the “more compact” plan. Table 5.3 is the compactness scores for the existing Alabama 116th congressional plan and serves as a basis for comparison.

Table 5.3 Alabama Existing (2011) 116th Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.40	0.42	0.71	1.70
2	0.22	0.47	0.49	0.74	1.93
3	0.22	0.47	0.36	0.73	1.79
4	0.18	0.43	0.36	0.62	1.59
5	0.29	0.53	0.22	0.77	1.82
6	0.14	0.37	0.43	0.69	1.63
7	0.13	0.36	0.38	0.62	1.49
Sum	1.34	3.04	2.66	4.90	

In Table 5.4 below the results pass the “eyeball test” that is: you can just look at District 2 and see that it has simple geometry. It has numerous straight segments and is compact in the sense it fits nicely in its circumscribing circle. But some details in the table are not intuitive. The districts with significant lengths of riparian boundaries tend to score poorly (and are hard to see from a statewide map). Smaller river segments have greater sinuosity, thus greater lengths. Districts 1, 4, 6, and 7 have long lengths of river boundaries. District 5 has numerous straight line segments but suffers from being elongated (that is, it fits poorly in a circle).

Table 5.4 Alabama 2021 Enacted Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.20	0.44	0.40	0.71	1.75
2	0.26	0.51	0.50	0.76	2.02
3	0.25	0.50	0.36	0.77	1.88
4	0.19	0.44	0.36	0.61	1.60
5	0.32	0.56	0.30	0.80	1.98
6	0.15	0.39	0.31	0.68	1.55
7	0.19	0.44	0.43	0.68	1.74
Sum	1.55	3.28	2.67	5.01	

In Table 5.4, we first note that by looking at the “Sum” row at the bottom - compactness scores are higher in each measure than the 2011 congressional plan. As expected, each method ranks each district differently. Polsby-Popper and Schwartzberg and Convex-Hull ranks D5 as being the best, while Reock ranks D2 highest. In looking at the last column “Total” we see that D2 actually prevails as the most compact district. My interpretation is that the highest ranking districts are comparable, but that D4, D6 and D7 are least compact – due in part to a significant amount of border being waterways at the Bankhead Lake intersection.

In Table 5.5, we see the compactness scores by district for the Hatcher proposed plan. In aggregate by method - all of the compactness scores are inferior not just to the HB1 plan but also the existing (2011) Alabama plan. Only D4 and D6 in the Hatcher plan outperform the Alabama existing 2011 plan – while the remaining five new Alabama districts outperform the Hatcher plan.

Table 5.5 Hatcher Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.14	0.38	0.20	0.57	1.29
2	0.15	0.39	0.27	0.69	1.51
3	0.18	0.43	0.27	0.72	1.60
4	0.19	0.44	0.43	0.71	1.76
5	0.26	0.51	0.20	0.82	1.79
6	0.14	0.37	0.41	0.71	1.63
7	0.14	0.38	0.27	0.63	1.42
Sum	1.20	2.89	2.06	4.85	

Conclusion

In my opinion as a demographer, the Hatcher plan is inferior not just to the existing 2011 plan but to the State's 2021 enacted plan in several ways. District 2 of the Hatcher plan shows evidence of racial gerrymandering in that the population was clearly separated by race in Mobile County (see Map Appendices 7, 11 P.44, 48). That split, and dividing parts of Mobile from Baldwin County, also disrupts a long-standing and important community of interest. District 7 in the Hatcher plan also shows evidence of racial gerrymandering in Jefferson County in that adjacent Black population from D6 was separated by race and packed into D7 (see Map Appendices 7, 9 P.44,46) while the Alabama enacted plan *unpacked* Black population in the same area.

The Hatcher plan performs more poorly than the 2021 enacted plan with respect to all traditional districting criteria. It splits communities of interest, splits counties unnecessarily, scores worse on core retention and compactness, and creates two pairs of incumbents in two districts. I see considerable evidence that D2 and D7 were drawn with race as the prevailing factor; and I do not see evidence of accommodating any traditional districting criteria that could explain the ways in which Mobile and Jefferson Counties are split in the Hatcher plan.

Appendix 1: Census 2020 Alabama Black Population Total, non-Hispanic and Hispanic Combinations (through 3 races, excluding 4-, 5- and 6-race Black combinations)

Race	Total (A)	% of Total (B)	AL non-Hisp (C)	% of Total (D)	AL Hispanic (E)	% of Total (F)
Total, Hispanic or Latino:	5,024,279		4,760,232		264,047	
Population of one race:	4,767,326	94.89%	4,575,614	91.07%	191,712	3.82%
Black or African American alone	1,296,162	25.80%	1,288,159	25.64%	8,003	0.16%
Population of two races:	243,473	4.85%	175,750	3.50%	67,723	1.35%
White; Black or African American	45,429	0.90%	43,911	0.87%	1,518	0.03%
Black or African American; American Indian and Alaska Native	6,301	0.13%	6,012	0.12%	289	0.01%
Black or African American; Asian	2,049	0.04%	1,939	0.04%	110	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander	492	0.01%	456	0.01%	36	0.00%
Black or African American; Some Other Race	5,421	0.11%	2,983	0.06%	2,438	0.05%
Population of three races:	12,093	0.24%	8,085	0.16%	4,008	0.08%
White; Black or African American; American Indian and Alaska Native	4,493	0.09%	3,986	0.08%	507	0.01%
White; Black or African American; Asian	972	0.02%	899	0.02%	73	0.00%
White; Black or African American; Native Hawaiian and Other Pacific Islander	172	0.00%	165	0.00%	7	0.00%
White; Black or African American; Some Other Race	1,441	0.03%	573	0.01%	868	0.02%
Black or African American; American Indian and Alaska Native; Asian	124	0.00%	115	0.00%	9	0.00%
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander	13	0.00%	13	0.00%	0	0.00%
Black or African American; American Indian and Alaska Native; Some Other Race	146	0.00%	72	0.00%	74	0.00%
Black or African American; Asian; Native Hawaiian and Other Pacific Islander	145	0.00%	129	0.00%	16	0.00%
Black or African American; Asian; Some Other Race	86	0.00%	43	0.00%	43	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race	27	0.00%	20	0.00%	7	0.00%
Total "All Black"	1,364,736	27.2%	1,350,192	26.9%	14,544	0.3%

Appendix 2: Census 2020 Alabama Black Voting Age Population, non-Hispanic and Hispanic Combinations (through 3 races, excluding 4-, 5- and 6-race Black combinations)

Race	VAP (A)	% of VAP (B)	AL non-Hisp (C)	% of Total (D)	AL Hispanic (E)	% of Total (F)
Total:	3,917,166		3,750,310		166,856	
Population of one race:	3,751,169	95.76%	3,630,366	92.68%	120,803	3.08%
Black or African American alone	981,723	25.06%	976,732	24.93%	4,991	0.13%
Population of two races:	158,371	4.04%	114,790	2.93%	43,581	1.11%
White; Black or African American	18,106	0.46%	17,569	0.45%	537	0.01%
Black or African American; American Indian and Alaska Native	4,692	0.12%	4,530	0.12%	162	0.00%
Black or African American; Asian	1,130	0.03%	1,075	0.03%	55	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander	262	0.01%	250	0.01%	12	0.00%
Black or African American; Some Other Race	3,470	0.09%	2,024	0.05%	1,446	0.04%
Population of three races:	6,741	0.17%	4,620	0.12%	2,121	0.05%
White; Black or African American; American Indian and Alaska Native	2,714	0.07%	2,452	0.06%	262	0.01%
White; Black or African American; Asian	325	0.01%	295	0.01%	30	0.00%
White; Black or African American; Native Hawaiian and Other Pacific Islander	75	0.00%	69	0.00%	6	0.00%
White; Black or African American; Some Other Race	721	0.02%	344	0.01%	377	0.01%
Black or African American; American Indian and Alaska Native; Asian	80	0.00%	73	0.00%	7	0.00%
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander	12	0.00%	12	0.00%	0	0.00%
Black or African American; American Indian and Alaska Native; Some Other Race	103	0.00%	55	0.00%	48	0.00%
Black or African American; Asian; Native Hawaiian and Other Pacific Islander	82	0.00%	76	0.00%	6	0.00%
Black or African American; Asian; Some Other Race	51	0.00%	31	0.00%	20	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race	14	0.00%	11	0.00%	3	0.00%
	1,014,372	25.9%	1,006,083	25.7%	8,289	0.2%

Appendix 3 Compactness Measures

Polsby-Popper

The Polsby-Popper (PP) measure (Polsby & Popper, 1991) is the ratio of the area of the district (A_D) to the area of a circle whose circumference is equal to the perimeter of the district (P_D). A district's Polsby-Popper score falls with the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$PP = \frac{4\pi}{P_D^2} \times A_D$$



Circumference Equal to District Perimeter

Schwartzberg

The Schwartzberg score (S) compactness score is the ratio of the perimeter of the district (P_D) to the circumference of a circle whose area is equal to the area of the district. A district's Schwartzberg score as calculated below falls with the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$S = \frac{1}{P_D/C} = \frac{1}{P_D/(2\pi\sqrt{A_D/\pi})}$$



Circle with Area Equivalent to the District

Source: <https://fisherzachary.github.io/public/r-output.html>

Appendix 3 Compactness Measures (continued)

Reock Score

The Reock Score (R) is the ratio of the area of the district (A_D) to the area of a minimum bounding circle (A_{MBC}) that encloses the district's geometry. A district's Reock score falls within the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$R = \frac{A_D}{A_{MBC}}$$



Minimum Bounding Circle of Original Gerrymander

Convex Hull

The Convex Hull score is a ratio of the area of the district to the area of the minimum convex polygon that can enclose the district's geometry. A district's Convex Hull score falls within the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$CH = \frac{A_D}{A_{MCP}}$$

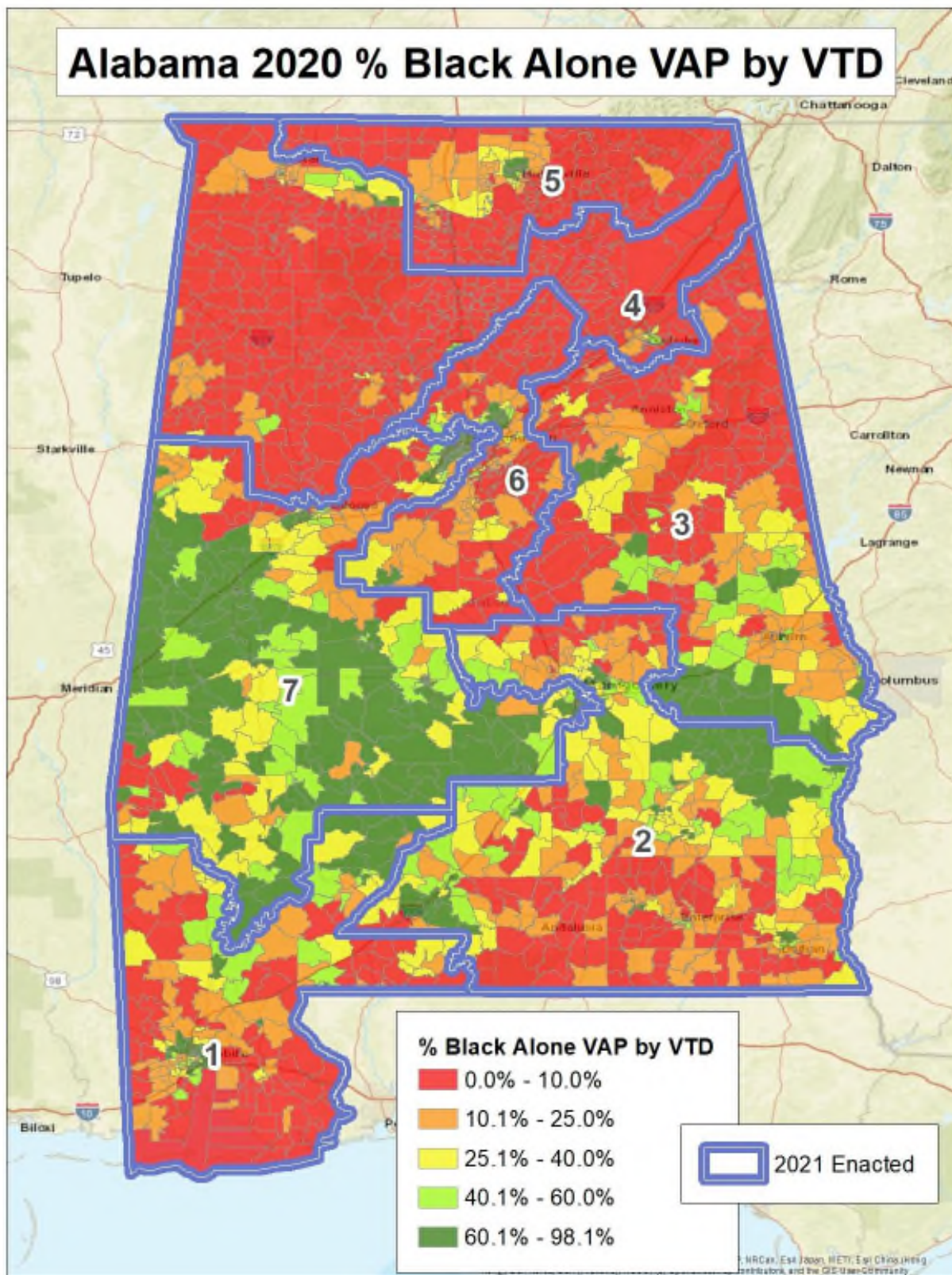


Convex Hull of Original Gerrymander

Map Appendices

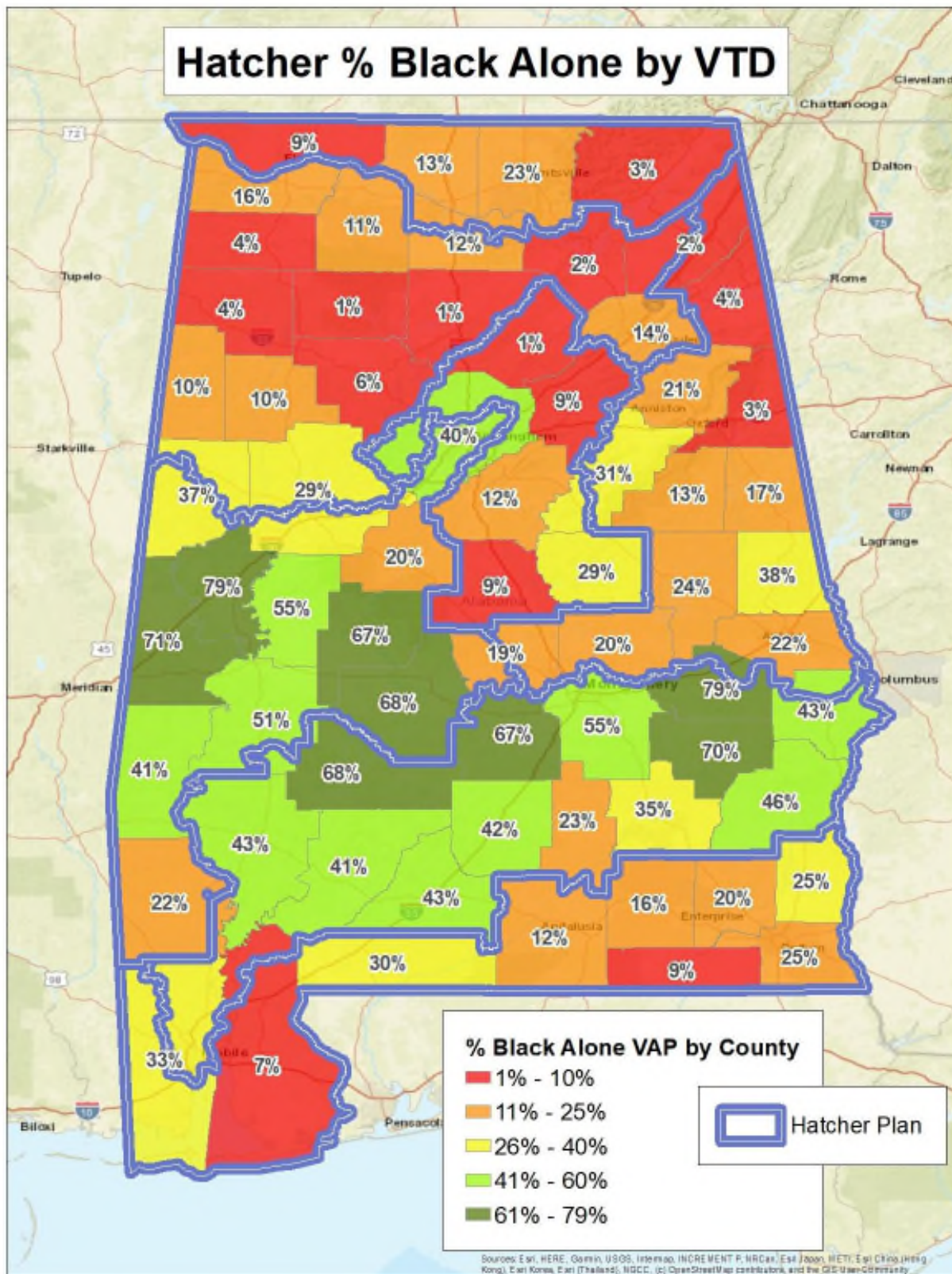
**Alabama Enacted Plan
Map Appendices
% Black Alone and VAP
By County and VTD**

Thomas M. Bryan Alabama *Milligan* and *Caster* Demographers Report P.38 12/10/2021

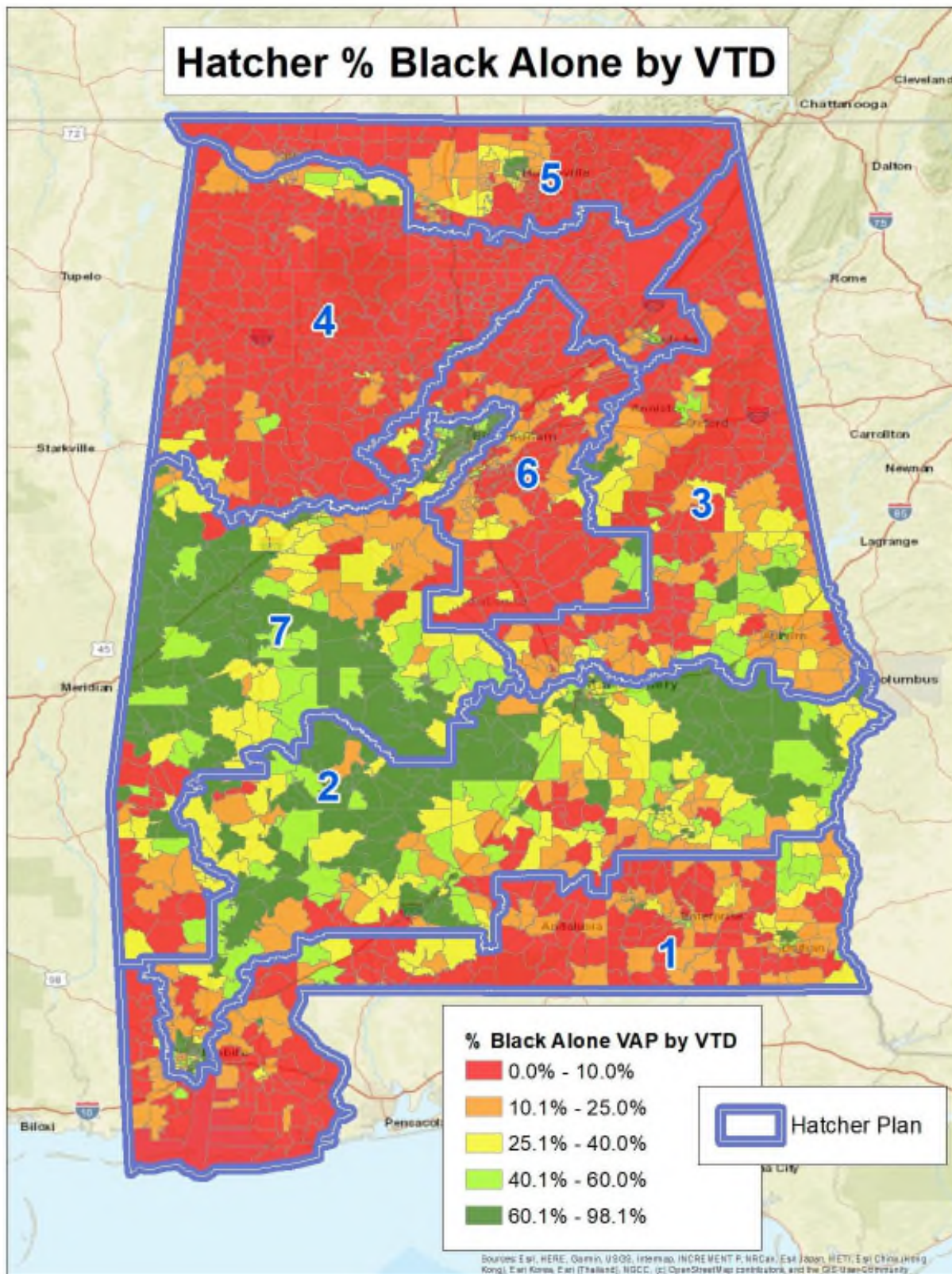


**Hatcher Plan
Map Appendices
% Black Alone and VAP
By County and VTD**

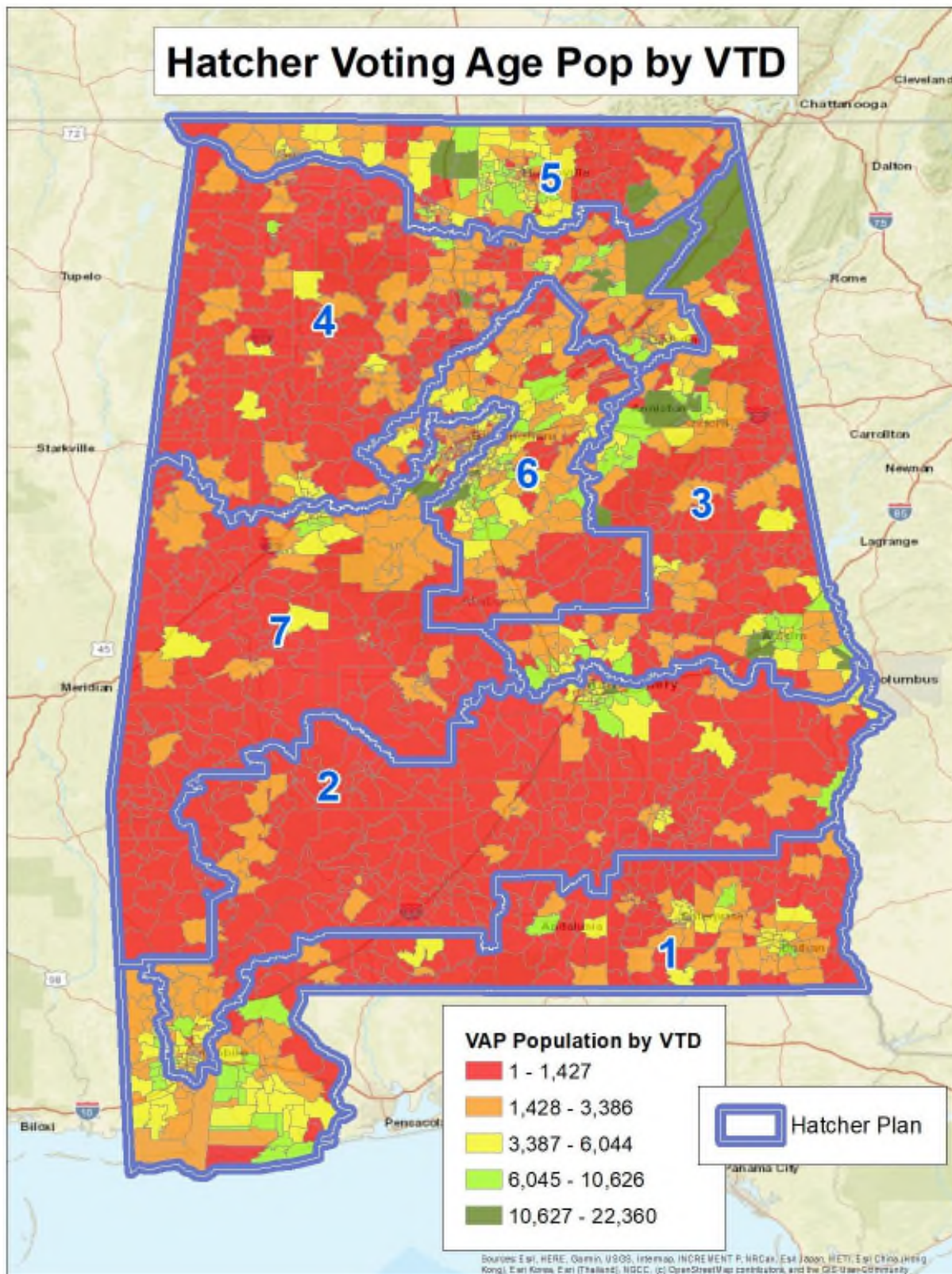
Map Appendix 5 (Hatcher Percent Black Alone VAP by County)



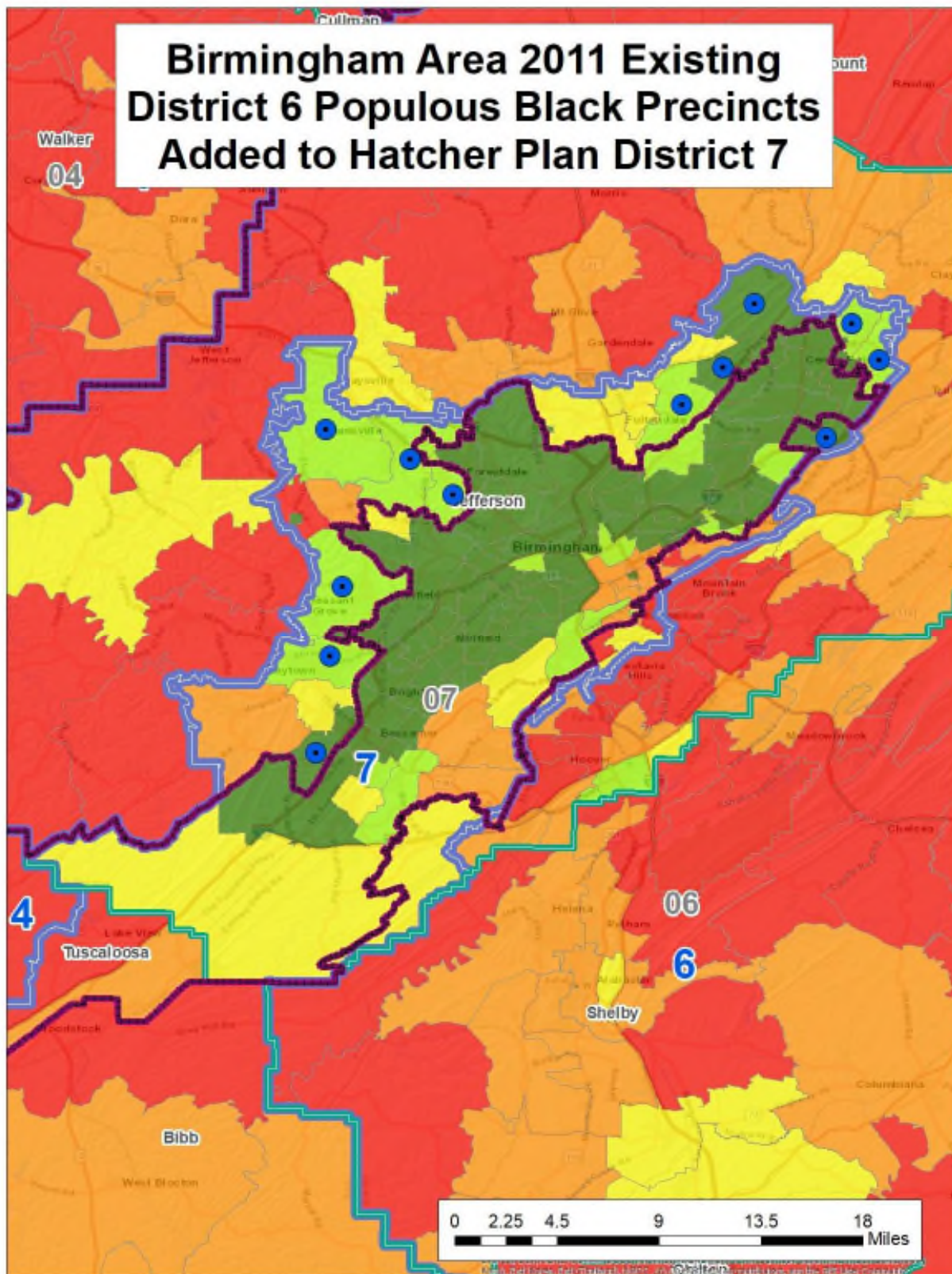
Map Appendix 7 (Hatcher Percent Black Alone VAP by VTD)



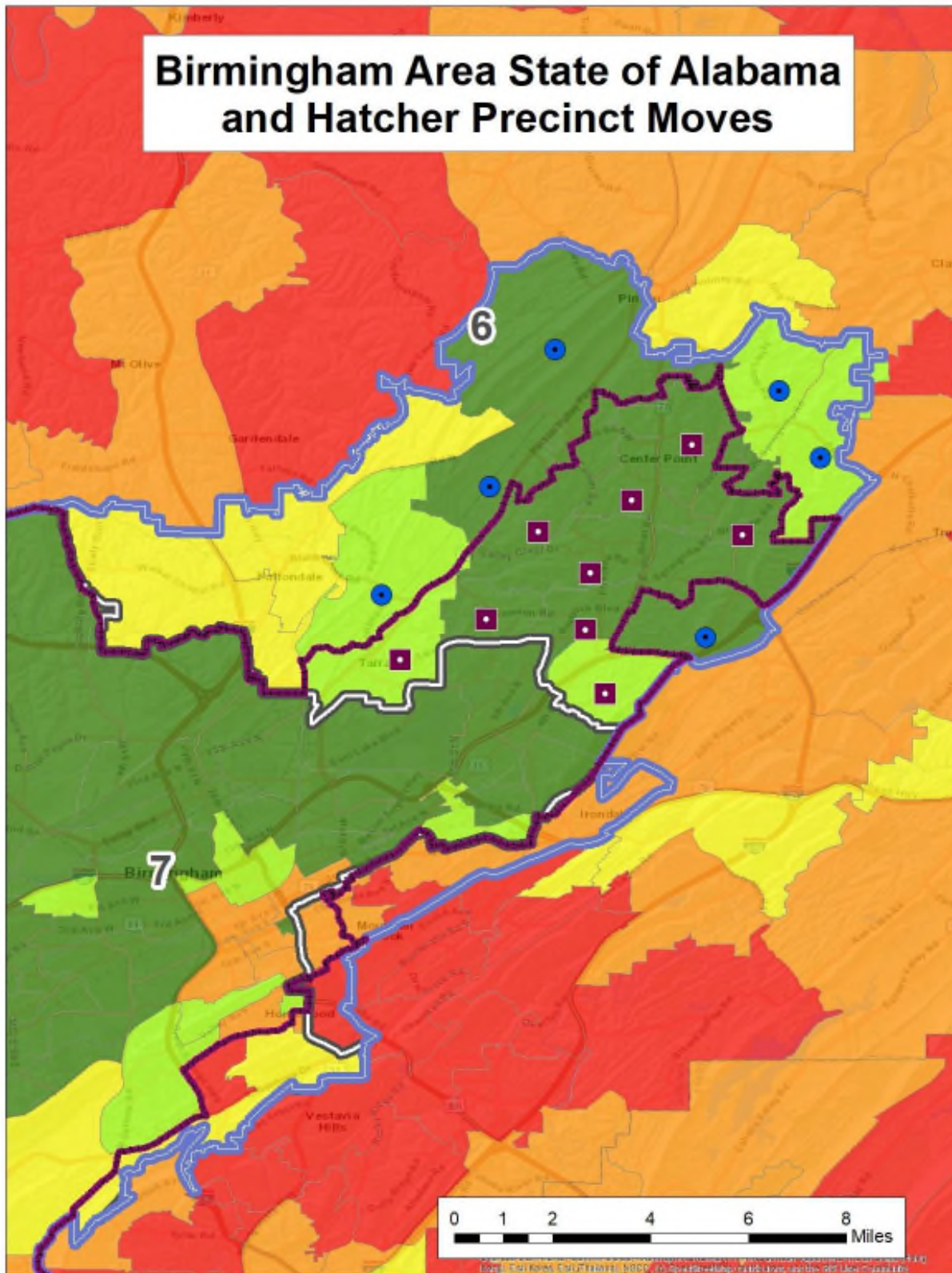
Map Appendix 8 (Hatcher Voting Age Population VAP by VTD)



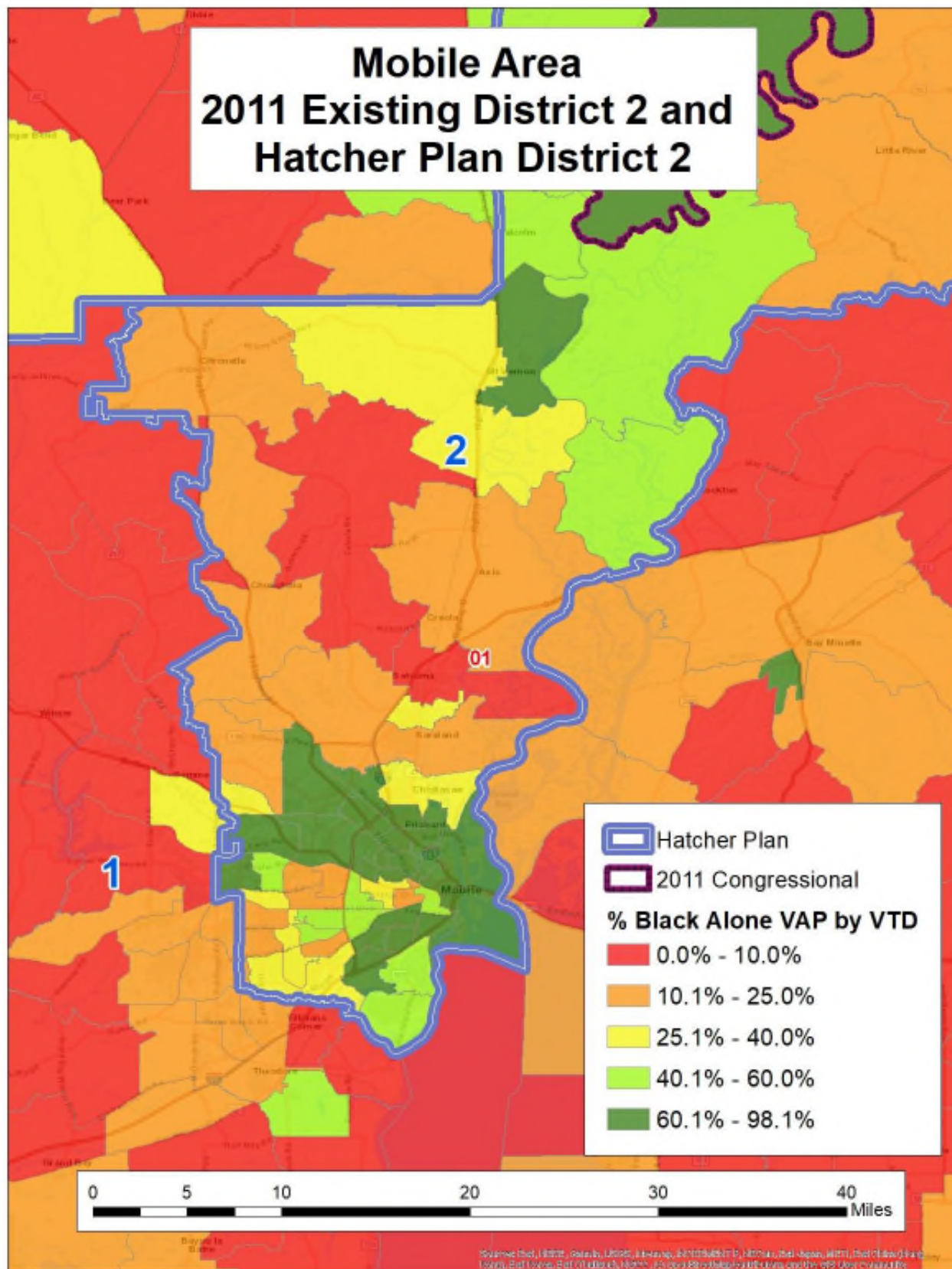
Map Appendix 9 (D6 to D7 Moves of Populous Black VTDs in Hatcher Plan – marked with dots)



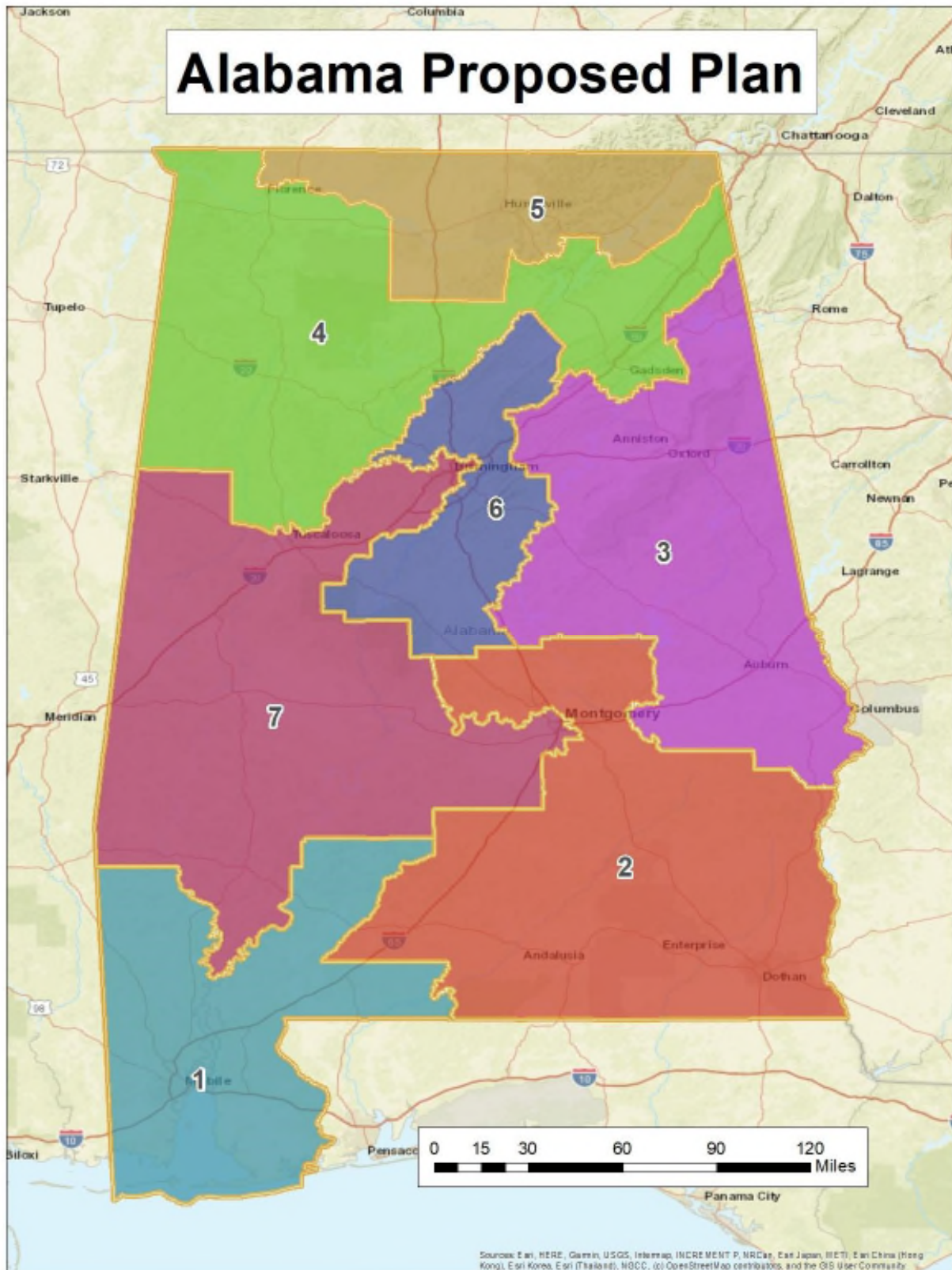
Map Appendix 10 (D6 to D7 Moves of Populous Black VTDs in Hatcher Plan – marked with dots, D7 to D6 Moves of Populous Black VTDs in Alabama Enacted Plan marked with squares)



Map Appendix 11 (D2 Division of Mobile in Hatcher Plan)



Map Appendix 12 (State of Alabama Proposed Plan)



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Redistricting Résumé and C.V.

Introduction

I am an applied demographic, analytic and research professional who leads a team of experts in state and local redistricting cases. I have subject matter expertise in political and school redistricting and Voting Rights Act related litigation, US Census Bureau data, geographic information systems (GIS), applied demographic techniques and advanced analytics.

Education & Academic Honors

2002 MS, Management and Information Systems - George Washington University

2002 GSA CIO University graduate* - George Washington University

1997 Graduate credit courses taken at University of Nevada at Las Vegas

1996 MUS (Master of Urban Studies) Demography and Statistics core - Portland State University

1992 BS, History - Portland State University

Bryan GeoDemographics, January 2001-Current: Founder and Principal

I founded Bryan GeoDemographics (BGD) in 2001 as a demographic and analytic consultancy to meet the expanding demand for advanced analytic expertise in applied demographic research and analysis. Since then, my consultancy has broadened to include litigation support, state and local redistricting, school redistricting, and municipal infrastructure initiatives. Since 2001, BGD has undertaken over 150 such engagements in three broad areas:

- 1) state and local redistricting,
- 2) applied demographic studies, and
- 3) school redistricting and municipal Infrastructure analysis.

The core of the BGD consultancy has been in state and local redistricting and expert witness support of litigation. Engagements include:

Granted by the General Services Administration (GSA) and the Federal IT Workforce Committee of the CIO Council.

<http://www.gwu.edu/~mastergw/programs/mis/pr.html>

State and Local Redistricting

- 2021: Served as Consultant to the Arizona Independent Redistricting Commission, presenting “Pros and Cons of (Census data) Differential Privacy”. July 13, 2021.
 - <https://irc.az.gov/sites/default/files/meeting-agendas/Agenda%207.13.21.pdf>
- 2021: Chosen by Virginia Senator Tommy Norment to be the Republican nominee for the position of Special Master to the Virginia Supreme Court in designing the Legislative, Senate and Congressional redistricting plans for the State of Virginia. Did not end up serving.
 - https://www.vacourts.gov/courts/scv/districting/special_masters_nominations_senator_norment.pdf
- 2021: Retained as demographic and redistricting expert for the Wisconsin Legislature in *Johnson v. Wisconsin Elections Commission*, No. 2021AP001450-OA (Wis. Supreme Court) and related Wisconsin redistricting litigation. Offering opinions on demography and redistricting for redistricting plans proposed as remedies in impasse suit.
- 2021: Retained as demographic and redistricting expert by the State of Alabama Attorney General’s office. Currently serving as the State’s demographic and redistricting expert witness in the matters of *Milligan v. Merrill*, *Thomas v. Merrill* and *Singleton v. Merrill* over Alabama’s Congressional redistricting initiatives.
- 2021: Retained as nonpartisan demographic and redistricting expert in the State of North Carolina to prepare commissioner redistricting plans for Granville County, Harnett County, Jones County and Nash County. Each proposed plan was approved and successfully adopted.
- 2021: Retained as demographic and redistricting expert by Democratic Counsel for the State of Illinois in the case of *McConchie v. State Board of Elections*. Prepared expert report in defense of using the American Community Survey to comply with state constitutional requirements in the absence of the (then) delayed Census 2020 data.
 - <https://redistricting.ils.edu/case/mcconchie-v-ill-state-board-of-elections/>.
- 2021: Retained by counsel for the Chairman and staff of the Texas House Committee on Redistricting as a consulting demographic expert. Texas House Bill 1 subsequently passed by the Legislature 83-63.
 - <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=873&Bill=HB1>
- 2021: In the matter of the *State of Alabama, Representative Robert Aderholt, William Green and Camaran Williams v. the US Department of Commerce; Gina Raimondo; the US Census Bureau and Ron Jarmin* in US District Court of Alabama Eastern Division. Prepared a demographic report for Plaintiffs analyzing the effects of using Differential Privacy on Census Data in Alabama and was certified as an expert witness by the Court.

- <https://www.alabamaag.gov/Documents/news/Census%20Data%20Manipulation%20Lawsuit.pdf>
- <https://redistricting.lls.edu/case/alabama-v-u-s-dept-of-commerce-ii/>
- 2020: In the matter of *The Christian Ministerial Alliance (CMA), Arkansas Community Institute v. the State of Arkansas*. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Providing demographic and analytic litigation support.
 - https://www.naacpldf.org/wp-content/uploads/CMA-v.-Arkansas_FILED-without-stamp.pdf
- 2020: In the matter of *Louisiana State Conference of the NAACP, Allen and Anthony v. the State of Louisiana* in US District Court. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Providing demographic and analytic litigation support for the analysis and testing of LA Supreme Court Districts.
 - <https://apnews.com/c44c986a29ec4035a87e5ca94d4e6324>
 - <https://www.bloomberglaw.com/public/desktop/document/AllenetalvStateofLouisianaOfficeoftheGovernorDivisionofAdministra?1595341263>
- 2020: In the matter of *Aguilar, Gutierrez, Montes, Palmer and OneAmerica v. Yakima County* in Superior Court of Washington under the Washington Voting Rights Act ("WVRA" Wash. Rev. Code § 29A.92.60). In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Providing demographic and analytic litigation support.
 - <https://bloximages.newyork1.vip.townnews.com/yakimaherald.com/content/tncms/assets/v3/editorial/a/4e/a4e86167-95a2-5186-a86c-bb251bf535f1/5f0d01eec8234.pdf.pdf>
- 2018-2020: In the matter of *Flores, Rene Flores, Maria Magdalena Hernandez, Magali Roman, Make the Road New York, and New York Communities for Change v. Town of Islip, Islip Town Board, Suffolk County Board of Elections* in US District Court. On behalf of Defendants - provided a critical analysis of plaintiff's demographic and environmental justice analysis. The critique revealed numerous flaws in both the demographic analysis as well as the tenets of their environmental justice argument, which were upheld by the court. Ultimately developed mutually agreed upon plan for districting.
 - <https://nyelectionsnews.wordpress.com/2018/06/20/islip-faces-section-2-voting-rights-act-challenge/>
 - <https://www.courthousenews.com/wp-content/uploads/2018/06/islip-voting.pdf>
- 2017-2020 In the matter of *NAACP, Spring Valley Branch; Julio Clerveaux; Chevon Dos Reis; Eric Goodwin; Jose Vitelio Gregorio; Dorothy Miller; and Hillary Moreau v East Ramapo Central School District (Defendant)* in United States District Court Southern District Of New York

(original decision May 25, 2020), later the U.S. Second Circuit Court of Appeals. On behalf of Defendants, developed mutually agreed upon district plan and provided demographic and analytic litigation support.

- <https://www.lohud.com/story/news/education/2020/05/26/federal-judge-sides-naacp-east-ramapo-voting-rights-case/5259198002/>
- 2017-2020: In the matter of *Pico Neighborhood Association et al v. City of Santa Monica* brought under the California VRA. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Providing demographic and analytic litigation support. Executed geospatial analysis to identify concentrations of Hispanic and Black CVAP to determine the impossibility of creating a minority majority district, and demographic analysis to show the dilution of Hispanic and Black voting strength in a district (vs at-large) system. Work contributed to Defendants prevailing in landmark ruling in the State of California Court of Appeal, Second Appellate District.
 - <https://www.santamonica.gov/press/2020/07/09/santa-monica-s-at-large-election-system-affirmed-in-court-of-appeal-decision>
- 2019: In the matter of *Johnson v. Ardoin / the State of Louisiana* in United States District Court. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided expert demographic and analytic litigation support.
 - <https://www.brennancenter.org/sites/default/files/2019-10/2019-10-16-Johnson%20v.%20Ardoin-132-Brief%20in%20Opposition%20to%20MTS.pdf>
- 2019: In the matter of *Suresh Kumar v. Frisco Independent School District et al.* in United States District Court. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided expert demographic and analytic litigation support. Successfully defended.
 - <https://www.friscoisd.org/news/district-headlines/2020/08/04/frisco-isd-wins-voting-rights-lawsuit>
 - <https://www.courthousenews.com/wp-content/uploads/2020/08/texas-schools.pdf>
- 2019: At the request of the City of Frisco, TX in collaboration with demographic testifying expert Dr. Peter Morrison. Provided expert demographic assessment of the City's potential liability regarding a potential Section 2 Voting Rights challenge.
- 2019: In the matter of *NAACP v. East Ramapo Central School District* in US District Court Southern District of NY. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided expert demographic and analytic litigation support.

- 2019: In the matter of *Johnson v. Ardoin* in United States District Court. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided expert demographic and analytic litigation support. Prepared analysis of institutionalized prison population versus noninstitutionalized eligible to vote population.
 - <https://casetext.com/case/johnson-v-ardoin>
- 2019: In the matter of *Vaughan v. Lewisville Independent School District et al.* in United States District Court. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided expert demographic and analytic litigation support.
 - <https://www.nbcdfw.com/news/local/lawsuit-filed-against-lewisville-independent-school-district/1125/>
- 2019: In the matter of *Holloway, et al. v. City of Virginia Beach* in United States District Court, Eastern District of Virginia. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided expert demographic and analytic litigation support.
 - <https://campaignlegal.org/cases-actions/holloway-et-al-v-city-virginia-beach>
- 2018: At the request of Kirkland City, Washington in collaboration with demographic testifying expert Dr. Peter Morrison. Performed demographic studies to inform the City's governing board's deliberations on whether to change from at-large to single-member district elections following enactment of the Washington Voting Rights Act. Analyses included gauging the voting strength of the City's Asian voters and forming an illustrative district concentrating Asians; and compared minority population concentration in pre- and post-annexation city territory.
 - https://www.kirklandwa.gov/Assets/City+Council/Council+Packets/021919/8b_SpecialPresentations.pdf#:~:text=RECOMMENDATION%3A%20It%20is%20recommended%20that%20City%20Council%20receive,its%20Councilmembers%20on%20a%20citywide%2C%20at-%20large%20basis
- 2018: At the request of Tacoma WA Public Schools in collaboration with demographic testifying expert Dr. Peter Morrison. Created draft concept redistricting plans that would optimize minority population concentrations while respecting incumbency. Client will use this plan as a point of departure for negotiating final boundaries among incumbent elected officials.
- 2018: At the request of the City of Mount Vernon, Washington., in collaboration with demographic testifying expert Dr. Peter Morrison. Prepared a numerous draft concept plans that preserves Hispanics' CVAP concentration. Client utilized draft concept redistricting plans to work with elected officials and community to agree upon the boundaries of six other districts to establish a proposed new seven-district single-member district plan.

- 2017: In the matter of *Pico Neighborhood Association v. City of Santa Monica*. In collaboration with demographic testifying expert Dr. Peter Morrison. Worked to create draft district concept plans that would satisfy Plaintiff's claim of being able to create a majority-minority district to satisfy Gingles prong 1. Such district was not possible, and the Plaintiffs case ultimately failed in California State Court of Appeals Second Appellate District.
 - <https://law.iustia.com/cases/california/court-of-appeal/2020/b295935.html>
- 2017: In the matter of *John Hall, Elaine Robinson-Strayhorn, Lindora Toudle, Thomas Jerkins, v. Jones County Board of Commissioners*. In collaboration with demographic testifying expert Dr. Peter Morrison. Worked to create draft district concept plans to resolve claims of discrimination against African Americans attributable to the existing at-large voting system.
 - <http://jonescountync.gov/vertical/sites/%7B9E2432B0-642B-4C2F-A31B-CDE7082E88E9%7D/uploads/2017-02-13-Jones-County-Complaint.pdf>
- 2017: In the matter of *Harding v. County of Dallas* in U.S. District Court. In collaboration with demographic testifying expert Dr. Peter Morrison. In a novel case alleging discrimination *against* White, non-Hispanics under the VRA, I was retained by plaintiffs to create redistricting scenarios with different balances of White-non-Hispanics, Blacks and Hispanics. Deposed and provided expert testimony on the case.
 - <https://www.courthousenews.com/wp-content/uploads/2018/08/DallasVoters.pdf>
- 2016: Retained by The Equal Voting Rights Institute to evaluate the Dallas County Commissioner existing enacted redistricting plan. In collaboration with demographic testifying expert Dr. Peter Morrison, the focus of our evaluation was twofold: (1) assess the failure of the Enacted Plan (EP) to meet established legal standards and its disregard of traditional redistricting criteria; (2) the possibility of drawing an alternative Remedial Plan (RP) that did meet established legal standards and balance traditional redistricting criteria.
 - <http://equalvotingrights.org/wp-content/uploads/2015/01/Complaint.pdf>
- 2016: In the matter of *Jain v. Coppell ISD et al* in US District Court. In collaboration with demographic testifying expert Dr. Peter Morrison. Consulted in defense of Coppell Independent School District (Dallas County, TX) to resolve claims of discriminatory at-large voting system affecting Asian Americans. While Asians were shown to be sufficiently numerous, I was able to demonstrate that they were not geographically concentrated - thus successfully proving the Gingles 1 precondition could not be met resulting the complaint being withdrawn.
 - <https://dockets.justia.com/docket/texas/txndce/3:2016cv02702/279616>
- 2016: In the matter of *Feldman et al v. Arizona Secretary of State's Office et al* in SCOTUS. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided analytics on the locations and proximal demographics of polling

stations that had been closed subsequent to *Shelby County v. Holder* (2013) which eliminated the requirement of state and local governments to obtain federal preclearance before implementing any changes to their voting laws or practices. Subsequently provided expert point of view on disparate impact as a result of H.B. 2023. Advised Maricopa County officials and lead counsel on remediation options for primary polling place closures in preparation for 2016 elections.

- <https://arizonadailyindependent.com/2016/04/05/doj-wants-information-on-maricopa-county-election-day-disaster/>
- https://www.supremecourt.gov/DocketPDF/19/19-1257/142431/20200427105601341_Brnovich%20Petition.pdf
- 2016: In the matter of *Glatt v. City of Pasco, et al.* in US District Court (Washington). In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Provided analytics and draft plans in defense of the City of Pasco. One draft plan was adopted, changing the Pasco electoral system from at-large to a six-district + one at large.
 - <https://www.pasco-wa.gov/DocumentCenter/View/58084/Glatt-v-Pasco---Order---January-27-2017?bidId=>
 - <https://www.pasco-wa.gov/923/City-Council-Election-System>
- 2015: In the matter of *The League of Women Voters et al. v. Ken Detzner et al* in the Florida Supreme Court. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Performed a critical review of Florida state redistricting plan and developed numerous draft concept plans.
 - <http://www.miamiherald.com/news/politics-government/state-politics/article47576450.html>
 - https://www.floridasupremecourt.org/content/download/322990/2897332/file/OP-SC14-1905_LEAGUE%20OF%20WOMEN%20VOTERS_JULY09.pdf
- 2015: In the matter of *Evenwel, et al. v. Abbott / State of Texas* in SCOTUS. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Plaintiffs. Successfully drew map for the State of Texas balancing both total population from the decennial census and citizen population from the ACS (thereby proving that this was possible). We believe this may be the first and still only time this technical accomplishment has been achieved in the nation at a state level. Coauthored SCOTUS Amicus Brief of Demographers.
 - https://www.supremecourt.gov/opinions/15pdf/14-940_ed9g.pdf
 - <https://www.scotusblog.com/wp-content/uploads/2015/08/Demographers-Amicus.pdf>

- 2015: In the matter of *Ramos v. Carrollton-Farmers Branch Independent School District* in US District Court (Texas). In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Used 2009-2013 5-year ACS data to generate small-area estimates of minority citizen voting age populations and create a variety of draft concept redistricting plans. Case was settled decision in favor of a novel cumulative voting system.
 - https://starlocalmedia.com/carrolltonleader/c-fb-isd-approves-settlement-in-voting-rights-lawsuit/article_92c256b2-6e51-11e5-adde-a70cbe6f9491.html
- 2015: In the matter of *Glatt v. City of Pasco et al.* in US District Court (Washington). In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Consulted on forming new redistricting plan for city council review. One draft concept plan was agreed to and adopted.
 - <https://www.pasco-wa.gov/923/City-Council-Election-System>
- 2015: At the request of Waterbury, Connecticut, in collaboration with demographic testifying expert Dr. Peter Morrison. As a result of a successful ballot measure to convert Waterbury from an at-large to a 5-district representative system, consulted an extensive public outreach and drafted numerous concept plans. The Waterbury Public Commission considered alternatives and recommended one of our plans, which the City adopted.
 - <http://www.waterburyobserver.org/wod7/node/4124>
- 2014-15: In the matter of *Montes v. City of Yakima* in US District Court (Washington). In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants. Analytics later used to support the Amicus Brief of the City of Yakima, Washington in the U.S. Supreme Court in *Evenwel v. Abbott*.
 - <https://casetext.com/case/montes-v-city-of-yakima-3>
- 2014: In the matter of *Harding v. County of Dallas* in the US Court of Appeals Fifth Circuit. In the novel case of Anglo plaintiffs attempting to claim relief as protected minorities under the VRA. Served as demographic expert in the sole and limited capacity of proving Plaintiff claim under Gingles prong 1. Claim was proven. Gingles prongs 2 and 3 were not and the case failed.
 - <https://electionlawblog.org/wp-content/uploads/Dallas-opinion.pdf>
- 2014: At the request of Gulf County, Florida in collaboration with demographic testifying expert Dr. Peter Morrison. Upon the decision of the Florida Attorney General to force inclusion of prisoners in redistricting plans – drafted numerous concept plans for the Gulf County Board of County Commissioners, one of which was adopted.
 - <http://myfloridalegal.com/ago.nsf/Opinions/B640990E9817C5AB85256A9C00631387>

- 2012-2015: In the matter of *GALEO and the City of Gainesville* in Georgia. In collaboration with demographic testifying expert Dr. Peter Morrison, on behalf of Defendants -consulted on defense of existing at-large city council election system.
 - <http://atlantaprogressivenews.com/2015/06/06/galeo-challenges-at-large-voting-in-city-of-gainesville/>
- 2012-: Confidential. Consulted (through Morrison & Associates) to support plan evaluation, litigation, and outreach to city and elected officials (1990s - mid-2000s). Executed first statistical analysis of the American Community Survey to determine probabilities of minority-majority populations in split statistical/administrative units of geography, as well as the cumulative probabilities of a “false-negative” minority-majority reading among multiple districts.
- 2011-: Confidential. Consulted on behalf of plaintiffs in Committee (Private) vs. State Board of Elections pertaining to citizen voting-age population. Evaluated testimony of defense expert, which included a statistical evaluation of Hispanic estimates based on American Community Survey (ACS) estimates. Analysis discredited the defendant’s expert’s analysis and interpretation of the ACS.

School Redistricting and Municipal Infrastructure Projects

BGD worked with McKibben Demographics from 2004-2012 providing expert demographic and analytic support. These engagements involved developing demographic profiles of small areas to assist in building fertility, mortality and migration models used to support long-range population forecasts and infrastructure analysis in the following communities:

Fargo, ND 10/2012	Charleston, SC 8/08
Columbia, SC 3/2012	Woodland, IL 7/08
Madison, MS 9/2011	White County, IN 6/08
Rockwood, MO 3/2011	Gurnee District 56, IL 5/08
Carthage, NY 3/2011	Central Noble, IN 4/08
NW Allen, IN 9/2010	Charleston First Baptist, SC 4/08
Fayetteville, AR 7/2010	Edmond, OK 4/08
Atlanta, GA 2/2010	East Noble, IN 3/08
Caston School Corp., IN 12/09	Mill Creek, IN 5/06
Rochester, IN 12/09	Rhode Island 5/06
Urbana, IL 11/09	Garrett, IN 3/08
Dekalb, IL 11/09	Meridian, MS 3/08
Union County, NC 11/09	Madison County, MS 3/08
South Bend, IN 8/09	Charleston 12/07
Lafayette, LA 8/09	Champaign, IL 11/07
Fayetteville, AR 4/09	Richland County, SC 11/07
New Orleans, LA 4/09	Lake Central, IN 11/07
Wilmington New Hanover 3/09	Columbia, SC 11/07
New Berry, SC 12/08	Duneland, IN 10/07
Corning, NY 11/08	Union County, NC 9/07
McLean, IL 11/08	Griffith, IN 9/07
Lakota 11/08	Rensselaer, IN 7/07
Greensboro, NC 11/08	Hobart, IN 7/07
Guilford 9/08	Buffalo, NY 7/07
Lexington, SC 9/08	Oak Ridge, TN 5/07
Plymouth, IN 9/08	Westerville, OH 4/07

Projects Continued

Baton Rouge, LA 4/07
 Cobb County, GA 4/07
 Charleston, SC District 20 4/07
 McDowell County, NC 4/07
 East Allen, IN 3/07
 Mt. Pleasant, SC District 2 2/07
 Peach County, GA 2/07
 North Charleston, SC District 4 2/07
 Madison County, MS revisions 1/07
 Portage County, IN 1/07
 Marietta, GA 1/07
 Porter, IN 12/06
 Harrison County, MS 9/06
 New Albany/Floyd County, IN 9/06
 North Charleston, SC 9/06
 Fairfax, VA 9/06
 Coleman 8/06
 DeKalb, GA 8/06
 LaPorte, IN 7/06
 NW Allen, IN 7/06
 Brunswick, NC 7/06
 Carmel Clay, IN 7/06
 Calhoun, SC 5/06
 Hamilton Community Schools, IN 4/06
 Dilworth, MN 4/06
 Hamilton, OH 2/06
 West Noble, IN 2/06
 New Orleans, LA 2/06
 Norwell, IN 2/06
 Middletown, OH 12/05
 West Noble, IN 11/05
 Madison, MS 11/05
 Fremont, IN 11/05
 Concord, IN 11/05

Allen County 11/05
 Bremen, IN 11/05
 Smith Green, IN 11/05
 Steuben, IN 11/05
 Plymouth, IN 11/05
 North Charleston, SC 11/05
 Huntsville, AL 10/05
 Dekalb, IN 9/05
 East Noble, IN 9/05
 Valparaiso, IN 6/05
 Penn-Harris-Madison, IN 7/05
 Elmira, NY 7/05
 South Porter/Merriville, IN 7/05
 Fargo, ND 6/05
 Washington, IL 5/05
 Addison, NY 5/05
 Kershaw, SC 5/05
 Porter Township, IN 3/05
 Portage, WI 1/05
 East Stroudsburg, PA 12/04
 North Hendricks, IN 12/04
 Sampson/Clinton, NC 11/04
 Carmel Clay Township, IN 9/04
 SW Allen County, IN 9/04
 East Porter, IN 9/04
 Allen County, IN 9/04
 Duplin, NC 9/04
 Hamilton County / Clay TSP, IN 9/04
 Hamilton County / Fall Creek TSP, IN 9/04
 Decatur, IN 9/04
 Chatham County / Savannah, GA 8/04
 Evansville, IN 7/04
 Madison, MS 7/04
 Vanderburgh, IN 7/04
 New Albany, IN 6/04

Publications

- “The Effect of the Differential Privacy Disclosure Avoidance System Proposed by the Census Bureau on 2020 Census Products: Four Case Studies of Census Blocks in Alaska” PAA Affairs, (with D. Swanson and Richard Sewell, Alaska Department of Transportation and Public Facilities). March 2021.
 - <https://www.populationassociation.org/blogs/paa-web1/2021/03/30/the-effect-of-the-differential-privacy-disclosure?CommunityKey=a7bf5d77-d09b-4907-9e17-468af4bdf4a6> .
 - <https://redistrictingonline.org/2021/03/31/study-census-bureaus-differential-privacy-disclosure-avoidance-system-produces-concerning-results-for-local-jurisdictions/>
 - <https://www.ncsl.org/research/redistricting/differential-privacy-for-census-data-explained.aspx>
- In the matter of the *State of Alabama, Representative Robert Aderholt, William Green and Camaran Williams v. the US Department of Commerce; Gina Raimondo; the US Census Bureau and Ron Jarmin* in US District Court of Alabama Eastern Division. Declaration of Thomas Bryan, Exhibit 6. Civil Action NO. 3:21-CV-211, United States District Court for Middle Alabama, Eastern Division. Assessing the impact of the U.S. Census Bureau’s approach to ensuring respondent privacy and Title XIII compliance by using a disclosure avoidance system involving differential privacy. March 2021.
 - <https://redistricting.ils.edu/wp-content/uploads/AL-commerce2-20210311-PI.zip>
- Peter A. Morrison and Thomas M. Bryan, Redistricting: A Manual for Analysts, Practitioners, and Citizens (2019). Springer Press: Cham Switzerland.
- “Small Area Business Demography.” in D. Poston (editor) Handbook of Population, 2nd Edition. (2019). Springer Press: London (with P. Morrison and S. Smith).
- “From Legal Theory to Practical Application: A How-To for Performing Vote Dilution Analyses.” *Social Science Quarterly*. (with M.V. Hood III and Peter Morrison). March 2017
 - <http://onlinelibrary.wiley.com/doi/10.1111/ssqu.12405/abstract>
- In the Supreme Court of the United States Sue Evenwel, Et Al., *Appellants*, V. Greg Abbott, in his official capacity as Governor of Texas, et al., *Appellees*. *On appeal from the United States District Court for the Western District of Texas*. Amicus Brief of Demographers Peter A. Morrison, Thomas M. Bryan, William A. V. Clark, Jacob S. Siegel, David A. Swanson, and The Pacific Research Institute - As amici curiae in support of Appellants. August 2015.
 - www.scotusblog.com/wp-content/uploads/2015/08/Demographers-Amicus.pdf)

- Workshop on the Benefits (and Burdens) of the American Community Survey, Case Studies/Agenda Book 6 “Gauging Hispanics’ Effective Voting Strength in Proposed Redistricting Plans: Lessons Learned Using ACS Data.” June 14–15, 2012
 - <http://docplayer.net/8501224-Case-studies-and-user-profiles.html>
- “Internal and Short Distance Migration” by Bryan, Thomas in J. Siegel and D. Swanson (eds.) The Methods and Materials of Demography, Condensed Edition, Revised. (2004). Academic/Elsevier Press: Los Angeles (with D. Swanson and P. Morrison).
- “Population Estimates” by Bryan, Thomas in J. Siegel and D. Swanson (eds.) The Methods and Materials of Demography, Condensed Edition, Revised. (2004). Academic/Elsevier Press: Los Angeles (with D. Swanson and P. Morrison).
- Bryan, T. (2000). U.S. Census Bureau Population estimates and evaluation with loss functions. *Statistics in Transition*, 4, 537–549.

Professional Presentations and Conference Participation

- Session Chairman on Invited Session “Assessing the Quality of the 2020 Census”, including Census Director Ron Jarmin at the 2020 Population Association of America meeting May 5, 2021.
 - <https://paa2021.secure-platform.com/a/organizations/main/home>
- “The Effect of the Differential Privacy Disclosure Avoidance System Proposed by the Census Bureau on 2020 Census Products: Four Case Studies of Census Blocks in Alaska”. 2021 American Statistical Association - Symposium on Data Science and Statistics (ASA-SDSS). With Dr. David Swanson.
 - <https://ww2.amstat.org/meetings/sdss/2021/index.cfm>
- “New Technical Challenges in Post-2020 Redistricting” 2020 Population Association of America Applied Demography Conference, 2020 Census Related Issues, February 2021. With Dr. Peter Morrison.
 - <https://www.youtube.com/watch?v=ETvvoECt9sc&feature=youtu.be>
- “Tutorial on Local Redistricting” 2020 Population Association of America Applied Demography Conference, February 2021. With Dr. Peter Morrison.
 - <https://www.youtube.com/watch?v=ETvvoECt9sc&feature=youtu.be>

- “Demographic Constraints on Minority Voting Strength in Local Redistricting Contexts” 2019 Southern Demographic Association meetings (coauthored with Dr. Peter Morrison) New Orleans, LA, October 2019. Winner of annual E. Walter Terrie award for best state and local demography presentation.
 - <http://sda-demography.org/2019-new-orleans>
- “Applications of Big Demographic Data in Running Local Elections” 2017 Population and Public Policy Conference, Houston, TX.
- “Distinguishing ‘False Positives’ Among Majority-Minority Election Districts in Statewide Congressional Redistricting,” 2017 Southern Demographic Association meetings (coauthored with Dr. Peter Morrison) Morgantown, WV.
- “Devising a Demographic Accounting Model for Class Action Litigation: An Instructional Case” 2016 Southern Demographic Association (with Peter Morrison), Athens, GA.
- “Gauging Hispanics’ Effective Voting Strength in Proposed Redistricting Plans: Lessons Learned Using ACS Data.” 2012 Conference of the Southern Demographic Association, Williamsburg, VA.
- “Characteristics of the Arab-American Population from Census 2000 and 1990: Detailed Findings from PUMS.” 2004 Conference of the Southern Demographic Association, (with Samia El-Badry) Hilton Head, SC.
- “Small-Area Identification of Arab American Populations,” 2004 Conference of the Southern Demographic Association, Hilton Head, SC.
- “Applied Demography in Action: A Case Study of Population Identification.” 2002 Conference of the Population Association of America, Atlanta, GA.

Primary Software Competencies

ESRI ArcGIS: advanced

SAS: intermediate

Microsoft Office: advanced

Professional Affiliations

International Association of Applied Demographers (Member and Board of Directors)

American Statistical Association (Member)

Population Association of America (Member)

Southern Demographic Association (Member)

American BAR Association (Affiliated Professional: Solo, Small Firm and General Practice Division)

Relevant Work Experience

January 2001- April 2003 ESRI Business Information Solutions / Demographer

Responsibilities included demographic data management, small-area population forecasting, IS management and software product and specification development. Additional responsibilities included developing GIS-based models of business and population forecasting, and analysis of emerging technology and R&D / testing of new GIS and geostatistical software.

May 1998-January 2001 U.S. Census Bureau / Statistician

Responsibilities: developed and refined small area population and housing unit estimates and innovative statistical error measurement techniques, such as Loss Functions and MAPE-R.

Service

Eagle Scout, 1988, Boy Scouts of America. Member of the National Eagle Scout Association. Involved in leadership of the Boy Scouts of America Heart of Virginia Council.



References

Dr. David Swanson

Professional Peer

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951-534-6336

Dr. Peter Morrison

Professional Peer

petermorrison@me.com

310-266-9580

My name is Thomas Bryan¹. I am a professional demographer and political redistricting expert witness. I have been retained by the State of Alabama to provide analysis and support in the case of *Milligan v. Merrill* and *Caster v. Merrill*.² A copy of my CV was attached to earlier reports, and my earlier reports addressed my qualifications and compensation.

I am over 18 years of age and I have personal knowledge of the facts stated herein.

In this supplemental report, I provide:

- 1) An analysis of plans presented by plaintiff experts Mr. Bill Cooper and Dr. Moon Duchin;
- 2) A summary and interpretation of traditional redistricting principles;
- 3) A discussion and analysis of the census and DOJ definitions of “Black” population and a summary of demographic characteristics of the Duchin and Cooper Plans.
- 4) An analysis and evaluation of the Duchin and Cooper plans, including a:
 - A. core retention analysis (CRA)
 - B. incumbency; and
 - C. compactness analysis.
- 5) Appendices
 1. Alabama Census 2020 Total and Black Population
 2. Alabama Census 2020 Total and Black Voting Age Population
 3. Demographic Statistics
 4. Core Retention Analysis; and
 5. Compactness Measures and Statistics

1) An Analysis of Dr. Duchin and Mr. Bill Cooper Plans

This report is submitted as a supplemental report in *Milligan v. Merrill* and *Caster v. Merrill*. Plaintiffs in both cases allege that Section 2 of the Voting Rights Act requires Alabama to draw two majority-black districts (the *Milligan* Plaintiffs also assert claims of racial gerrymandering and intentional gerrymandering). The *Milligan* plaintiffs present a plan in their complaint (“the Hatcher plan”) that significantly changes the representational landscape of the state and deviates far from a “least change” approach. Plaintiffs submitted, among other experts, the reports of Dr. Moon Duchin and Mr. Bill Cooper who present various demonstrative plans, each of which has a structure similar to the Hatcher plan. Dr. Duchin and Mr. Cooper have testified in numerous cases about redistricting and are known to me.

¹ <https://www.linkedin.com/in/thomas-bryan-424a6912/>

² <https://redistricting.lls.edu/case/milligan-v-merrill/> and <https://redistricting.lls.edu/case/caster-v-merrill/>

Based on my knowledge and experience as a demographer, I conclude, among other points presented in this report, that the four alternate plans submitted by Dr. Moon Duchin and the six alternate plans submitted by Bill Mr. Cooper generally have similar features and performance as the Hatcher plan submitted as part of *Milligan v. Merrill*.

In Dr. Duchin's report, she contends,

“it is readily possible to create two majority-Black Congressional districts in Alabama today,” and that such districts “can be drawn without sacrificing traditional districting principles like population balance, contiguity, respect for political subdivisions like counties, cities, and towns, or the compactness of the districts, and with heightened respect for communities of interest.”³

My analysis of the four Dr. Duchin plans was based only on four GIS “shapefiles” outlining each district, and four block equivalency, or assignment files. I am able to perform an assessment of core retention and compactness of Dr. Duchin's districts, but only by making assumptions and small corrections to the plans I received since there were blocks that were not assigned to districts in a way that would make them contiguous. The consequences are some slight differences in core retention and deviations being greater than one person. Dr. Duchin's four plans do appear to attempt to create two Black majority-minority districts. The answer to whether she actually did so is: it depends. In Dr. Duchin's Plan A, two districts Black total population and two districts Black VAP are majority-minority Black alone – one only very slightly. Plan A is the only plan with two Black VAP alone majority districts. In Dr. Duchin's Plan B, two districts total population are Black alone majority and two districts Black VAP are *minority* Black alone – but majority Black alone or in combination. In Dr. Duchin's Plan C and D, two districts Black total population and only one districts Black VAP are majority Black alone – but all four are majority Black alone or in combination.

In Bill Cooper's report, he states:

“Based on the 2020 Census, it is still possible to draw two majority-Black congressional districts, while adhering to traditional redistricting principles.”⁴

My analysis of the six Mr. Cooper plans began with five GIS “shapefiles” outlining his districts. I did not receive a shapefile outlining District 5. I received six block equivalency, or assignment files to complement the five outline shapefiles. With the District 5 block assignments I was able to successfully create my own District 5 outline to analyze. As with Dr. Duchin's plans – whether his assertion that “it is still possible to draw two majority-Black congressional districts” is true depends. All of Mr. Cooper's plans have two districts whose Black total population is a majority

³ Duchin Milligan report 12-10-21 FINAL Page 2.

⁴ 2021-12-10 - Caster - Bill Cooper Initial Report Page 20, paragraph 46

Black alone. As with Dr. Duchin's plans – the outcome is different for Black VAP. In Districts 1, 2 and 6 Mr. Cooper presents one Black alone majority and two Black alone or in combination majority districts. In Districts 3, 4 and 5 there are no Black alone VAP majority districts. Those districts only realize their majority status if you include Black alone or in combination. In his report, Mr. Cooper's states that, "all six illustrative plans comply with traditional redistricting principles, including population equality, compactness, contiguity, respect for communities of interest, and the non-dilution of minority voting strength."⁵ I will investigate this assertion in detail.

As I show visually in Map Appendix 5 to Map Appendix 8 for Dr. Duchin and Map Appendix 9 to Map Appendix 14 for Mr. Cooper – each of the ten plans try various approaches dividing the southwestern corner of Alabama, reconfiguring Districts 1 and 2 around Mobile and rearranging various intersections of Districts 6 and 7 around Birmingham. Like the Hatcher plan addressed in my earlier report, the plans presented by Cooper and Duchin break up a strong community of interest in Mobile, Baldwin, and surrounding counties. In so doing, each plan runs afoul of traditional redistricting principles. Compared to Alabama's enacted plan, compactness is sacrificed and continuity of representation is severely compromised (and differentially moreso for Alabama's Blacks) as I will show in my core retention analysis and incumbency analysis. As such, they suffer the same faults as the alternate plan proposed in *Milligan v. Merrill*. Notwithstanding the fact that most of these plans submitted are not actually majority-Black VAP in terms of using single-race Black (also known as Black alone) statistics.

⁵ 2021-12-10 - Caster - Bill Cooper Initial Report Page 20, paragraph 46

2) Traditional Redistricting Principles

In addition to standards set out by the U.S Constitution and the Voting Rights Act, states may adopt their own redistricting criteria, or principles, for drawing the plans. Those criteria appear in state constitutions or statutes, or may be adopted by a legislature, chamber, or committee, or by a court that is called upon to draw a plan when the legislative process fails. The Congressional Research Service explains⁶:

“Many of the “rules” or criteria for drawing congressional boundaries are meant to enhance fairness and minimize the impact of gerrymandering. These rules, standards, or criteria include assuring population equality among districts within the same state; protecting racial and language minorities from vote dilution while at the same time not promoting racial segregation; promoting geographic compactness and contiguity when drawing districts; minimizing the number of split political subdivisions and “communities of interest” within congressional districts; and preserving historical stability in the cores of previous congressional districts.”

These traditional districting principles (or criteria) have been adopted by many states:

- *Preservation of communities of interest*: District boundaries should respect geographic areas whose residents have shared interests, such as neighborhoods and historic areas.
- *Continuity of representation*. There is a benefit to continuing the political and geographic stability of districts. This can be measured with:
 - *Preservation of districts (“core retention”)*: A redrawn district should include as much of the same residential population as the former district did, as allowed by the minimum population that needs to be rebalanced.
 - *Incumbents*: Districts should not be drawn to include pairs of incumbents.
- *Compactness*: Districts should be geographically compact and not irregular.
- *Contiguity*: All parts of a district should be connected at some point with the rest of the district. Simply put, contiguity means that a pedestrian could walk from any point within the district to any other point within it without needing to cross the district’s boundaries; and finally:
- *Preservation of counties and other political subdivisions*: District boundaries should not cross county, city, or town, boundaries to the extent practicable.

⁶ <https://crsreports.congress.gov/product/pdf/R/R42831/3>

3) Census Race Definitions

In the field of demography, and indeed in redistricting cases, the definition of the population in question is critical. Since the foremost purpose of the census is to generate statistics for the purpose of apportionment and redistricting, it is unclear why here plaintiffs refer to undocumented voting strength statistics rather than census Black Voting Age Population. Before we proceed, we will here try to define and document the true “Black” population of the two Black districts in the plaintiff’s alternative plans.

The 2010 Census allowed respondents to self-declare their ethnic and racial identification:

In order to facilitate enforcement of the Voting Rights Act, the Census Bureau asks each person counted to identify their race and whether they are of Hispanic or Latino origin. Beginning with the 2010 Census (and continuing in 2020) the racial categories available in the Census were: White, Black, American Indian, Asian, Native Hawaiians and other Pacific Islanders, and Some Other Race. Persons of Hispanic or Latino origin might be of any race. Persons were given the opportunity to select more than one race – and that race could be in combination with Hispanic or non-Hispanic origin.⁷

The result is that the Census Bureau reports 263 different population counts for each level of Census geography in the country. A “Black” in Alabama therefore can be Black alone, or perhaps in combination with other races or possibly even also Hispanic. Since 2010, the number and proportions of multi-race populations in the United States has grown markedly.⁸ An examination of Demographic Appendix 1 (page 22) “Census 2020 Alabama Black Population Total, non-Hispanic and Hispanic Combinations” reveals numerous new and important findings on who Blacks are in Alabama.

In Appendix 1 the population is reported starting in total, then progressing by row through race alone and race in combination for Alabama’s Black population. Column A shows the total population and Column B shows the % of the total population for that group. Column C shows the non-Hispanic population and Column D shows the % of the total population for that group. Column E shows the Hispanic population and Column F shows the % of the total population for that group. Appendix 2 then follows the same format for the Alabama Black Voting Age Population (VAP).

⁷ “How to Draw Redistricting Plans That Will Stand Up In Court”, National Conference of State Legislators (NCSL), January 22, 2011, p. 17.

⁸ Expert’s own independent observations.

In Appendix 1 Column A (Total Population) we see that the Black or African American alone population is 1,296,162 – or 25.8% of the population. At the bottom of the table, we see the incremental impact of Black alone or in combination. When all other race combinations are added, the Black population is 1,364,736 – or 27.2% of the population. This represents an additional 68,574 Blacks, or 5.0% of the total Alabama Black population.

In Appendix 2 Column A (Voting Age Population) we see that the Black or African American alone population is 981,723 – or 25.1% of the population. At the bottom of the table, we see the incremental impact of Black alone or in combination. When all other race combinations are added, the Black population is 1,014,372 – or 25.9% of the VAP. This represents an additional 32,649 Blacks, or 3.2% of the Alabama Black VAP.

As I have shown already, precise definitions are important. Whether Dr. Duchin’s and Mr. Cooper’s districts are in fact majority Black depends expressly on this issue. The “alone” definition is the one most consistently used historically in VRA cases because a) a multi-race classification did not exist prior to 2000; and b) the “alone” definition has been most defensible from a political science / Gingles 2 voting behavior perspective.⁹ On September 1, 2021 the DOJ published “Guidance under Section 2 of the Voting Rights Act, 52 U.S.C. 10301, for redistricting and methods of electing government bodies”¹⁰ which states:

“The Department’s initial review will be based upon allocating any response that includes white and one of the five other race categories identified in the response. Thus, the total numbers for “Black/African American,” “Asian,” “American Indian/Alaska Native,” “Native Hawaiian or Other Pacific Islander,” and “Some other race” reflect the total of the single-race responses and the multiple responses in which an individual selected a minority race and white race. The Department will then move to the second step in its application of the census data by reviewing the other multiple-race category, which is comprised of all multiple-race responses consisting of more than one minority race. Where there are significant numbers of such responses, the Department will, as required by both the OMB guidance and judicial opinions, allocate these responses on an iterative basis to each of the component single-race categories for analysis.”¹¹

⁹ That is because the typical sources used to conduct a racial polarization analysis treat certain racial sub-groups such as Black + Hispanic as “Other” instead of “Black.”

¹⁰ <https://www.justice.gov/opa/pr/justice-department-issues-guidance-federal-statutes-regarding-redistricting-and-methods>

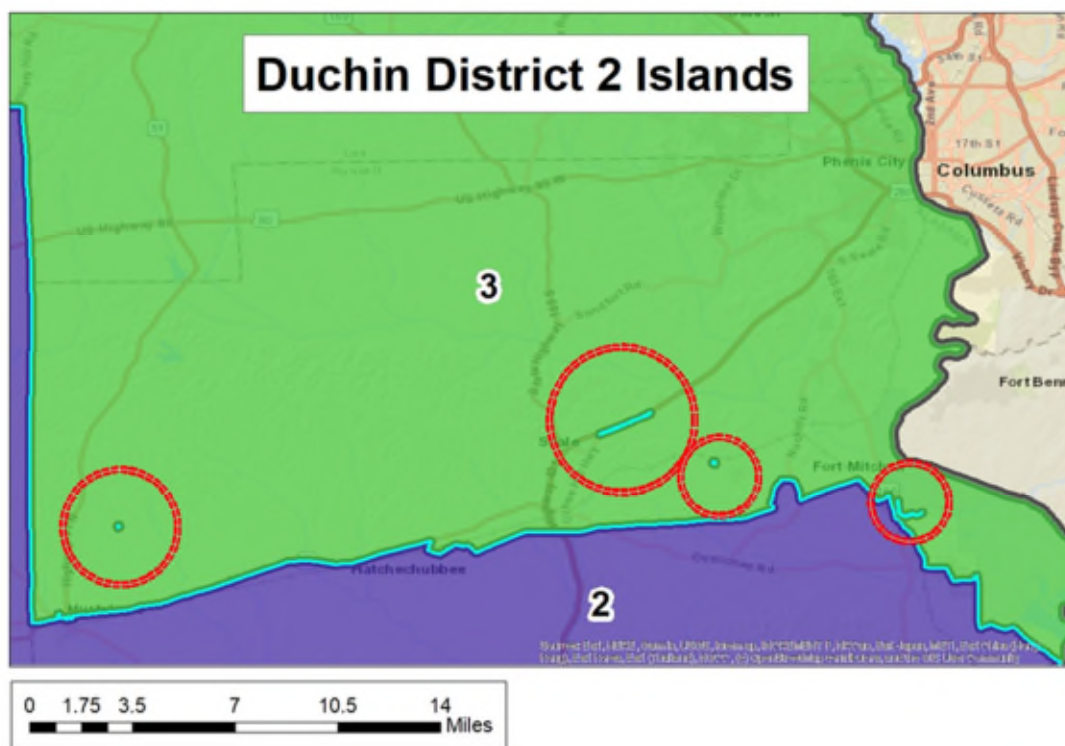
¹¹ *Georgia v. Ashcroft*, 539 U.S. 461, 473, n.1 (2003).

In order to facilitate analysis that reflects current DOJ guidance, we will include analysis containing both Black alone or in combination (hereafter referred to as the “All Black” definition in this report as appropriate.

Duchin Demographics

The work product I received reflecting Dr. Duchin’s work was a series of shapefiles and block correspondence files related to four plans, “A”, “B”, “C” and “D”. I did not receive a report, data dictionary or any technical documentation with which to quality control and assess Dr. Duchin’s work. A visual assessment of the shapefiles I was provided uncovered numerous small “islands”, that is: geography from one district that is detached and is wholly contained in another district. I identified at least eight such blocks in Plan A, two such blocks in Plan B, eight such blocks in Plan C (that had no population effect) and 20 such blocks in Plan D. Several such instances are shown in Duchin Demographics Figure 1 (below) where several pieces of District 2 are actually in District 3. While these are numerically small relative to the whole number of blocks in Alabama, they result in plans that no longer have minimum deviation. In order to perform my population and other analyses, these blocks needed to be re-assigned to their correct districts. This demographic analysis (and the associated deviations) as well as the subsequent core retention analyses, incumbency and compactness analyses reflect Dr. Duchin’s plan with corrections to the misplaced blocks.

Duchin Demographics Figure 1



In Plan A, Dr. Duchin presents two districts with slender majority Black VAP alone populations: D2 at 50.01% and D7 at 50.30% (Duchin Demographic Characteristics Appendices Table 3.2) and a two-person population deviation from 717,753 to 717,755 (Duchin Demographics Figure 2 below and Characteristics Appendices Table 3.1).

Duchin Demographics Figure 2

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,494	425,092	76,068	80,825	13.64%	14.50%
2	560,170	237,130	280,126	287,750	50.01%	51.37%
3	558,614	378,616	128,785	133,849	23.05%	23.96%
4	561,369	465,805	43,452	46,618	7.74%	8.30%
5	556,861	398,844	83,246	89,223	14.95%	16.02%
6	560,355	422,468	82,198	86,546	14.67%	15.44%
7	562,303	236,589	282,857	289,561	50.30%	51.50%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

In Plan B, Dr. Duchin presents two districts with minority Black VAP alone populations: D2 at 49.7% and D7 at 49.1% (Duchin Demographic Characteristics Appendices Table 3.4). In Plan B, District 2 has a Black alone or in combination 51.1% majority and District 7 a has a Black alone or in combination 50.2% majority. Duchin Plan B features a 14-person population deviation from 717,747 to 717,761 (Duchin Demographic Characteristics Appendices Table 3.3) – likely the result of re-assigning misplaced blocks.

In Plan C, Dr. Duchin presents one minority Black VAP alone district: D2 at 48.7% and one majority Black VAP alone district: D7 at 52.3% (Duchin Demographic Characteristics Appendices Table 3.6). In Plan C, District 2 has a Black alone or in combination 50.1% majority and District 7 has a Black alone or in combination 53.5% majority. Duchin Plan C features a 1-person population deviation from 717,754 to 717,755 (Duchin Demographic Characteristics Appendices Table 3.5). There was no impact of misplaced blocks on population deviation in Plan C.

In Plan D, Dr. Duchin presents one minority Black VAP alone district: D2 at 48.7% and one majority Black VAP alone district: D7 at 50.5% (Duchin Demographic Characteristics Appendices Table 3.8). In Plan D, District 2 has a Black alone or in combination 50.1% majority and District 7 a has a Black alone or in combination 53.5% majority. Duchin Plan D features a 23-person population deviation from 717,743 to 717,766 (Duchin Demographic Characteristics Appendices Table 3.7) - likely the result of re-assigning misplaced blocks.

Cooper Demographics

My first order of business was to assess Mr. Cooper's statement that he is able to create two majority Black districts. I address whether he adheres to traditional redistricting criteria separately. My analytic process was to join the illustrative plans equivalency files in my GIS to the 2020 Alabama Census block file, with reported 2020 Census characteristics. I then summarized demographic characteristics for districts 1-7 in each of his six plans. The results of that exercise are shown in my "Cooper Demographic Characteristics Appendix" Tables 3.9 to 3.20.

The population statistics for his Plans 1, 2 and 3 are verified. For Cooper Plan 1, I show in Cooper Demographic Characteristics Table 3.10 that purported Black majority District 2 is 48.7% reported as Black alone, while District 7 is a majority with 52.0% Black alone and 53.3% Black alone or in combination ("All Black"). Plan 1 is a 2-person deviation, from 717,755 to 717,753.

For Cooper Plan 2, I show in Cooper Demographic Characteristics Table 3.12 that purported Black majority District 2 is 49.5% reported as Black alone, while District 7 is a majority with 52.6% Black alone and 53.8% Black alone or in combination ("All Black"). Plan 2 is a 2-person deviation, from 717,755 to 717,753.

For Cooper Plan 3, I show in Cooper Demographic Characteristics Table 3.14 that purported Black majority District 2 is 49.0% reported as Black alone, while District 7 is a Black alone minority at 48.9% and a bare Black majority at 50.09% when measured as Black alone or in combination ("All Black"). Plan 3 is a 3-person deviation, from 717,755 to 717,752.

For Cooper Plan 4, I examined Figure 17 (from Cooper's report - shown below, reporting population and racial characteristics for his Plan 4). He reports the total population by district incorrectly (comparing to Cooper Demographic Characteristics Table 3.15) while he reports the VAP population 18+ correctly (comparing to Cooper Demographic Characteristics Table 3.16). With correct population statistics, Plan 4 is a 2-person deviation, from 717,755 to 717,753.

Figure 17

Illustrative Plan 4 – 2020 Census

District	Population	18+ Pop	% 18+ AP Black	% 18+ NH White
1	717753	557046	17.23%	73.87%
2	717752	561374	50.07%	43.92%
3	717755	564004	25.10%	67.19%
4	717755	556215	6.73%	82.75%
5	717755	561685	18.66%	70.63%
6	717755	554035	12.93%	77.83%
7	717754	562807	50.09%	42.53%

For Cooper Plan 5, I examined Figure 19 (from Cooper's report - shown below, reporting population for his Plan 5). He reports the total population by district total population incorrectly (comparing to Cooper Demographic Appendix Table 3.17) and also the VAP population 18+ incorrectly (comparing to Cooper Demographic Appendix Table 3.18). Inexplicably - while both of his populations are reported incorrectly, his reported % 18+ AP Black and % 18+ NH White correctly. With correct population statistics, Plan 5 is a 2-person deviation, from 717,755 to 717,753.

Figure 19

Illustrative Plan 5 – 2020 Census

District	Population	18+ Pop	% 18+ AP Black	% 18+ NH White
1	717754	557535	17.12%	74.18%
2	717755	557677	50.24%	43.20%
3	717754	564281	24.52%	67.49%
4	717754	556133	6.10%	83.50%
5	717754	561187	18.66%	70.63%
6	717754	552286	14.16%	77.64%
7	717754	568067	50.09%	42.02%

For Cooper Plan 6, I examined Figure 21 (from Cooper's report - shown below, reporting population for his Plan 6) shows the total population correctly (comparing to Cooper Map Appendix Table 3.19) but the VAP population 18+ is reported incorrectly (comparing to Cooper Map Appendix Table 3.20). Notably - while his VAP 18+ population is reported incorrectly, his reported % 18+ AP Black and % 18+ NH White are reported correctly.

Figure 21

Illustrative Plan 6 – 2020 Census

District	Population	18+ Pop	% 18+ AP Black	% 18+ NH White
1	717753	557535	15.83%	75.27%
2	717755	557677	51.28%	42.36%
3	717753	564281	24.77%	67.22%
4	717754	556133	5.63%	83.83%
5	717755	561187	18.66%	70.63%
6	717755	552286	13.58%	78.31%
7	717754	568067	51.09%	41.08%

Curiously, the VAP 18+ population shown in Cooper's Figure 19 for Plan 5 and Cooper's Figure 21 for Plan 6 are exactly identical – but the % 18+ AP Black and % 18+ NH White in each table are notably different. In summary – none of Cooper's plans actually have two majority-BVAP districts when measured using "Black Alone."

4) Analysis and Evaluation of Plans

Next, I analyze and evaluate the Duchin and Cooper plans using the following traditional redistricting principles:

- A. core retention analysis (CRA)
- B. incumbency; and
- C. compactness.

A. Core Retention Analysis

Having already presented my core retention analysis methodology in my *Milligan v. Merrill* and *Caster v. Merrill* report, I move straight to my CRA here. Three analyses follow:

- 1) Alabama 2011 v Alabama 2021 enacted
- 2) Alabama 2011 v Duchin
- 3) Alabama 2011 v Cooper

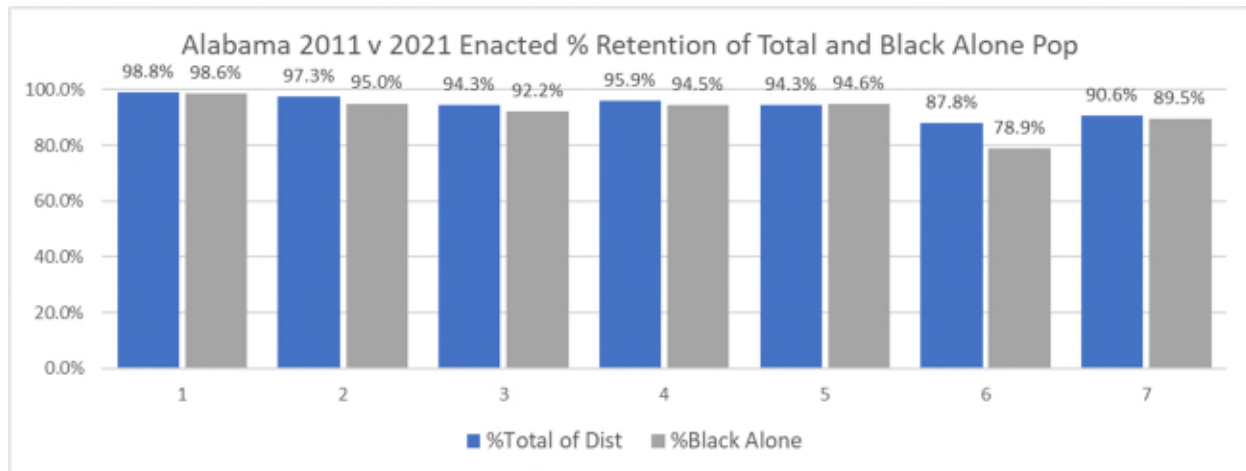
In CRA Figure 1 (Alabama 2011 v Alabama 2021 enacted) below, I show the population who were retained (did not change districts: 4,730,181, or 94.1%) and the number of Black alone who were retained (did not change districts: 1,182,872, or 91.8%). These figures are very high and reflect the outcome of a plan that was created with “least changes”.

CRA Figure 1 Alabama 2021 Enacted Plan for Total and Black Alone Population

Alabama Enacted	Total	Black Alone
	Population	Population
Number Retained	4,730,181	1,182,872
Percent Retained	94.1%	91.8%
Number Displaced	294,098	105,287
Grand Total	5,024,279	1,288,159

In Figure 2, it can be seen that core retention of the total population and the Black population by the State of Alabama 2021 enacted plan compared to the 2011 existing Alabama plan is significant, consistent and comparable, which should have been expected given the least change approach of the 2021 plan.

Core Retention Figure 2 Total and Black Population: 2011 Existing v 2021 Enacted Plans



I refer here to Duchin Core Retention Analyses Appendix, CRA Figures 1-8. The first of each pair of figures compares core retention of the total population (in blue) against core retention of the Black alone population (in grey) for the plan. The second of each pair of figures compares core retention of the Black alone population from the enacted Alabama plan (in grey) with the core retention of the Black alone population from the Duchin plan. Across each of the charts, two themes prevail. First – by comparing the core retention of the Duchin plans with the core retention of the enacted Alabama plan (above) – the total core retention of the Alabama plan is higher (often significantly) than all of the districts in all of the Duchin plans. Second, comparing the core retention of the Black alone population specifically – the core retention of Alabama’s enacted plan is significantly higher than the Duchin plans. In comparing to total retention of the Alabama Plan with the Duchin plans in Figures 3-6 below, the Alabama Plan performs substantially better.

Core Retention Figure 3: Duchin Plan A

Duchin A	Total	Black Alone
	Population	Population
Number Retained	2,933,247	812,954
Percent Retained	58.4%	63.1%
Number Displaced	2,091,032	475,205
Grand Total	5,024,279	1,288,159

Core Retention Figure 4: Duchin Plan B

Duchin B	Total	Black Alone
	Population	Population
Number Retained	2,653,587	722,913
Percent Retained	52.8%	56.1%
Number Displaced	2,370,692	565,246
Grand Total	5,024,279	1,288,159

Core Retention Figure 5: Duchin Plan C

Duchin C	Total	Black Alone
	Population	Population
Number Retained	2,627,546	735,536
Percent Retained	52.3%	57.1%
Number Displaced	2,396,733	552,623
Grand Total	5,024,279	1,288,159

Core Retention Figure 6: Duchin Plan D

Duchin D	Total	Black Alone
	Population	Population
Number Retained	2,934,915	810,768
Percent Retained	58.4%	62.9%
Number Displaced	2,089,364	477,391
Grand Total	5,024,279	1,288,159

Next I refer to the Cooper Core Retention Analyses Appendix, CRA Figures 9-20. First – by comparing the core retention of the Cooper plans with the core retention of the enacted Alabama plan (above) – the total core retention of the Alabama plan is again higher than all of the districts in all of the Cooper plans. Second, comparing the core retention of the Black alone population specifically – the core retention of Alabama’s enacted plan is again significantly higher than the Cooper plans. In comparing the total retention of the Alabama Plan with the Cooper plans in Figures 7-12 below, the Alabama Plan again performs substantially better.

Core Retention Figure 7: Cooper Plan 1

Cooper 1	Total	Black Alone
	Population	Population
Number Retained	2,816,220	704,968
Percent Retained	56.1%	54.7%
Number Displaced	2,208,059	583,191
Grand Total	5,024,279	1,288,159

Core Retention Figure 8: Cooper Plan 2

Cooper 2	Total	Black Alone
	Population	Population
Number Retained	3,345,670	839,589
Percent Retained	66.6%	65.2%
Number Displaced	1,678,609	448,570
Grand Total	5,024,279	1,288,159

Core Retention Figure 9: Cooper Plan 3

Cooper 3	Total	Black Alone
	Population	Population
Number Retained	3,088,005	760,612
Percent Retained	61.5%	59.0%
Number Displaced	1,936,274	527,547
Grand Total	5,024,279	1,288,159

Core Retention Figure 10: Cooper Plan 4

Cooper 4	Total	Black Alone
	Population	Population
Number Retained	3,481,340	866,040
Percent Retained	69.3%	67.2%
Number Displaced	1,542,939	422,119
Grand Total	5,024,279	1,288,159

Core Retention Figure 11: Cooper Plan 5

Cooper 5	Total	Black Alone
	Population	Population
Number Retained	3,239,080	793,146
Percent Retained	64.5%	61.6%
Number Displaced	1,785,199	495,013
Grand Total	5,024,279	1,288,159

Core Retention Figure 12: Cooper Plan 6

Cooper 6	Total	Black Alone
	Population	Population
Number Retained	3,038,598	738,170
Percent Retained	60.5%	57.3%
Number Displaced	1,985,681	549,989
Grand Total	5,024,279	1,288,159

Clearly, the State of Alabama's newly enacted 2021 plan registers consistently and significantly higher levels of core retention for both total and Black population than the Duchin or Cooper plans. This superior record for the State's Plan reflects the advantage of a least change approach: simply adjusting existing boundaries where necessary, instead of completely redrawing all districts, as plaintiffs did. Overall, the differences in core retention shows the significant incremental loss of the continuity of representation borne disproportionately by Alabama's Black population in both Duchin and Cooper's plans.

B. Incumbency Analysis

The current residential address of congressional incumbents were geocoded on 11-14-2021. This file is acknowledged to be highly confidential and will be maintained as such throughout the analysis. Alabama's enacted plan respects incumbents. The Duchin and Cooper plans do not, and pack incumbents as follows:

- Duchin Plan A puts Rep. Sewell, Rep. Palmer and Rep. Rogers in District 6 and Rep. Moore and Rep. Carl in proposed District 1 leaving D2, D3 and D7 unrepresented
- Duchin Plan B puts Rep. Sewell and Rep. Rogers in District 6 and Rep. Moore and Rep. Carl in proposed District 1 leaving D2 and D7 unrepresented
- Duchin Plan C puts Rep. Sewell and Rep. Rogers in District 6 and Rep. Moore and Rep. Carl in proposed District 1 leaving D2 and D7 unrepresented
- Duchin Plan D puts Rep. Palmer and Rogers in District 6 and Rep. Moore and Rep. Carl in proposed District 1 leaving D2 and D3 unrepresented
- Cooper Plan 1, 2, 3, 4 and 6 pairs Rep. Moore and Rep. Carl in proposed District 1 and leaves District 2 unrepresented.

C. Compactness

In Table 1 below we assess the State of Alabama compactness by district, by method. Within each method, the higher the score the better. Using District 5 as an example, it scores highest in Polsby-Popper, Schwartzberg and Convex Hull, but in fact performs the worst in Reock. This table enables us to assess the performance of individual districts across methods. This illustrates exactly why it is beneficial to look at multiple, highly regarded methods when performing compactness analysis. Since the values within each method are similar (but are in fact mathematically different) it is not possible to summarize accurately across plans. In order to compare the Alabama enacted plan with the plaintiff plan, we summarize the compactness scores by method.

In Table 1 we see the existing scores by district, by compactness measure. The scores shaded in green are the “best” in each measure, that is: most compact. The scores shaded in red are the poorest, that is: least compact. Not all districts are ranked the same in each measure, which is why we use multiple measures and examine each individually as well as in aggregate. The last column “Total” is simply a sum of the scores across plans for that district and is designed to provide a final summary ranking of the compactness of each district. The last row “Sum” is simply a sum of the scores for all districts in the plan for that measure. This is calculated to enable a summary comparison of metrics from one plan to another. A higher score in “Sum” means that by that measure, that plan is more compact. For this exercise, we interpret whichever plan has the majority of high scores to be the “more compact” plan. Table 1 is the compactness scores for the existing Alabama 116th congressional plan and serves as a basis for comparison.

Compactness Table 1 Alabama Existing (2011) 116th Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.40	0.42	0.71	1.70
2	0.22	0.47	0.49	0.74	1.93
3	0.22	0.47	0.36	0.73	1.79
4	0.18	0.43	0.36	0.62	1.59
5	0.29	0.53	0.22	0.77	1.82
6	0.14	0.37	0.43	0.69	1.63
7	0.13	0.36	0.38	0.62	1.49
Sum	1.34	3.04	2.66	4.90	
Average	0.19	0.43	0.38	0.70	

In Table 2 below the results pass the “eyeball test” that is: you can just look at District 2 and see that it has simple geometry. It has numerous straight segments and is compact in the sense it fits nicely in its circumscribing circle. But some details in the table are not intuitive. The districts with significant lengths of riparian boundaries tend to score poorly (and are hard to see from a statewide map). Smaller river segments have greater sinuosity, thus greater lengths. Districts 1, 4, 6, and 7 have long lengths of river boundaries. District 5 has numerous straight line segments but suffers from being elongated (that is, it fits poorly in a circle).

Compactness Table 2 Alabama 2021 Enacted Plan Compactness Scores

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.20	0.44	0.40	0.71	1.75
2	0.26	0.51	0.50	0.76	2.02
3	0.25	0.50	0.36	0.77	1.88
4	0.19	0.44	0.36	0.61	1.60
5	0.32	0.56	0.30	0.80	1.98
6	0.15	0.39	0.31	0.68	1.55
7	0.19	0.44	0.43	0.68	1.74
Sum	1.55	3.28	2.67	5.01	
Average	0.22	0.47	0.38	0.72	

In Compactness Table 2 (above), we first note that by looking at the “Sum” and “Average” rows at the bottom - compactness scores are higher in each measure than the 2011 congressional plan. Next I look at individual districts. Each method ranks each district differently. Polsby-Popper and Schwartzberg and Convex-Hull ranks D5 as being the best, while Reock ranks D2 highest. In looking at the last column “Total” we see that D2 actually prevails as the most compact district. My interpretation is that the highest ranking districts are comparable, but that D4, D6 and D7 are least compact – due in part to a significant amount of border being waterways at the Bankhead Lake intersection.

In Compactness Table 3 (below), we see the average compactness scores for the 2011 Existing Plan, the 2021 Enacted Plan, Duchin Plans A-D and Cooper Plans 1-6. Outside of Cooper Plan 4, the remaining Cooper Plans all have inferior compactness scores to the Duchin Plans, the 2011 Existing Plan and the 2021 Enacted Plan. Only Cooper Plan 4 has comparable scores to the other plans. Consistent with her direction and commitment to deliver plans with improved compactness scores, Dr. Duchin’s Plans A-D almost always show higher compactness scores than the enacted Alabama plan on average. However, I note that in all four of Dr. Duchin’s plans, Districts 1 and 2 (one of her purported majority-BVAP districts) were made far less compact. Details of compactness scores by plan and by district are presented in Appendix 5.

Compactness Table 3 Total and Average Compactness Scores by Plan by Method

Plan	Average Compactness Scores				Total	Average
	Polsby-Popper	Schwartzberg	Reock	Convex_Hull		
2011 Existing Plan	0.19	0.43	0.38	0.70	1.71	0.43
2021 Enacted Plan	0.22	0.47	0.38	0.72	1.79	0.45
Duchin Plan A	0.26	0.50	0.39	0.76	1.90	0.48
Duchin Plan B	0.28	0.52	0.38	0.76	1.94	0.48
Duchin Plan C	0.26	0.49	0.35	0.75	1.85	0.46
Duchin Plan D	0.25	0.49	0.41	0.74	1.90	0.47
Cooper Plan 1	0.18	0.42	0.34	0.66	1.60	0.40
Cooper Plan 2	0.18	0.41	0.34	0.65	1.58	0.40
Cooper Plan 3	0.18	0.42	0.34	0.68	1.63	0.41
Cooper Plan 4	0.21	0.46	0.33	0.72	1.72	0.43
Cooper Plan 5	0.18	0.42	0.29	0.67	1.57	0.39
Cooper Plan 6	0.16	0.39	0.30	0.64	1.49	0.37

Conclusion

Based on my knowledge and experience as a demographer, I conclude, among other points presented in this report, that the four alternate plans submitted by Dr. Moon Duchin and the six alternate plans submitted by Bill Mr. Cooper generally have similar features and performance as the Hatcher plan submitted as part of *Milligan v. Merrill*. In my review, I have assessed the demographics of their plans. Each presented plan has either minority Black alone districts where they are represented to be a majority, or extremely slender Black majorities where Blacks are reported alone or in combination. I have assessed the core retention and incumbency impact of their plans – and arrive at the conclusion that each of their proposed plans significantly disrupts the continuity of representation. My analysis of compactness shows that Dr. Duchin’s plans perform generally better *on average* than the enacted State of Alabama plans, although some districts are significantly less compact than Alabama’s, and significantly better than Bill Cooper’s plans. In the hierarchy of redistricting criteria priorities, I assess the benefit of this accomplishment as being more than offset by the significant detrimental impact to the continuity of representation.

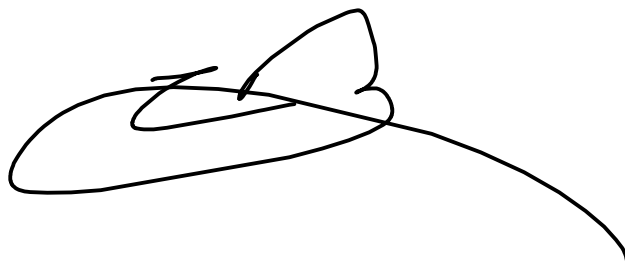
DECLARATION

* * * * *

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s Thomas Bryan
Thomas Bryan

December 20, 2021
Date

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

Appendix 1 and Appendix 2
Alabama Census 2020
Total and Black
Population and
Voting Age Population

Appendix Table 1: Census 2020 Alabama Black Population Total, non-Hispanic and Hispanic Combinations (through 3 races, excluding 4-, 5- and 6-race Black combinations)

Race	Total (A)	% of Total (B)	AL non-Hisp (C)	% of Total (D)	AL Hispanic (E)	% of Total (F)
Total, Hispanic or Latino:	5,024,279		4,760,232		264,047	
Population of one race:	4,767,326	94.89%	4,575,614	91.07%	191,712	3.82%
Black or African American alone	1,296,162	25.80%	1,288,159	25.64%	8,003	0.16%
Population of two races:	243,473	4.85%	175,750	3.50%	67,723	1.35%
White; Black or African American	45,429	0.90%	43,911	0.87%	1,518	0.03%
Black or African American; American Indian and Alaska Native	6,301	0.13%	6,012	0.12%	289	0.01%
Black or African American; Asian	2,049	0.04%	1,939	0.04%	110	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander	492	0.01%	456	0.01%	36	0.00%
Black or African American; Some Other Race	5,421	0.11%	2,983	0.06%	2,438	0.05%
Population of three races:	12,093	0.24%	8,085	0.16%	4,008	0.08%
White; Black or African American; American Indian and Alaska Native	4,493	0.09%	3,986	0.08%	507	0.01%
White; Black or African American; Asian	972	0.02%	899	0.02%	73	0.00%
White; Black or African American; Native Hawaiian and Other Pacific Islander	172	0.00%	165	0.00%	7	0.00%
White; Black or African American; Some Other Race	1,441	0.03%	573	0.01%	868	0.02%
Black or African American; American Indian and Alaska Native; Asian	124	0.00%	115	0.00%	9	0.00%
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander	13	0.00%	13	0.00%	0	0.00%
Black or African American; American Indian and Alaska Native; Some Other Race	146	0.00%	72	0.00%	74	0.00%
Black or African American; Asian; Native Hawaiian and Other Pacific Islander	145	0.00%	129	0.00%	16	0.00%
Black or African American; Asian; Some Other Race	86	0.00%	43	0.00%	43	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race	27	0.00%	20	0.00%	7	0.00%
Total "All Black"	1,364,736	27.2%	1,350,192	26.9%	14,544	0.3%

Appendix Table 2: Census 2020 Alabama Black Voting Age Population, non-Hispanic and Hispanic Combinations (through 3 races, excluding 4-, 5- and 6-race Black combinations)

Race	VAP (A)	% of VAP (B)	AL non-Hisp (C)	% of Total (D)	AL Hispanic (E)	% of Total (F)
Total:	3,917,166		3,750,310		166,856	
Population of one race:	3,751,169	95.76%	3,630,366	92.68%	120,803	3.08%
Black or African American alone	981,723	25.06%	976,732	24.93%	4,991	0.13%
Population of two races:	158,371	4.04%	114,790	2.93%	43,581	1.11%
White; Black or African American	18,106	0.46%	17,569	0.45%	537	0.01%
Black or African American; American Indian and Alaska Native	4,692	0.12%	4,530	0.12%	162	0.00%
Black or African American; Asian	1,130	0.03%	1,075	0.03%	55	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander	262	0.01%	250	0.01%	12	0.00%
Black or African American; Some Other Race	3,470	0.09%	2,024	0.05%	1,446	0.04%
Population of three races:	6,741	0.17%	4,620	0.12%	2,121	0.05%
White; Black or African American; American Indian and Alaska Native	2,714	0.07%	2,452	0.06%	262	0.01%
White; Black or African American; Asian	325	0.01%	295	0.01%	30	0.00%
White; Black or African American; Native Hawaiian and Other Pacific Islander	75	0.00%	69	0.00%	6	0.00%
White; Black or African American; Some Other Race	721	0.02%	344	0.01%	377	0.01%
Black or African American; American Indian and Alaska Native; Asian	80	0.00%	73	0.00%	7	0.00%
Black or African American; American Indian and Alaska Native; Native Hawaiian and Other Pacific Islander	12	0.00%	12	0.00%	0	0.00%
Black or African American; American Indian and Alaska Native; Some Other Race	103	0.00%	55	0.00%	48	0.00%
Black or African American; Asian; Native Hawaiian and Other Pacific Islander	82	0.00%	76	0.00%	6	0.00%
Black or African American; Asian; Some Other Race	51	0.00%	31	0.00%	20	0.00%
Black or African American; Native Hawaiian and Other Pacific Islander; Some Other Race	14	0.00%	11	0.00%	3	0.00%
	1,014,372	25.9%	1,006,083	25.7%	8,289	0.2%

Appendix 3

Demographic

Statistics

Duchin Demographic Characteristics Appendices

Demo Table 3.1 Duchin A/1 Plan Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,755	530,359	102,437	113,641	14.27%	15.83%
2	717,753	283,942	371,192	384,289	51.72%	53.54%
3	717,754	470,805	169,766	181,041	23.65%	25.22%
4	717,754	580,258	56,773	65,053	7.91%	9.06%
5	717,753	494,360	107,916	120,513	15.04%	16.79%
6	717,755	529,401	106,570	115,701	14.85%	16.12%
7	717,755	282,226	373,505	384,498	52.04%	53.57%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.2 Duchin A/1 Plan Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,494	425,092	76,068	80,825	13.64%	14.50%
2	560,170	237,130	280,126	287,750	50.01%	51.37%
3	558,614	378,616	128,785	133,849	23.05%	23.96%
4	561,369	465,805	43,452	46,618	7.74%	8.30%
5	556,861	398,844	83,246	89,223	14.95%	16.02%
6	560,355	422,468	82,198	86,546	14.67%	15.44%
7	562,303	236,589	282,857	289,561	50.30%	51.50%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.3 Duchin B/2 Plan Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,755	522,208	111,765	123,212	15.57%	17.17%
2	717,747	286,446	368,917	381,685	51.40%	53.18%
3	717,754	475,597	157,033	168,050	21.88%	23.41%
4	717,754	559,661	73,794	83,363	10.28%	11.61%
5	717,754	501,110	106,126	118,450	14.79%	16.50%
6	717,754	538,606	107,002	115,727	14.91%	16.12%
7	717,761	287,723	363,522	374,249	50.65%	52.14%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.4 Duchin B/2 Plan Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,925	419,553	82,867	87,789	14.85%	15.73%
2	559,639	238,414	278,233	285,757	49.72%	51.06%
3	554,846	379,886	118,640	123,622	21.38%	22.28%
4	561,555	449,925	57,160	60,957	10.18%	10.86%
5	558,269	405,054	81,575	87,433	14.61%	15.66%
6	562,302	431,428	82,111	86,156	14.60%	15.32%
7	562,630	240,284	276,146	282,658	49.08%	50.24%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.5 Duchin C/3 Plan Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,755	522,208	111,765	123,212	15.57%	17.17%
2	717,754	289,745	360,867	374,504	50.28%	52.18%
3	717,754	495,006	137,977	147,884	19.22%	20.60%
4	717,754	558,619	74,959	84,592	10.44%	11.79%
5	717,754	501,110	106,126	118,450	14.79%	16.50%
6	717,754	537,006	108,396	116,947	15.10%	16.29%
7	717,754	267,657	388,069	399,147	54.07%	55.61%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.6 Duchin C/3 Plan Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,925	419,553	82,867	87,789	14.85%	15.73%
2	558,296	240,839	271,735	279,466	48.67%	50.06%
3	557,436	395,711	104,994	109,507	18.84%	19.64%
4	560,320	448,121	57,932	61,822	10.34%	11.03%
5	558,269	405,054	81,575	87,433	14.61%	15.66%
6	561,933	429,840	83,191	87,153	14.80%	15.51%
7	562,987	225,426	294,438	301,202	52.30%	53.50%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.7 Duchin D/4 Plan Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,754	524,074	109,203	120,617	15.21%	16.80%
2	717,743	293,437	361,146	373,996	50.32%	52.11%
3	717,766	470,813	169,769	181,044	23.65%	25.22%
4	717,758	577,451	58,904	67,208	8.21%	9.36%
5	717,754	494,360	107,916	120,514	15.04%	16.79%
6	717,754	530,127	106,528	115,850	14.84%	16.14%
7	717,750	281,089	374,693	385,507	52.20%	53.71%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.8 Duchin D/4 Plan Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,306	420,597	80,748	85,617	14.49%	15.36%
2	560,550	244,174	273,051	280,531	48.71%	50.05%
3	558,625	378,623	128,788	133,852	23.05%	23.96%
4	561,082	463,597	44,941	48,118	8.01%	8.58%
5	556,862	398,844	83,246	89,224	14.95%	16.02%
6	560,350	423,518	81,688	86,117	14.58%	15.37%
7	562,391	235,191	284,270	290,913	50.55%	51.73%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Cooper Demographic Characteristics Appendices

Demo Table 3.9 Cooper Plan 1 Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,755	519,402	114,500	125,921	15.95%	17.54%
2	717,754	296,502	360,821	374,344	50.27%	52.15%
3	717,753	480,776	159,008	170,200	22.15%	23.71%
4	717,753	578,566	42,278	49,664	5.89%	6.92%
5	717,755	490,094	127,177	140,711	17.72%	19.60%
6	717,754	543,840	97,384	105,638	13.57%	14.72%
7	717,755	262,171	386,991	398,258	53.92%	55.49%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.10 Cooper Plan 1 Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,084	417,122	84,427	89,315	15.16%	16.03%
2	559,442	246,011	272,494	280,226	48.71%	50.09%
3	563,119	388,487	121,753	126,853	21.62%	22.53%
4	555,541	462,235	32,246	35,033	5.80%	6.31%
5	561,688	396,725	98,352	104,784	17.51%	18.66%
6	556,122	431,641	73,815	77,568	13.27%	13.95%
7	564,170	222,323	293,645	300,593	52.05%	53.28%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.11 Cooper Plan 2 Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,754	527,338	105,942	117,087	14.76%	16.31%
2	717,754	290,887	366,946	380,668	51.12%	53.04%
3	717,755	484,853	154,728	165,918	21.56%	23.12%
4	717,753	578,557	42,286	49,672	5.89%	6.92%
5	717,755	490,094	127,177	140,711	17.72%	19.60%
6	717,754	539,570	100,519	108,823	14.00%	15.16%
7	717,754	260,052	390,561	401,857	54.41%	55.99%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.12 Cooper Plan 2 Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	558,142	423,469	78,495	83,257	14.06%	14.92%
2	558,446	241,724	276,361	284,132	49.49%	50.88%
3	562,845	391,308	118,598	123,667	21.07%	21.97%
4	555,526	462,211	32,251	35,038	5.81%	6.31%
5	561,688	396,725	98,352	104,784	17.51%	18.66%
6	555,856	428,525	75,934	79,736	13.66%	14.34%
7	564,663	220,582	296,741	303,758	52.55%	53.79%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.13 Cooper Plan 3 Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,753	511,922	123,303	134,814	17.18%	18.78%
2	717,752	294,080	362,654	375,131	50.53%	52.26%
3	717,755	461,692	180,129	192,055	25.10%	26.76%
4	717,755	572,170	48,794	56,846	6.80%	7.92%
5	717,755	490,094	127,177	140,711	17.72%	19.60%
6	717,755	559,769	82,871	90,801	11.55%	12.65%
7	717,754	281,624	363,231	374,378	50.61%	52.16%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.14 Cooper Plan 3 Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,048	411,457	90,976	95,952	16.3%	17.23%
2	559,299	243,465	273,796	281,155	49.0%	50.27%
3	562,300	373,557	137,843	143,328	24.51%	25.49%
4	559,374	459,861	37,581	40,853	6.72%	7.30%
5	561,688	396,725	98,352	104,784	17.51%	18.66%
6	554,093	442,194	62,690	66,090	11.31%	11.93%
7	563,364	237,285	275,494	282,210	48.90%	50.09%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.15 Cooper Plan 4 Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,755	511,931	123,302	134,814	17.18%	18.78%
2	717,754	296,302	361,738	374,421	50.40%	52.17%
3	717,755	467,658	177,875	189,506	24.78%	26.40%
4	717,754	574,711	44,983	53,175	6.27%	7.41%
5	717,755	490,094	127,181	140,715	17.72%	19.60%
6	717,753	545,020	90,058	98,264	12.55%	13.69%
7	717,753	285,635	363,022	373,841	50.58%	52.08%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.16 Cooper Plan 4 Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,046	411,464	90,975	95,952	16.33%	17.23%
2	561,374	246,580	273,612	281,106	48.74%	50.07%
3	564,004	378,979	136,284	141,564	24.16%	25.10%
4	556,215	460,255	34,314	37,427	6.17%	6.73%
5	561,685	396,723	98,356	104,788	17.51%	18.66%
6	554,035	431,203	67,861	71,633	12.25%	12.93%
7	562,807	239,340	275,330	281,902	48.92%	50.09%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.17 Cooper Plan 5 Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,755	514,622	123,163	134,338	17.16%	18.72%
2	717,753	291,792	361,041	374,068	50.30%	52.12%
3	717,753	469,547	173,095	184,789	24.12%	25.75%
4	717,755	580,984	40,577	47,972	5.65%	6.68%
5	717,755	490,094	127,177	140,711	17.72%	19.60%
6	717,755	543,873	98,673	107,484	13.75%	14.98%
7	717,753	280,439	364,433	375,374	50.77%	52.30%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.18 Cooper Plan 5 Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	559,475	415,036	90,860	95,759	16.24%	17.12%
2	557,367	240,759	272,489	280,044	48.89%	50.24%
3	561,513	378,950	132,404	137,702	23.58%	24.52%
4	555,656	463,965	31,100	33,887	5.60%	6.10%
5	561,688	396,725	98,352	104,784	17.51%	18.66%
6	555,380	431,220	74,623	78,632	13.44%	14.16%
7	566,087	237,889	276,904	283,564	48.92%	50.09%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Demo Table 3.19 Cooper Plan 6 Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,753	523,036	112,105	123,620	15.62%	17.22%
2	717,755	284,951	371,006	383,336	51.69%	53.41%
3	717,753	467,450	174,977	186,767	24.38%	26.02%
4	717,754	583,071	37,270	44,637	5.19%	6.22%
5	717,755	490,094	127,181	140,715	17.72%	19.60%
6	717,755	549,028	94,457	103,086	13.16%	14.36%
7	717,754	273,721	371,163	382,575	51.71%	53.30%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.64%	27.16%

Demo Table 3.20 Cooper Plan 6 Voting Age Population by District

VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	556,657	419,023	83,203	88,108	14.95%	15.83%
2	560,712	237,522	280,152	287,511	49.96%	51.28%
3	562,748	378,272	133,985	139,377	23.81%	24.77%
4	555,444	465,620	28,496	31,290	5.13%	5.63%
5	561,685	396,723	98,356	104,788	17.51%	18.66%
6	556,812	436,032	71,672	75,591	12.87%	13.58%
7	563,108	231,352	280,868	287,707	49.88%	51.09%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.93%	25.90%

Alabama Demographic Characteristics Appendices

Demo Table 3.21 Alabama Enacted Plan Total Population by District

Total	Total	Total WNH	Total BNH	Total AllBlack	% Black Alone	% All Black
1	717,754	455,278	185,771	196,827	25.9%	27.4%
2	717,755	426,142	216,019	228,648	30.1%	31.9%
3	717,754	473,307	175,783	187,284	24.5%	26.1%
4	717,754	573,666	51,314	59,655	7.1%	8.3%
5	717,754	491,054	123,355	136,782	17.2%	19.1%
6	717,754	491,446	137,209	145,897	19.1%	20.3%
7	717,754	260,458	398,708	409,643	55.5%	57.1%
Grand Total	5,024,279	3,171,351	1,288,159	1,364,736	25.6%	27.2%

Demo Table 3.22 Alabama Enacted Plan Voting Age Population by District

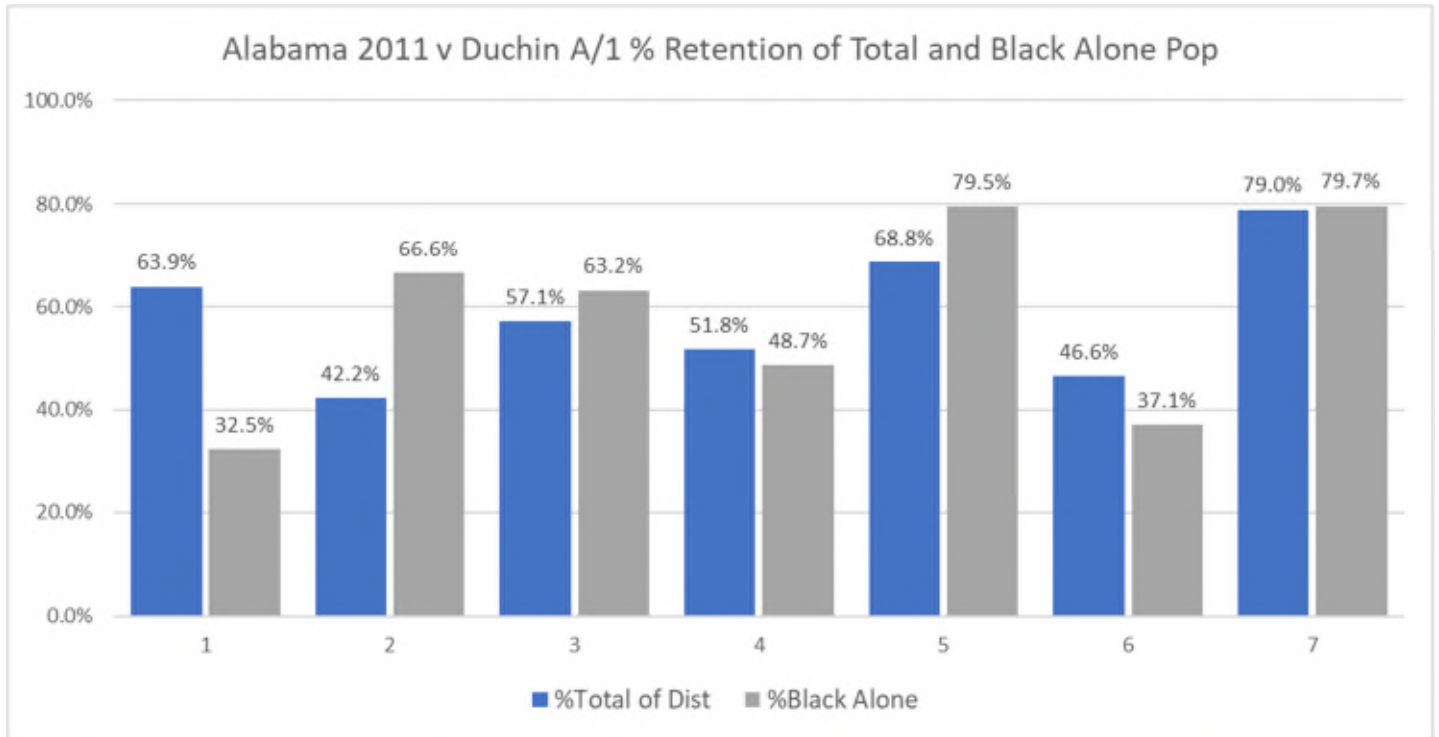
VAP	18+	18+ WNH	18+ BNH	18+ AllBlack	% Black Alone	% All Black
1	557,535	367,960	137,354	142,777	24.6%	25.6%
2	557,677	345,900	161,893	167,971	29.0%	30.1%
3	564,281	382,226	135,659	141,011	24.0%	25.0%
4	556,133	458,324	39,507	42,819	7.1%	7.7%
5	561,187	397,809	95,014	101,339	16.9%	18.1%
6	552,286	393,028	100,385	104,551	18.2%	18.9%
7	568,067	219,297	306,920	313,904	54.0%	55.3%
Grand Total	3,917,166	2,564,544	976,732	1,014,372	24.9%	25.9%

Appendix 4

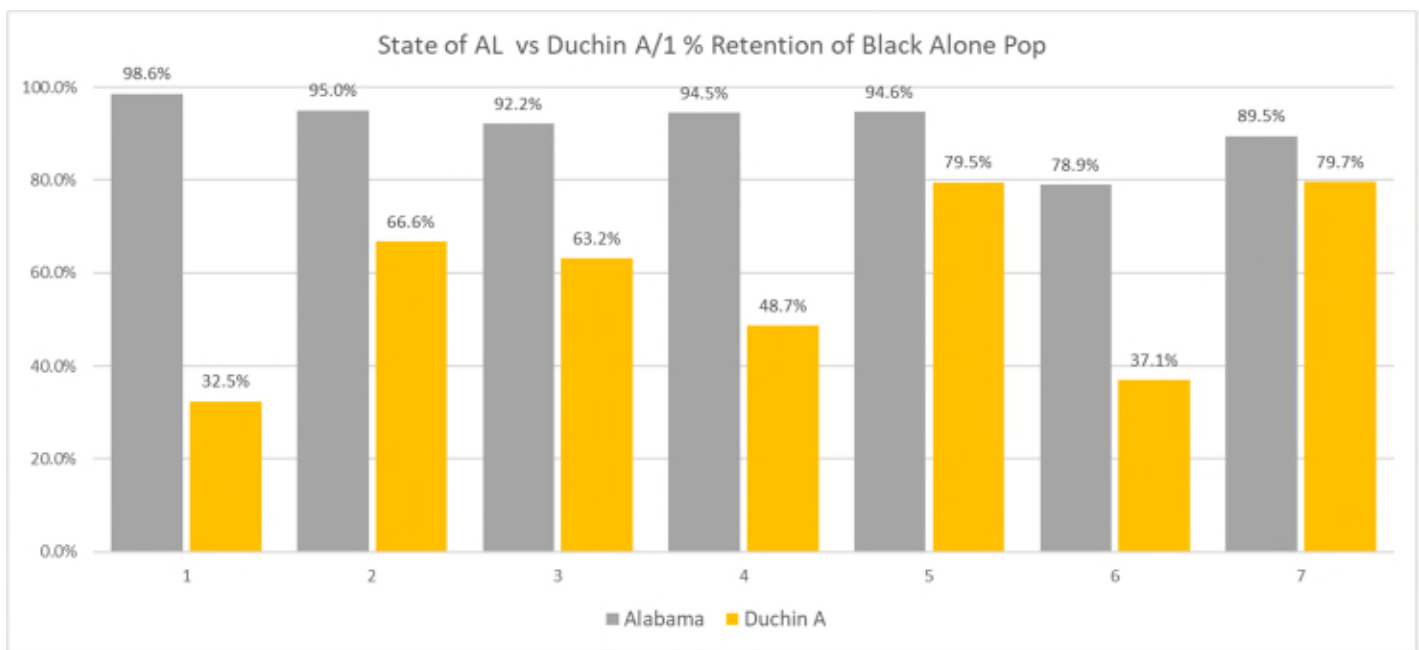
Core Retention Analysis

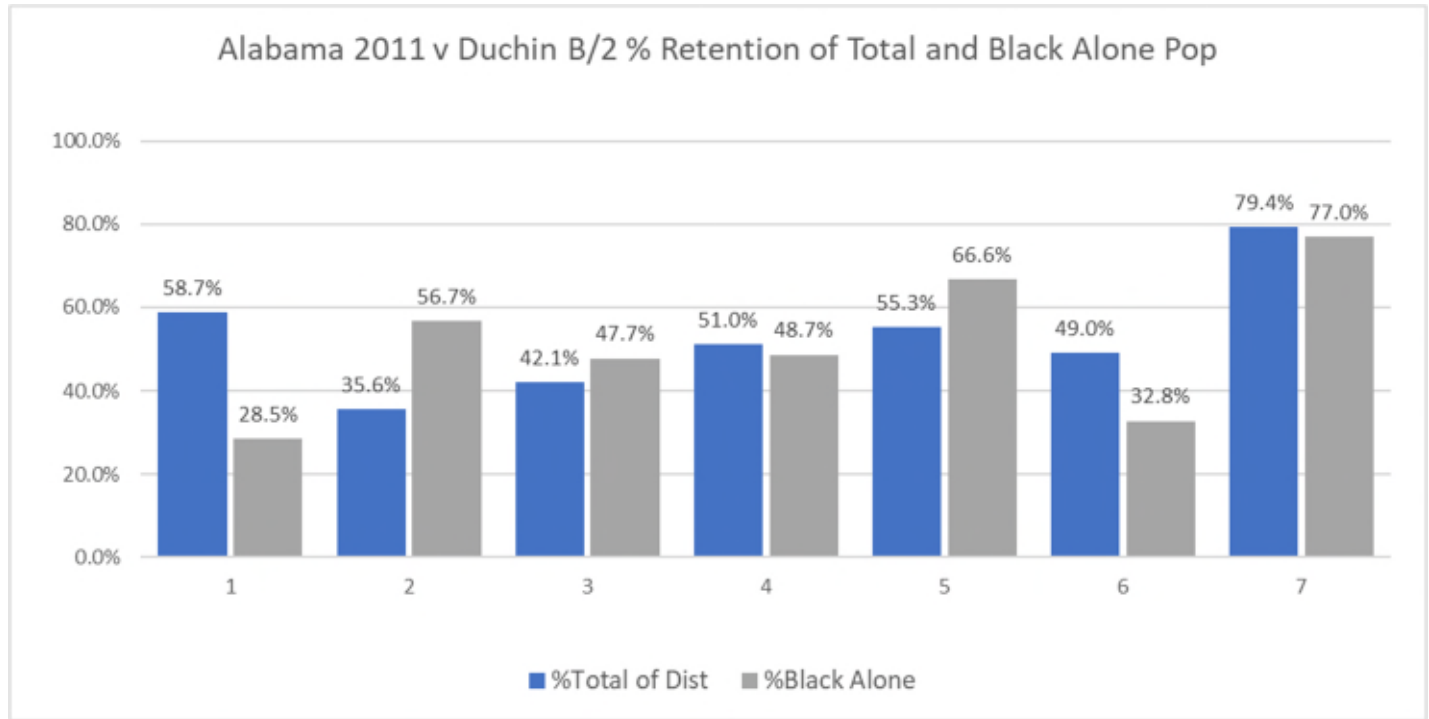
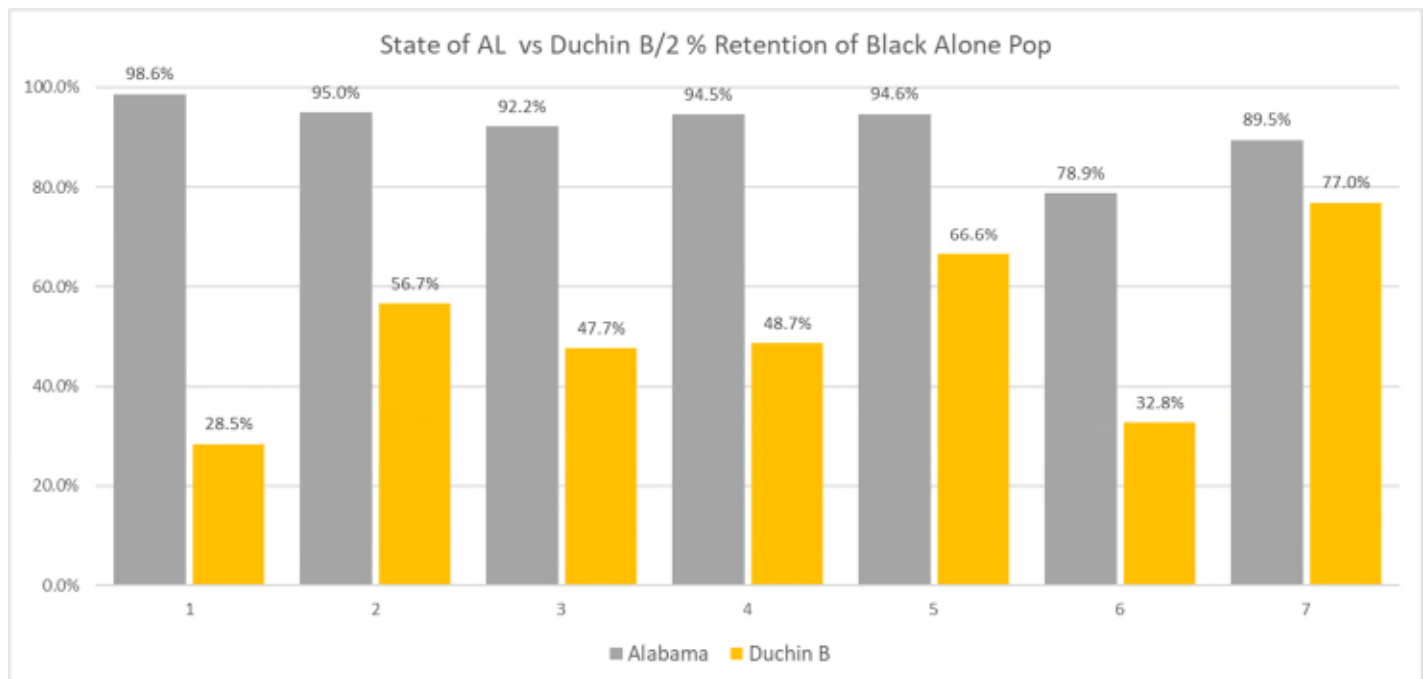
Duchin CRA Charts Appendix

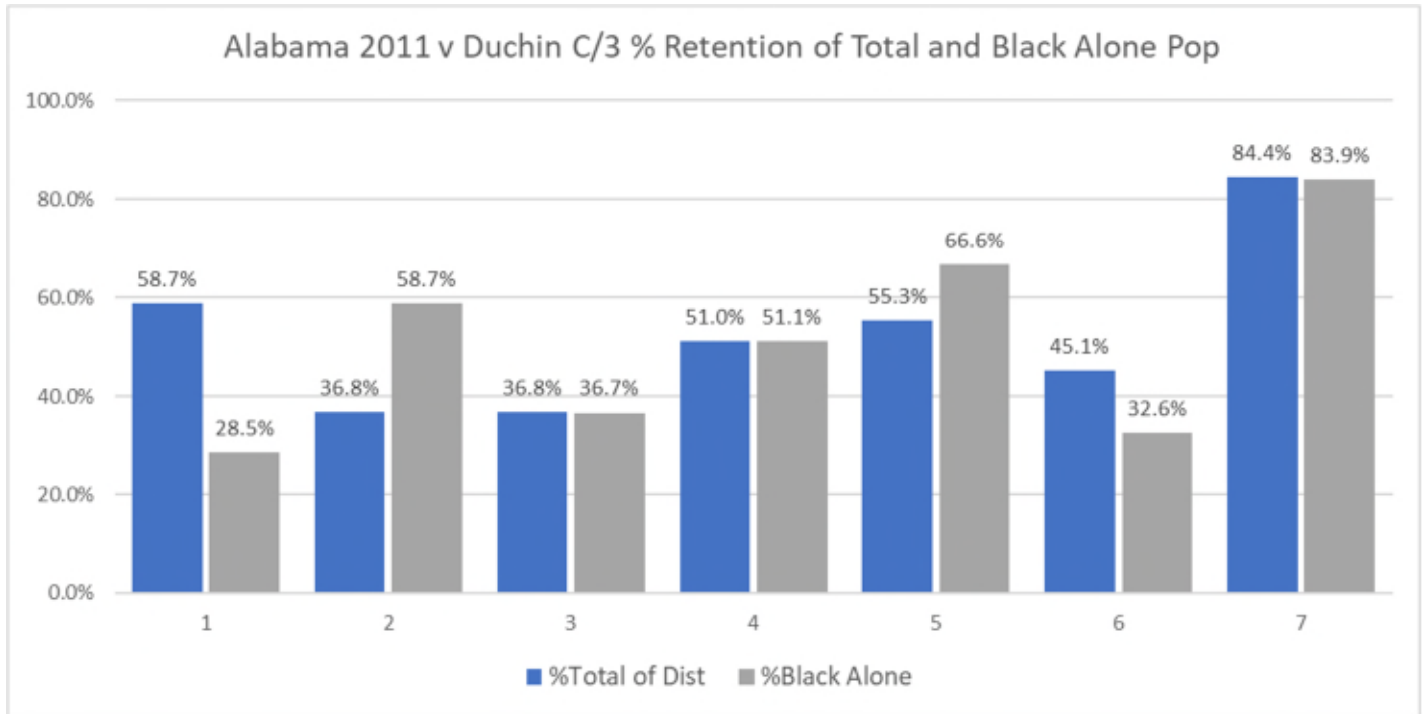
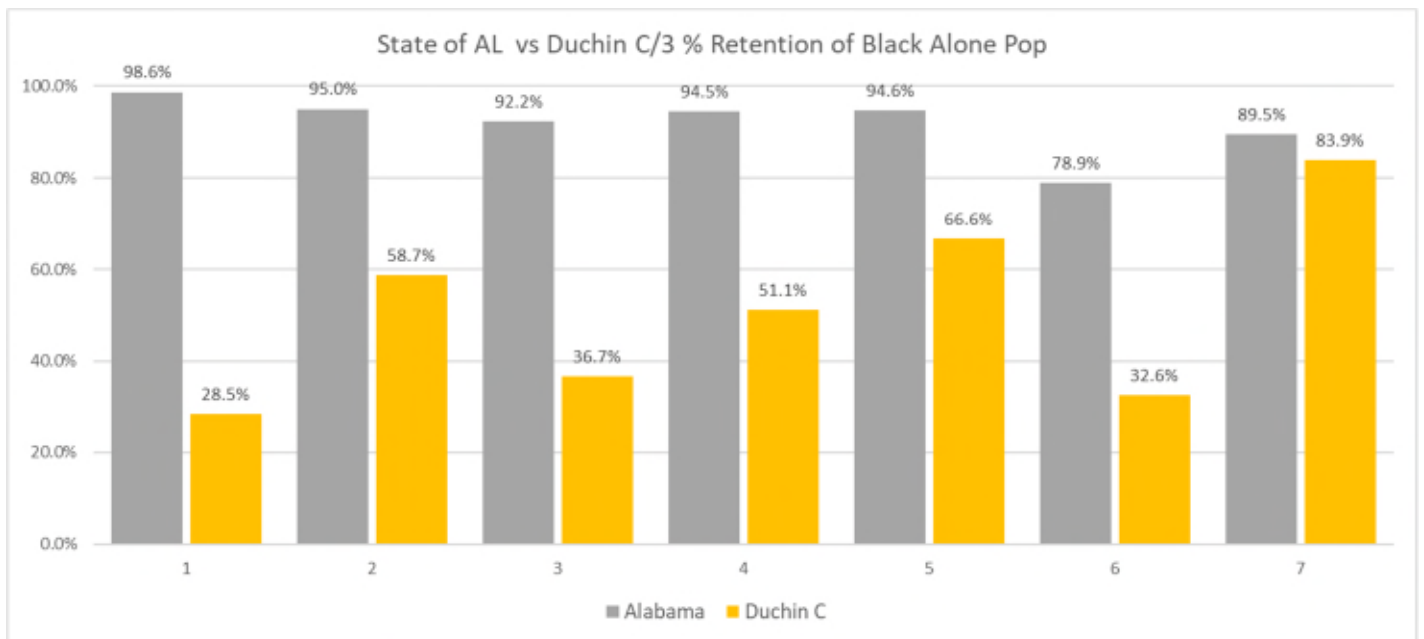
CRA Figure 4.1 Core Retention of Total and Black Population: 2011 Existing v Duchin A

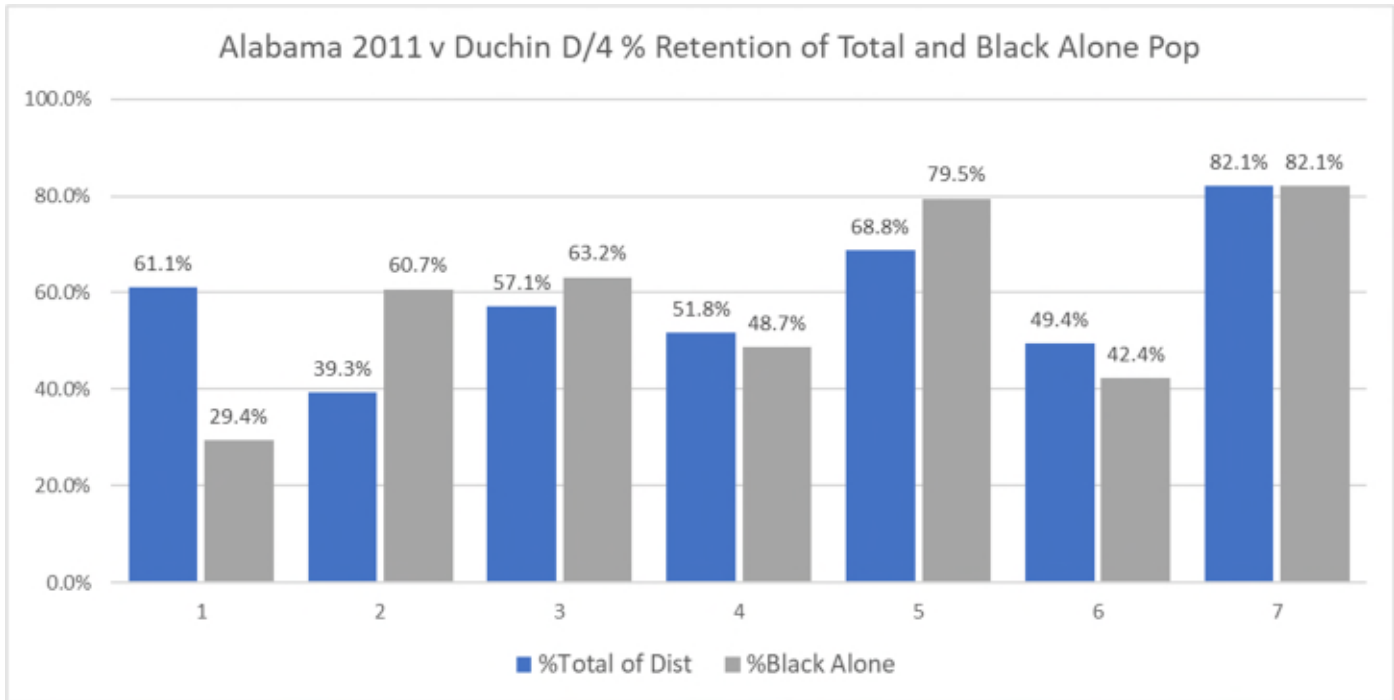
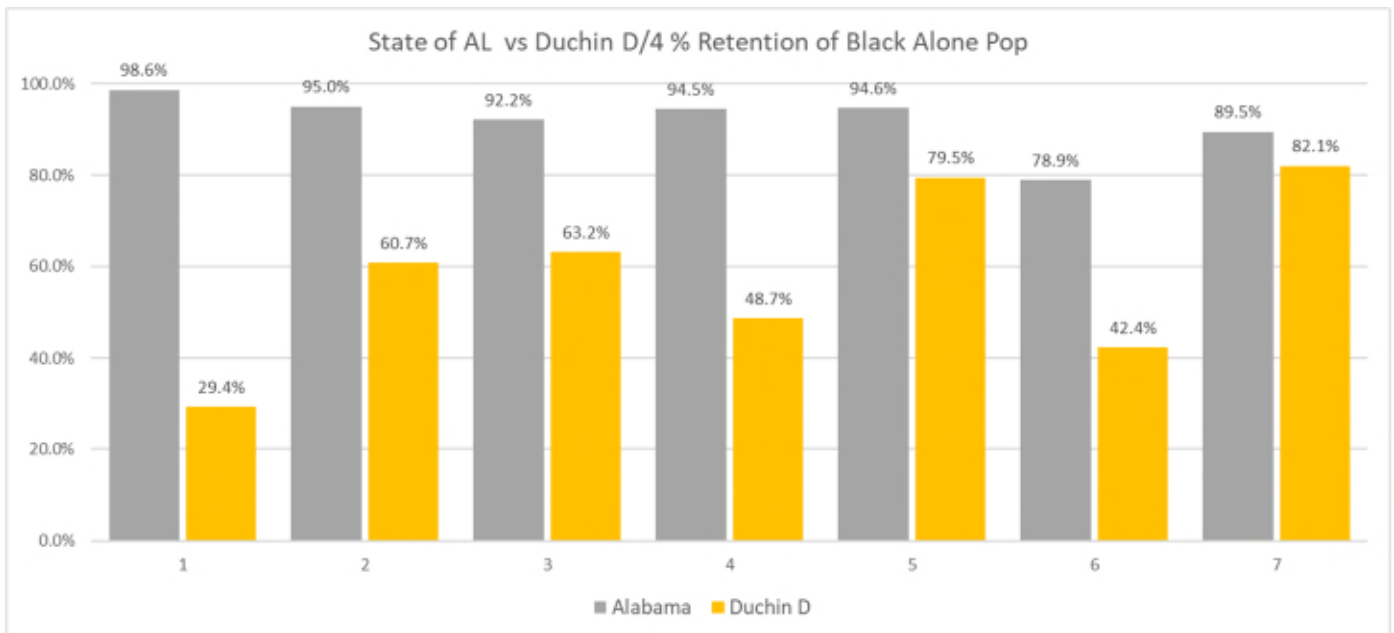


CRA Figure 4.2 Core Retention of Black Alone Population: 2021 Enacted v Duchin A



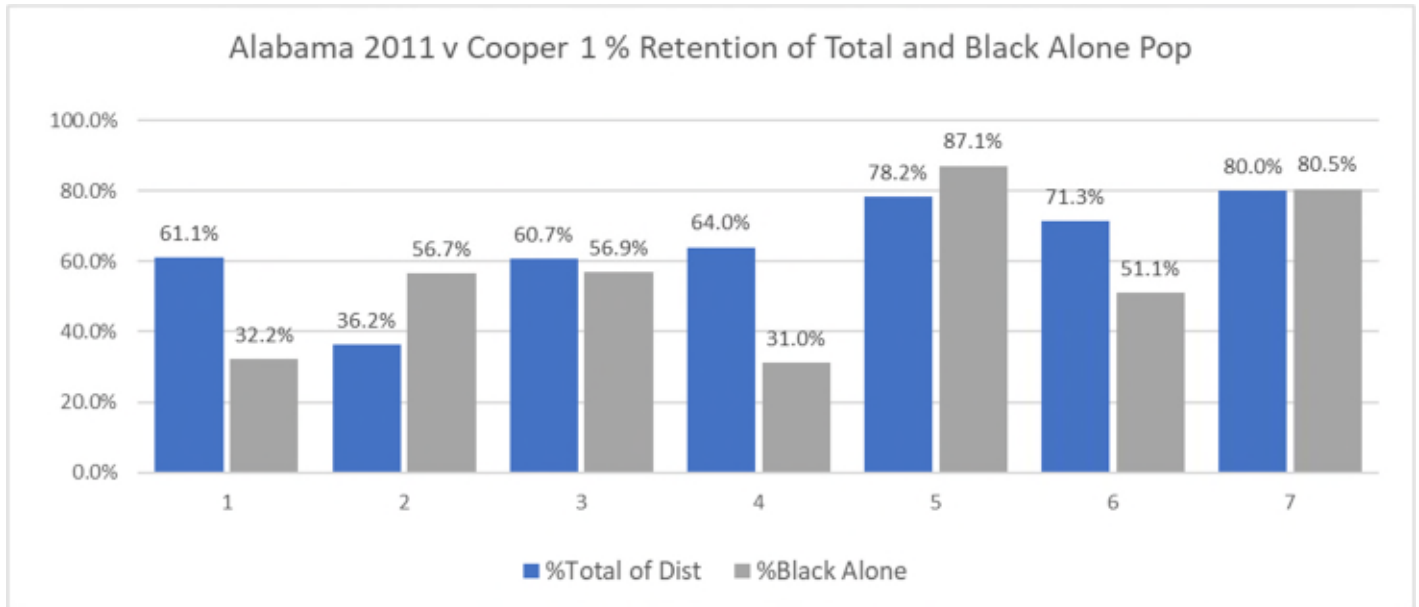
CRA Figure 4.3 Core Retention of Total and Black Population: 2011 Existing v Duchin B**CRA Figure 4.4 Core Retention of Black Alone Population: 2021 Enacted v Duchin B**

CRA Figure 4.5 Core Retention of Total and Black Population: 2011 Existing v Duchin C**CRA Figure 4.6 Core Retention of Black Alone Population: 2021 Enacted v Duchin C**

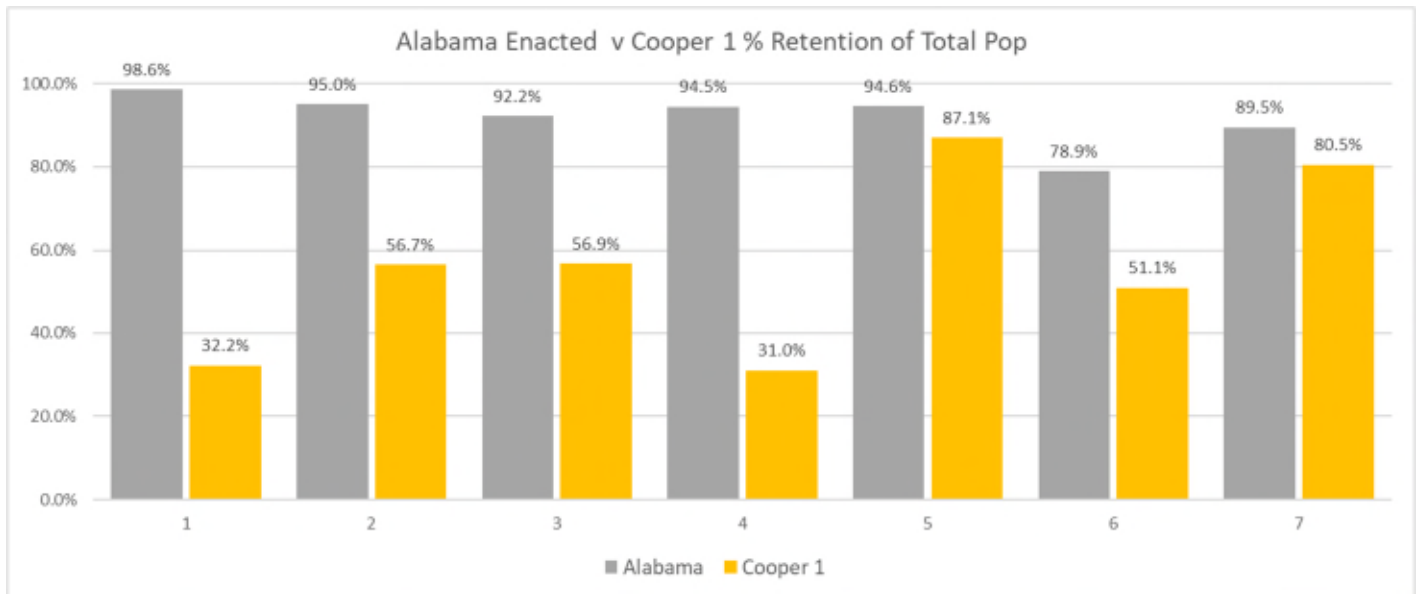
CRA Figure 4.7 Core Retention of Total and Black Population: 2011 Existing v Duchin D**CRA Figure 4.8 Core Retention of Black Alone Population: 2021 Enacted v Duchin D**

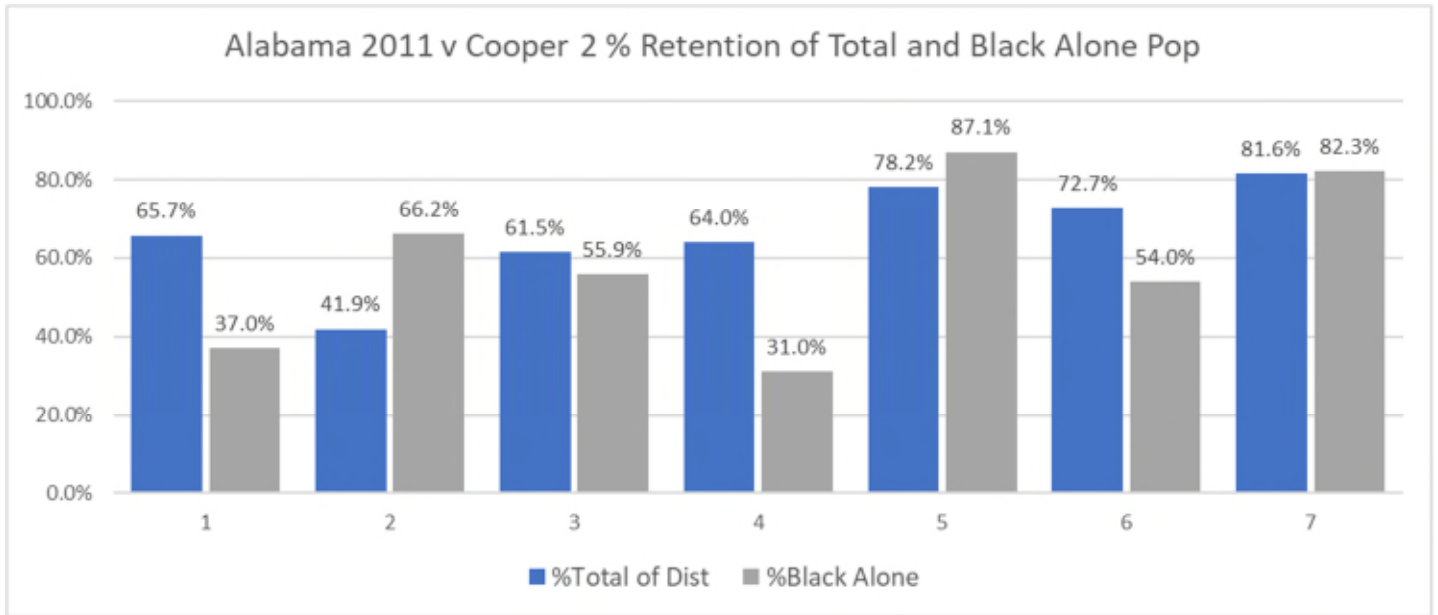
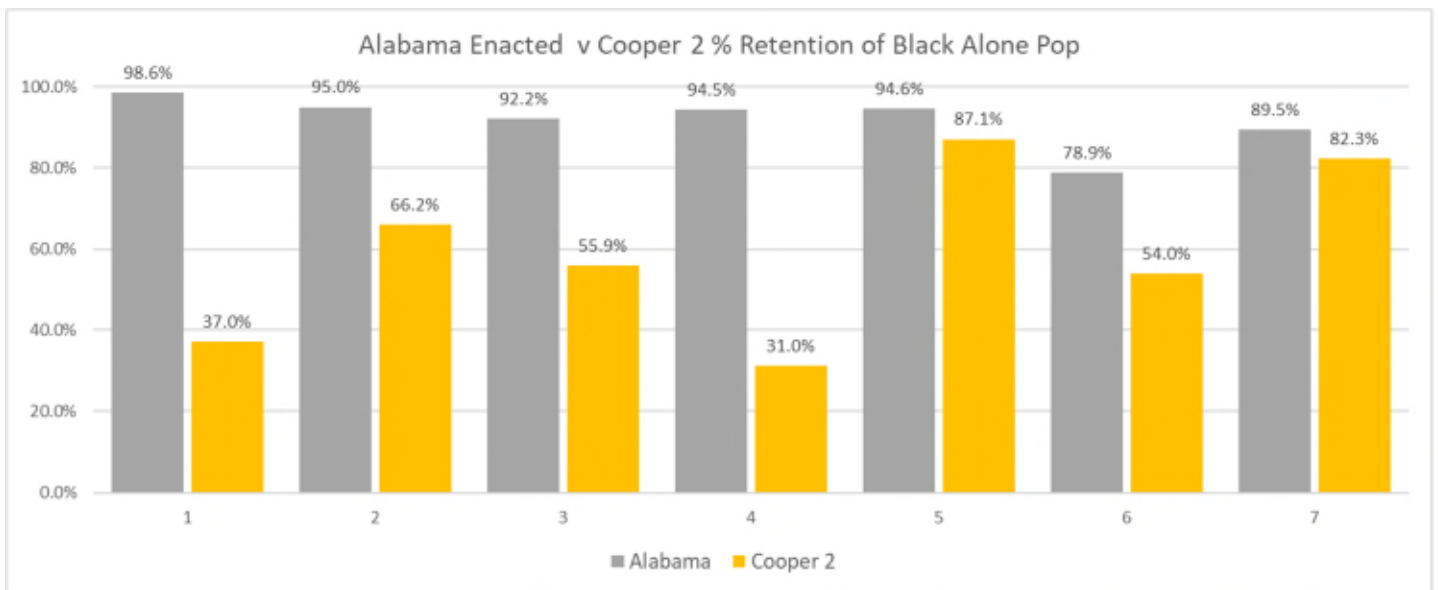
Cooper CRA Charts Appendix

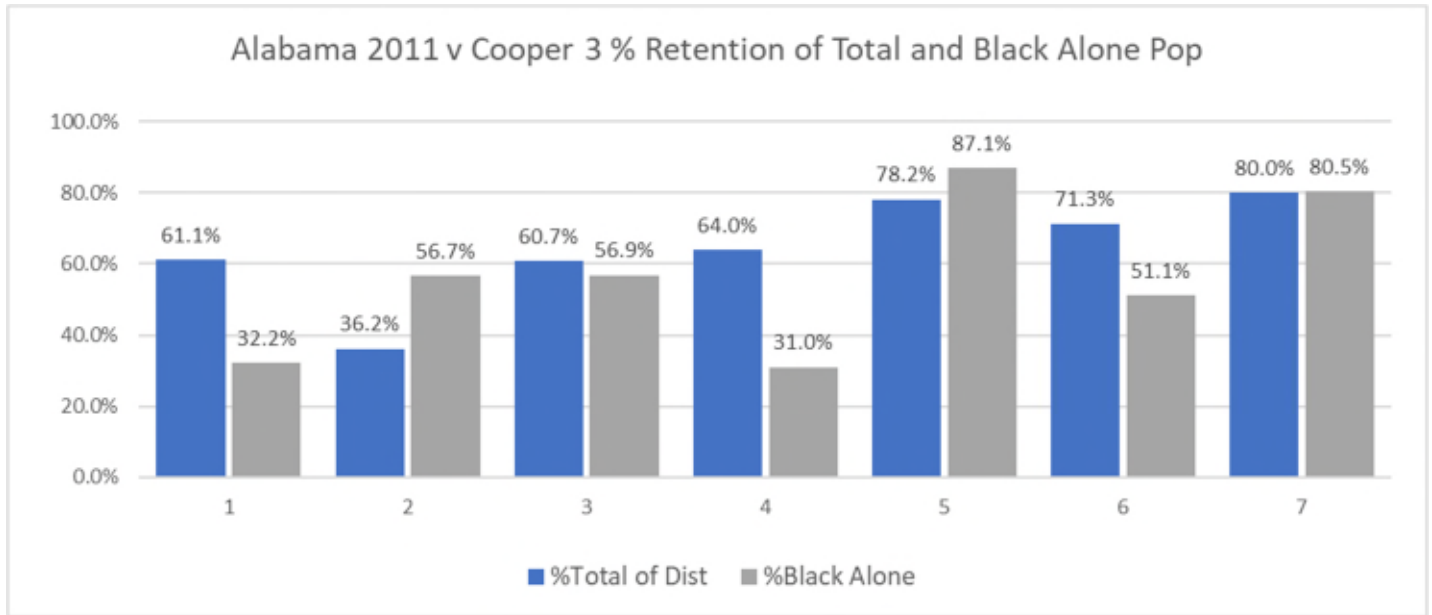
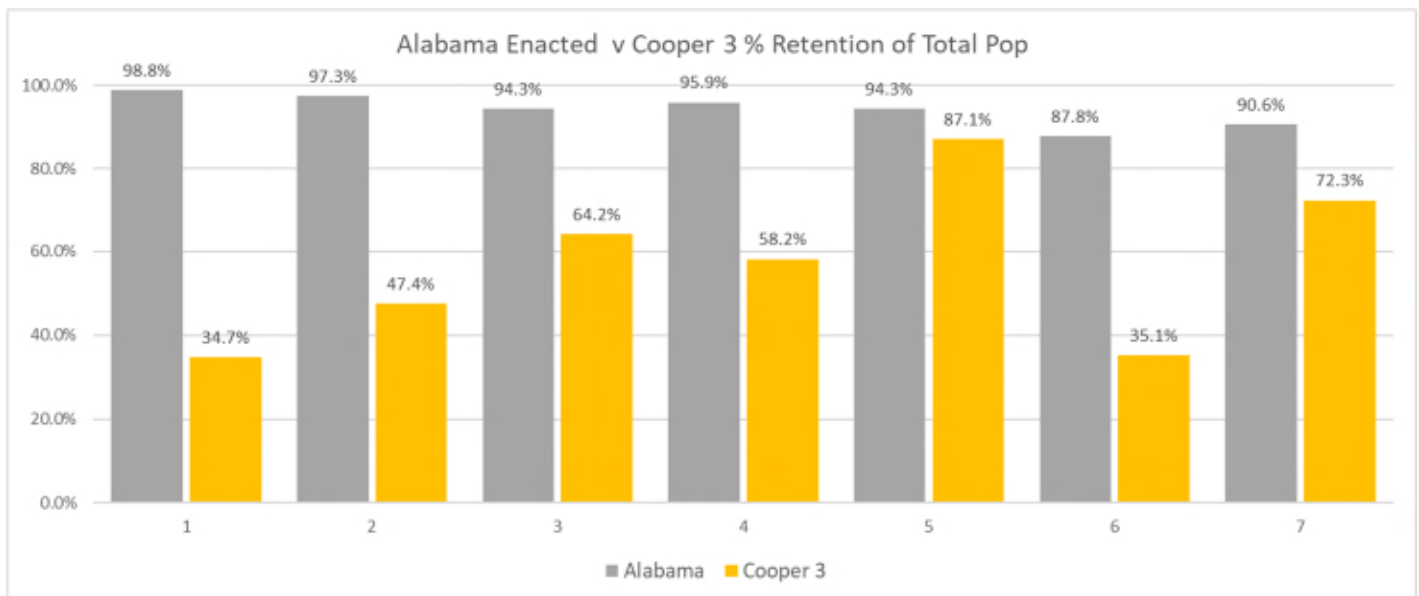
CRA Figure 4.9 Core Retention of Total and Black Population: 2011 Existing v Cooper 1

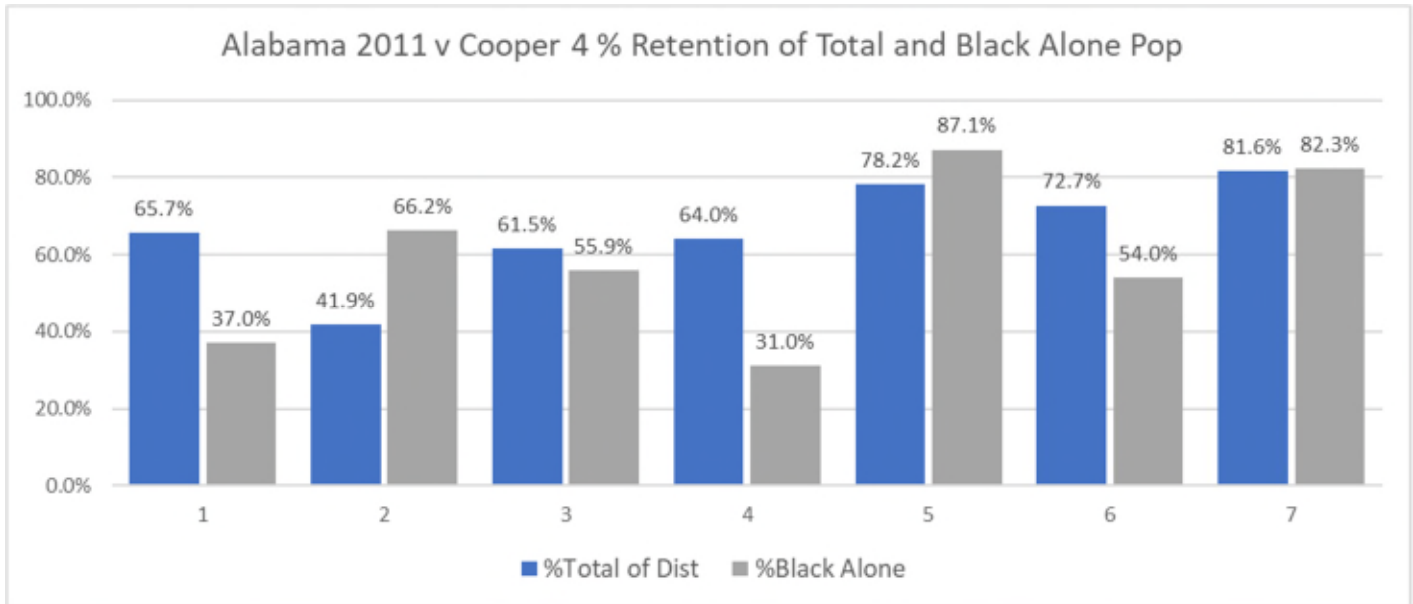
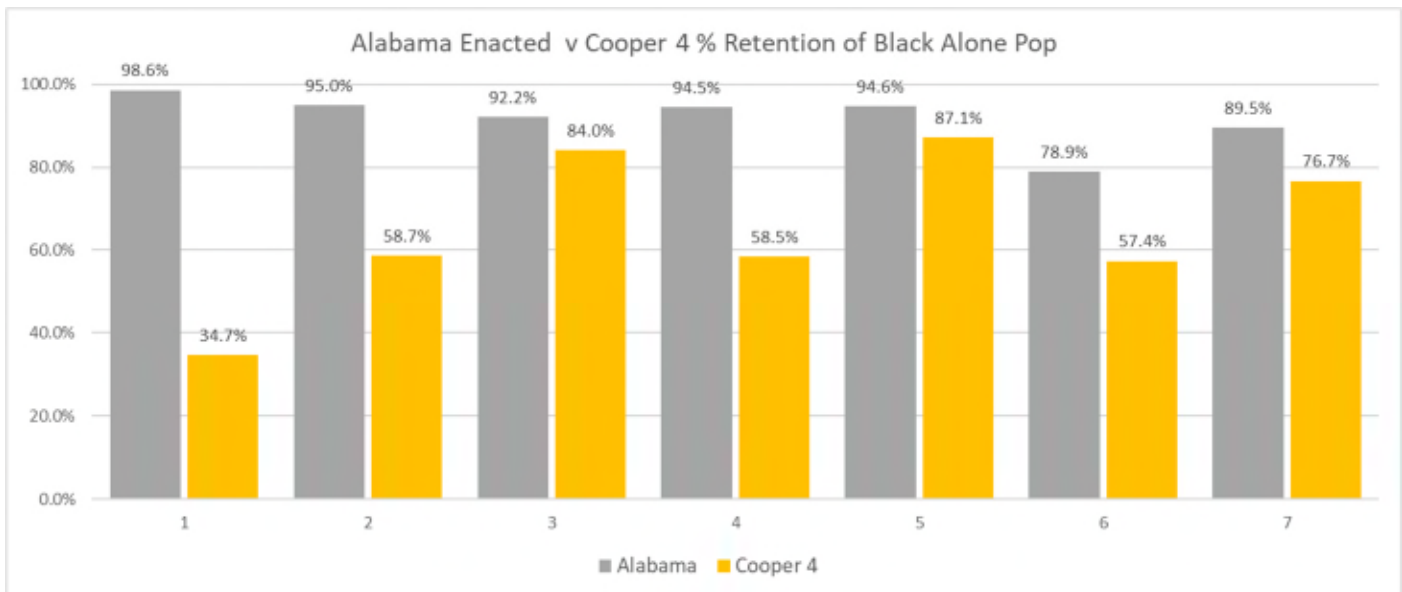


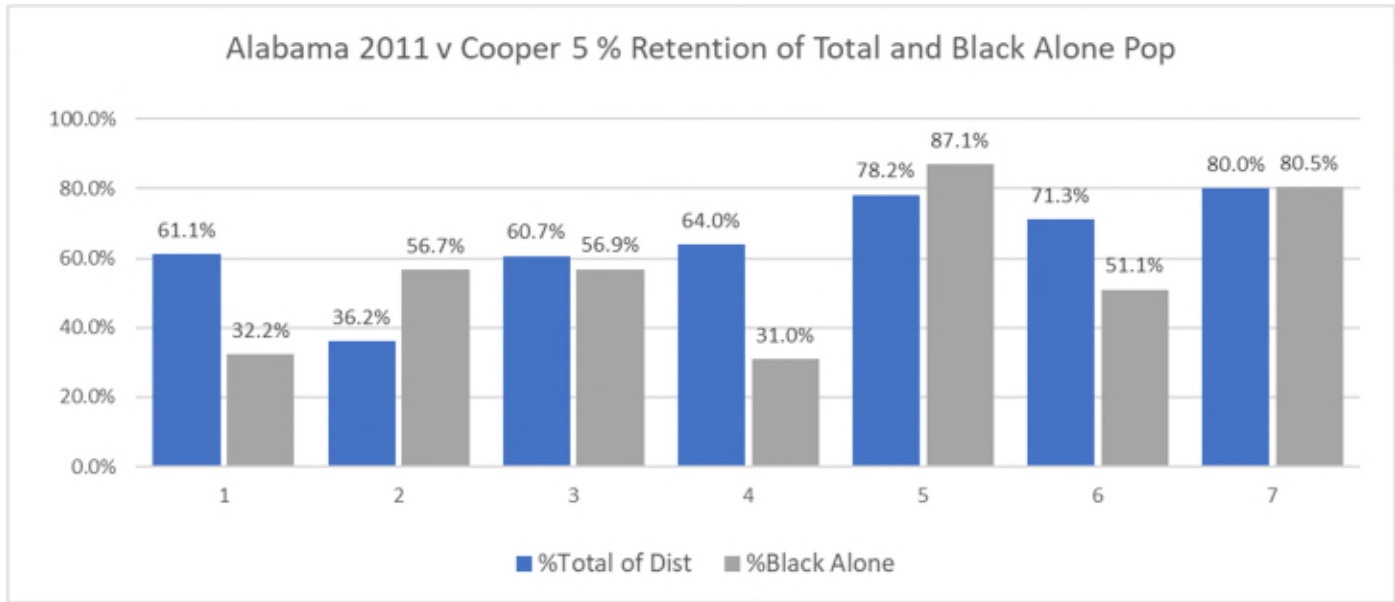
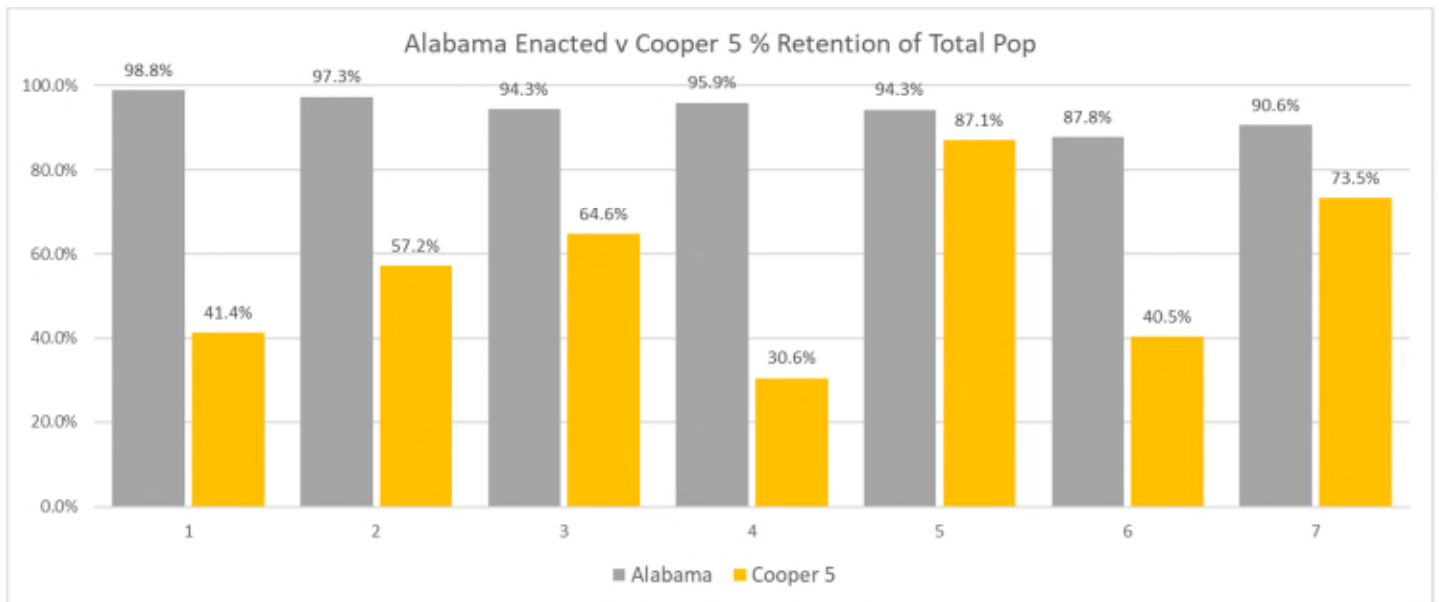
CRA Figure 4.10 Core Retention of Black Alone Population: 2021 Enacted v Cooper 1

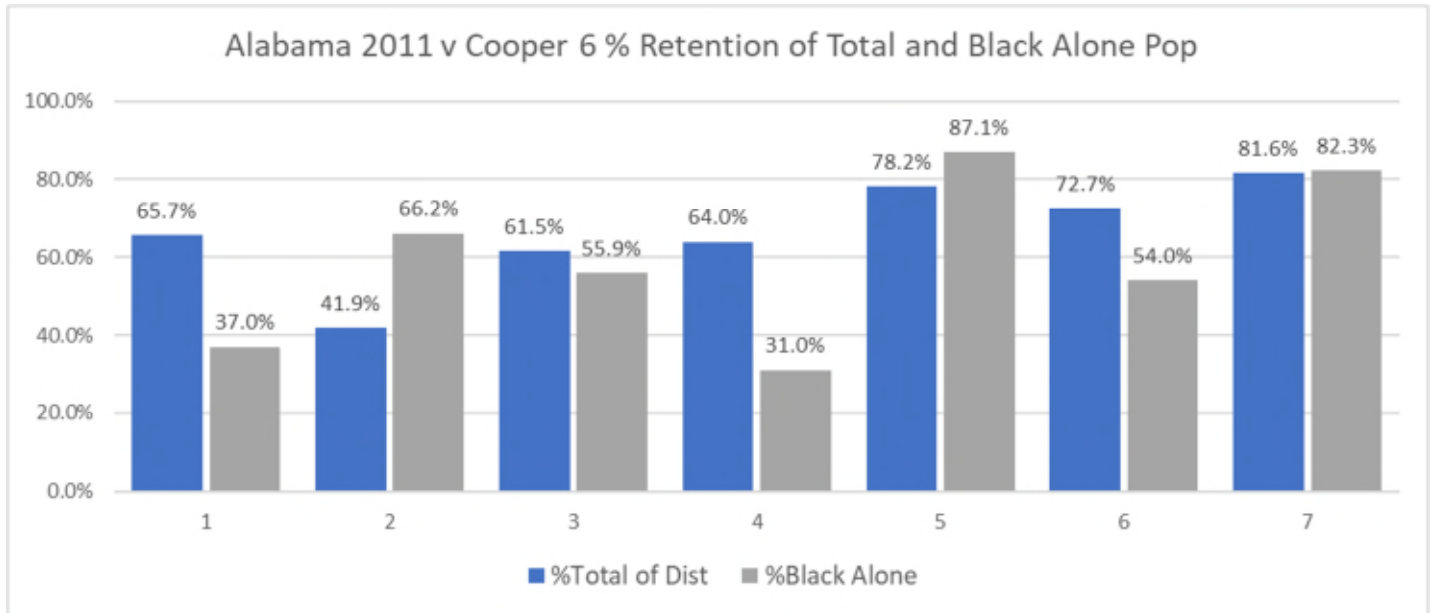
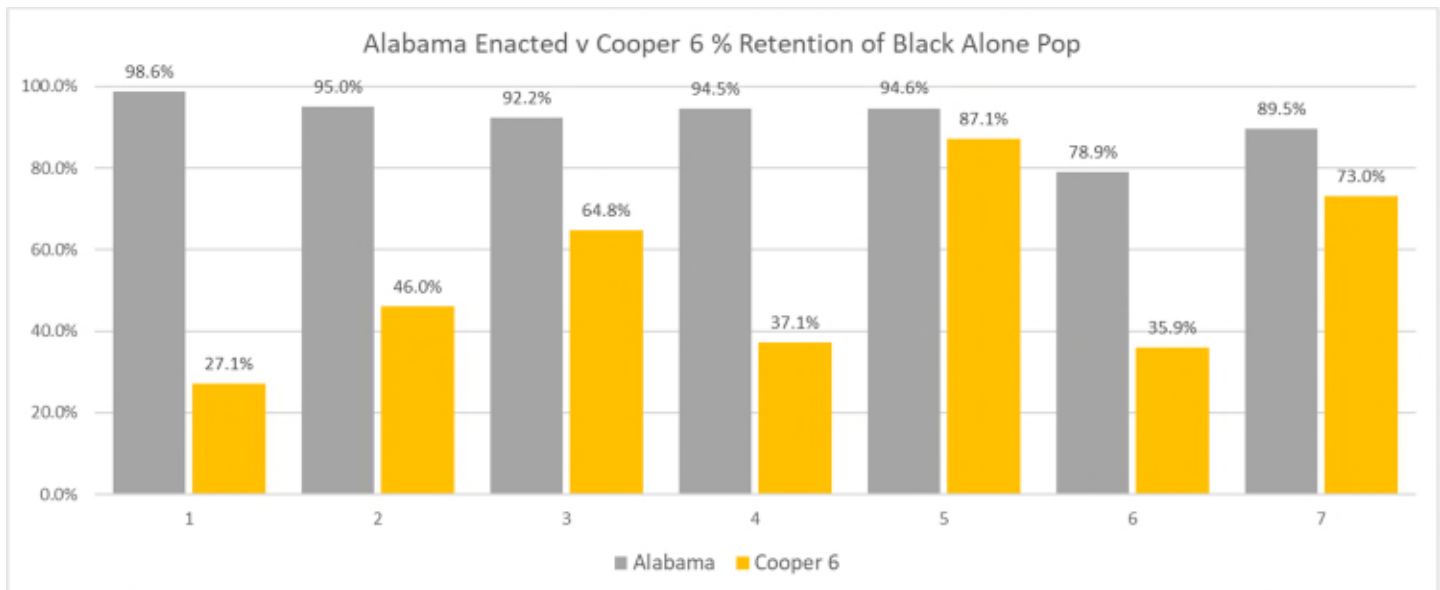


CRA Figure 4.11 Core Retention of Total and Black Population: 2011 Existing v Cooper 2**CRA Figure 4.12 Core Retention of Black Alone Population: 2021 Enacted v Cooper 2**

CRA Figure 4.13 Core Retention of Total and Black Population: 2011 Existing v Cooper 3**CRA Figure 4.14 Core Retention of Black Alone Population: 2021 Enacted v Cooper 3**

CRA Figure 4.15 Core Retention of Total and Black Population: 2011 Existing v Cooper 4**CRA Figure 4.16 Core Retention of Black Alone Population: 2021 Enacted v Cooper 4**

CRA Figure 4.17 Core Retention of Total and Black Population: 2011 Existing v Cooper 5**CRA Figure 4.18 Core Retention of Black Alone Population: 2021 Enacted v Cooper 5**

CRA Figure 4.19 Core Retention of Total and Black Population: 2011 Existing v Cooper 6**CRA Figure 4.20 Core Retention of Black Alone Population: 2021 Enacted v Cooper 6**

Duchin CRA Tables Appendix

CRA Figure 4.21 Core Retention of Total and Black Population: 2011 Existing v Duchin A

Existing District	Plan A	Total	Black Alone
1	1	463,862	61,173
	2	262,414	127,258
1 Total		726,276	188,431
2	1	253,893	41,264
	2	292,791	141,120
	3	146,782	29,478
2 Total		693,466	211,862
3	2	69,467	33,265
	3	419,791	117,749
	5	23,274	985
	6	222,600	34,439
3 Total		735,132	186,438
4	4	363,807	22,850
	5	171,102	3,314
	6	103,436	14,999
	7	64,637	5,756
4 Total		702,982	46,919
5	4	237,725	26,734
	5	523,377	103,617
5 Total		761,102	130,351
6	3	151,181	22,539
	4	116,222	7,189
	6	344,904	44,549
	7	128,403	45,853
6 Total		740,710	120,130
7	2	93,081	69,549
	6	46,815	12,583
	7	524,715	321,896
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.22 Core Retention of Total and Black Population: 2011 Existing v Duchin B

Existing District	Plan B	Total	Black Alone
1	1	426,387	53,764
	2	299,042	134,417
	7	847	250
1 Total		726,276	188,431
2	1	291,368	58,001
	2	247,146	120,086
	3	154,952	33,775
2 Total		693,466	211,862
3	2	61,399	29,929
	3	309,507	88,989
	5	23,274	985
	6	340,952	66,535
3 Total		735,132	186,438
4	4	358,795	22,832
	5	273,214	18,304
	6	6,336	27
	7	64,637	5,756
4 Total		702,982	46,919
5	4	339,836	43,514
	5	421,266	86,837
5 Total		761,102	130,351
6	3	253,295	34,269
	6	362,812	39,375
	7	124,603	46,486
6 Total		740,710	120,130
7	2	110,160	84,485
	4	19,123	7,448
	6	7,654	1,065
	7	527,674	311,030
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.23 Core Retention of Total and Black Population: 2011 Existing v Duchin C

Existing District	Plan C	Total	Black Alone
1	1	426,387	53,764
	2	280,808	130,395
	7	19,081	4,272
1 Total		726,276	188,431
2	1	291,368	58,001
	2	255,316	124,383
	3	146,782	29,478
2 Total		693,466	211,862
3	2	120,582	55,859
	3	270,254	68,358
	5	23,274	985
	6	321,022	61,236
3 Total		735,132	186,438
4	4	358,795	23,997
	5	273,214	18,304
	6	39,094	601
	7	31,879	4,017
4 Total		702,982	46,919
5	4	339,836	43,514
	5	421,266	86,837
5 Total		761,102	130,351
6	3	300,718	40,141
	6	334,363	39,203
	7	105,629	40,786
6 Total		740,710	120,130
7	2	61,048	50,230
	4	19,123	7,448
	6	23,275	7,356
	7	561,165	338,994
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.24 Core Retention of Total and Black Population: 2011 Existing v Duchin D

Existing District	Plan D	Total	Black Alone
1	1	443,532	55,434
	2	282,744	132,997
1 Total		726,276	188,431
2	1	274,222	53,769
	2	272,462	128,615
	3	146,782	29,478
2 Total		693,466	211,862
3	2	69,455	33,262
	3	419,803	117,752
	5	23,274	985
	6	222,600	34,439
3 Total		735,132	186,438
4	4	363,807	22,850
	5	171,102	3,314
	6	103,436	14,999
	7	64,637	5,756
4 Total		702,982	46,919
5	4	237,724	26,734
	5	523,378	103,617
5 Total		761,102	130,351
6	3	151,181	22,539
	4	116,227	9,320
	6	366,061	50,917
	7	107,241	37,354
6 Total		740,710	120,130
7	2	93,082	66,272
	6	25,657	6,173
	7	545,872	331,583
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

Cooper CRA Tables Appendix

CRA Figure 4.25 Core Retention of Total and Black Population: 2011 Existing v Cooper 1

Existing District	Cooper Plan 1	Total	Black Alone
1	1	443,533	60,731
	2	282,743	127,700
1 Total		726,276	188,431
2	1	274,222	53,769
	2	250,986	120,127
	3	168,258	37,966
2 Total		693,466	211,862
3	2	82,220	44,014
	3	446,059	106,043
	4	23,274	985
	6	183,579	35,396
3 Total		735,132	186,438
4	3	103,436	14,999
	4	449,793	14,559
	5	122,443	13,663
	7	27,310	3,698
4 Total		702,982	46,919
5	4	165,790	16,837
	5	595,312	113,514
5 Total		761,102	130,351
6	4	54,122	808
	6	528,101	61,350
	7	158,487	57,972
6 Total		740,710	120,130
7	2	101,805	68,980
	4	24,774	9,089
	6	6,074	638
	7	531,958	325,321
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.26 Core Retention of Black Alone Population: 2021 Enacted v Cooper 2

Existing District	Cooper Plan 2	%Total of Dist	%Black Alone
1	1	477,256	69,685
	2	249,020	118,746
1 Total		726,276	188,431
2	1	240,498	36,257
	2	290,638	140,154
	3	162,330	35,451
2 Total		693,466	211,862
3	2	86,602	46,215
	3	451,989	104,278
	4	23,274	985
	6	173,267	34,960
3 Total		735,132	186,438
4	3	103,436	14,999
	4	449,793	14,567
	5	122,443	13,663
	7	27,310	3,690
4 Total		702,982	46,919
5	4	165,790	16,837
	5	595,312	113,514
5 Total		761,102	130,351
6	4	54,122	808
	6	538,413	64,921
	7	148,175	54,401
6 Total		740,710	120,130
7	2	91,494	61,831
	4	24,774	9,089
	6	6,074	638
	7	542,269	332,470
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.27 Core Retention of Total and Black Population: 2011 Existing v Cooper 3

Existing District	Cooper Plan 3	%Total of Dist	%Black Alone
1	1	426,385	65,302
	2	299,891	123,129
1 Total		726,276	188,431
2	1	291,368	58,001
	2	197,084	100,465
	3	205,014	53,396
2 Total		693,466	211,862
3	2	61,399	29,929
	3	457,340	119,693
	4	43,141	1,859
	6	173,252	34,957
3 Total		735,132	186,438
4	4	483,647	27,308
	5	122,443	13,663
	6	95,902	5,691
	7	990	257
4 Total		702,982	46,919
5	4	165,790	16,837
	5	595,312	113,514
5 Total		761,102	130,351
6	3	55,401	7,040
	6	448,391	42,223
	7	236,918	70,867
6 Total		740,710	120,130
7	2	159,378	109,131
	4	25,177	2,790
	6	210	0
	7	479,846	292,107
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.28 Core Retention of Total and Black Population: 2011 Existing v Cooper 4

Existing District	Cooper Plan 4	%Total of Dist	%Black Alone
1	1	426,387	65,301
	2	299,889	123,130
1 Total		726,276	188,431
2	1	291,368	58,001
	2	255,316	124,383
	3	87,977	18,126
	6	58,805	11,352
2 Total		693,466	211,862
3	2	31,005	21,141
	3	613,024	156,680
	6	91,103	8,617
3 Total		735,132	186,438
4	3	6,367	69
	4	509,535	27,431
	5	122,443	13,663
	7	64,637	5,756
4 Total		702,982	46,919
5	4	165,790	16,833
	5	595,312	113,518
5 Total		761,102	130,351
6	3	10,387	3,000
	4	42,429	719
	6	558,272	68,936
	7	129,622	47,475
6 Total		740,710	120,130
7	2	131,544	93,084
	6	9,573	1,153
	7	523,494	309,791
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.29 Core Retention of Total and Black Population: 2011 Existing v Cooper 5

Existing District	Cooper Plan 5	%Total of Dist	%Black Alone
1	1	496,998	78,037
	2	229,278	110,394
1 Total		726,276	188,431
2	1	220,757	45,126
	2	283,558	121,176
	3	189,151	45,560
2 Total		693,466	211,862
3	2	61,399	29,929
	3	473,201	120,495
	4	23,274	985
	6	177,258	35,029
3 Total		735,132	186,438
4	4	453,423	14,370
	5	122,443	13,663
	6	103,436	14,999
	7	23,680	3,887
4 Total		702,982	46,919
5	4	165,790	16,837
	5	595,312	113,514
5 Total		761,102	130,351
6	3	55,401	7,040
	4	54,122	808
	6	436,851	48,645
	7	194,336	63,637
6 Total		740,710	120,130
7	2	143,518	99,542
	4	21,146	7,577
	6	210	0
	7	499,737	296,909
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

CRA Figure 4.30 Core Retention of Total and Black Population: 2011 Existing v Cooper 6

Existing District	Cooper Plan 6	%Total of Dist	%Black Alone
1	1	413,191	51,019
	2	313,085	137,412
1 Total		726,276	188,431
2	1	304,562	61,086
	2	183,890	97,380
	3	180,759	47,199
	7	24,255	6,197
2 Total		693,466	211,862
3	2	61,399	29,929
	3	481,593	120,738
	6	192,140	35,771
3 Total		735,132	186,438
4	4	473,808	17,421
	5	122,443	13,663
	6	105,133	15,001
	7	1,598	834
4 Total		702,982	46,919
5	4	165,790	16,833
	5	595,312	113,518
5 Total		761,102	130,351
6	3	55,401	7,040
	4	54,122	808
	6	415,045	43,122
	7	216,142	69,160
6 Total		740,710	120,130
7	2	159,381	106,285
	4	24,034	2,208
	6	5,437	563
	7	475,759	294,972
7 Total		664,611	404,028
Grand Total		5,024,279	1,288,159

Appendix 5

Compactness Analysis

Appendix 5 Compactness Measures

Polsby-Popper

The Polsby-Popper (PP) measure (Polsby & Popper, 1991) is the ratio of the area of the district (A_D) to the area of a circle whose circumference is equal to the perimeter of the district (P_D). A district's Polsby-Popper score falls with the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$PP = \frac{4\pi}{P_D^2} \times A_D$$



Circumference Equal to District Perimeter

Schwartzberg

The Schwartzberg score (S) compactness score is the ratio of the perimeter of the district (P_D) to the circumference of a circle whose area is equal to the area of the district. A district's Schwartzberg score as calculated below falls with the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$S = \frac{1}{P_D/C} = \frac{1}{P_D/(2\pi\sqrt{A_D/\pi})}$$



Circle with Area Equivalent to the District

Source: <https://fisherzachary.github.io/public/r-output.html>

Appendix 5 Compactness Measures (continued)

Reock Score

The Reock Score (R) is the ratio of the area of the district (A_D) to the area of a minimum bounding circle (A_{MBC}) that encloses the district's geometry. A district's Reock score falls within the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$R = \frac{A_D}{A_{MBC}}$$



Minimum Bounding Circle of Original Gerrymander

Convex Hull

The Convex Hull score is a ratio of the area of the district to the area of the minimum convex polygon that can enclose the district's geometry. A district's Convex Hull score falls within the range of $[0, 1]$ and a score closer to 1 indicates a more compact district.

$$CH = \frac{A_D}{A_{MCP}}$$



Convex Hull of Original Gerrymander

Duchin Compactness Appendix

Appendix 5.1 Duchin Compactness Plan A

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.13	0.36	0.22	0.57	1.28
2	0.16	0.40	0.34	0.64	1.54
3	0.26	0.51	0.49	0.78	2.04
4	0.37	0.61	0.61	0.90	2.48
5	0.38	0.62	0.39	0.87	2.26
6	0.22	0.47	0.32	0.70	1.71
7	0.28	0.53	0.39	0.83	2.02
Sum	1.80	3.49	2.76	5.29	
Average	0.26	0.50	0.39	0.76	

Appendix 4.2 Duchin Compactness Plan B

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.39	0.20	0.58	1.33
2	0.19	0.43	0.34	0.67	1.63
3	0.23	0.48	0.35	0.67	1.73
4	0.40	0.63	0.42	0.87	2.32
5	0.53	0.73	0.50	0.93	2.69
6	0.25	0.50	0.50	0.80	2.06
7	0.23	0.48	0.31	0.77	1.80
Sum	1.98	3.64	2.64	5.30	
Average	0.28	0.52	0.38	0.76	

Appendix 4.3 Duchin Compactness Plan C

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.39	0.20	0.58	1.33
2	0.15	0.39	0.23	0.67	1.44
3	0.28	0.53	0.38	0.76	1.94
4	0.32	0.57	0.44	0.85	2.18
5	0.53	0.73	0.50	0.93	2.69
6	0.18	0.42	0.40	0.73	1.73
7	0.18	0.43	0.28	0.75	1.64
Sum	1.80	3.46	2.43	5.27	
Average	0.26	0.49	0.35	0.75	

Appendix 4.4 Duchin Compactness Plan D

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.13	0.36	0.21	0.57	1.27
2	0.15	0.39	0.34	0.62	1.50
3	0.26	0.51	0.49	0.78	2.05
4	0.36	0.60	0.60	0.89	2.46
5	0.38	0.62	0.39	0.87	2.26
6	0.19	0.44	0.33	0.67	1.62
7	0.27	0.52	0.51	0.81	2.10
Sum	1.75	3.45	2.88	5.19	
Average	0.25	0.49	0.41	0.74	

Cooper Compactness Appendix

Appendix 4.5 Cooper Compactness Plan 1

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.15	0.38	0.21	0.56	1.30
2	0.14	0.37	0.33	0.61	1.45
3	0.14	0.38	0.37	0.57	1.46
4	0.21	0.46	0.28	0.69	1.64
5	0.33	0.58	0.33	0.85	2.09
6	0.16	0.39	0.47	0.73	1.75
7	0.13	0.37	0.37	0.64	1.50
Sum	1.26	2.93	2.35	4.65	
Average	0.18	0.42	0.34	0.66	

Appendix 4.6 Cooper Compactness Plan 2

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.14	0.37	0.21	0.56	1.28
2	0.12	0.34	0.31	0.56	1.33
3	0.14	0.38	0.34	0.56	1.42
4	0.21	0.46	0.28	0.69	1.64
5	0.33	0.58	0.33	0.85	2.09
6	0.17	0.41	0.52	0.73	1.83
7	0.13	0.36	0.40	0.61	1.48
Sum	1.23	2.88	2.39	4.56	
Average	0.18	0.41	0.34	0.65	

Appendix 4.7 Cooper Compactness Plan 3

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.40	0.20	0.58	1.35
2	0.22	0.47	0.39	0.74	1.81
3	0.16	0.40	0.41	0.65	1.63
4	0.12	0.35	0.31	0.58	1.36
5	0.33	0.58	0.33	0.85	2.09
6	0.13	0.36	0.47	0.72	1.68
7	0.15	0.39	0.30	0.66	1.49
Sum	1.28	2.95	2.40	4.78	
Average	0.18	0.42	0.34	0.68	

Appendix 4.8 Cooper Compactness Plan 4

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.16	0.40	0.20	0.58	1.34
2	0.18	0.42	0.36	0.70	1.67
3	0.24	0.49	0.33	0.79	1.85
4	0.22	0.47	0.30	0.72	1.71
5	0.34	0.58	0.33	0.85	2.09
6	0.13	0.36	0.35	0.65	1.49
7	0.24	0.49	0.41	0.78	1.91
Sum	1.50	3.21	2.29	5.07	
Average	0.21	0.46	0.33	0.72	

Appendix 4.9 Cooper Compactness Plan 5

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.13	0.36	0.19	0.53	1.20
2	0.19	0.44	0.39	0.70	1.72
3	0.18	0.43	0.33	0.62	1.56
4	0.20	0.45	0.29	0.68	1.61
5	0.33	0.58	0.33	0.85	2.09
6	0.13	0.36	0.30	0.66	1.46
7	0.11	0.34	0.23	0.65	1.33
Sum	1.28	2.95	2.05	4.69	
Average	0.18	0.42	0.29	0.67	

Appendix 4.10 Cooper Compactness Plan 6

District	Polsby-Popper	Schwartzberg	Reock	Convex_Hull	Total
1	0.12	0.34	0.24	0.51	1.21
2	0.11	0.33	0.29	0.57	1.31
3	0.16	0.40	0.35	0.63	1.54
4	0.18	0.43	0.30	0.70	1.62
5	0.34	0.58	0.33	0.85	2.09
6	0.10	0.31	0.29	0.65	1.34
7	0.11	0.32	0.34	0.56	1.33
Sum	1.11	2.72	2.13	4.46	
Average	0.16	0.39	0.30	0.64	

Map Appendices

Alabama Maps

Map Appendix 1 (State of Alabama 2021 Enacted Plan)

Map Appendix 2 (State of Alabama 2011 and 2021 Enacted Plans)

Map Appendix 3 (State of Alabama Enacted Plan Percent Black Alone VAP by VTD)

Map Appendix 4 (State of Alabama Voting Age Population by VTD)

Duchin Maps

Map Appendix 5 (Duchin Plan A/1 and Alabama Existing Districts)

Map Appendix 5A (Duchin Plan A/1 Plan Percent Black Alone VAP by VTD)

Map Appendix 6 (Duchin Plan B/2 and Alabama Existing Districts)

Map Appendix 6A (Duchin Plan B/2 Plan Percent Black Alone VAP by VTD)

Map Appendix 7 (Duchin Plan C/3 and Alabama Existing Districts)

Map Appendix 7A (Duchin Plan C/3 Plan Percent Black Alone VAP by VTD)

Map Appendix 8 (Duchin Plan D/4 and Alabama Existing Districts)

Map Appendix 8A (Duchin Plan D/4 Plan Percent Black Alone VAP by VTD)

Cooper Maps

Map Appendix 9 (Cooper Plan 1 and Alabama Existing Districts)

Map Appendix 9A (Cooper Plan 1 Plan Percent Black Alone VAP by VTD)

Map Appendix 10 (Cooper Plan 2 and Alabama Existing Districts)

Map Appendix 10A (Cooper Plan 2 Plan Percent Black Alone VAP by VTD)

Map Appendix 11 (Cooper Plan 3 and Alabama Existing Districts)

Map Appendix 11A (Cooper Plan 3 Plan Percent Black Alone VAP by VTD)

Map Appendix 12 (Cooper Plan 4 and Alabama Existing Districts)

Map Appendix 12A (Cooper Plan 4 Plan Percent Black Alone VAP by VTD)

Map Appendix 13 (Cooper Plan 5 and Alabama Existing Districts)

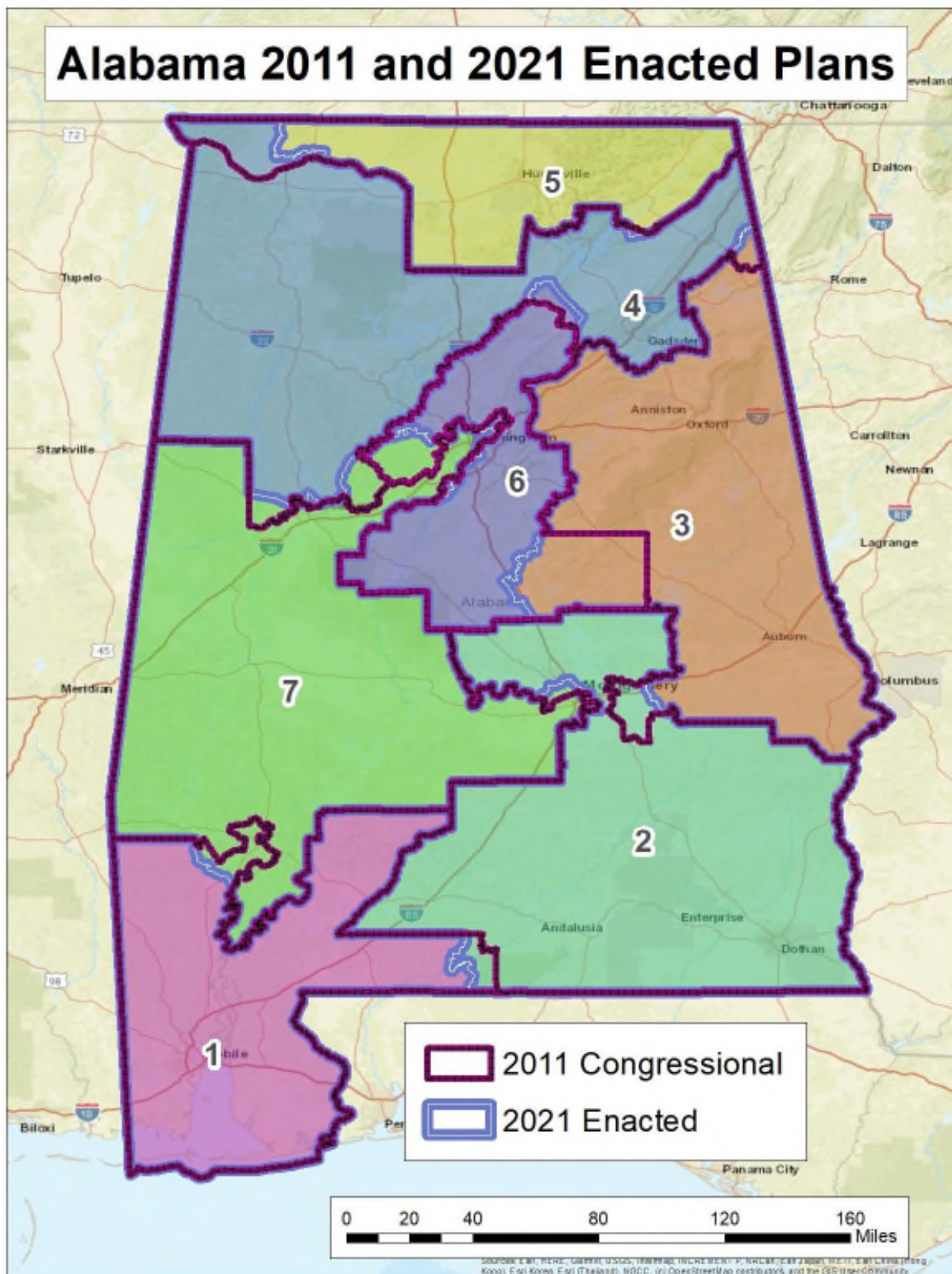
Map Appendix 13A (Cooper Plan 5 Plan Percent Black Alone VAP by VTD)

Map Appendix 14 (Cooper Plan 6 and Alabama Existing Districts)

Map Appendix 14A (Cooper Plan 6 Plan Percent Black Alone VAP by VTD)

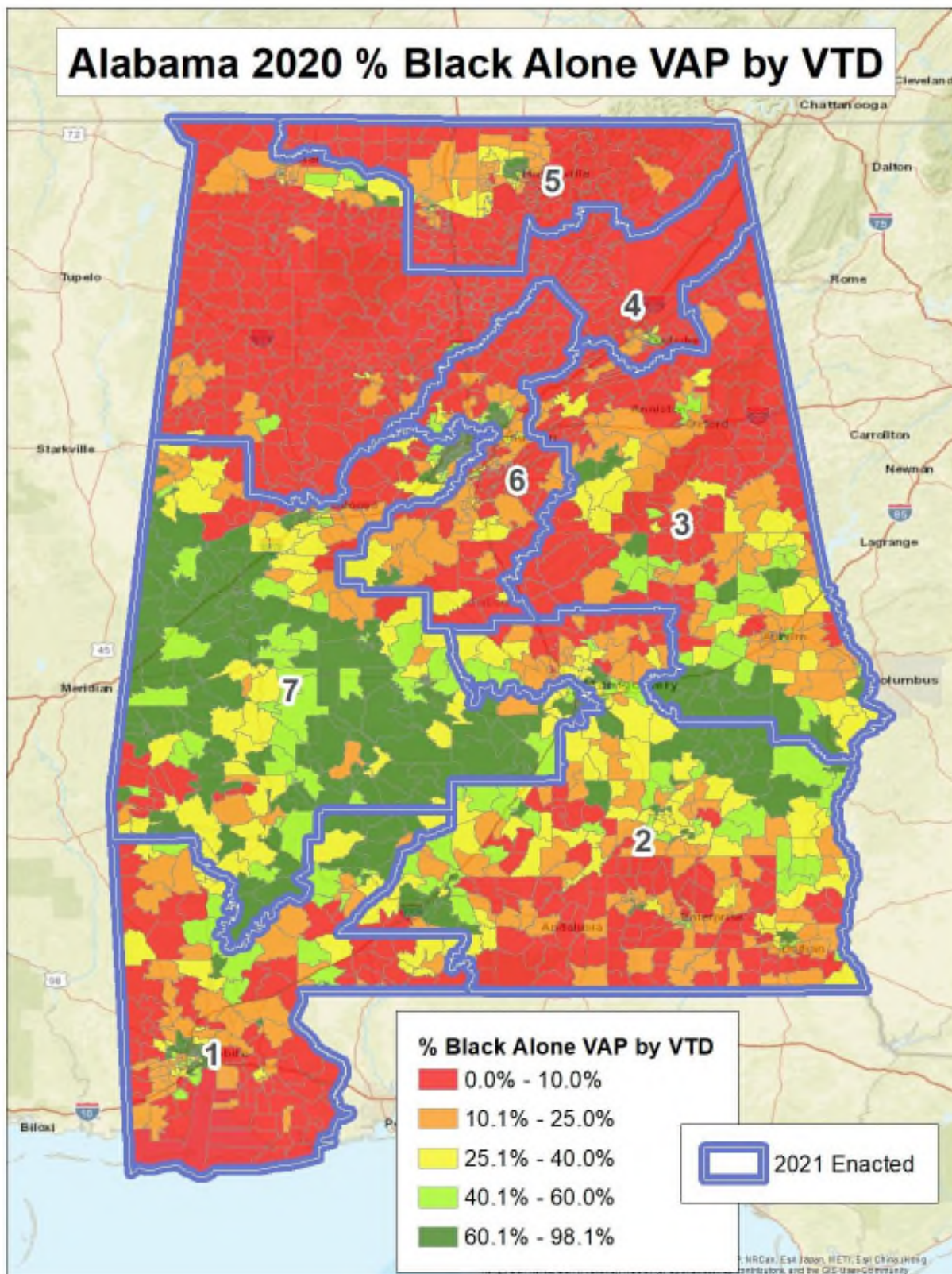


Map Appendix 2 (State of Alabama 2011 and 2021 Enacted Plans)

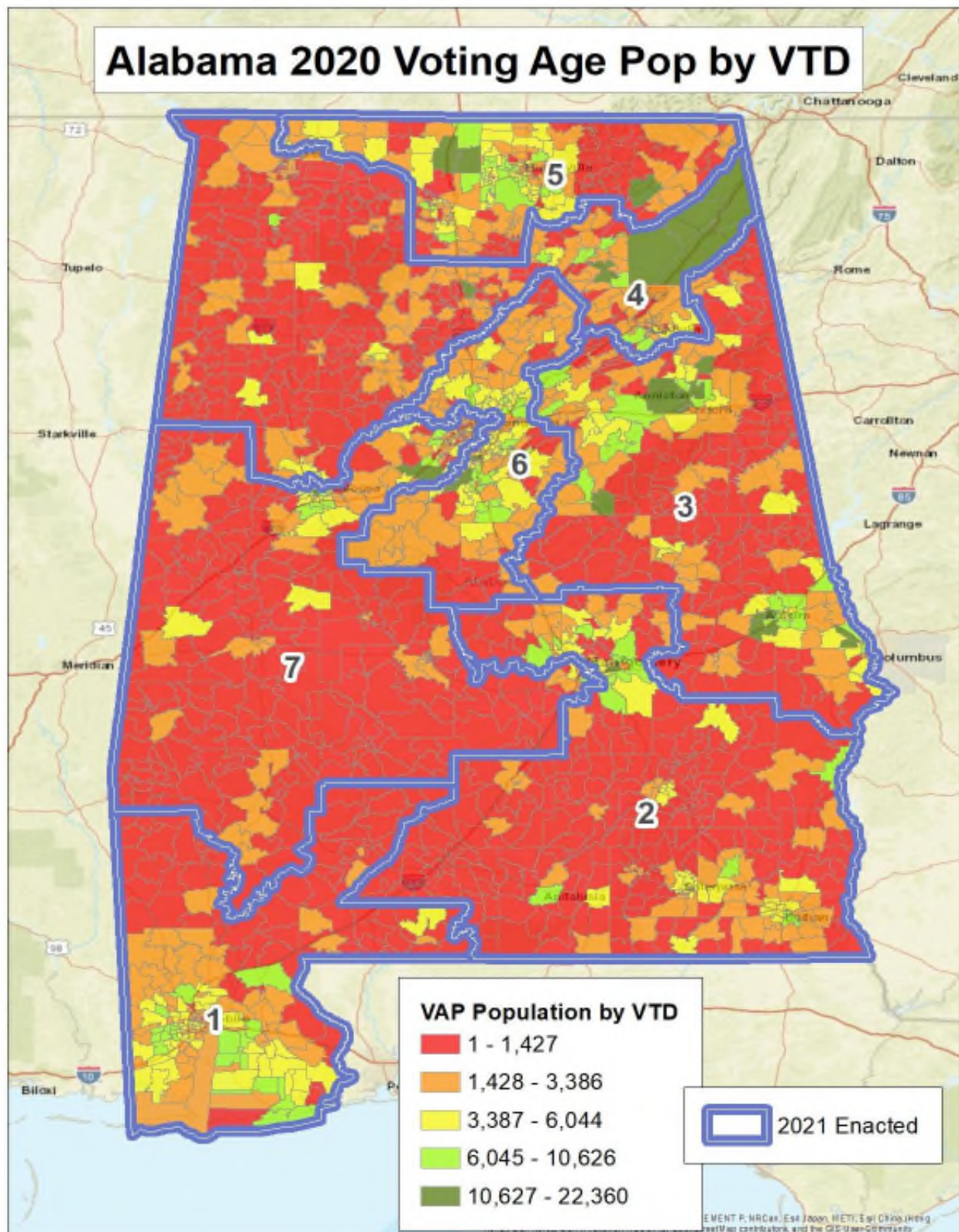


**Alabama Enacted Plan
Map Appendices
% Black Alone and VAP
By County and VTD**

Map Appendix 3 (State of Alabama Enacted Plan Percent Black Alone VAP by VTD)

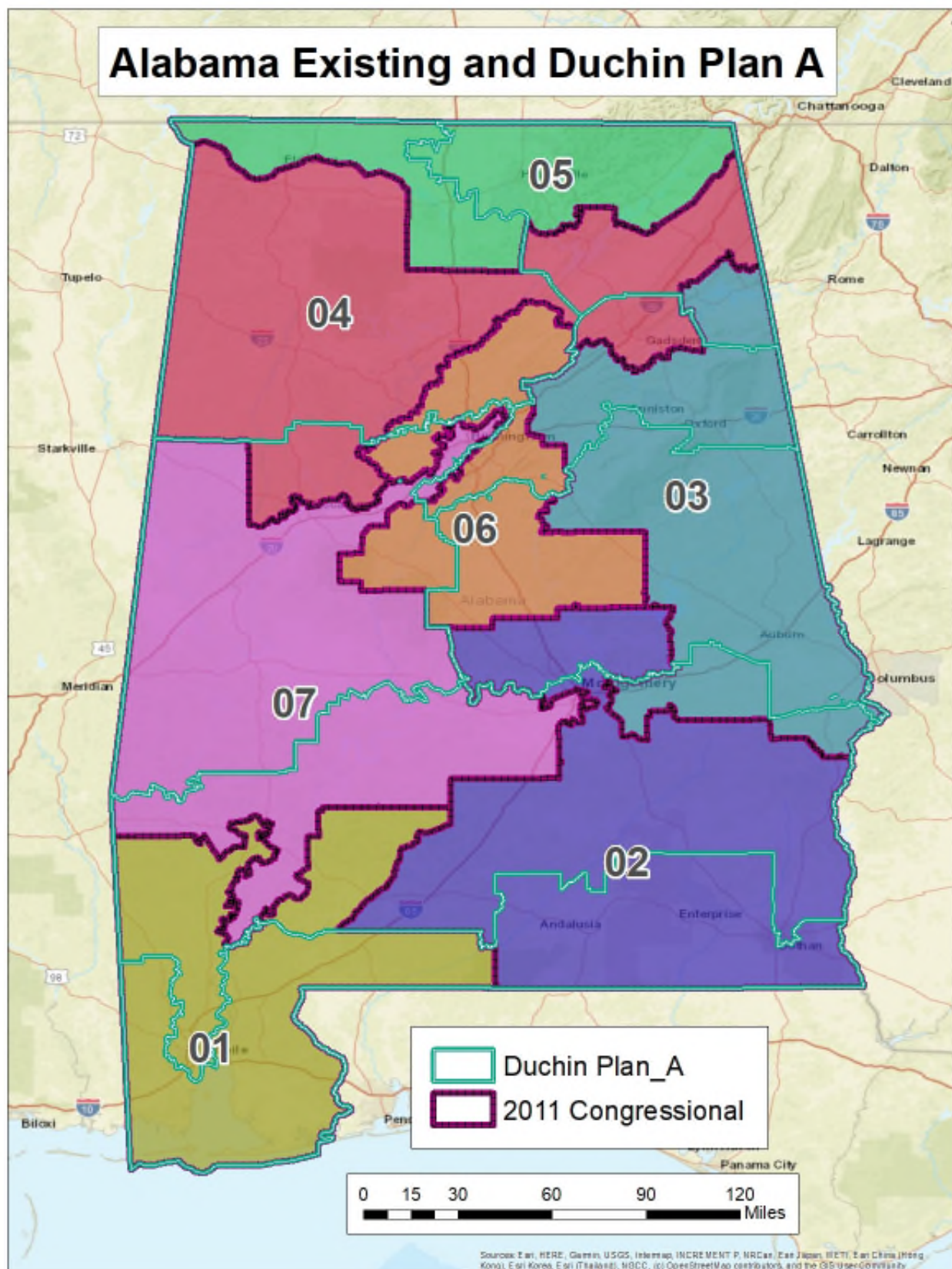


Map Appendix 4 (State of Alabama Voting Age Population by VTD)

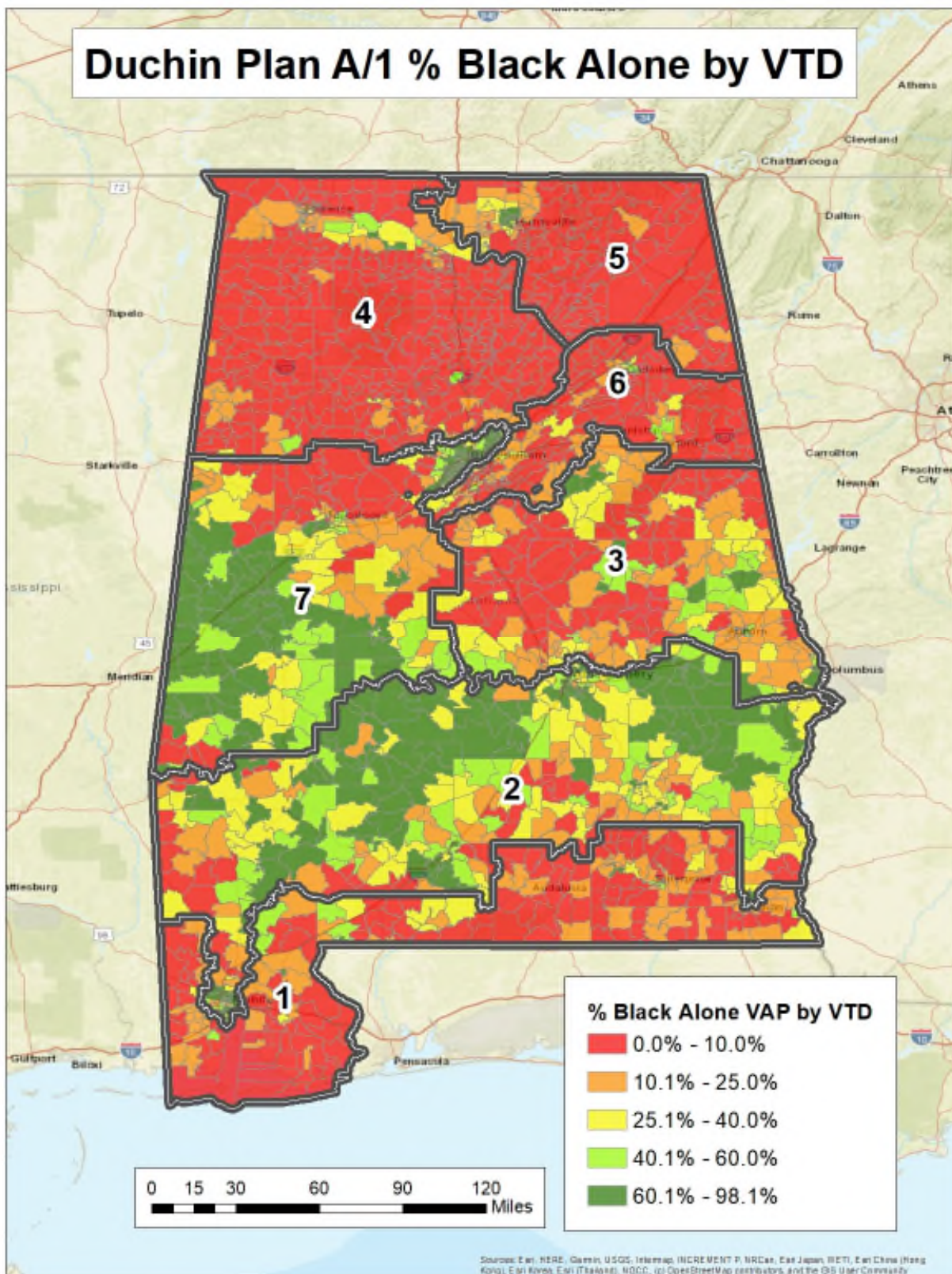


**Duchin Plans
Map Appendices
Base Map and
% Black Alone and VAP
By Census VTD**

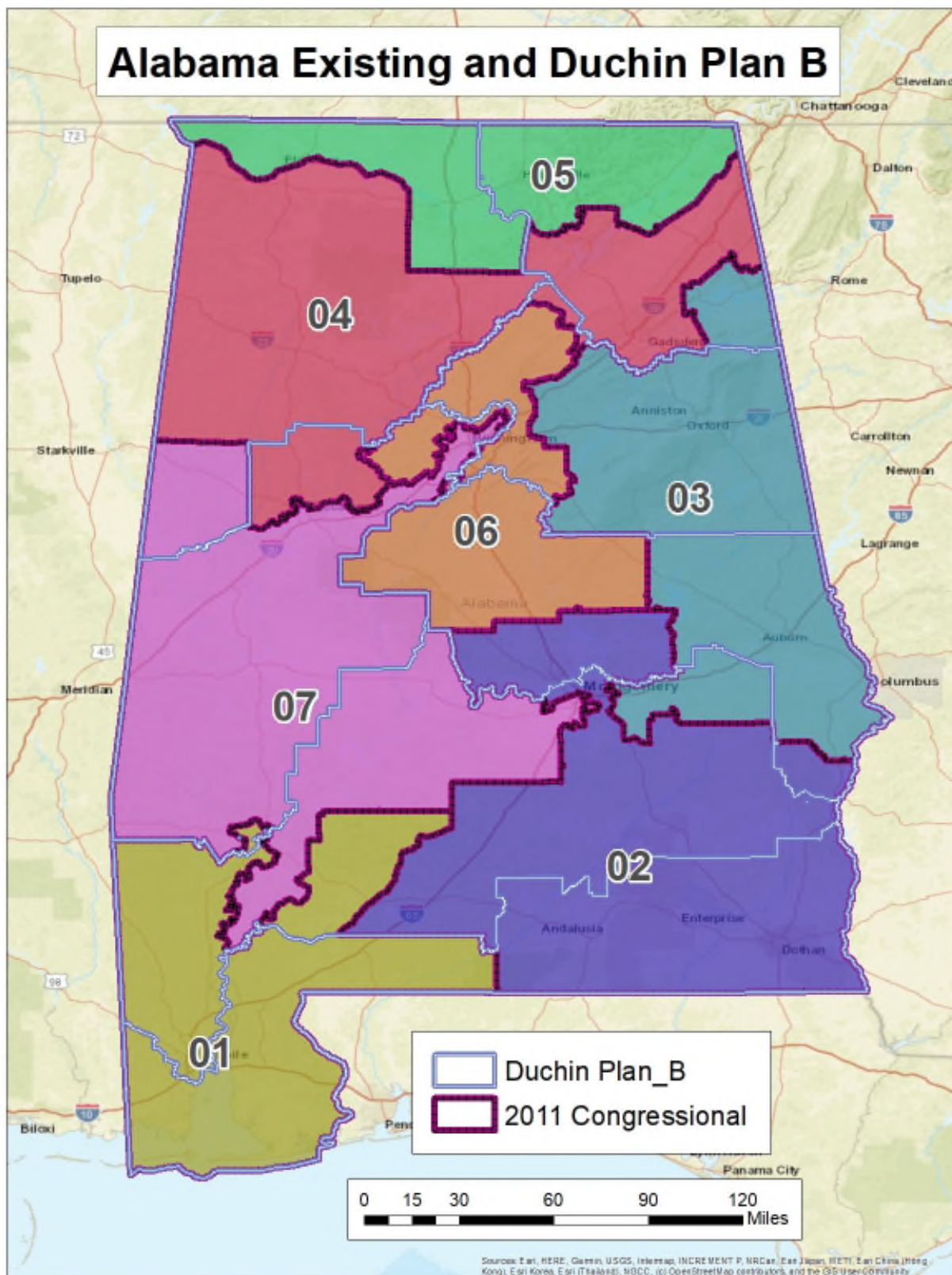
Map Appendix 5 (Duchin Plan A/1 and Alabama Existing Districts)



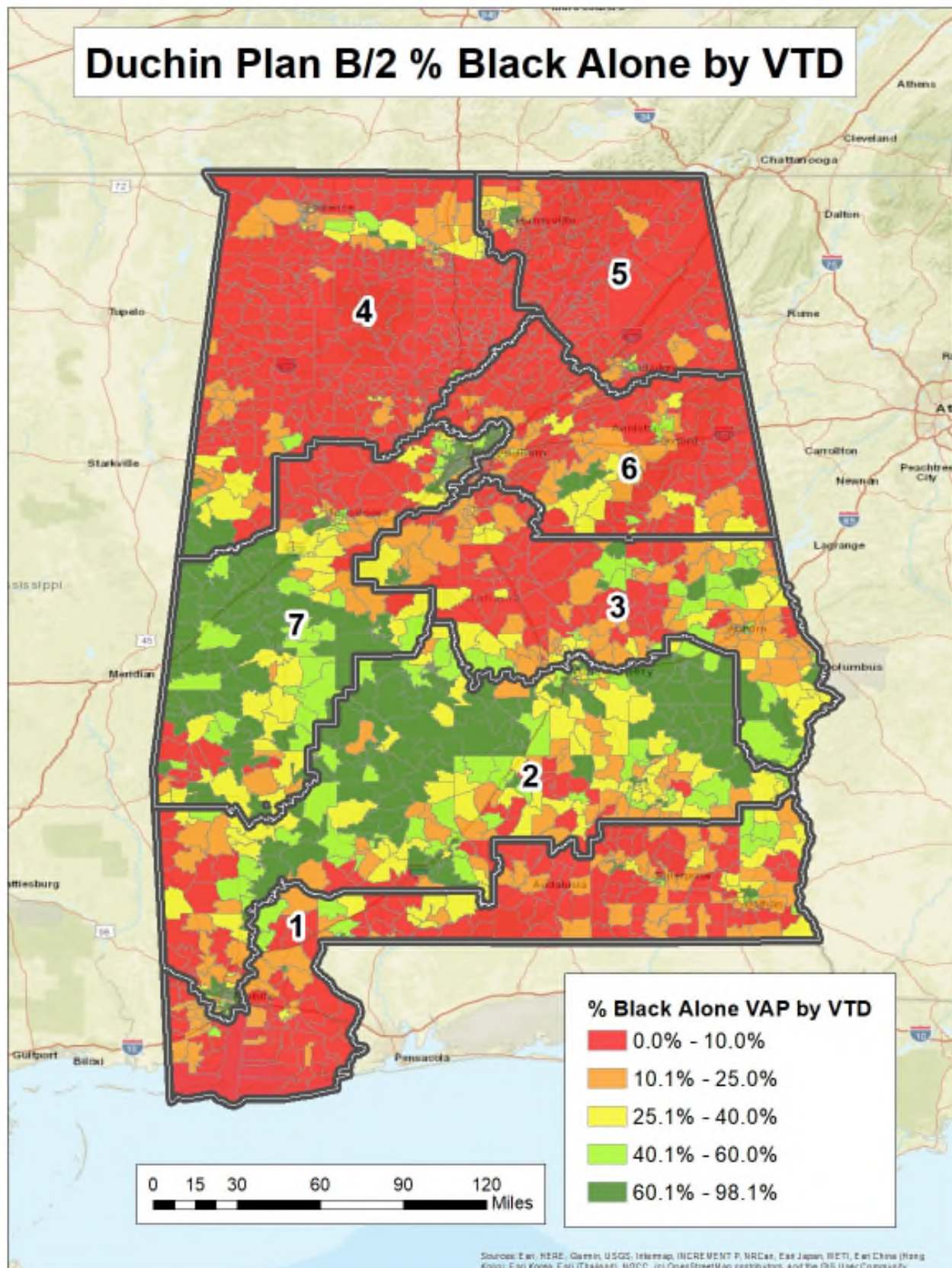
Map Appendix 5A (Duchin Plan A/1 Plan Percent Black Alone VAP by VTD)



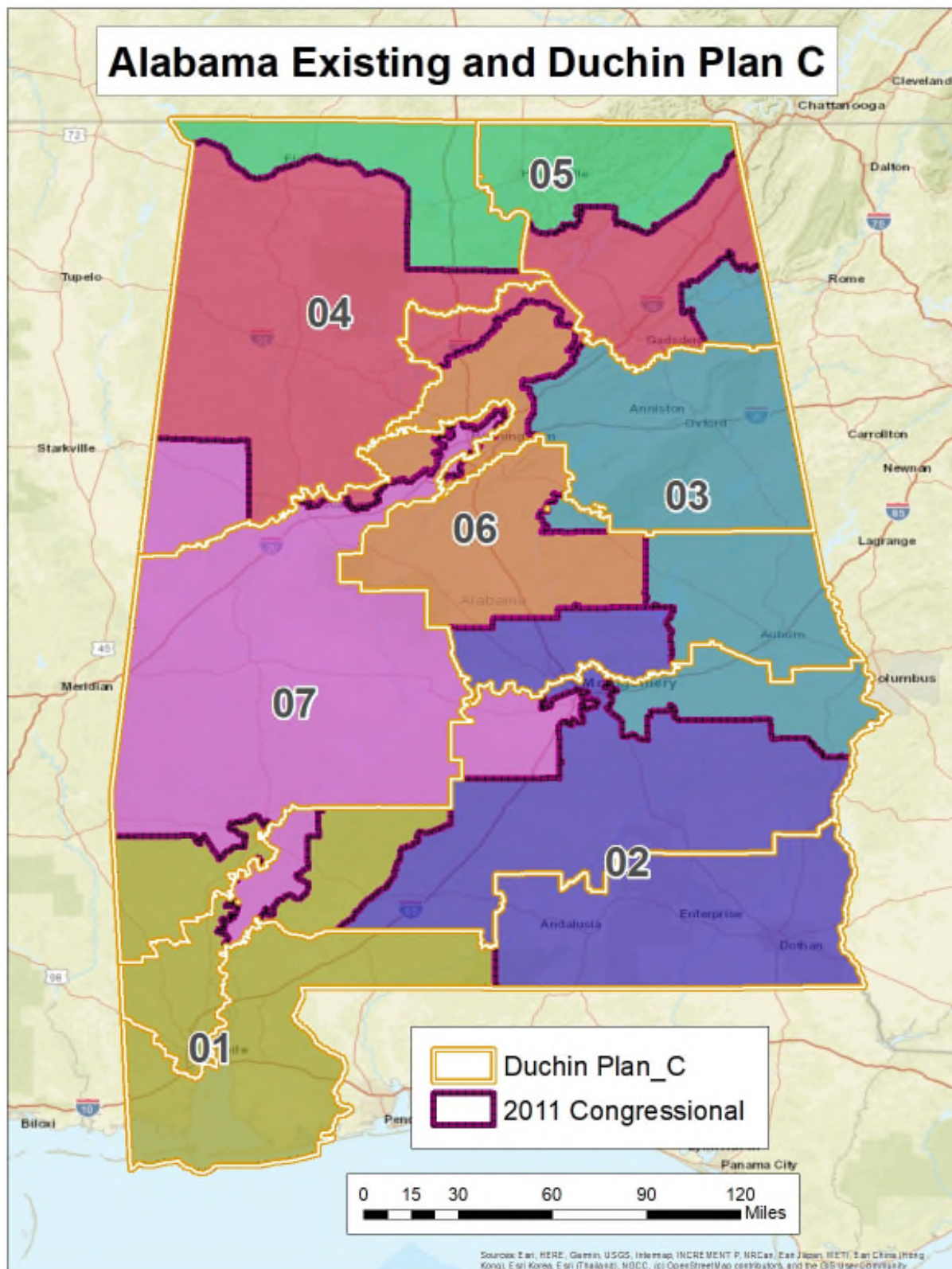
Map Appendix 6 (Duchin Plan B/2 and Alabama Existing Districts)



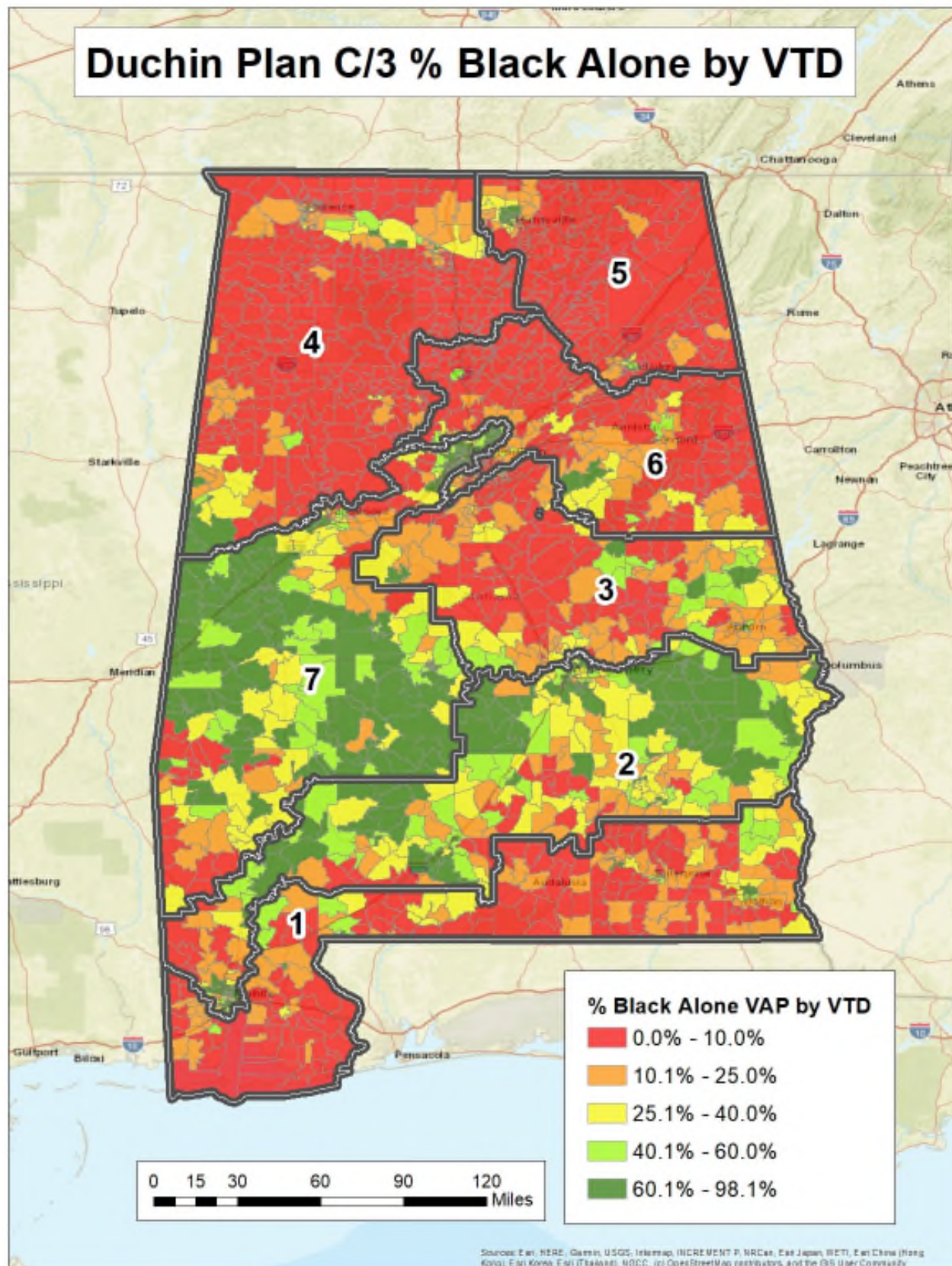
Map Appendix 6A (Duchin Plan B/2 Plan Percent Black Alone VAP by VTD)



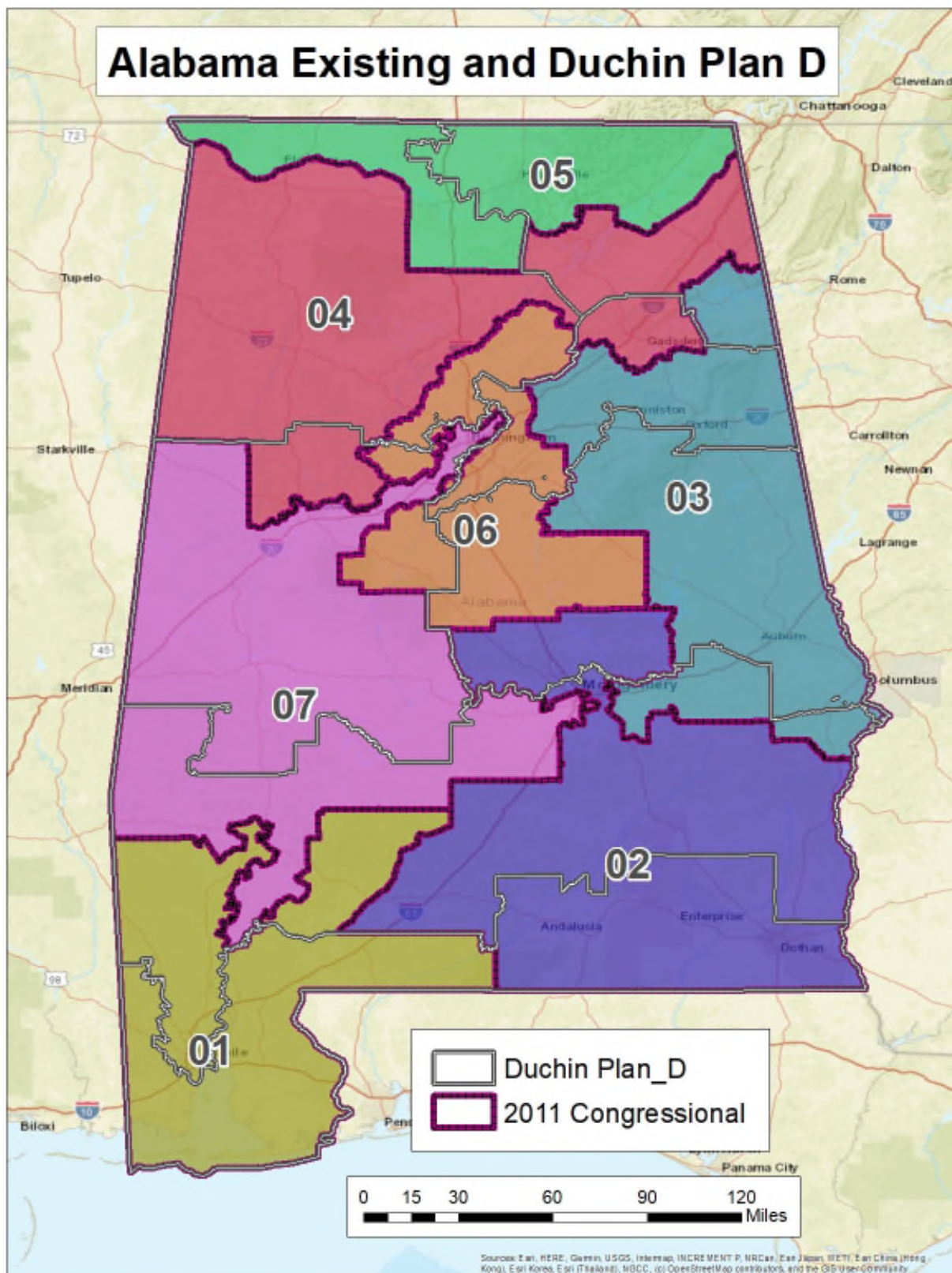
Map Appendix 7 (Duchin Plan C/3 and Alabama Existing Districts)



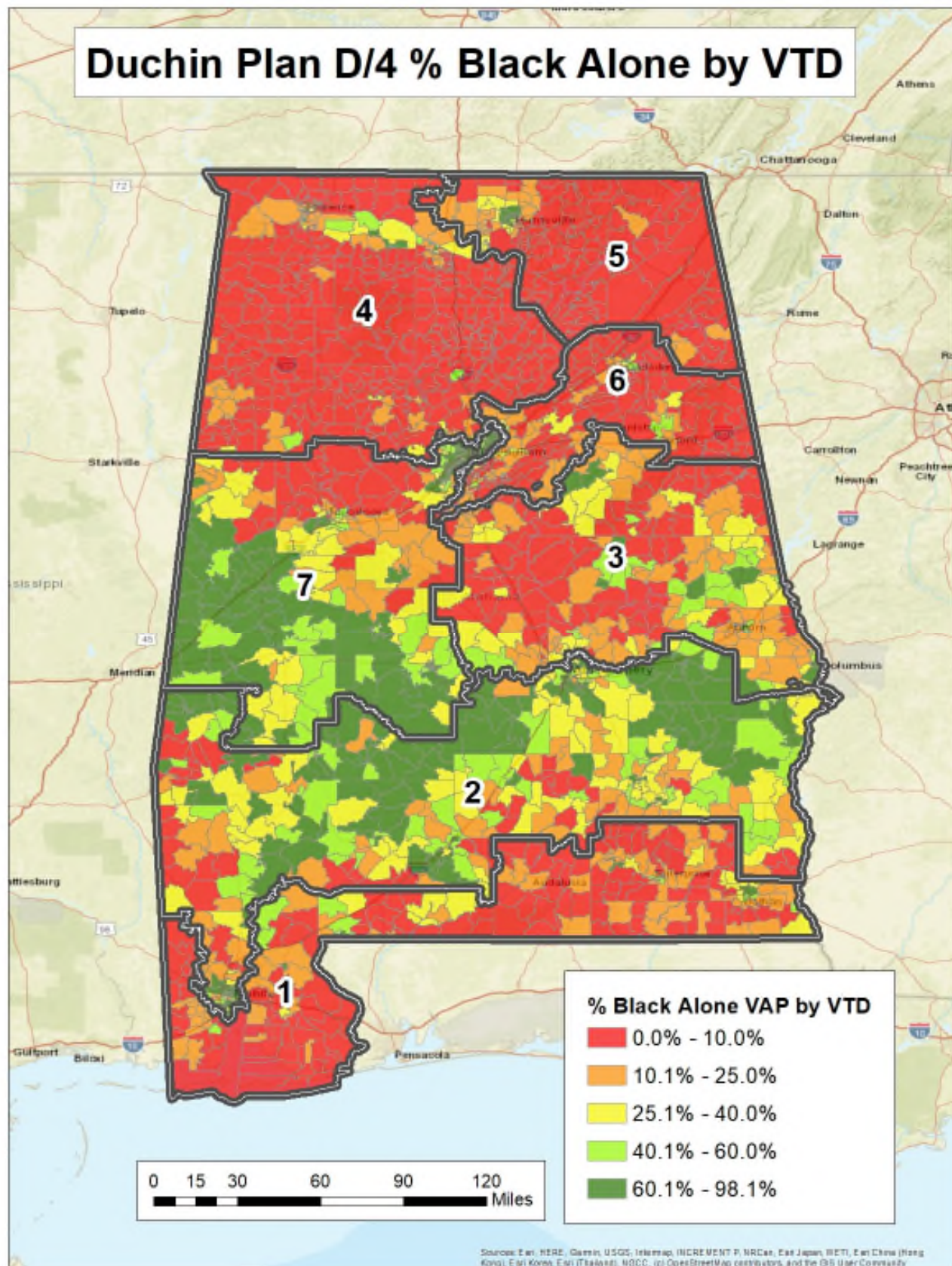
Map Appendix 7A (Duchin Plan C/3 Plan Percent Black Alone VAP by VTD)



Map Appendix 8 (Duchin Plan D/4and Alabama Existing Districts)

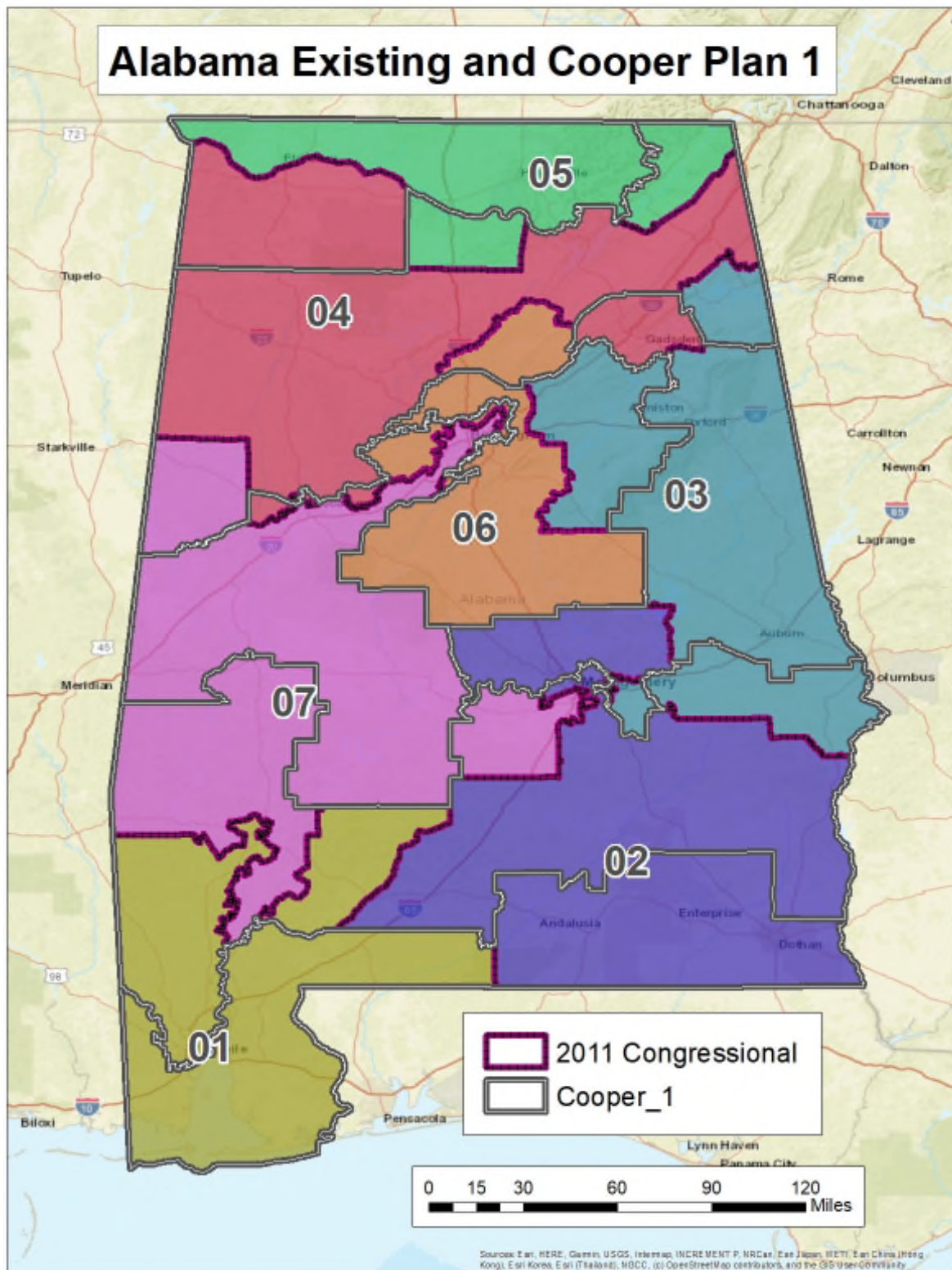


Map Appendix 8A (Duchin Plan D/4 Plan Percent Black Alone VAP by VTD)

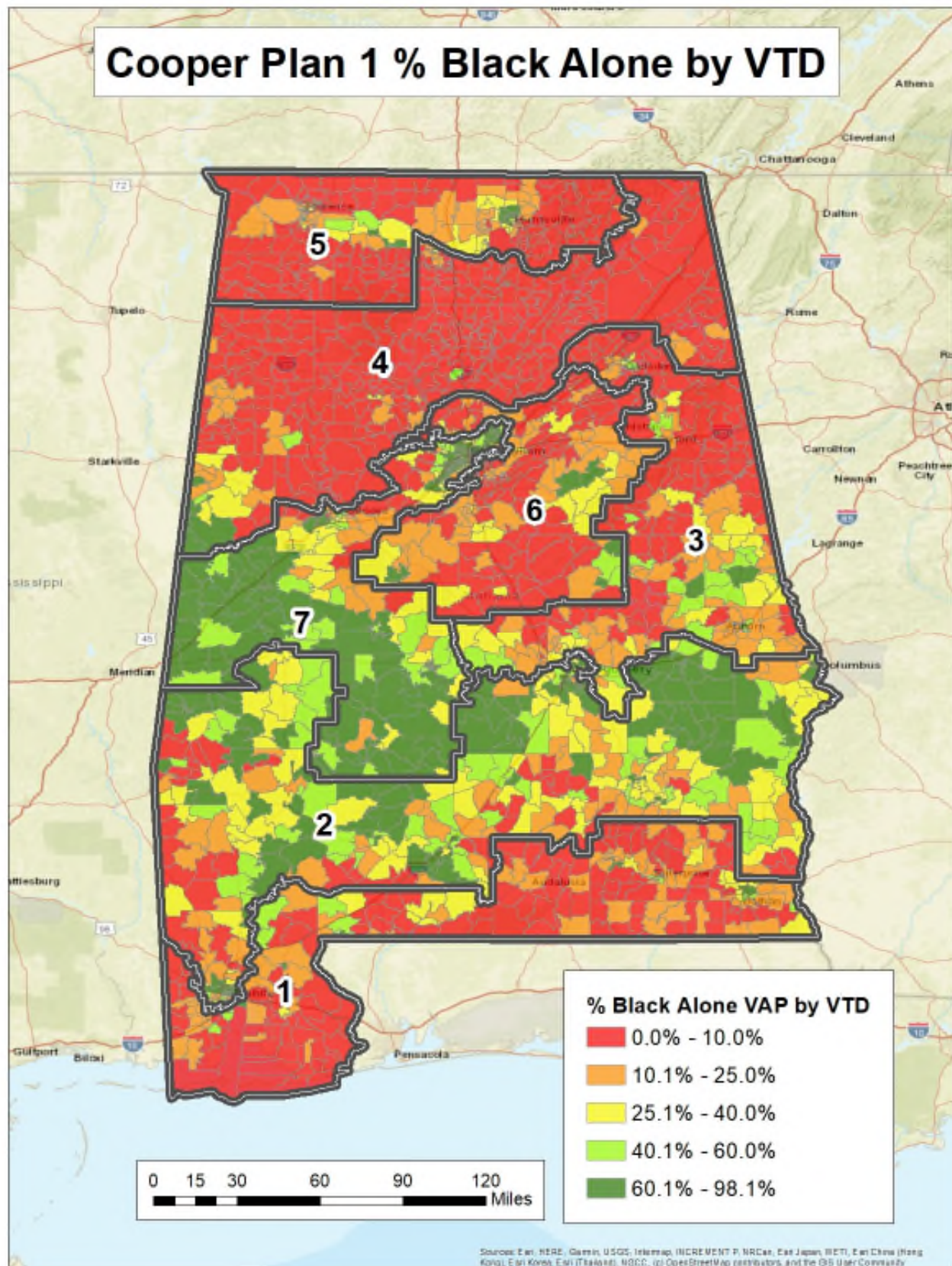


**Cooper Plans
Map Appendices
% Black Alone and VAP
By Census VTD**

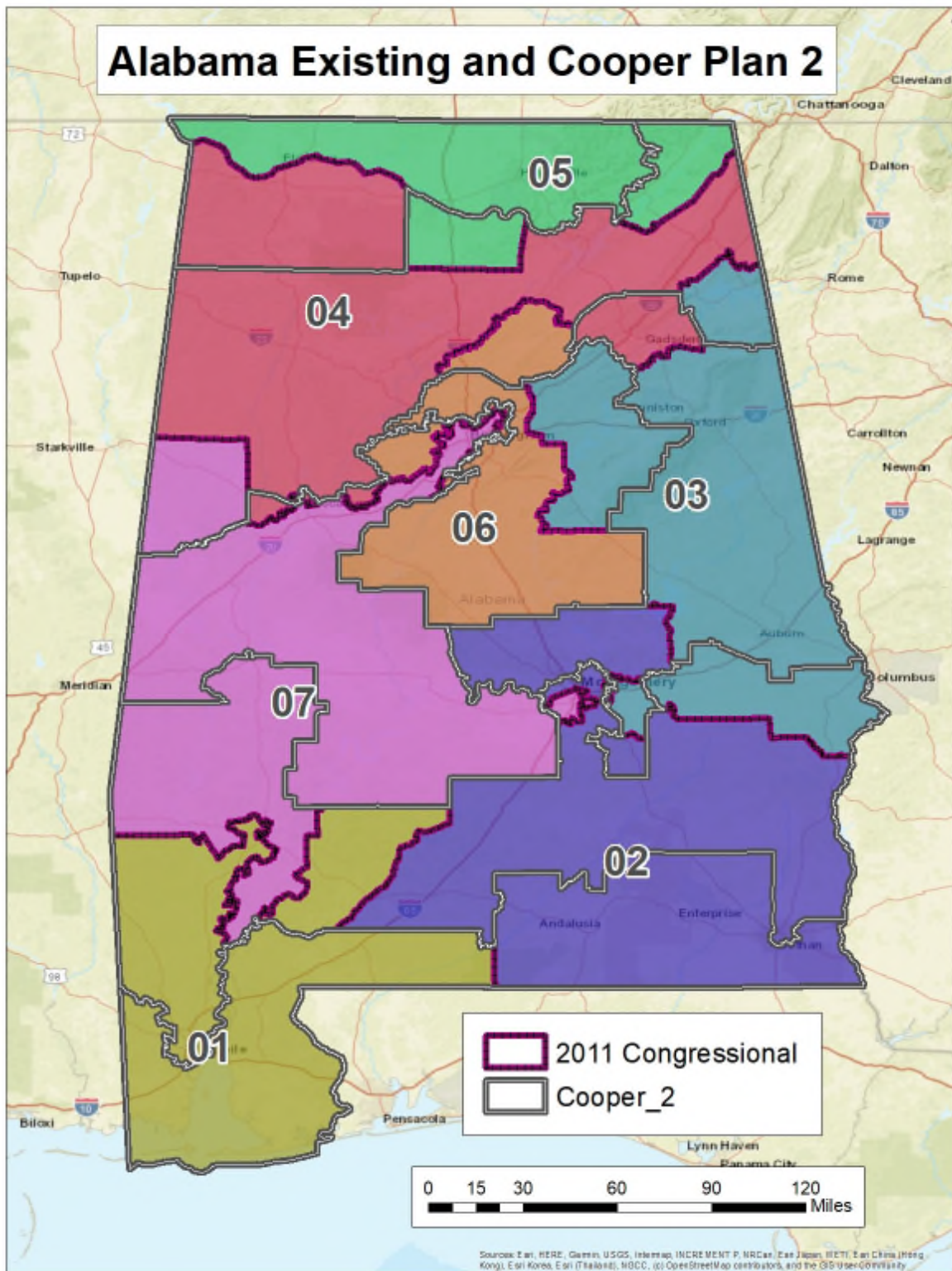
Map Appendix 9 (Cooper Plan 1 and Alabama Existing Districts)



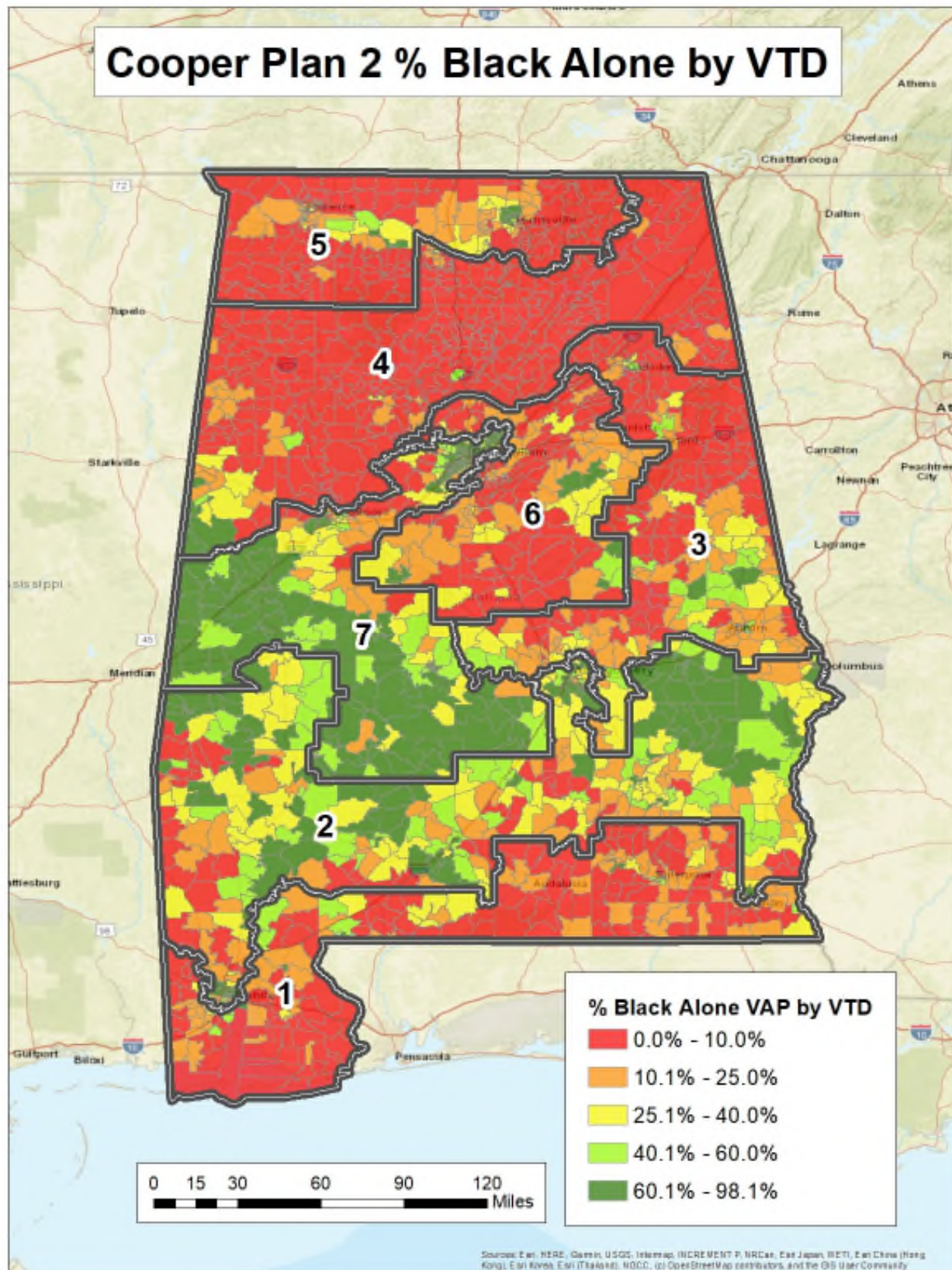
Map Appendix 9A (Cooper Plan 1 Plan Percent Black Alone VAP by VTD)



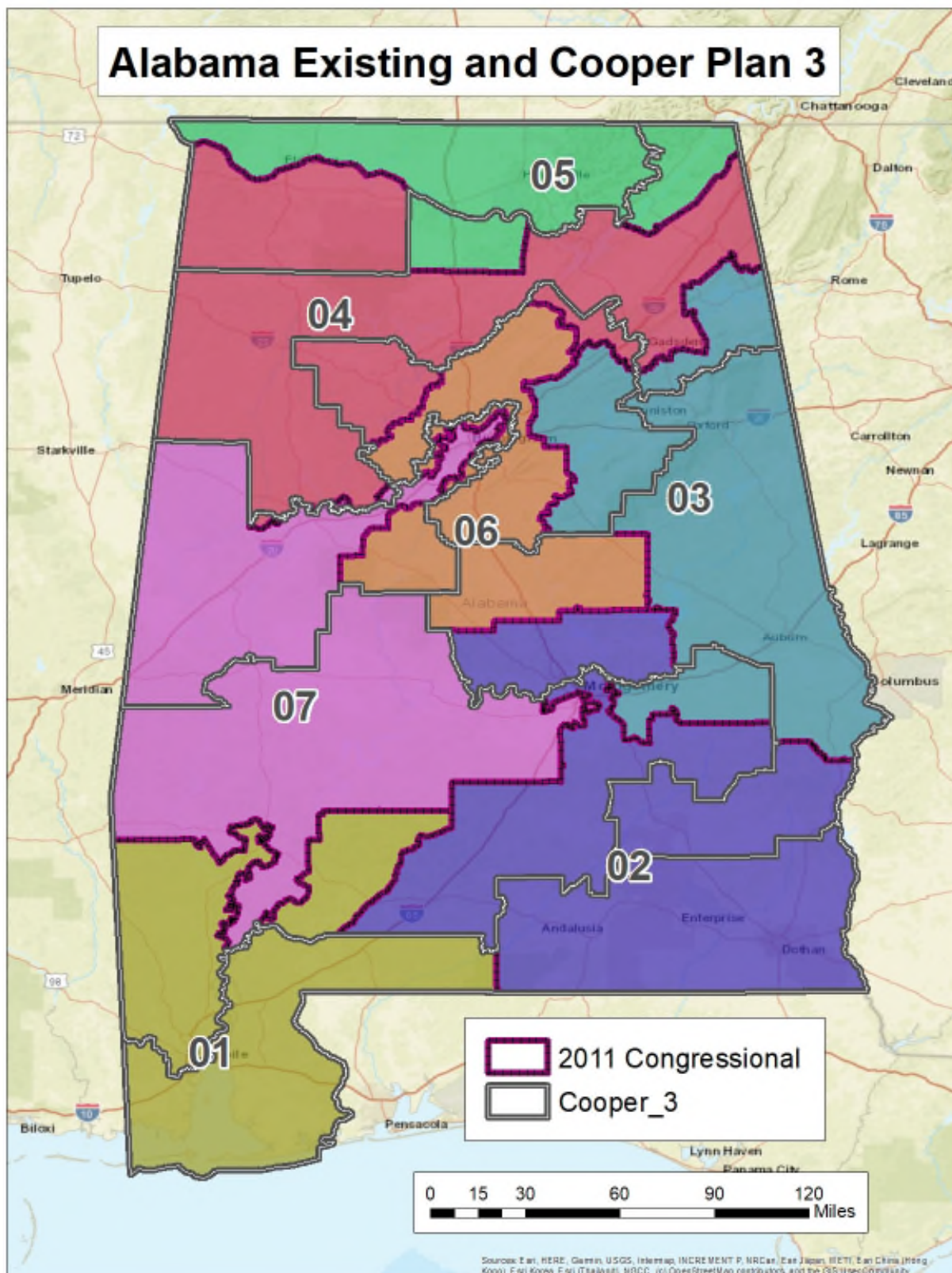
Map Appendix 10 (Cooper Plan 2 and Alabama Existing Districts)



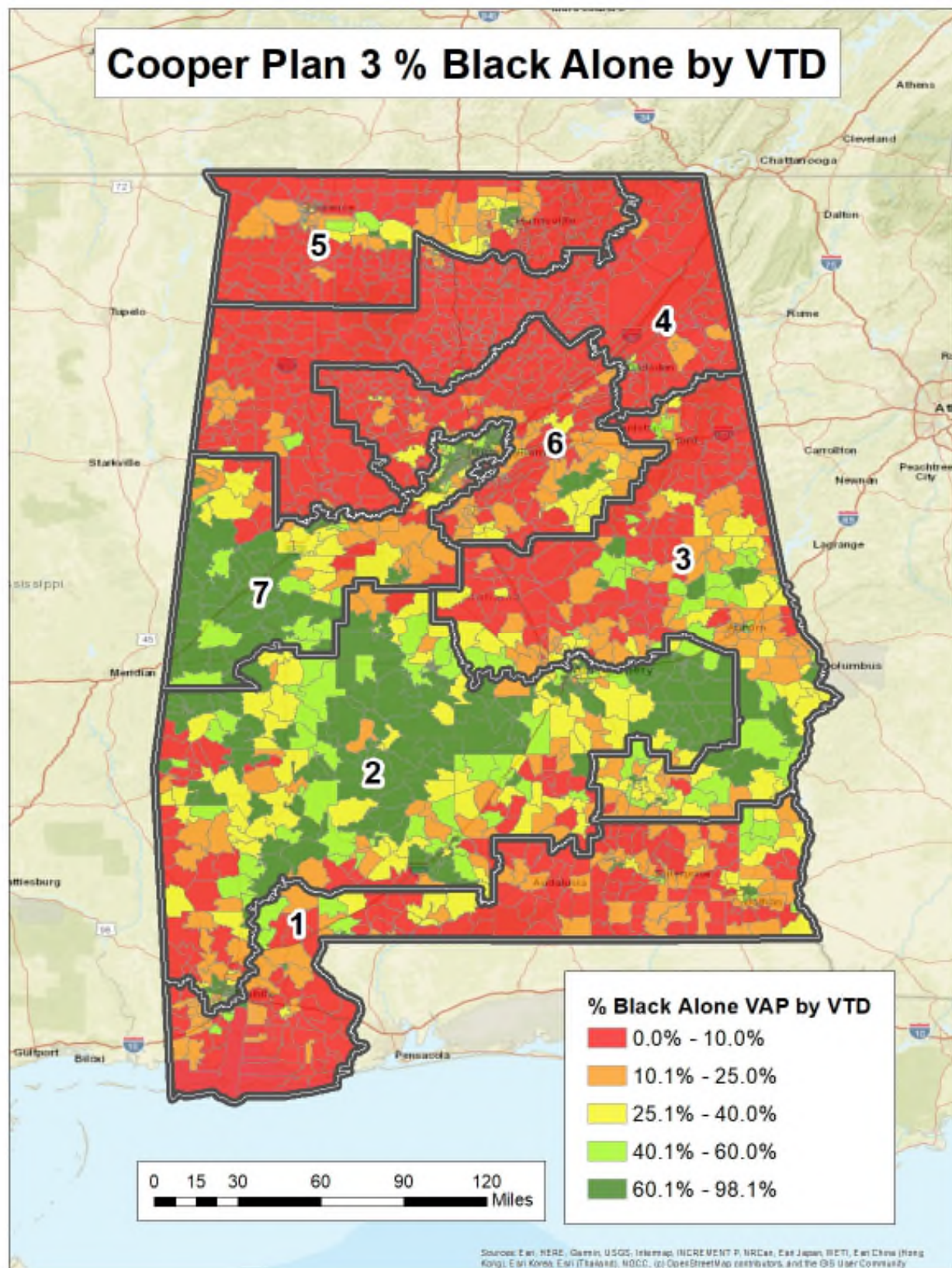
Map Appendix 10A (Cooper Plan 2 Plan Percent Black Alone VAP by VTD)



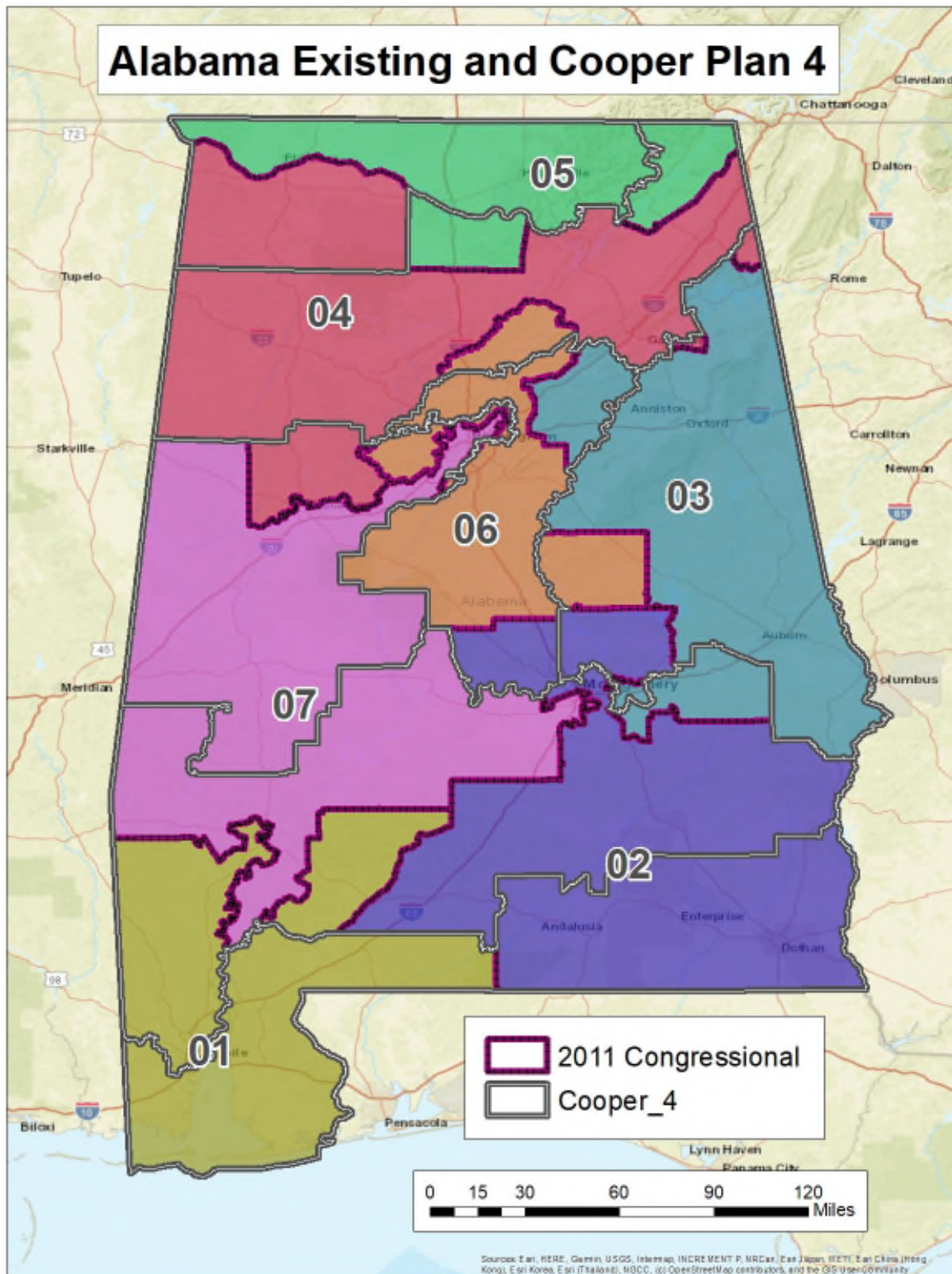
Map Appendix 11 (Cooper Plan 3 and Alabama Existing Districts)



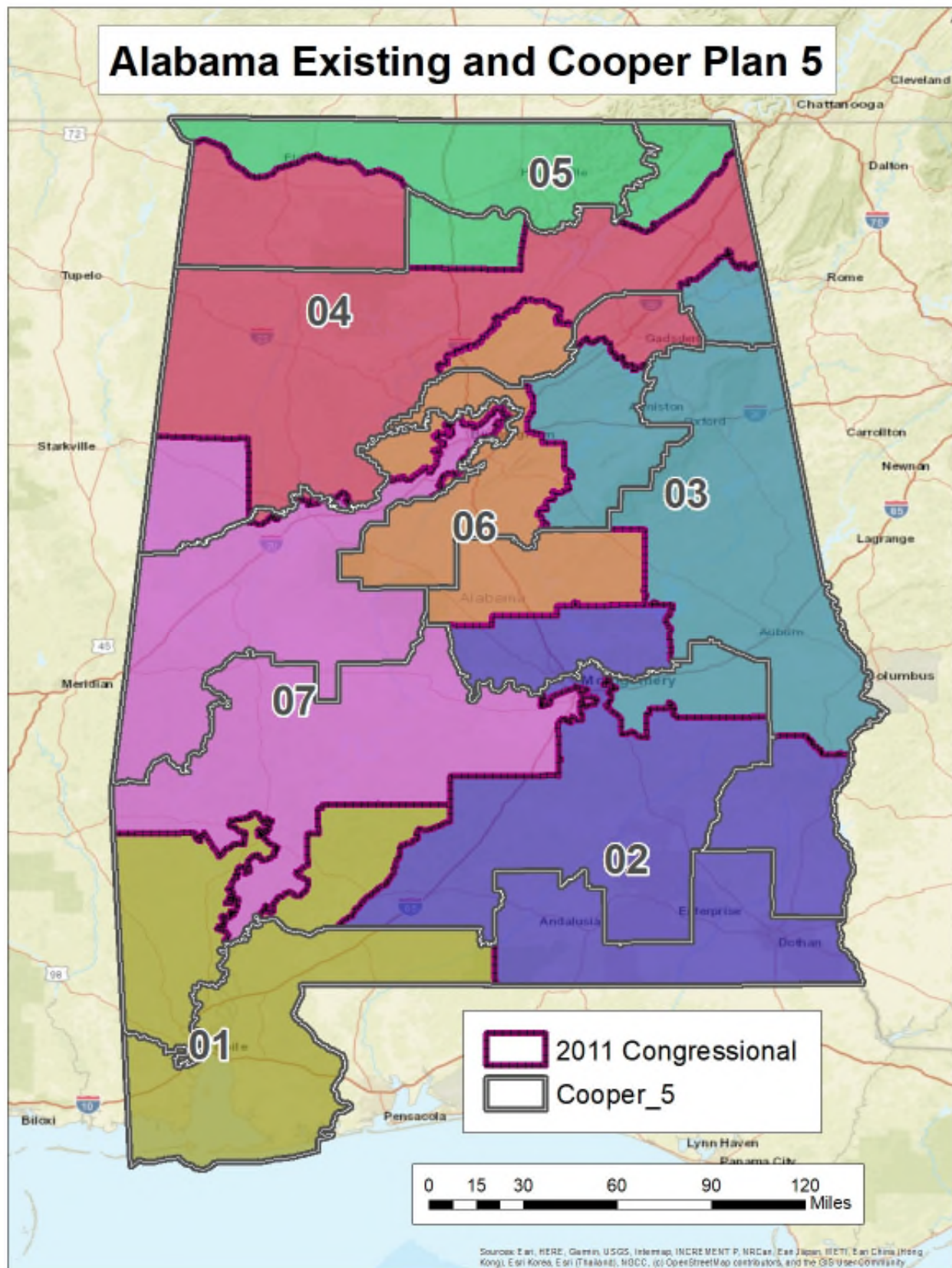
Map Appendix 11A (Cooper Plan 3 Plan Percent Black Alone VAP by VTD)



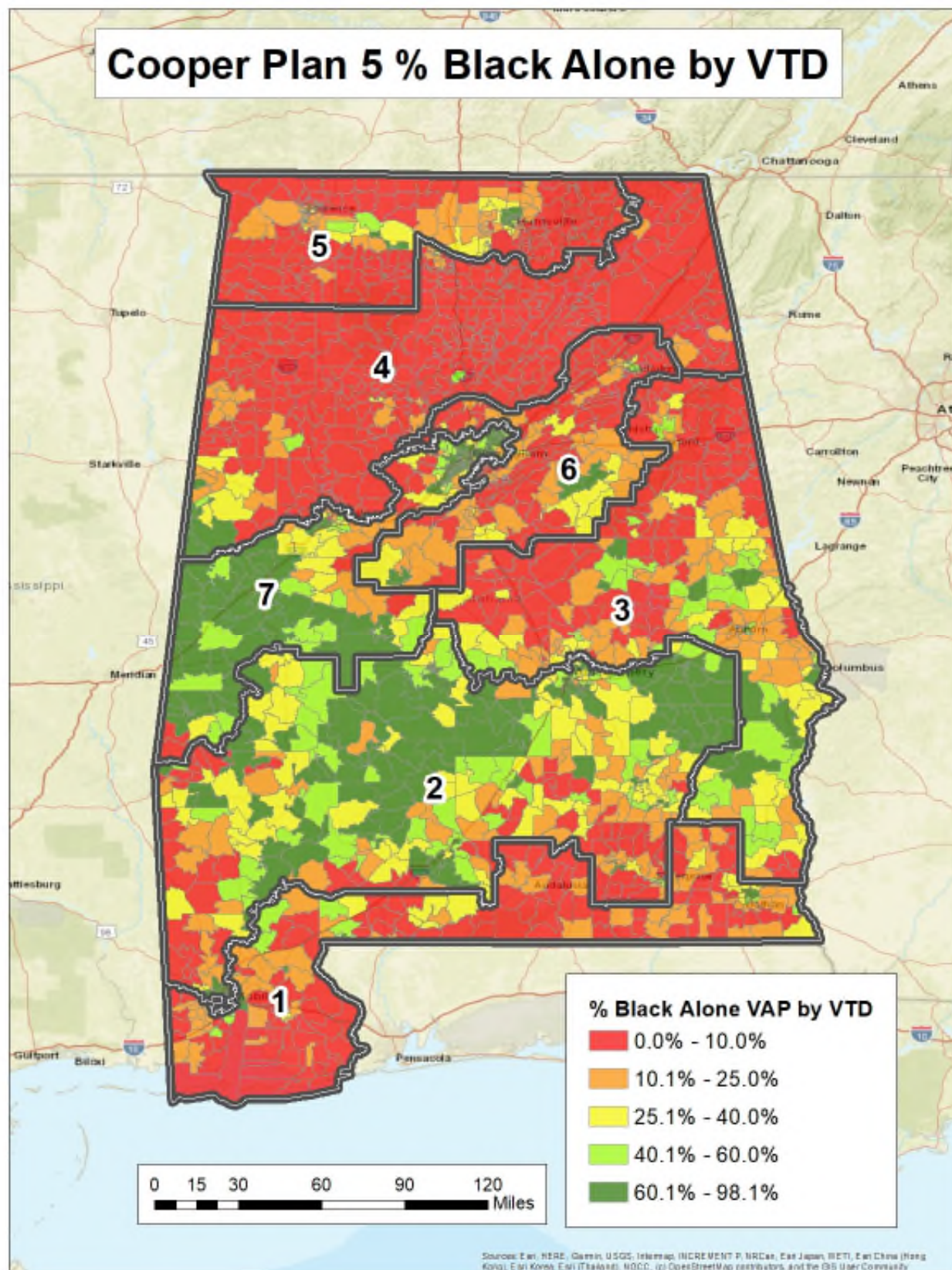
Map Appendix 12 (Cooper Plan 4 and Alabama Existing Districts)



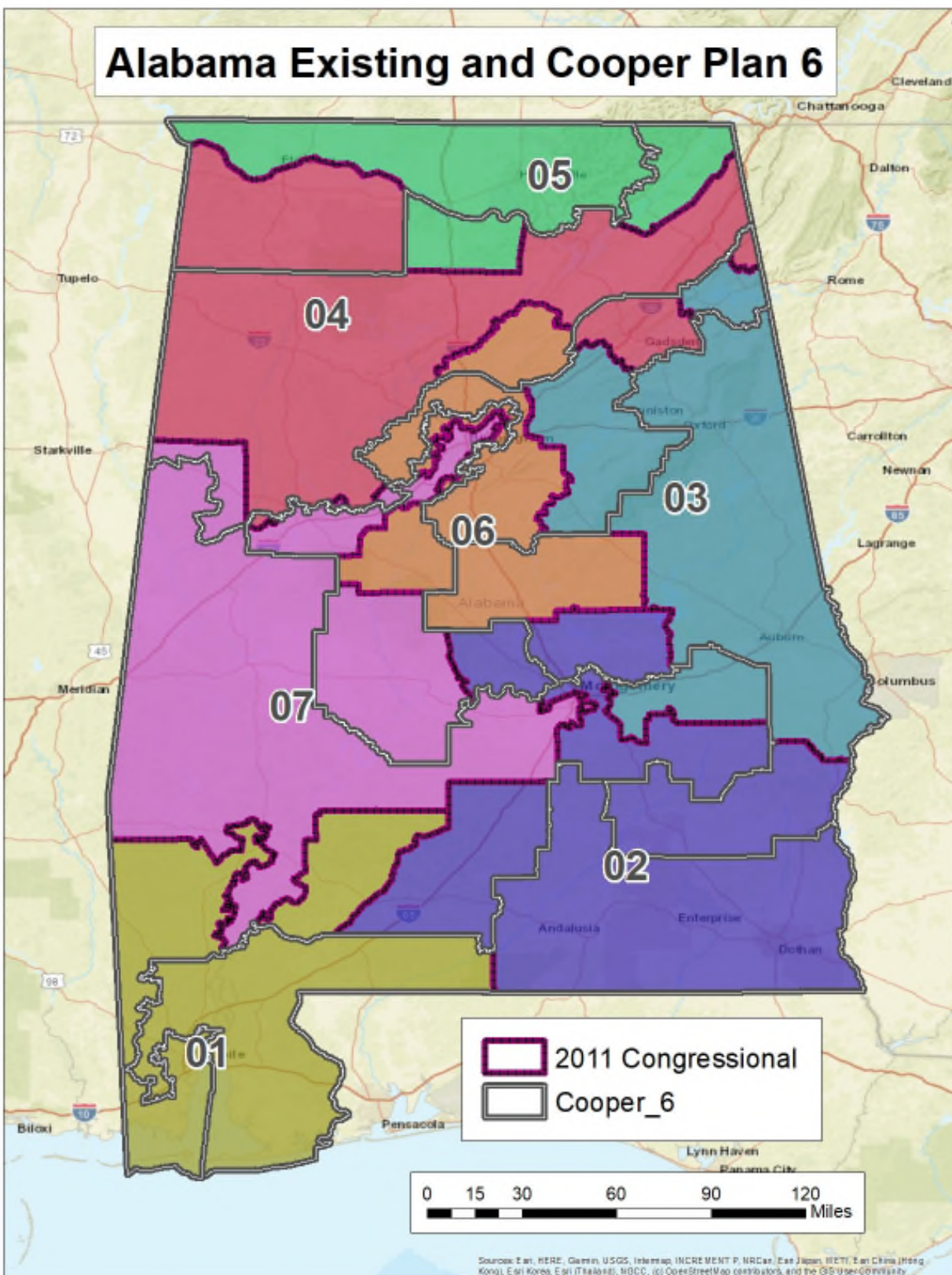
Map Appendix 13 (Cooper Plan 5 and Alabama Existing Districts)



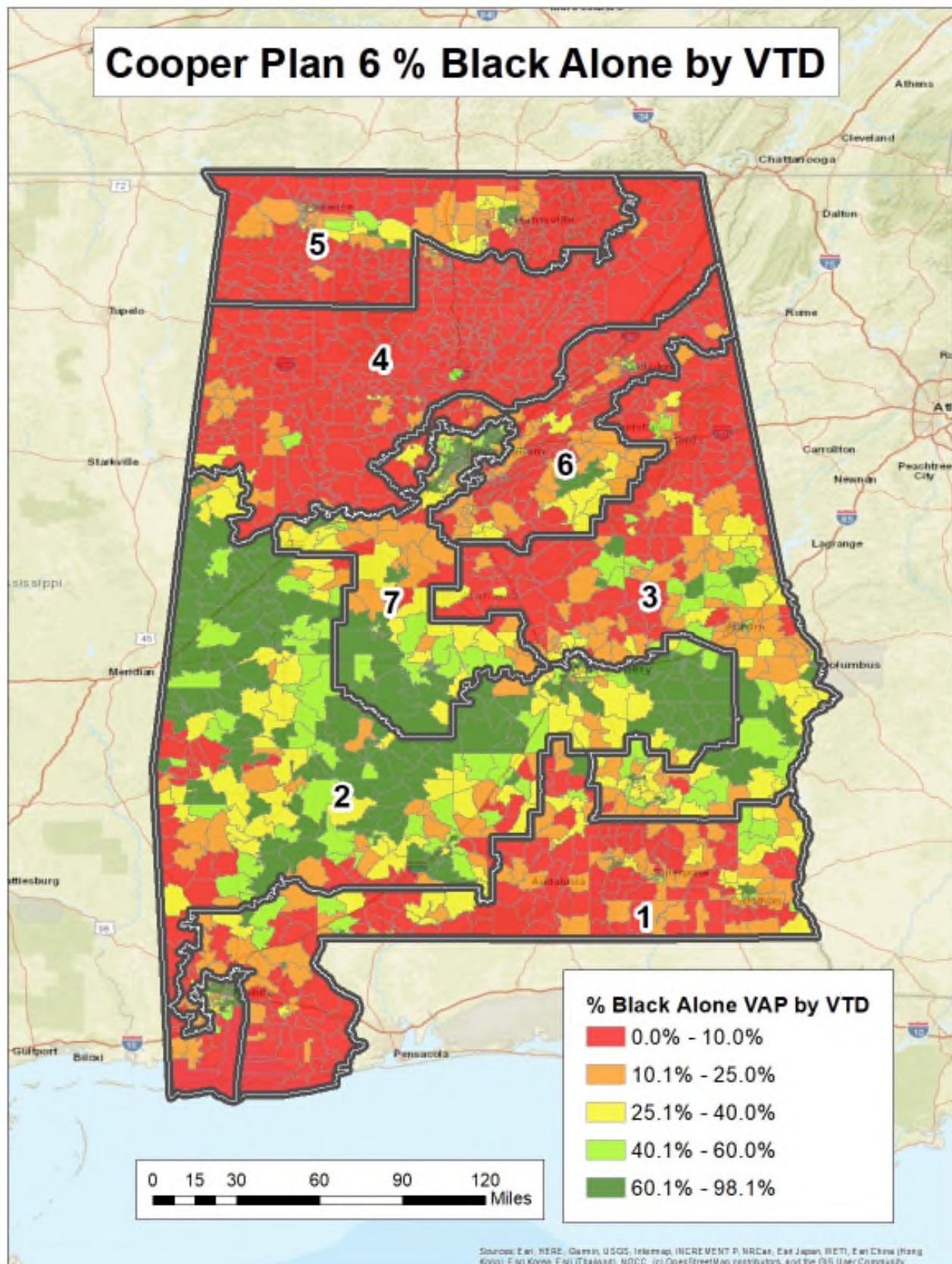
Map Appendix 13A (Cooper Plan 5 Plan Percent Black Alone VAP by VTD)



Map Appendix 14 (Cooper Plan 6 and Alabama Existing Districts)



Map Appendix 14A (Cooper Plan 6 Plan Percent Black Alone VAP by VTD)



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

BOBBY SINGLETON, *et al.*,

Plaintiffs,

v.

**JOHN MERRILL, in his official
capacity as Alabama Secretary of State**

Defendant.

Case No. 2:21-cv-01291-AMM

THREE-JUDGE COURT

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

**JOHN MERRILL, in his official
capacity as Alabama Secretary of State**

Defendant.

Case No. 2:21-cv-01530-AMM

MARCUS CASTER, *et al.*,

Plaintiffs,

v.

**JOHN MERRILL, in his official
capacity as Alabama Secretary of State**

Defendant.

Case No.: 2:21-cv-1536-AMM

EXPERT REPORT OF M.V. HOOD III

I, M.V. Hood III, affirm the conclusions I express in this report are provided to a reasonable degree of professional certainty. In addition, I do hereby declare the following:

I. INTRODUCTION AND BACKGROUND

My name is M.V. (Trey) Hood III, and I am a tenured professor at the University of Georgia with an appointment in the Department of Political Science. I have been a faculty member at the University of Georgia since 1999. I also serve as the Director of the School of Public and International Affairs Survey Research Center. I am an expert in American politics, specifically in the areas of electoral politics, racial politics, election administration, and Southern politics. I teach courses on American politics, Southern politics, and research methods and have taught graduate seminars on the topics of election administration and Southern politics.

I have received research grants to study election administration issues from the National Science Foundation, the Pew Charitable Trust, and the Center for Election Innovation and Research. I have also published peer-reviewed journal articles specifically in the area of election administration, including redistricting. My academic publications are detailed in a copy of my vita that is attached to this report as Exhibit A. Currently, I serve on the editorial boards for *Social Science Quarterly* and *Election Law Journal*. The latter is a peer-reviewed academic journal focused on the area of election administration.

During the preceding five years, I have offered expert testimony (through deposition or at trial) in fifteen cases around the United States: *Bethune-Hill v. Virginia State Board of Elections*, 3:14-cv-00852 (E.D. Va.), *Common Cause v. Rucho*, 1:16-cv-1026 (M.D. N.C.), *Greater Birmingham Ministries v. Merrill*, 2:15-cv-02193 (N.D. Ala.), *Anne Harding v. County of Dallas, Texas*, 3:15-cv-00131 (N.D. Tex.), *Feldman v. Arizona Secretary of State's Office*, 2:16-cv-16-01065 (Ariz.), *League of Women Voters v. Gardner*, 226-2017-cv-00433 (Hillsborough Superior Court), *Ohio A. Philip Randolph Institute v. Ryan Smith*, 1:18-cv-357 (S.D. Ohio), *Libertarian Party of Arkansas v. Thurston*, 4:19-cv-00214 (E.D. Ark.); *Chestnut v. Merrill*, 2:18-cv-907 (N.D. Ala.), *Common Cause v. Lewis*, 18-CVS-014001 (Wake County Superior Court); *Nielsen v. DeSantis*, 4:20-cv-236 (N.D. Fla.); *Western Native Voice v. Stapleton*, DV-56-2020-377 (Montana Thirteenth Judicial District Court); *Driscoll v. Stapleton*, DV-20-0408 (Montana Thirteenth Judicial District Court); and *North Carolina v. Holmes*, 18-CVS-15292 (Wake County Superior Court).

I am receiving \$400 an hour for my work on this case and \$400 an hour for any testimony associated with this work. In reaching my conclusions, I have drawn on my training, experience, and knowledge as a social scientist who has specifically conducted research in the area of redistricting. My compensation in this case is not dependent upon the outcome of the litigation or the substance of my opinions.

II. SCOPE AND OVERVIEW

I have been asked by counsel for the defendant to provide a functional analysis for District 7 in the congressional plan passed in 2021 and for Districts 6 and 7 from the plan proffered by the Singleton plaintiffs. These analyses are located in Section III of this report. I was also asked to briefly discuss the topic of white support for Republican minority candidates (Section IV). This report was prepared to meet the Court's December 10, 2021 deadline in contemplation of plaintiffs' motion for a preliminary injunction. I reserve the right to supplement this report later in this case following that hearing.

Note: Throughout this report I refer to different congressional plans. The plan challenged in this matter is referred to as the enacted plan, or the 2021 plan. The previous plan from 2011 is the benchmark plan and the plaintiffs' plan is the Singleton or whole county plan.

III. DISTRICT FUNCTIONALITY ANALYSES

In the recent case *Alabama Legislative Black Caucus v. Alabama* the U.S. Supreme Court ruled that, in relation to the use of race in redistricting, the pertinent question was to be found in Section 2, not Section 5, of the Voting Rights Act.¹ Specifically, the issue is not *how to maintain the present minority percentages in majority-minority districts, instead the issue is the extent to which [the State] must preserve existing minority percentages in order to maintain the minority's present ability to elect the candidate of its choice.*² Using this guidance I have undertaken a prospective vote dilution analysis using prongs two and three of the standard *Gingles* test.³ Unlike a typical Section 2 *Gingles* analysis that is a retrospective in nature, a Section 2 analysis examining a never before used district is, instead, a prospective matter. For the third prong the question is not whether a minority candidate of choice is typically defeated by a majority white voting bloc; such is not obviously the case in a new districting scheme. Instead, the germane question to pose is forward-looking: if said district is not constituted as a majority-minority district would it be the case in an open seat scenario that the preferred candidate of the black community would most likely be defeated?

To answer a question posed under such a scenario I rely on what is termed a district functionality analysis. Such an analysis can also be used to gain insight into how a proposed or enacted (but yet to be employed) district might operate prior to being used in an actual election. As none of the districts under analysis in this report have ever been employed in an election, I will be making use of past voting behavior to draw inferences about how these different district configurations might operate if used in an actual election scenario.

¹When Alabama redrew its legislative districts in 2012 the state was a covered jurisdiction under Section 5. At present, Section 5 is currently unenforceable.

²See *Alabama Legislative Black Caucus v. Alabama*, 575 U.S. ____ (2015). Page 4.

³See 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* for a discussion of how to conduct a Section 2 vote dilution analysis.

The functionality analyses presented in this expert report consist of several components which are then combined in a final step. First, one needs to estimate the manner in which various racial groups are voting. Here, I rely on precinct-level vote returns and racial turnout data to estimate how whites, blacks, and other minorities are casting ballots.⁴ More specifically, I analyze two state-level contests: the 2020 presidential election and the 2018 gubernatorial race. Ecological Inference is a statistical method that allows one to use aggregate-level data (precincts in this case) to make extrapolations concerning individual-level behavior. Using this technique one can determine the percentages of each racial group that voted for a particular candidate. Sometimes this step is referred to as a racially polarized voting (or racial bloc voting) analysis.

The next step in the process involves the application of turnout data by race. In the case of Alabama, the race of registrants is a known quantity. Using archived copies of the voter registration and history databases from the Alabama Secretary of State I was able to calculate voter turnout rates for whites, blacks, and other minorities by running a series of database queries. Registrants were aggregated into precincts which were, in turn, combined to estimate turnout for the various district configurations in question.

The final piece of requisite information concerns the racial population (VAP) breakdown of the district to be analyzed. These data are derived from reports based on the district population that rely on 2020 Census data. One can then take these voting age population figures and combine them with the aforementioned turnout data to derive an estimate of the number of white, black, and other minority voters to estimate turnout in a hypothetical election. Finally, one can combine these turnout numbers with the estimated vote percentages by race to derive vote share estimates. Aggregating these estimates one can determine the estimated vote share for each candidate. In the case of a general election, the process would terminate with a vote estimate for each political party in the race being analyzed. For example, what would be the estimated Democratic (Republican) vote share in said district.

The functionality analyses below address District 7 in the 2021 enacted plan and Districts 6 and 7 in the Singleton whole-county plan. Time did not permit a functionality analysis of the plan presented in the *Milligan* complaint.

⁴Outside of African Americans, all other minorities are grouped into a category labeled *Other*.

A. District 7: 2021 Enacted Plan

As drawn in 2011 and again in 2021, CD 7 is a majority-black VAP district currently represented by the Honorable Terry Sewell. The district was 60.55% black VAP in 2011 and in the current configuration is 54.22% BVAP—a drop of 6.3-points.⁵

2020 Presidential Election

The estimates in Table 1 below for enacted Congressional District 7 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	.9861 [.9829, .9886]	.0110 [.0084, .0142]	.0030 [.0023, .0037]
White	.1650 [.1540, .1756]	.8310 [.8203, .8417]	.0041 [.0031, .0051]
Other	.3182 [.1380, .5402]	.3419 [.1633, .4911]	.3399 [.2644, .4382]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 2 below, the enacted CD 7 is 54.22% black voting age population; 39.21% white voting age population, and 6.57% other voting age population. These figures represent the potential voting electorate for CD 7.

Table 2. Racial Breakdown for Enacted CD 7

Racial Group	Percent	Number of Voters
Black VAP	54.22%	308,006
White VAP	39.21%	227,739
Other VAP	6.57%	37,322
Total		568,067

Next, I will make use of historical registration and turnout data from the Alabama Secretary of State. Data in Table 3 below are from the 2020 general election. The table below indicates what the electorate in enacted CD 7 might resemble in a general election scenario.

Table 3. Turnout by Race for Enacted CD 7

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	308,006	57.93%	178,428
White VAP	222,739	63.62%	141,707
Other VAP	37,322	45.00%	16,795
Total	568,067		336,929

⁵Source: *Preclearance Submission of Alabama Act No. 2011-518* and report generated from Alabama Reapportionment Office.

Having come up with an estimate of what the electorate for enacted CD 7 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 Enacted CD 7

	(D)	(R)	(I)
Black	175,948	1,963	535
White	23,382	117,758	581
Other	5,344	5,742	5,709
Total	204,673	125,463	6,825
Vote Percentage	60.75%	37.24%	2.03%

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 in order to determine the estimated percentage of votes a Democratic candidate would receive in enacted CD 7. At 54.22% BVAP, enacted CD 7 would yield an estimated Democratic vote percentage of **60.75%** based on the results of the 2020 presidential election.

2018 Gubernatorial Election

The estimates in Table 5 below for enacted Congressional District 7 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	.9732 [.9684, .9780]	.0268 [.0220, .0316]
White	.2633 [.2545, .2722]	.7367 [.7278, .7455]
Other	.7266 [.4838, .8845]	.2734 [.1155, .5162]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 6 below, the enacted CD 7 is 54.22% black voting age population; 39.21% white voting age population, and 6.57% other voting age population. These figures represent the potential voting electorate for CD 7.

Table 6. Racial Breakdown for Enacted CD 7

Racial Group	Percent	Number of Voters
Black VAP	54.22%	308,006
White VAP	39.21%	227,739
Other VAP	6.57%	37,322
Total		568,067

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 enacted CD 7 might resemble in an off-year general election scenario.

Table 7. Turnout by Race for Enacted CD 7

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	308,006	49.53%	152,555
White VAP	222,739	52.32%	116,537
Other VAP	37,322	35.55%	13,268
Total	568,067		282,360

Having come up with an estimate of what the electorate for enacted CD 7 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 Enacted CD 7

	(D)	(R)
Black	148,467	4,088
White	30,684	85,853
Other	9,641	3,627
Total	188,792	93,569
Vote Percentage	66.86%	33.14%

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 in order to determine the percentage of votes a Democratic candidate would receive in enacted CD 7. At 54.22% BVAP, enacted CD 7 would yield an estimated Democratic vote percentage of **66.86%** based on the results of the 2018 gubernatorial election.

B. District 6: Singleton Plan

In this section I will present a functionality test for Congressional District 6 as proposed under the Singleton (also known as the Whole County) Plan. I will again present the results of an analysis relying on the 2018 gubernatorial and the 2020 presidential elections. As configured in the Singleton Plan, District 6 is 40.55% BVAP, 51.37% WVAP, and 8.08% other VAP.

2020 Presidential Election

The estimates in Table 9 below for Congressional District 6 (Singleton Plan) are based on the results from the 2020 presidential contest.

Table 9. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9817 [.9739, .9871]	.0146 [.0093, .0225]	.0037 [.0025, .0050]
White	.2153 [.2055, .2243]	.7801 [.7710, .7900]	.0046 [.0035, .0058]
Other	.2756 [.1145, .4809]	.4152 [.1736, .5608]	.3093 [.2435, .4093]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 10 below, CD 6-Singleton is 40.55% black voting age population; 51.37% white voting age population, and 8.08% other voting age population. These figures represent the potential voting electorate for hypothetical CD 6.

Table 10. Racial Breakdown for Singleton CD 6

Racial Group	Percent	Number of Voters
Black VAP	40.55%	228,233
White VAP	51.37%	289,132
Other VAP	8.08%	45,478
Total		562,843

Data in Table 11 use historical turnout and registration data from the 2020 general election. The table below indicates what the electorate in Singleton CD 6 might resemble in a general election scenario.

Table 11. Turnout by Race for Enacted CD 6

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	228,233	62.19%	141,938
White VAP	289,132	67.80%	196,032
Other VAP	45,478	51.15%	23,262
Total	562,843		361,232

The turnout estimates from Table 11 and the estimated vote percentages from Table 9 are combined in Table 12 which presents estimates of hypothetical votes shares by political party.

Table 12. Estimated Vote by Party for Singleton CD 6

	(D)	(R)	(I)
Black	139,341	2,072	525
White	42,206	152,924	902
Other	6,411	9,658	7,195
Total	187,957	164,655	8,622
Vote Percentage	52.03%	45.58%	2.39%

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 in order to determine the estimated percentage of votes a Democratic candidate would receive in Singleton CD 6. At 40.55% BVAP, CD 6 would yield an estimated Democratic vote percentage of **52.03%** based on the results of the 2020 presidential election.

2018 Gubernatorial Election

The estimates in Table 13 below for enacted Singleton CD 6 are based on the results from the 2018 gubernatorial contest.

Table 13. Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9769 [.9694, .9837]	.0231 [.0163, .0306]
White	.3069 [.2987, .3140]	.6931 [.6860, .7013]
Other	.3987 [.1648, .6600]	.6013 [.3400, .8352]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 14 below, Singleton CD 6 is 40.55% black voting age population; 51.37% white voting age population, and 8.08% other voting age population. These figures represent the potential voting electorate for CD 6.

Table 14. Racial Breakdown for Singleton CD 6

Racial Group	Percent	Number of Voters
Black VAP	40.55%	228,233
White VAP	51.37%	289,132
Other VAP	8.08%	45,478
Total		562,843

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 15 below are from the 2018 general election. The table below indicates what the electorate in Singleton CD 6 might resemble in an off-year general election scenario.

Table 15. Turnout by Race for Singleton CD 6

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	228,233	52.75%	120,393
White VAP	289,132	55.24%	159,717
Other VAP	45,478	40.42%	18,382
Total	562,843		298,492

Having come up with an estimate of what the electorate for Singleton CD 6 might resemble, one can now combine these data with the estimated vote percentages by race in Table 13 in order to estimate vote shares by party (see Table 16 below).

Table 16. Estimated Vote by Party for Singleton CD 6

	(D)	(R)
Black	117,612	2,781
White	49,017	110,700
Other	7,329	11,053
Total	173,958	124,534
Vote Percentage	58.28%	41.72%

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 in order to determine the percentage of votes a Democratic candidate would receive in Singleton CD 6. At 40.55% BVAP, CD 6 would yield an estimated Democratic vote percentage of **58.28%** based on the results of the 2018 gubernatorial election.

C. District 7-Singleton Plan

In this section I will present a functionality test for Congressional District 7 as proposed under the Singleton (also known as the Whole County) Plan. I will again present the results of an analysis relying on the 2018 gubernatorial and the 2020 presidential elections. As configured in the Singleton Plan, District 7 is 45.82% BVAP, 47.24% WVAP, and 6.94% other VAP.

2020 Presidential Election

The estimates in Table 17 below for Congressional District 7 (Singleton Plan) are based on the results from the 2020 presidential contest.

Table 17. Estimated Vote Share by Race, 2020 Presidential Election

Racial Group	Democratic Vote (Biden)	Republican Vote (Trump)	Independent Vote (Jorgenson)
Black	.9838 [.9799, .9869]	.0123 [.0094, .0161]	.0038 [.0030, .0048]
White	.0925 [.0833, .1016]	.9035 [.8943, .9127]	.0040 [.0031, .0050]
Other	.4658 [.2945, .6030]	.2261 [.1126, .3812]	.3082 [.2400, .3949]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 18 below, CD 7-Singleton is 45.82% black voting age population; 47.24% white voting age population, and 6.94% other voting age population. These figures represent the potential voting electorate for hypothetical CD 7.

Table 18. Racial Breakdown for Singleton CD 7

Racial Group	Percent	Number of Voters
Black VAP	45.82%	258,550
White VAP	47.24%	266,563
Other VAP	6.94%	39,161
Total		564,273

Data in Table 19 use historical turnout and registration data from the 2020 general election. The table below indicates what the electorate in Singleton CD 7 might resemble in a general election scenario.

Table 19. Turnout by Race for Enacted CD 7

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	258,550	55.41%	143,262
White VAP	266,563	65.95%	175,798
Other VAP	39,161	43.84%	17,168
Total	564,273		336,228

The turnout estimates from Table 19 and the estimated vote percentages from Table 17 are combined in Table 20 which presents estimates of hypothetical votes shares by political party.

Table 20. Estimated Vote by Party for Singleton CD 7

	(D)	(R)	(I)
Black	140,942	1,762	544
White	16,261	158,834	703
Other	7,997	3,882	5,291
Total	165,200	164,477	6,539
Vote Percentage	49.13%	48.92%	1.94%

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 in order to determine the estimated percentage of votes a Democratic candidate would receive in Singleton CD 7. At 45.82% BVAP, CD 7 would yield an estimated Democratic vote percentage of **49.13%** based on the results of the 2020 presidential election.

2018 Gubernatorial Election

The estimates in Table 21 below for enacted Singleton CD 7 are based on the results from the 2018 gubernatorial contest.

Table 21. Estimated Vote Share by Race, 2018 Gubernatorial Election

Racial Group	Democratic Vote (Maddox)	Republican Vote (Ivey)
Black	.9698 [.9634, .9751]	.0302 [.0249, .0366]
White	.1861 [.1780, .1941]	.8139 [.8059, .8220]
Other	.7166 [.5320, .8455]	.2834 [.1545, .4680]

Notes: Entries are EI point estimates with 95% confidence intervals in brackets.

As displayed in Table 22 below, Singleton CD 7 is 45.82% black voting age population; 47.24% white voting age population, and 6.94% other voting age population. These figures represent the potential voting electorate for CD 7.

Table 22. Racial Breakdown for Singleton CD 7

Racial Group	Percent	Number of Voters
Black VAP	45.82%	258,550
White VAP	47.24%	266,563
Other VAP	6.94%	39,161
Total		564,273

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 23 below are from the 2018 general election. The table below indicates what the electorate in Singleton CD 7 might resemble in an off-year general election scenario.

Table 23. Turnout by Race for Singleton CD 7

Racial Group	Electorate	Turnout Percent	Number of Voters
Black VAP	258,550	47.92%	123,897
White VAP	266,563	54.42%	145,063
Other VAP	39,161	32.52%	12,735
Total	564,273		281,695

Having come up with an estimate of what the electorate for Singleton CD 6 might resemble, one can now combine these data with the estimated vote percentages by race in Table 21 in order to estimate vote shares by party (see Table 24 below).

Table 24. Estimated Vote by Party for Singleton CD 7

	(D)	(R)
Black	120,155	3,742
White	26,996	118,067
Other	9,126	3,609
Total	156,278	125,418
Vote Percentage	55.48%	44.52%

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 in order to determine the percentage of votes a Democratic candidate would receive in Singleton CD 7. At 45.82% BVAP, CD 7 would yield an estimated Democratic vote percentage of **55.48%** based on the results of the 2018 gubernatorial election.

D. Summary of Functionality Analyses

Here, I provide a summary of the primary findings from the functionality analyses undertaken in this section. Table 25 below details the estimated Democratic vote share for various district configurations under study.

Table 25. Estimated Democratic Vote Share

Plan	District	Election	Estimated (D) Vote
Enacted	CD 7	2018 Gubernatorial	66.86%
Enacted	CD 7	2020 Presidential	60.75%
Singleton	CD 6	2018 Gubernatorial	58.28%
Singleton	CD 6	2020 Presidential	52.03%
Singleton	CD 7	2018 Gubernatorial	55.48%
Singleton	CD 7	2020 Presidential	49.13%

For all of the functional analyses performed, racially polarized voting is present with black voters overwhelmingly supporting the Democratic candidate and more than a majority of white voters casting a ballot for the Republican candidate. Black voter support for Democratic candidates ranged from a low of 97.0% to a high of 98.6% (mean =97.9), while white support for Republican candidates ranged from 69.3% to 90.4% (mean=79.3).

Given the presence of racially polarized voting, enacted CD 7 which is drawn as a majority black district demonstrates a consistent ability to elect an African American candidate of choice (in this case the Democratic candidate). CD 6 and CD 7 under the Singleton Plan are not majority minority districts. As drawn, CD 6 and CD 7 could be characterized as black influence districts. It is not obvious, given a number of qualifications, whether the Singleton Plan might elect black candidate of choice in either of these proposed congressional districts. In CD 6 the estimated Democratic vote share hovers just above the fifty-percent mark for one contest analyzed and for CD 7 one estimate has the Democratic vote share below that level.

One proviso to consider concerns the fact that EI point estimates predicting voting behavior, like all statistical estimates, come with a range of uncertainty within which the true percentage is thought to lie (i.e. the confidence interval). For estimates that barely produce a Democratic vote plurality using the point estimates, as is the case in CD 7 (Singleton), an estimate relying on the lower confidence bound will reduce the Democratic vote share estimate. In some cases, the estimate may drop below a winning percentage.

A second caveat that should be considered in this redistricting cycle involves issues relating to the Census Bureau's application of a disclosure avoidance system in order to maintain privacy of individual Census records.⁶ As described succinctly by the National Conference of State Legislatures:

⁶2020 Decennial Census: Disclosure Avoidance Modernization (<https://www.census.gov/programs-surveys/decennial-census/decade/2020/planning-management/process/disclosure-avoidance.html>).

Differential privacy will mean that, except at the state level, population and voting age population will not be reported as enumerated. And, race and ethnicity data are likely to be farther from the “as enumerated” data than in past decades, when data swapping was used to protect small populations. (In 2010, at the block level, total population, total housing units, occupancy status, group quarters count and group quarters type were all held invariant.) This may raise issues for racial block voting analyses.⁷

The differential privacy system employed makes it impossible to count persons by racial/ethnic classification with 100% accuracy. Instead, it is likely that the actual percentage of a racial minority group in a newly drawn congressional district may actually differ from the reported percentage. Such a discrepancy could matter in the case of a district with high levels of racially polarized voting that produces a bare Democratic majority. If the racial composition of the district is, in actuality, below the reported level, the Democratic vote share would also be below the level calculated using the Census data.

Finally, one must also be mindful that the minority candidate of choice may differ in a Democratic primary as compared to a general election scenario where, as demonstrated, African Americans will support the Democratic nominee. In 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. If African Americans comprise a majority in a district, given identified voting proclivities, they will also make up a majority of a Democratic primary. Under such a scenario, the black community will also be able to elect their candidate of choice in the Democratic Primary. For districts where a minority group makes up a sizable share but less than a majority of the electorate, it may or may not be the case that the minority group is present in sufficient number to elect their candidate of choice in the Democratic Primary.⁸

⁷Quoted from National Conference of State Legislatures. “Differential Privacy for Census Data Explained.” (<https://www.ncsl.org/research/redistricting/differential-privacy-for-census-data-explained.aspx>).

⁸I had hoped to analyze some recent Democratic Primary elections as part of the functionality analyses presented in this report. Unfortunately, I was unable to obtain voter registration and history data from the Alabama Secretary of State for the 2018 or 2020 Democratic primary elections as these data were not available.

IV. WHITE SUPPORT FOR MINORITY REPUBLICAN CANDIDATES

Do white voters vote for minority Republican candidates? This was a research question that I analyzed in a peer-reviewed journal article. In this article, a co-author and myself examined the voting behavior of white voters as it related to support for minority GOP candidates in U.S. Senate and gubernatorial elections.⁹ In short, we found that white conservatives support minority Republican candidates at the same rates or at significantly higher rates than Anglo (non-Hispanic white) GOP nominees. In our study voting on the part of white conservatives is colorblind—the primary explanatory factor appears to be ideological congruence between the voter and the candidate. Stated succinctly, ideology trumps race in the case of white Republicans and their support for GOP minority nominees.

In Alabama specifically, Republican state house member Kenneth Paschal (HD 73) is one example of white voters electing a minority candidate. Paschal is an African American who ran in a Shelby County district which is 84.1% white VAP.¹⁰ Given the racial composition of HD 73, no candidate can win elective office without the support of white voters. In order to fill a vacancy for HD 73, a special Republican Primary was held on March 30, 2021 in which five candidates participated. In this contest Paschal came in second to Leigh Hulsey, a white candidate.¹¹ With no candidate in the primary having received a majority of the vote, Paschal and Hulsey were forced into a runoff. In the April 27th runoff, Paschal defeated Hulsey 51.1% to 48.9%.¹² Finally, Paschal faced a white Democrat, Sheridan Black, in the Special General Election held on July 13, 2021. In this contest, Paschal won with 74.7% of the vote to 25.1% for Black.¹³

⁹M.V. Hood III and Seth C. McKee. 2015. “True Colors: White Conservative Support for Minority Republican Candidates.” *Public Opinion Quarterly* 79(1): 28-52.

¹⁰Howard Koplowitz. “Kenneth Paschal Wins Alabama House Seat.” *AL.com*. July 14, 2021. *Alabama Legislative Black Caucus v. Alabama* (2:12-cv-00691). Document 337-1. Page 25.

¹¹Source: Alabama Secretary of State (<https://www.sos.alabama.gov/sites/default/files/election-2021/Certification%20of%20Primary%20Results.pdf>).

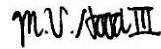
¹²Source: Alabama Secretary of State (https://www.sos.alabama.gov/sites/default/files/election-2021/HD73_Republican_Party-Certification_of_Results-Special_Primary_Runoff_Election.pdf)

¹³Source: Alabama Secretary of State (<https://www.sos.alabama.gov/sites/default/files/election-2021/Canvass%20of%20HD73%20Results.PD>).

V. DECLARATION

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

Executed on December 10, 2021.



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Appendix: Data Sources

2018 and 2020 General Election Voter Registration and History Databases

Source: Alabama Secretary of State

2018 and 2020 General Election Precinct Vote Returns

Source: Alabama Secretary of State (<https://www.sos.alabama.gov/alabama-votes/voter/election-data>)

District-Level Population Data

Source: Alabama Reapportionment Office

District Configurations

Source: Alabama Reapportionment Office

Exhibit A

Curriculum Vitae
(December 2021)

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Academic Positions:

University of Georgia

Director, SPIA Survey Research Center, 2016-present

Director of Graduate Studies, 2011-2016

Professor, 2013-present

Associate Professor, 2005-2013

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Texas Tech University

Visiting Assistant Professor, 1997-1999

Education:

Ph.D.	Political Science	Texas Tech University	1997
M.A.	Political Science	Baylor University	1993
B.S.	Political Science	Texas A&M University	1991

Peer-Reviewed Books:

Rural Republican Realignment in the Modern South: The Untold Story. Forthcoming May 2022.
Columbia, SC: The University of South Carolina Press. (Seth C. McKee, co-author).

The Rational Southerner: Black Mobilization, Republican Growth, and the Partisan Transformation of the American South. 2012. New York: Oxford University Press.
(Quentin Kidd and Irwin L. Morris, co-authors).
[Softcover version in 2014 with new Epilogue]

Peer-Reviewed Publications:

“Getting the Message: Opinion Polarization over Election Law.” Forthcoming 2022. *Election Law Journal*. (Seth C. McKee, co-author).

- “Tracking Hispanic Political Emergence in Georgia: An Update.” 2021. *Social Science Quarterly* 102(1): 259-268. (Charles S. Bullock, III, co-author).
- “Switching Sides but Still Fighting the Civil War in Southern Politics.” 2020 (Online). *Politics, Groups, and Identities*. (Christopher Cooper, Scott H. Huffmon, Quentin Kidd, Gibbs Knotts, Seth C. McKee, co-authors).
- “The Election of African American State Legislators in the Modern South.” 2020. *Legislative Studies Quarterly* 45(4): 581-608. (Charles S. Bullock, III, William Hicks, Seth C. McKee, Adam S. Myers, and Daniel A. Smith, co-authors).
- “What’s in a Name? Gauging the Effect of Labels on Third Party Vote Shares.” 2020 (Online). *Journal of Elections, Public Opinion & Parties*. (Seth C. McKee, co-author).
- “Why Georgia, Why? Peach State Residents’ Perceptions of Voting-Related Improprieties and their Impact on the 2018 Gubernatorial Election.” 2019. *Social Science Quarterly* 100(5): 1828-1847. (Seth C. McKee, co-author).
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- “Contagious Republicanism in Louisiana, 1966-2008.” 2018. *Political Geography* 66(Sept): 1-13. (Jamie Monogan, co-author).
- “The Comeback Kid: Donald Trump on Election Day in 2016.” 2019. *PS: Political Science and Politics* 52(2): 239-242. (Seth C. McKee and Daniel A. Smith, co-authors).
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- “Out of Step and Out of Touch: The Matter with Kansas in the 2014 Midterm.” 2017. *The Forum* 15(2): 291-312. (Seth C. McKee and Ian Ostrander, co-authors).
- “From Legal Theory to Practical Application: A How-To for Performing Vote Dilution Analyses.” 2018. *Social Science Quarterly* 99(2): 536-552. (Peter A. Morrison and Thomas M. Bryan, co-authors).
- “Race, Class, Religion and the Southern Party System: A Field Report from Dixie.” 2016. *The Forum* 14(1): 83-96.
- “Black Votes Count: The 2014 Republican Senate Nomination in Mississippi.” 2017. *Social Science Quarterly* 98(1): 89-106. (Seth C. McKee, coauthor).
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- “Tea Leaves and Southern Politics: Explaining Tea Party Support Among Southern Republicans.” 2015. *Social Science Quarterly* 96(4): 923-940. (Quentin Kidd and Irwin L. Morris, co-authors).
- “True Colors: White Conservative Support for Minority Republican Candidates.” 2015. *Public Opinion Quarterly* 79(1): 28-52. (Seth C. McKee, co-author).
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- “The Damnedest Mess: An Empirical Evaluation of the 1966 Georgia Gubernatorial Election.” 2014. *Social Science Quarterly* 96(1):104-118. (Charles S. Bullock, III, co-author).
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[Winner of the 2014 Hahn-Sigelman Prize]
- “Strategic Voting in a U.S. Senate Election.” 2013. *Political Behavior* 35(4):729-751. (Seth C. McKee, co-author).
- “Unwelcome Constituents: Redistricting and Countervailing Partisan Tides.” 2013. *State Politics and Policy Quarterly* 13(2):203-224. (Seth C. McKee, co-author).
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- “Much Ado About Nothing?: An Empirical Assessment of the Georgia Voter Identification Statute.” 2012. *State Politics and Policy Quarterly* 12(4):394-314. (Charles S. Bullock, III, co-author).
- “Achieving Validation: Barack Obama and Black Turnout in 2008.” 2012. *State Politics and Policy Quarterly* 12:3-22. (Seth C. McKee and David Hill, co-authors).
- “They Just Don’t Vote Like They Used To: A Methodology to Empirically Assess Election Fraud.” 2012. *Social Science Quarterly* 93:76-94. (William Gillespie, co-author).
- “An Examination of Efforts to Encourage the Incidence of Early In-Person Voting in Georgia, 2008.” 2011. *Election Law Journal* 10:103-113. (Charles S. Bullock, III, co-author).
- “What Made Carolina Blue? In-migration and the 2008 North Carolina Presidential Vote.” 2010. *American Politics Research* 38:266-302. (Seth C. McKee, co-author).

- “Stranger Danger: Redistricting, Incumbent Recognition, and Vote Choice.” 2010. *Social Science Quarterly* 91:344-358. (Seth C. McKee, co-author).
- “Trying to Thread the Needle: The Effects of Redistricting in a Georgia Congressional District.” 2009. *PS: Political Science and Politics* 42:679-687. (Seth C. McKee, co-author).
- “Citizen, Defend Thyself: An Individual-Level Analysis of Concealed-Weapon Permit Holders.” 2009. *Criminal Justice Studies* 22:73-89. (Grant W. Neeley, co-author).
- “Two Sides of the Same Coin?: Employing Granger Causality Tests in a Time Series Cross-Section Framework.” 2008. *Political Analysis* 16:324-344. (Quentin Kidd and Irwin L. Morris, co-authors).
- “Worth a Thousand Words? : An Analysis of Georgia’s Voter Identification Statute.” 2008. *American Politics Research* 36:555-579. (Charles S. Bullock, III, co-author).
- “Gerrymandering on Georgia’s Mind: The Effects of Redistricting on Vote Choice in the 2006 Midterm Election.” 2008. *Social Science Quarterly* 89:60-77 (Seth C. McKee, co-author).
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- “When Southern Symbolism Meets the Pork Barrel: Opportunity for Executive Leadership.” 2005. *Social Science Quarterly* 86:69-86. (Charles S. Bullock, III, co-author).
- “The Reintroduction of the *Elephas maximus* to the Southern United States: The Rise of Republican State Parties, 1960-2000.” 2004. *American Politics Research* 31:68-101. (Quentin Kidd and Irwin Morris, co-authors).
- “One Person, [No Vote; One Vote; Two Votes...]: Voting Methods, Ballot Types, and Undervote Frequency in the 2000 Presidential Election.” 2002. *Social Science Quarterly* 83:981-993. (Charles S. Bullock, III, co-author).
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- “Of Byrds[s] and Bumpers: Using Democratic Senators to Analyze Political Change in the South, 1960-1995.” 1999. *American Journal of Political Science* 43:465-487. (Quentin Kidd and Irwin Morris, co-authors).
- “Bugs in the NRC’s Doctoral Program Evaluation Data: From Mites to Hissing Cockroaches.” 1998. *PS* 31:829-835. (Nelson Dometrius, Quentin Kidd, and Kurt Shirkey, co-authors).
- “Boll Weevils and Roll-Call Voting: A Study in Time and Space.” 1998. *Legislative Studies Quarterly* 23:245-269. (Irwin Morris, co-author).
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- “¿Amigo o Enemigo?: Context, Attitudes, and Anglo Public Opinion toward Immigration.” 1997. *Social Science Quarterly* 78: 309-323. (Irwin Morris, co-author).

Invited Publications:

- “Race and the Ideological Transformation of the Democratic Party: Evidence from the Bayou State.” 2005. *American Review of Politics* 25:67-78.

Book Chapters:

- “The 2020 Presidential Nomination Process.” 2021. In *The 2020 Presidential Election in the South*, eds. Branwell DuBose Kapeluck and Scott E. Buchanan. Lanham, MD: Rowman & Littlefield. (Aaron A. Hitefield, co-author).

“Texas: A Shifting Republican Terrain.” 2021. In *The New Politics of the Old South*, 7th ed., Charles S. Bullock, III and Mark J. Rozell, editors. New York: Rowman and Littlefield Publishers, Inc. (Seth C. McKee, co-author).

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“The Participatory Consequences of Florida Redistricting.” 2015. In *Jigsaw Puzzle Politics in the Sunshine State*, Seth C. McKee, editor. Gainesville, FL: University of Florida Press. (Danny Hayes and Seth C. McKee, co-authors).

“Texas: Political Change by the Numbers.” 2014. In *The New Politics of the Old South*, 5th ed., Charles S. Bullock, III and Mark J. Rozell, editors. New York: Rowman and Littlefield Publishers, Inc. (Seth C. McKee, co-author).

“The Republican Party in the South.” 2012. In *Oxford Handbook of Southern Politics*, Charles S. Bullock, III and Mark J. Rozell, editors. New York: Oxford University Press. (Quentin Kidd and Irwin Morris, co-authors).

“The Reintroduction of the *Elephas maximus* to the Southern United States: The Rise of Republican State Parties, 1960-2000.” 2010. In *Controversies in Voting Behavior*, 5th ed., David Kimball, Richard G. Niemi, and Herbert F. Weisberg, editors. Washington, DC: CQ Press. (Quentin Kidd and Irwin Morris, co-authors).
[Reprint of 2004 *APR* article with Epilogue containing updated analysis and other original material.]

“The Texas Governors.” 1997. In *Texas Policy and Politics*, Mark Somma, editor. Needham Heights, MA: Simon & Schuster.

Book Reviews:

The Resilience of Southern Identity: Why the South Still Matters in the Minds of Its People. 2018.
Reviewed for *The Journal of Southern History*.

Other Publications:

“Provisionally Admitted College Students: Do They Belong in a Research University?” 1998. In *Developmental Education: Preparing Successful College Students*, Jeanne Higbee and Patricia L. Dwinell, editors. Columbia, SC: National Resource Center for the First-Year Experience & Students in Transition (Don Garnett, co-author).

NES Technical Report No. 52. 1994. “The Reliability, Validity, and Scalability of the Indicators of Gender Role Beliefs and Feminism in the 1992 American National Election Study: A Report to the ANES Board of Overseers.” (Sue Tolleson-Rinehart, Douglas R. Davenport, Terry L. Gilmour, William R. Moore, Kurt Shirkey, co-authors).

Grant-funded Research (UGA):

Co-Principal Investigator. “Georgia Absentee Ballot Signature Verification Study.” Budget: \$36,950. 2021. (with Audrey Haynes and Charles Stewart III). Funded by the Georgia Secretary of State.

Co-Principal Investigator. “The Integrity of Mail Voting in the 2020 Election.” Budget: \$177,080. (with Lonna Atkeson and Robert Stein). Funded by the National Science Foundation.

Co-Principal Investigator. “Georgia Voter Verification Study.” Budget: \$52,060. 2020. (with Audrey Haynes). Funded by Center for Election Innovation and Research.

Co-Principal Investigator. “An Examination of Non-Precinct Voting in the State of Georgia.” Budget: \$47,000. October 2008-July 2009. (with Charles S. Bullock, III). Funded by the Pew Charitable Trust.

Co-Principal Investigator. “The Best Judges Money Can Buy?: Campaign Contributions and the Texas Supreme Court.” (SES-0615838) Total Budget: \$166,576; UGA Share: \$69,974. September 2006-August 2008. (with Craig F. Emmert). Funded by the National Science Foundation. REU Supplemental Award (2008-2009): \$6,300.

Principal Investigator. “Payola Justice or Just Plain ‘Ole Politics Texas-Style?: Campaign Finance and the Texas Supreme Court.” \$5,175. January 2000-Januray 2001. Funded by the University of Georgia Research Foundation, Inc.

Curriculum Grants (UGA):

Learning Technology Grant: “Converting Ideas Into Effective Action: An Interactive Computer and Classroom Simulation for the Teaching of American Politics.” \$40,000. January-December 2004. (with Loch Johnson). Funded by the Office of Instructional Support and Technology, University of Georgia.

Dissertation:

“Capturing Bubba's Heart and Mind: Group Consciousness and the Political Identification of Southern White Males, 1972-1994.”

Chair: Professor Sue Tolleson-Rinehart

Papers and Activities at Professional Meetings:

“Rural Voters in Southern U.S. House Elections.” 2021. (with Seth C. McKee). Presented at the Virtual American Political History Conference. University of Georgia. Athens, GA.

“Mail It In: An Analysis of the Peach State’s Response to the Coronavirus Pandemic.” 2020. (with Audrey Haynes). Presented at the Election Science, Reform, and Administrative Conference. Gainesville, FL. [Virtually Presented].

“Presidential Republicanism and Democratic Darn Near Everything Else.” 2020. (with Seth C. McKee). Presented at the Citadel Southern Politics Symposium. Charleston, SC.

“Why Georgia, Why? Peach State Residents’ Perceptions of Voting-Related Improprieties and their Impact on the 2018 Gubernatorial Election.” 2019. (with Seth C. McKee). Presented at the Election Science, Reform, and Administrative Conference. Philadelphia, PA.

“The Demise of White Class Polarization and the Newest American Politics.” 2019. (with Seth C. McKee). Presented at the Annual Meeting of the Southern Political Science Association. Austin, TX.

“The Geography of Latino Growth in the American South.” 2018. (with Seth C. McKee). State Politics and Policy Conference. State College, PA.

“A History and Analysis of Black Representation in Southern State Legislatures.” 2018. (with Charles S. Bullock, III, William D. Hicks, Seth C. McKee, Adam S. Myers, and Daniel A. Smith). Presented at the Citadel Symposium on Southern Politics. Charleston, SC.

Discussant. Panel titled “Southern Distinctiveness?” 2018. The Citadel Symposium on Southern Politics. Charleston, SC.

Roundtable Participant. Panel titled “The 2018 Elections.” 2018. The Citadel Symposium on Southern Politics. Charleston, SC.

“Still Fighting the Civil War?: Southern Opinions on the Confederate Legacy.” 2018. (with Christopher A. Cooper, Scott H. Huffman, Quentin Kidd, H. Gibbs Knotts, and Seth C. McKee). The Citadel Symposium on Southern Politics. Charleston, SC.

“Tracking Hispanic Growth in the American South.” 2018. (with Seth C. McKee). Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

“An Assessment of Online Voter Registration in Georgia.” 2017. (with Greg Hawrelak and Colin Phillips). Presented at the Annual Meeting of Election Sciences, Reform, and Administration. Portland, Oregon.

Moderator. Panel titled “What Happens Next.” 2017. The Annual Meeting of Election Sciences, Reform, and Administration. Portland, Oregon.

“Election Daze: Time of Vote, Mode of Voting, and Voter Preferences in the 2016 Presidential Election.” 2017. (with Seth C. McKee and Dan Smith). Presented at the Annual Meeting of the State Politics and Policy Conference. St. Louis, MO.

“Palmetto Postmortem: Examining the Effects of the South Carolina Voter Identification Statute.” 2017. (with Scott E. Buchanan). Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

Panel Chair and Presenter. Panel titled “Assessing the 2016 Presidential Election.” 2017. UGA Elections Conference. Athens, GA.

Roundtable Discussant. Panel titled “Author Meets Critics: Robert Mickey's Paths Out of Dixie.” 2017. The Annual Meeting of the Southern Political Science Association. New Orleans, LA.

“Out of Step and Out of Touch: The Matter with Kansas in the 2014 Midterm Election.” (with Seth C. McKee and Ian Ostrander). 2016. Presented at the Annual Meeting of the Southern Political Science Association. San Juan, Puerto Rico.

“Contagious Republicanism in North Carolina and Louisiana, 1966-2008.”(with Jamie Monogan). 2016. Presented at the Citadel Symposium on Southern Politics. Charleston, SC.

“The Behavioral Implications of Racial Resentment in the South: The Intervening Influence of Party.” (with Quentin Kidd and Irwin L. Morris). 2016. Presented at the Citadel Symposium on Southern Politics. Charleston, SC.

Discussant. Panel titled “Partisan Realignment in the South.” 2016. The Citadel Symposium on Southern Politics. Charleston, SC.

“Electoral Implications of Racial Resentment in the South: The Influence of Party.” (with Quentin Kidd and Irwin L. Morris). 2016. Presented at the Annual Meeting of the American Political Science Association. Philadelphia, PA.

“Racial Resentment and the Tea Party: Taking Regional Differences Seriously.” (with Quentin Kidd and Irwin L. Morris). 2015. Poster presented at the Annual Meeting of the American Political Science Association. San Francisco, CA.

“Race and the Tea Party in the Palmetto State: Tim Scott, Nikki Haley, Bakari Sellers and the 2014 Elections in South Carolina.” (with Quentin Kidd and Irwin L. Morris). 2015. Presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

Participant. Roundtable on the 2014 Midterm Elections in the Deep South. Annual Meeting of the Southern Political Science Association. New Orleans, LA.

“Race and the Tea Party in the Old Dominion: Split-Ticket Voting in the 2013 Virginia Elections.” (with Irwin L. Morris and Quentin Kidd). 2014. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.

“Race and the Tea Party in the Old Dominion: Down-Ticket Voting and Roll-Off in the 2013 Virginia Elections.” (with Irwin L. Morris and Quentin Kidd). 2014. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.

- “Tea Leaves and Southern Politics: Explaining Tea Party Support Among Southern Republicans.” (with Irwin L. Morris and Quentin Kidd). 2013. Paper presented at the Annual Meeting of the Southern Political Science Association. Orlando, FL.
- “The Tea Party and the Southern GOP.” (with Irwin L. Morris and Quentin Kidd). 2012. Research presented at the Effects of the 2012 Elections Conference. Athens, GA.
- “Black Mobilization in the Modern South: When Does Empowerment Matter?” (with Irwin L. Morris and Quentin Kidd). 2012. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “The Legislature Chooses a Governor: Georgia’s 1966 Gubernatorial Election.” (with Charles S. Bullock, III). 2012. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “One-Stop to Victory? North Carolina, Obama, and the 2008 General Election.” (with Justin Bullock, Paul Carlsen, Perry Joiner, and Mark Owens). 2011. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans.
- “Redistricting and Turnout in Black and White.” (with Seth C. McKee and Danny Hayes). 2011. Paper presented the Annual Meeting of the Midwest Political Science Association. Chicago, IL.
- “One-Stop to Victory? North Carolina, Obama, and the 2008 General Election.” (with Justin Bullock, Paul Carlsen, Perry Joiner, Jeni McDermott, and Mark Owens). 2011. Paper presented at the Annual Meeting of the Midwest Political Science Association Meeting. Chicago, IL.
- “Strategic Voting in the 2010 Florida Senate Election.” (with Seth C. McKee). 2011. Paper Presented at the Annual Meeting of the Florida Political Science Association. Jupiter, FL.
- “The Republican Bottleneck: Congressional Emergence Patterns in a Changing South.” (with Christian R. Grose and Seth C. McKee). Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans, LA.
- “Capturing the Obama Effect: Black Turnout in Presidential Elections.” (with David Hill and Seth C. McKee) 2010. Paper presented at the Annual Meeting of the Florida Political Science Association. Jacksonville, FL.
- “The Republican Bottleneck: Congressional Emergence Patterns in a Changing South.” (with Seth C. McKee and Christian R. Grose). 2010. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Black Mobilization and Republican Growth in the American South: The More Things Change the More They Stay the Same?” (with Quentin Kidd and Irwin L. Morris). 2010. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.

“Unwelcome Constituents: Redistricting and Incumbent Vote Shares.” (with Seth C. McKee). 2010. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA.

“Black Mobilization and Republican Growth in the American South: The More Things Change the More They Stay the Same?” (with Quentin Kidd and Irwin L. Morris). 2010. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta, GA.

“The Impact of Efforts to Increase Early Voting in Georgia, 2008.” (With Charles S. Bullock, III). 2009. Presentation made at the Annual Meeting of the Georgia Political Science Association. Callaway Gardens, GA.

“Encouraging Non-Precinct Voting in Georgia, 2008.” (With Charles S. Bullock, III). 2009. Presentation made at the Time-Shifting The Vote Conference. Reed College, Portland, OR.

“What Made Carolina Blue? In-migration and the 2008 North Carolina Presidential Vote.” (with Seth C. McKee). 2009. Paper presented at the Annual Meeting of the Florida Political Science Association. Orlando, FL.

“Swimming with the Tide: Redistricting and Voter Choice in the 2006 Midterm.” (with Seth C. McKee). 2009. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.

“The Effect of the Partisan Press on U.S. House Elections, 1800-1820.” (with Jamie Carson). 2008. Paper presented at the Annual Meeting of the History of Congress Conference. Washington, D.C.

“Backward Mapping: Exploring Questions of Representation via Spatial Analysis of Historical Congressional Districts.” (Michael Crespín). 2008. Paper presented at the Annual Meeting of the History of Congress Conference. Washington, D.C.

“The Effect of the Partisan Press on U.S. House Elections, 1800-1820.” (with Jamie Carson). 2008. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.

“The Rational Southerner: The Local Logic of Partisan Transformation in the South.” (with Quentin Kidd and Irwin L. Morris). 2008. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.

“Stranger Danger: The Influence of Redistricting on Candidate Recognition and Vote Choice.” (with Seth C. McKee). 2008. Paper presented at the Annual Meeting of the Southern Political Science Association. New Orleans.

- “Backward Mapping: Exploring Questions of Representation via Spatial Analysis of Historical Congressional Districts.” (with Michael Crespin). 2007. Paper presented at the Annual Meeting of the American Political Science Association. Chicago.
- “Worth a Thousand Words? : An Analysis of Georgia’s Voter Identification Statute.” (with Charles S. Bullock, III). 2007. Paper presented at the Annual Meeting of the Southwestern Political Science Association. Albuquerque.
- “Gerrymandering on Georgia’s Mind: The Effects of Redistricting on Vote Choice in the 2006 Midterm Election.” (with Seth C. McKee). 2007. Paper presented at the Annual Meeting of The Southern Political Science Association. New Orleans.
- “Personalismo Politics: Partisanship, Presidential Popularity and 21st Century Southern Politics.” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Annual Meeting of the American Political Science Association. Philadelphia.
- “Explaining Soft Money Transfers in State Gubernatorial Elections.” (with William Gillespie and Troy Gibson). 2006. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Two Sides of the Same Coin?: A Panel Granger Analysis of Black Electoral Mobilization and GOP Growth in the South, 1960-2004.” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Citadel Symposium on Southern Politics. Charleston, SC.
- “Hispanic Political Emergence in the Deep South, 2000-2004.” (With Charles S. Bullock, III). 2006. Paper presented at the Citadel Symposium on Southern Politics. Charleston.
- “Black Mobilization and the Growth of Southern Republicanism: Two Sides of the Same Coin?” (with Quentin Kidd and Irwin L. Morris). 2006. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Exploring the Linkage Between Black Turnout and Down-Ticket Challenges to Black Incumbents.” (With Troy M. Gibson). 2006. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Race and the Ideological Transformation of the Democratic Party: Evidence from the Bayou State.” 2004. Paper presented at the Biennial Meeting of the Citadel Southern Politics Symposium. Charleston.
- “Tracing the Evolution of Hispanic Political Emergence in the Deep South.” 2004. (Charles S. Bullock, III). Paper presented at the Biennial Meeting of the Citadel Southern Politics Symposium. Charleston.

- “Much Ado about Something? Religious Right Status in American Politics.” 2003. (With Mark C. Smith). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Tracking the Flow of Non-Federal Dollars in U. S. Senate Campaigns, 1992-2000.” 2003. (With Janna Deitz and William Gillespie). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “PAC Cash and Votes: Can Money Rent a Vote?” 2002. (With William Gillespie). Paper presented at the Annual Meeting of the Southern Political Science Association. Savannah.
- “What Can Gubernatorial Elections Teach Us About American Politics?: Exploiting and Underutilized Resource.” 2002. (With Quentin Kidd and Irwin L. Morris). Paper presented at the Annual Meeting of the American Political Science Association. Boston.
- “I Know I Voted, But I’m Not Sure It Got Counted.” 2002. (With Charles S. Bullock, III and Richard Clark). Paper presented at the Annual Meeting of the Southwestern Social Science Association. New Orleans.
- “Race and Southern Gubernatorial Elections: A 50-Year Assessment.” 2002. (With Quentin Kidd and Irwin Morris). Paper presented at the Biennial Southern Politics Symposium. Charleston, SC.
- “Top-Down or Bottom-Up?: An Integrated Explanation of Two-Party Development in the South, 1960-2000.” 2001. Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Cash, Congress, and Trade: Did Campaign Contributions Influence Congressional Support for Most Favored Nation Status in China?” 2001. (With William Gillespie). Paper presented at the Annual Meeting of the Southwestern Social Science Association. Fort Worth.
- “Key 50 Years Later: Understanding the Racial Dynamics of 21st Century Southern Politics” 2001. (With Quentin Kidd and Irwin Morris). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “The VRA and Beyond: The Political Mobilization of African Americans in the Modern South.” 2001. (With Quentin Kidd and Irwin Morris). Paper presented at the Annual Meeting of the American Political Science Association. San Francisco.
- “Payola Justice or Just Plain ‘Ole Politics Texas Style?: Campaign Finance and the Texas Supreme Court.” 2001. (With Craig Emmert). Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “The VRA and Beyond: The Political Mobilization of African Americans in the Modern South.” 2000. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.

- “Where Have All the Republicans Gone? A State-Level Study of Southern Republicanism.” 1999. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the Southern Political Science Association. Savannah.
- “Elephants in Dixie: A State-Level Analysis of the Rise of the Republican Party in the Modern South.” 1999. (With Irwin Morris and Quentin Kidd). Paper presented at the Annual Meeting of the American Political Science Association. Atlanta.
- “Stimulant to Turnout or Merely a Convenience?: Developing an Early Voter Profile.” 1998. (With Quentin Kidd and Grant Neeley). Paper presented at the Annual Meeting of the Southern Political Science Association. Atlanta.
- “The Impact of the Texas Concealed Weapons Law on Crime Rates: A Policy Analysis for the City of Dallas, 1992-1997.” 1998. (With Grant W. Neeley). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Analyzing Anglo Voting on Proposition 187: Does Racial/Ethnic Context Really Matter?” 1997. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Norfolk.
- “Capturing Bubba's Heart and Mind: Group Consciousness and the Political Identification of Southern White Males, 1972-1994.” 1997. Paper presented at the Annual Meeting of the Midwest Political Science Association. Chicago.
- “Of Byrds[s] and Bumpers: A Pooled Cross-Sectional Study of the Roll-Call Voting Behavior of Democratic Senators from the South, 1960-1995.” 1996. (With Quentin Kidd and Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Atlanta.
- “Pest Control: Southern Politics and the Eradication of the Boll Weevil.” 1996. (With Irwin Morris). Paper presented to the Annual Meeting of the American Political Science Association. San Francisco.
- “Fit for the Greater Functions of Politics: Gender, Participation, and Political Knowledge.” 1996. (With Terry Gilmour, Kurt Shirkey, and Sue Tolleson-Rinehart). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “¿Amigo o Enemigo?: Racial Context, Attitudes, and White Public Opinion on Immigration.” 1996. (With Irwin Morris). Paper presented to the Annual Meeting of the Midwest Political Science Association. Chicago.
- “¡Quedate o Vente!: Uncovering the Determinants of Hispanic Public Opinion Towards Immigration.” 1996. (With Irwin Morris and Kurt Shirkey). Paper presented to the Annual Meeting of the Southwestern Political Science Association. Houston.

“Downs Meets the Boll Weevil: When Southern Democrats Turn Left.” 1995. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Tampa.

“¿Amigo o Enemigo?: Ideological Dispositions of Whites Residing in Heavily Hispanic Areas.” 1995. (With Irwin Morris). Paper presented to the Annual Meeting of the Southern Political Science Association. Tampa.

Chair. Panel titled “Congress and Interest Groups in Institutional Settings.” 1995. Annual Meeting of the Southwestern Political Science Association. Dallas.

“Death of the Boll Weevil?: The Decline of Conservative Democrats in the House.” 1995. (With Kurt Shirkey). Paper presented to the Annual Meeting of the Southwestern Political Science Association. Dallas.

“Capturing Bubba’s Heart and Mind: The Political Identification of Southern White Males.” 1994. (With Sue Tolleson-Rinehart). Paper presented to the Annual Meeting of the Southern Political Science Association. Atlanta.

Areas of Teaching Competence:

American Politics: Behavior and Institutions

Public Policy

Scope, Methods, Techniques

Teaching Experience:

University of Georgia, 1999-present.

Graduate Faculty, 2003-present.

Provisional Graduate Faculty, 2000-2003.

Distance Education Faculty, 2000-present.

Texas Tech University, 1993-1999.

Visiting Faculty, 1997-1999.

Graduate Faculty, 1998-1999.

Extended Studies Faculty, 1997-1999.

Teaching Assistant, 1993-1997.

Courses Taught:

Undergraduate:

American Government and Politics, American Government and Politics (Honors), Legislative Process, Introduction to Political Analysis, American Public Policy, Political Psychology, Advanced Simulations in American Politics (Honors), Southern Politics, Southern Politics (Honors), Survey Research Internship

Graduate:

Election Administration and Related Issues (Election Sciences), Political Parties and Interest

Groups, Legislative Process, Seminar in American Politics, Southern Politics; Publishing for Political Science

Editorial Boards:

Social Science Quarterly. Member. 2011-present.

Election Law Journal. Member. 2013-present.

Professional Service:

Listed expert. MIT Election Data and Science Lab.

Keynote Address. 2020 Symposium on Southern Politics. The Citadel. Charleston, SC.

Institutional Service (University-Level):

University Promotion and Tenure Committee, 2019-2022.

University Program Review Committee, 2009-2011.

Chair, 2010-2011

Vice-Chair, 2009-2010.

Graduate Council, 2005-2008.

Program Committee, 2005-2008.

Chair, Program Committee, 2007-2008.

University Libraries Committee, 2004-2014.

Search Committee for University Librarian and Associate Provost, 2014.

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

BOBBY SINGLETON, *et al.*,

Plaintiffs,

v.

**JOHN MERRILL, in his official
capacity as Alabama Secretary of State**

Defendant.

Case No. 2:21-cv-01291-AMM

THREE-JUDGE COURT

EVAN MILLIGAN, *et al.*,

Plaintiffs,

v.

**JOHN MERRILL, in his official
capacity as Alabama Secretary of State**

Defendant.

Case No. 2:21-cv-01530-AMM

MARCUS CASTER, *et al.*,

Plaintiffs,

v.

**JOHN MERRILL, in his official
capacity as Alabama Secretary of State**

Defendant.

Case No.: 2:21-cv-1536-AMM

SUPPLEMENTAL EXPERT REPORT OF M.V. HOOD III

I, M.V. Hood III, affirm the conclusions I express in this report are provided to a reasonable degree of professional certainty. In addition, I do hereby declare the following:

In this supplemental expert report, I write to raise some questions concerning reports issued by plaintiffs' experts Professor Maxwell Palmer and Professor Baodong Liu. Both Professor Palmer and Professor Liu conducted a series of racially polarized voting analyses.

My concerns are as follows:

1. Professor Palmer relies on Citizen Voting Age Population from the Census. Although these data come from the U.S. Census Bureau, they are based on survey data from the American Community Survey (ACS) and not on the population enumeration data collected every decade (P.L. 94-171).¹ As such, these figures are actually estimates which come with a margin of error. Unlike most states, Alabama records the race of registrants in its voter registration database. Combining this source with voter history files also allows one to calculate turnout by race. In this case, these are not estimates, but actual counts of registration and turnout by race. Additionally, the CVAP data from the ACS are only available down to the block group level. Districting plans that are drawn at the block-level would require one to disaggregate the CVAP data to that level. While this can be done, one is required to make a number of assumptions about the manner in which the CVAP block group data should be disaggregated to the respective blocks in the group.² This process may, in turn, also introduce another source of potential error.

2. Professor Palmer obtained most of the data he used in his analyses from the Redistricting Data Hub website. Under the data for Alabama hosted on this website, a document provides a detailed set of notes on data collection and management. Precinct-level election data merged with precinct geography shapefiles are provided on this site. But, there are a number of potential notes of caution. For example, this organization reports they "were not able to replicate joining election data and precinct boundaries because we did not have precinct boundary data for every county."³ It is unclear from his report how much time Professor Palmer engaged in to validate the quality of data housed on the Redistricting Data Hub website.

As an example, the VTDs (precincts) on the Redistricting Data Hub's website for Washington County do not comport with the actual precinct boundaries. After examining the VTD shapefiles for Washington County on the Redistricting Data Hub website, I was able to determine they were represented by Figure 1 below (red lines). However, after consultation with Washington County election officials, I was able to determine Washington's voting precincts are actually represented by Figure 2 (green lines).

¹See Citizen Voting Age Population by Race and Ethnicity (<https://www.census.gov/programs-surveys/decennial-census/about/voting-rights/cvap.html>).

²See Citizen Voting Age Population by Race and Ethnicity (<https://www.census.gov/programs-surveys/decennial-census/about/voting-rights/cvap.html>).

³Found at: https://redistrictingdatahub.org/wp-content/uploads/2021/06/al_vest_20_validation_report.pdf.

Figure 1



Figure 2



3. For 2020, Professor Palmer reports that he uses actual turnout data by race, again obtained from the Redistricting Data Hub website. These data were derived from a commercial vendor L2. Although Alabama does record data on the race of registrants, L2 instead imputes the race of registrants in its database. Using the voter registration and history files from the Alabama Secretary of State, I was able to compare L2's racial turnout data to the state's. By county, the L2 data consistently underestimated the percentage of white voters by an average of 4.3%.⁴ On the other hand, the percentage of *other* voters was consistently overestimated by L2 by an average of 4.2% at the county-level.⁵ The percentage of black voters was overestimated by L2 in some counties and underestimated in others. While these discrepancies in the L2 turnout data may not appear to be all that sizable, they certainly could make a difference in a district functionality analysis where the racial composition of the district in question is evenly divided.

4. Professor Liu provides a number of district functionality tests in his report that record a column for turnout. I am unsure how exactly this figure is calculated or the manner in which it is used in determining functionality as there are no explanatory notes provided. They appear to be estimates; again this property does not need to be estimated in Alabama. If one assumes these are

⁴Calculated as the mean of (L2 Percent White-SOS Percent White) for Alabama's 67 counties.

⁵The *other* category comprises any voter who is not identified as white or black.

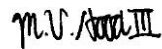
turnout rates by racial group, then in every case reported in Tables 4-7, the black turnout rate exceeds that for whites (twelve out of twelve times) and in some cases by ten percentage points. But, data from the Alabama Secretary of State suggest that white turnout is typically slightly higher than black turnout. For example, in my initial report in this matter for the 2020 presidential election in CD 7 (Adopted) white turnout based on SOS figures was 63.6%, compared to 57.9% for blacks. Professor Liu reports black turnout for the 2018 Lieutenant Governor's race for Adopted CD 7 at 50.3%, compared to 41.5% for whites.

5. Professor Liu also reports using *any-part* Black VAP in the functional (effectiveness) analyses presented for his report (see Footnote 20 of his report). However, this raises a valid question as to whether individuals who are multi-racial (in this case any-part Black) vote cohesively with the population of single-race groups (in this case single-race, non-Hispanic Blacks). I am unable to determine exactly how Professor Palmer operationalized racial categories in his analyses based on his report. To the best of my knowledge, racial classifications in the Alabama voter registration database are based on single-race categories.

DECLARATION

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

Executed on December 20, 2021.



M.V. (Trey) Hood III

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

BOBBY SINGLETON, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 2:21-cv-01291-AMM
)	
JOHN MERRILL, in his official capacity)	THREE-JUDGE COURT
as Alabama Secretary of State, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	
EVAN MILLIGAN, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 2:21-cv-1530-AMM
)	
JOHN H. MERRILL, in his official)	THREE-JUDGE COURT
capacity as Alabama Secretary of State,)	
<i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	
MARCUS CASTER, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 2:21-cv-01536-AMM
)	
JOHN MERRILL, in his official)	
capacity as Alabama Secretary of State,)	
)	
<i>Defendant.</i>)	

DECLARATION OF CLAY S. HELMS

My name is Clay S. Helms. I am the Deputy Chief of Staff and Director of Elections for the Alabama Secretary of State's Office. I am over the age of 19 and the facts I have set out below are based upon my personal knowledge or the records of the Alabama Secretary of State's Office maintained in the ordinary course of business of the Secretary of State in his official capacity.

1. The Secretary of State is Alabama's Chief Election Official and is responsible for "provid[ing] uniform guidance for election activities." Ala. Code § 17-1-3. In my role as Director of Elections for the Secretary of State's Office, I am familiar with both the preparation for and administration of elections in the State of Alabama, including the fact that Boards of Registrars in all Alabama counties must assign each voter to the various districts in which he or she resides.

2. It is my understanding that Plaintiffs want Alabama's Congressional districts changed in time to use the new districts in the 2022 elections. There are substantial obstacles to changing the Congressional districts at this late date, and, indeed, local election officials are already under time pressures created by the fact that the maps were adopted in November, 2021. Candidates and their supporters would also be impacted by changing the lines. As discussed below, changing the Congressional district lines again at this late date is likely to cause confusion, additional costs, and a rushed district assignment process that potentially increases the risk of mistaken assignments.

3. On November 4, 2021, Governor Ivey signed Act Nos. 2021-555, 2021-558, 2021-556, 2021-559 which drew four sets of electoral districts (for U.S. House of Representatives, State Senate, State House, and State Board of Education, respectively). The Acts and maps, as filed with the Secretary of State, may be found on the Secretary's website <https://www.sos.alabama.gov/alabama-votes/state-district-maps>.

4. Local governments are also drawing new lines based on the 2020 Census.

5. Statewide primary elections in Alabama for the 2022 election cycle are statutorily scheduled for May 24, 2022. *See* Ala. Code § 17-13-3(a). Federal, State, and county elections will be held at this time.

6. To implement the new district lines for the upcoming elections, each county's Board of Registrars is responsible for reassigning that county's registered voters to the correct precincts and to the correct districts, in conjunction with the county commissions. Each of Alabama's more than 3.6 million registered voters must be assigned to the correct Congressional, State Senate, State House, Board of Education, and local districts so that he may receive the correct ballot (to vote for the officials who will represent him as opposed to others) and so the voter will know where to cast his ballot. This process has likely already begun in most, if not all, Alabama counties.

7. As reported by the counties to the Secretary of State and as of December 15, 2021, in twelve counties, the Boards of Registrars use in-house GIS systems (*i.e.*, interactive mapping software that displays the locations of voters and automates aspects of the reassignment process) that reduce the burden and time required to complete this process. The twelve counties are: Autauga, Calhoun, Cherokee, Clarke, Lee, Lowndes, Madison, Mobile, Pike, Shelby, St. Clair, and Tuscaloosa.

8. As reported by the counties to the Secretary of State, in ten counties, the Boards of Registrars contract with entities with GIS systems to assist them with the reassignment process. A contract for such services can cost thousands of dollars—with up to \$10,000 in initial setup fees and up to an additional \$750 per month in operating and maintenance charges. In practice, these arrangements (and monthly fees) are effectively permanent because transitioning either to or from

such a setup is both expensive and difficult. The ten counties are: Baldwin, Dallas, Houston, Jefferson, Limestone, Marengo, Marshall, Montgomery, Morgan, and Talladega.

9. In the other 45 counties, the Boards of Registrars perform the reassignment process manually. Doing so is laborious, requiring officials to pore over maps and lengthy lists of voters to ensure that each voter is correctly assigned to his or her correct precinct. This task can take a county's Board of Registrars 3 to 4 months to accomplish.

10. For example, in 2017, following the *Alabama Legislative Black Caucus* redistricting litigation, the Alabama Legislature drew remedial Senate and House plans that altered only a portion of the districts in each plan. Even though only some districts were affected, local election officials struggled to complete the district assignment process in up to 4 months.

11. Completing the reassignment process before the next election provides time for notifying voters of any changes, which both reduces voter confusion and improves turnout. It also provides the county commissions with the information they need to ensure that each voting place has no more than 2,400 voters and, for those that do, adjusting precinct boundaries or designating additional voting places (which may not be changed within three months of an election). *See* Ala. Code § 17-6-4(d).

12. In Alabama, absentee voting begins 55 days before the primary election, and the probate judge must furnish a list of qualified voters to the absentee election manager by this day. Ala. Code §§ 17-11-5(b); 17-11-12. For the May 24, 2022 primary, absentee voting will begin on March 30, 2022.

13. Additionally, federal law requires that the States “transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter . . . in the case in which the request is received at least 45 days before an election for Federal office, not later than 45 days

before the election,” unless an exemption is obtained. 52 U.S.C. § 20302(a)(8)(A). In 2022, this federal deadline for the primary election is Saturday, April 9, 2022.

14. Attached hereto as Exhibit A is an Administrative Calendar for the 2022 Statewide Election, which has been created and maintained by the Secretary of State’s office. This calendar is also available on the Secretary’s website at <https://www.sos.alabama.gov/sites/default/files/Admin%20Calendar%20-2022%20-%2020211012.pdf>. The dates in the two preceding paragraphs are included in this calendar.

15. The Census Bureau released redistricting data in mid-August 2021, which is later than usual. I testified by declaration in a lawsuit that Alabama brought against the United States Department of Commerce concerning the Census data’s release. My testimony was that Alabama needed redistricting plans in place in early November in order to provide time for local officials to complete the reassignment process. The Census Bureau’s delay has delayed redistricting and shortened the time available for local officials to assign voters to districts and precincts.

16. County Boards of Registrars and county commissions will have to complete the reassignment process no later than the beginning of absentee voting on March 30, 2022, but realistically, they will need to notify voters of their assigned precincts and districts well before then to allow voters time to know what their choices are and inform themselves about those choices. In addition, printed ballots will need to be available for absentee voting to begin, and printing ballots is not an overnight process.

17. If Congressional districts change, local officials will have to start over in the process of assigning voters to new Congressional districts, making the already shortened time for the assignment process even shorter.

18. If the Boards of Registrars and county commissions have to redo the reassignment process on an abbreviated schedule the likely result is one or more of the following: (1) thousands of dollars in unexpected costs incurred by the Boards of Registrars to contract with an entity to assist them in the process; (2) a rushed reassignment process, potentially increasing the likelihood of mistaken reassignments; and (3) less time to notify voters about changes, potentially increasing the likelihood of voter, political party, and candidate confusion.

19. In addition to these administrative issues, changing the Congressional district lines impacts candidates and their supporters.

20. Changing the lines will likely cause a number of problems for primary candidates and political parties. Candidates for state and county offices intending to participate in the May 24, 2022 primary election could legally begin soliciting and accepting campaign contributions on May 24, 2021 (one year before the election), *see* Ala. Code 17-5-7(b)(2), even though districts were not yet drawn. Federal, State, and county candidates running with the Democratic or Republican parties must file a declaration of candidacy by January 28, 2022 (116 days before the election), *see* Ala. Code § 17-13-5(a), and that requires the lines to be set. Uncertainty about which district a potential candidate resides in and the characteristics of that district could impact fundraising, campaigning, and even the decision whether to run at all.

21. In addition, independent candidates and some organizations achieve ballot access by submitting petitions with signatures of registered voters who are eligible to vote in the election at issue. If the congressional lines are changed, those conducting petition drives will not know which voters' signatures will help them achieve ballot access until another plan is put into place (thus potentially shortening the time to solicit signatures). And, of course, like other candidates,

those hoping to get on the ballot with a successful petition drive—whether independent or as the nominee of a petitioning organization—may not know which district they live in.

22. I note that Doug Bell has publicly announced as an independent candidate for Congress in the Third Congressional District, *see* <https://dbellforuscongress.com/> and he appears to be actively seeking signatures for ballot access, *see* <https://dbellforuscongress.com/get-involved/> (seeking 6,977 signatures by May 24, 2022). While Mr. Bell’s website uses the 6,977 signature goal, the Secretary of State’s Office has sent him an email (Exhibit B) advising him that that number is inaccurate because the number of signatures necessary for ballot access is contingent on the new district lines and that number is changing as the census results are input into the electronic voter registration system. Similarly, we cannot at present say which signers’ signatures will be valid for ballot access petition purposes because some signers’ residences may be outside of Mr. Bell’s district. Thus, at present, independent candidates for Congress face some uncertainty as to how many signatures are necessary for ballot access and from whom to get them.

23. An organization petitioning for ballot access as a political party and/or an individual petitioning for ballot access as an independent candidate would need to submit a petition containing signatures of registered District voters equal to at least the following numbers in the following Districts:

Congressional District	Number of Signatures Required	
	<i>Before 2020 Census</i>	<i>After 2020 Census</i>
One	7,310	Uncertain
Two	6,818	Uncertain
Three	6,977	Uncertain
Four	6,998	Uncertain
Five	7,845	Uncertain
Six	8,434	Uncertain
Seven	7,208	Uncertain

We advise individuals and organizations seeking ballot access to submit substantially more than the minimum number of signatures because not all solicited signatures are valid. Individuals and organizations have the option to solicit and obtain signatures from the middle of districts to minimize this problem which was made worse by the late production of Census information by the Census Bureau.

24. The State has faced lengthy litigation in the past when the time for gathering signatures was shortened. Plaintiff James Hall sued the Secretary of State in September 2013, challenging the signature requirement in the context of a special congressional election where candidates had less than the ordinary time to gather signatures. *See Hall v. Merrill*, 212 F. Supp. 3d 1148, 1156 (M.D. Ala. 2016), *vacated & remanded*, 902 F.3d 1294 (11th Cir. 2018), *cert denied*, 140 S. Ct. 117 (2019). That litigation was not resolved until October 2019—six years after filing.

25. If the 2022 Congressional elections were separated from the other federal, State, and county elections with which they are traditionally held, there would be substantial costs for the additional election(s), and the additional election(s) could result in voter confusion and reduced turnout. In 2017, the State held a special statewide election for United States Senator. The cost for that primary election was over \$5 million. The cost for that primary runoff election, which was needed because no candidate received more than 50% of the vote in the Republican primary, *see* Ala. Code § 17-13-18(b), was over \$3 million. The cost for that special general election was over \$3.5 million.

26. Finally, I address certain details about voter registration and the Alabama Voter Registration System (“ALVRS” or “PowerProfile”). The Secretary of State’s Office does not actually register voters. Every year for the past seven years, the Secretary’s Photo Voter ID and

Registration Mobile Unit Program has visited every county in Alabama for the purpose of providing free photo ID's to voters and to make available to prospective voters voter registration forms. At those visits, we hand out registration forms and assist prospective voters in filling out the forms. Those individuals who complete their forms may either mail them to their local registrars or hand them back to our staff for transmittal to the local registrars' office. This is because actual voter registration is performed by county boards of registrars. The Secretary of State's Office accepts voter registration forms either during voter drives or at the Secretary's Montgomery office and forwards them to county registrars for actual processing and input into ALVRS. In addition, voters can register electronically at ALEA driver's license offices and at the Secretary of State's Office) with that information going to local registrar offices for actual input into ALVRS.

27. The Alabama Voter Registration Form (*see* Exhibit C) provides six categories of race for a voter to choose: White, Black, Asian, American Indian, Hispanic, and Other (*id.*). It is also possible for a prospective voter to register using the federal form (*see* Exhibit D) which does not list race but has a blank space for voter input. Race is selected by the prospective voter and is not checked or verified. If a voter does not check a "Race" box (or write a race on the federal form, or puts multiple races), he or she is still registered as the requirements for voting in Alabama are: age 18 or over on election day, United States citizenship, Alabama residence, not having been declared mentally incompetent, and not having been convicted of a disqualifying felony (or if having been so convicted, having had civil rights restored). A voter's race, if stated, is input into ALVRS by the registrar according to the categories on the Secretary of State's form. If a prospective registrant has checked more than one race category, the default is for the registrar to enter "other" because ALVRS does not permit multiple or combination answers for this category.

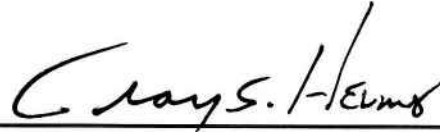
If a prospective registrant does not enter a race on the paper form, the default is for the registrar to enter “unknown.” Similarly, voters submitting registration information electronically at ALEA offices cannot select more than one race; the system will not accept multiple race entries.

28. For its part, ALVRS data for active and inactive voters (*see e.g.*, Exhibit E, the November 2021 print-out) lists the following racial categories: Asian, American Indian, Black, Federally Registered (May be of Any Race), Hispanic, Korean (a vestigial category that is not offered on the Secretary’s form but could be entered), White, Other, and Not Identified (Exhibit E).

29. While we expect registrars to correctly input all categories of voter characteristics into ALVRS, it is unrealistic to expect data entry for large numbers of voters to be perfect and there is no doubt that some voters’ information, including race, may be inaccurate. Obviously, if a voter becomes aware of an inaccuracy and reports it, the local registrars’ office would be expected to correct the entry. The Secretary of State’s Office has advised registrars that, if a voter is reporting a registration inaccuracy, the voter is to put the inaccuracy into writing before the registrar acts on it (*i.e.*, the registrar is not to accept “word of mouth” as a basis to change registration data). The Secretary is not aware of any complaints of inaccurate racial registration and/or failure to correct an inaccuracy and we believe that the overwhelming majority of entries are consistent with the information on the submitted voter registration forms.

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

Executed on December 21, 2021.

A handwritten signature in black ink, reading "Clay S. Helms", written over a horizontal line.

Clay S. Helms
Deputy Chief of Staff & Director of Elections
Office of the Secretary of State
State of Alabama

Administrative Calendar 2022 Statewide Election

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
Candidates intending to participate in the 2022 primary election may begin soliciting and accepting contributions. [§ 17-5-7(b)(2)]	Monday, May 24, 2021
Candidates intending to participate in the 2022 general election, but not in the primary election, may begin soliciting and accepting contributions. [§ 17-5-7(b)(2)]	Monday, November 8, 2021
State Holiday - Christmas Day Recognized	Friday, December 24, 2021
State Holiday - New Year's Day Recognized	Friday, December 31, 2021
First day of regular session for Alabama legislature and the first day of the legislative blackout.	Tuesday, January 11, 2022
State Holiday- Martin Luther King Jr. and Robert E. Lee's Birthday	Monday, January 17, 2022
Last day of the legislative blackout for 2022 candidates.	Monday, January 24, 2022
Candidates seeking nomination by a party primary must file declaration of candidacy with state party chairman (if seeking federal, state, circuit, district, or legislative office) or county party chairman (if seeking county office) no later than this day by 5 PM; 116 days before the election. [§ 17-13-5(a)]	Friday, January 28, 2022
Each political party authorized to hold a primary and wishing to hold such a presidential preference primary shall, not less than 116 days before such primary is to be held, adopt and file with the Secretary of State a resolution stating that intention, the method by which electors are to indicate one or more preferences, the method by which delegates are to be selected, elected, chose and replaced, and the pledge, if any, by which delegates are to be bound. (§ 17-13-105)	Friday, January 28, 2022
State Holiday - George Washington and Thomas Jefferson's Birthday	Monday, February 21, 2022
Mardi Gras - Observed in Baldwin and Mobile County only	Tuesday, March 1, 2022
State party chairman must certify names of primary election candidates, except for candidates for county offices to Secretary of State no later than this day by 5 PM; 82 days prior to the primary. [§ 17-13-5(b)]	Thursday, March 3, 2022
County party chairman must certify names of primary candidates for county office to probate judge no later than this day by 5 PM; 82 days prior to the primary. [§ 17-13-5(b)]	Thursday, March 3, 2022
This is the last day for political parties to submit to the probate judge for county offices and the Secretary of State for state and federal offices any amendments or corrections to certifications of candidates for the primary election; 76 days prior to primary election. (§ 17-13-23)	Wednesday, March 9, 2022
The deadline for persons who do not wish to accept nomination in a primary is 76 days before the date of the election. [§ 17-6-21(c)]	Wednesday, March 9, 2022
The Secretary of State must certify names of opposed candidates for federal and state offices to probate judge no later than 74 days prior to the primary. [§ 17-13-5(b)]	Friday, March 11, 2022
Probate judge must issue public notice in each voting precinct of the requirement for and the availability of registration and voting aids for all handicapped and elderly individuals no later than 60 days before any state election. [§ 21-4-23(b)]	Friday, March 25, 2022
The last day political parties can decline to accept and come under primary election law is 60 days prior to the election. (§ 17-13-42)	Friday, March 25, 2022
Probate judge must furnish list of qualified voters to the absentee election manager; 55 days prior to the primary election. [§ 17-11-5(b)]	Wednesday, March 30, 2022
Absentee ballots and supplies must be delivered to absentee election manager no later than 55 days prior to the primary. (§ 17-11-12)	Wednesday, March 30, 2022

Administrative Calendar 2022 Statewide Election

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
This is the last day to transmit absentee ballots to any UOCAVA voters whose absentee ballot request is received at least 45 days prior to the primary (ballot transmittal 45 days prior to the primary) per 52 U.S.C. § 20302(a)(8).	Saturday, April 9, 2022
This is the last day for candidates to present a list of desired election officers to their county executive committee at least 45 days before the election. (§ 17-13-48)	Saturday, April 9, 2022
Probate judge must issue public notice in each voting precinct of the requirement for and the availability of registration and voting aids for all handicapped and elderly individuals no later than 60 days before any state election. [§ 21-4-23(b)] This date is for the statewide primary runoff election.	Friday, April 22, 2022
State Holiday - Confederate Memorial Day	Monday, April 25, 2022
Last day of regular session for Alabama legislature.	Tuesday, April 26, 2022
The first day for probate judge, sheriff, and clerk of the circuit court to appoint poll workers is no more than 20 nor less than 15 days before the election. [§ 17-8-1(a)]	Wednesday, May 4, 2022
Probate judge must publish an alphabetical list of qualified electors by precinct, district or subdivision in a newspaper of general circulation in county on or before the 20th day prior to the election. (§ 17-4-1)	Wednesday, May 4, 2022
This is the last day to register to vote for the primary election. [§ 17-3-50(a)]	Monday, May 9, 2022
The last day for probate judge, sheriff, and clerk of the circuit court to appoint poll workers no more than 20 days nor less than 15 days before an election. [§ 17-8-1(a)]	Monday, May 9, 2022
Probate judge must notify inspectors, returning officers, and clerks of their appointment and publish a list of these appointments in a county newspaper. (§ 17-8-2)	Monday, May 9, 2022
First day election officials may begin testing automatic tabulating equipment for the primary election to ascertain that equipment will correctly count votes cast. (Adm. Rule 307-X-1-.04)	Tuesday, May 10, 2022
Probate judge must give notice of election, consisting of date of election and the officers and subjects to be voted for and at least 14 days before each election. (§ 17-9-5)	Tuesday, May 10, 2022
First day probate judge may print poll lists or load registration data into electronic poll books for the primary election. (§§ 17-4-2, 17-4-2.1)	Saturday, May 14, 2022
For any absentee application received on or after the 8th day prior to the election that does not contain a copy of an approved form of identification, the absentee election manager shall issue a provisional ballot to that voter. [§ 17-10-2(c)(1)]	Monday, May 16, 2022
Absentee applications returned by mail must be received not less than 7 days prior to the election. [§ 17-11-3(a)]	Tuesday, May 17, 2022
Probate judge must publish a supplemental list of qualified electors by precinct, district or subdivision in a newspaper of general circulation in the county on or before the 7th day before the election. (§ 17-4-1)	Tuesday, May 17, 2022
An application for a voter who requires emergency treatment by a licensed physician within 5 days before an election may be forwarded to the absentee election manager by the applicant or by his or her designee. [§ 17-11-3(d)(2)]	Thursday, May 19, 2022
This is the last day for the authority charged to hold a school of instruction for poll workers. Probate judge must notify these election officials of time and place of instruction school and must publish notice at least 48 hours before instruction school takes place; no less than 5 days prior to the election. [§ 17-8-9(a)]	Thursday, May 19, 2022

Administrative Calendar 2022 Statewide Election

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
Absentee applications returned by hand must be received not less than 5 days prior to the election. [§ 17-11-3(a)]	Thursday, May 19, 2022
The last day probate judges can deliver election supplies to sheriffs is no less than 3 days before the election. (§ 17-13-9)	Saturday, May 21, 2022
Absentee ballots being returned by hand to the absentee election manager must be received no later than the close of business on the day prior to the election. (§ 17-11-18)	Monday, May 23, 2022
Primary Election	Tuesday, May 24, 2022
Absentee ballots being returned by mail to the absentee election manager must be received no later than noon on this day. [§ 17-11-18(a)]	Tuesday, May 24, 2022
This is the last day for military and other UOCAVA voters in the primary to postmark an absentee ballot returned by mail to the absentee election manager. [§§ 17-9-51(b), 17-11-18(b)]	Tuesday, May 24, 2022
The medical emergency designee must deliver absentee ballot to absentee election manager no later than noon on this day. [§ 17-11-18(a)]	Tuesday, May 24, 2022
The inspector or returning officer must deliver the ballots and returns to the sheriff. (§§ 17-12-8, 17-13-12)	Tuesday, May 24, 2022
The last day to file petitions with probate judge for county offices and with Secretary of State for other offices to obtain ballot access as an independent candidate is no later than 5 PM on the day of the primary election. (§ 17-9-3)	Tuesday, May 24, 2022
The last day to file petitions with the Secretary of State for minor/third parties to gain ballot access as a political party no later than 5 PM on the day of the primary election. [§ 17-6-22(a)(1)]	Tuesday, May 24, 2022
The sheriff must deliver certificate of returns to chairman of county executive committee of each political party participating in primary election by 10 AM on the Wednesday following the election. [§ 17-13-14(a)]	Wednesday, May 25, 2022
The written affirmations of provisional voters, inspector challenge statements, and voter reidentification forms must be delivered by the sheriff to the board of registrars by noon on the day following the election. [§ 17-10-2(d)]	Wednesday, May 25, 2022
This is the last day candidates who would be eligible to be placed on primary runoff ballot can decline to have his/her name placed on the ballot. (§ 17-13-19)	Friday, May 27, 2022
Deadline for voters whose ballot became provisional due to lack of identification to provide identification (or provisional ballot and identification) including the address and telephone number of the voter to the board of registrars no later than 5 PM. [§ 17-10-2(a)(3)]	Friday, May 27, 2022
State Holiday - National Memorial Day	Monday, May 30, 2022
Absentee ballots submitted by UOCAVA voters must be accepted until noon this day. The ballot must have been postmarked no later than election day and meet other absentee ballot requirement to be counted. [§ 17-11-18(b)]	Tuesday, May 31, 2022
County executive committee must meet no later than noon and receive, canvass, and tabulate returns by precinct and publicly declare results the Tuesday following the primary. (§ 17-13-17)	Tuesday, May 31, 2022
The board of registrars must deliver the provisional voter affirmations and inspector challenge statements, with the certified findings attached, to the judge of probate no later than noon, 7 days after the election. [§ 17-10-2(e)]	Tuesday, May 31, 2022

**Administrative Calendar
2022 Statewide Election**

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
At noon, the canvassing board shall tabulate provisional ballots which have been certified by the board of registrars. The canvassing board must certify the results of the provisional votes cast and must post one copy in the courthouse and must seal one copy into a container designated for each political party, 7 days after the election. [§ 17-10-2(f)]	Tuesday, May 31, 2022
The chairman of county executive committee must certify to chairman of state executive committee a statement and tabulation by precinct of results of the primary no later than 7 days after the election. (§ 17-13-17)	Tuesday, May 31, 2022
State executive committee must meet and receive, canvass, and tabulate returns and provide Secretary of State with state primary election returns by precinct no later than noon, 8 days following the primary election. (§ 17-13-17)	Wednesday, June 1, 2022
The first day for probate judge, sheriff, and clerk of the circuit court to appoint poll workers is no more than 20 nor less than 15 days before the election. [§ 17-8-1(a)]	Wednesday, June 1, 2022
Chairman of state executive committee must meet no later than noon on this day to certify to Secretary of State and chairman of county executive committee must certify to probate judge names of candidates to be placed on primary run-off ballot. [§ 17-13-18(b)]	Wednesday, June 1, 2022
The Secretary of State shall, within two business days from the date the certification is received from the chair of the state executive committee, certify to the probate judge of any county where a second primary election is to be held the name or names of the candidates certified. [§ 17-13-18(b)]	Friday, June 3, 2022
This is the last day to hand-deliver a voter registration form to the board of registrars for the primary runoff election. [§§ 17-3-50(a), 1-1-4]	Friday, June 3, 2022
State Holiday - Jefferson Davis' Birthday	Monday, June 6, 2022
The last day for probate judge, sheriff, and clerk of the circuit court to appoint poll workers is no more than 20 days nor less than 15 days before an election. [§ 17-8-1(a)]	Monday, June 6, 2022
Probate judge must notify inspectors, returning officers, and clerks of their appointment and publish a list of these appointments in a county newspaper. (§ 17-8-2)	Monday, June 6, 2022
This is the last day to register to vote electronically until midnight for the primary runoff election; 15th day before the election. [§§ 17-3-50(a), 1-1-4]	Monday, June 6, 2022
This is the last day to postmark a voter registration form for the primary runoff election; 15th day before the election. [§§ 17-3-50(a), 1-1-4]	Monday, June 6, 2022
Absentee ballots and supplies for primary runoff must be delivered to absentee election manager, 14 days after the primary. (§ 17-11-12)	Tuesday, June 7, 2022
No later than this day, the probate judge must give notice of this date for the primary runoff election, consisting of date of election and officers and subjects to be voted for and on at least 14 days before each election. (§ 17-9-5)	Tuesday, June 7, 2022
First day election officials may begin testing automatic tabulating equipment for the primary runoff election to ascertain that equipment will correctly count votes cast. (Adm. Rule 307-X-1-.04)	Tuesday, June 7, 2022
First day judge of probate may print poll lists or load registration data into electronic poll books for the primary runoff election. (§§ 17-4-2, 17-4-2.1)	Saturday, June 11, 2022
For any absentee application received on or after the 8th day prior to the election that does not contain a copy of an approved form of identification, the absentee election manager shall issue a provisional ballot to that voter. [§ 17-10-2(c)(1)]	Monday, June 13, 2022

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Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
Absentee applications returned by mail must be received not less than 7 days prior to the election. [§ 17-11-3(a)]	Tuesday, June 14, 2022
Governor, Secretary of State, and Attorney General must canvass election returns required by law to be sent to Secretary of State within 22 days of the election. (§ 17-12-17)	Wednesday, June 15, 2022
This is the last day for the authority charged to hold a school of instruction for poll workers. Probate judge must notify these election officials of time and place of instruction school and must publish notice at least 48 hours before instruction school takes place; no less than 5 days prior to the election. [§ 17-8-9(a)]	Thursday, June 16, 2022
Absentee applications returned by hand must be received not less than 5 days prior to the election. [§ 17-11-3(a)]	Thursday, June 16, 2022
An application for a voter who requires emergency treatment by a licensed physician within 5 days before an election may be forwarded to the absentee election manager by the applicant or by his or her designee. [§ 17-11-3(d)(2)]	Thursday, June 16, 2022
The last day probate judges can deliver election supplies to sheriffs is no less than 3 days before the election. (§ 17-13-9)	Saturday, June 18, 2022
Absentee ballots being returned by hand to the absentee election manager must be received no later than the close of business on the day prior to the election. (§ 17-11-18)	Monday, June 20, 2022
Primary Runoff Election	Tuesday, June 21, 2022
Absentee ballots being returned by mail to the absentee election manager must be received no later than noon on this day. [§ 17-11-18(a)]	Tuesday, June 21, 2022
The inspector or returning officer must deliver the ballots and returns to the sheriff. (§§ 17-12-8, 17-13-12)	Tuesday, June 21, 2022
This is the last day for military and other UOCAVA voters in the primary runoff to postmark an absentee ballot returned by mail to the absentee election manager. [§§ 17-9-51(b), 17-11-18(b)]	Tuesday, June 21, 2022
The medical emergency designee must deliver absentee ballot to absentee election manager no later than noon on this day. [§ 17-11-18(a)]	Tuesday, June 21, 2022
Sheriff must deliver certificate of returns to chairman of county executive committee of each political party participating in primary runoff election by 10 AM on the Wednesday following the primary runoff election. [§ 17-13-14(a)]	Wednesday, June 22, 2022
The written affirmations of provisional voters, inspector challenge statements, and voter reidentification forms must be delivered by the sheriff to the board of registrars by noon on the day following the election. (§ 17-10-2)	Wednesday, June 22, 2022
Deadline for voters whose ballot became provisional due to lack of identification to provide identification (or provisional ballot and identification) including the address and telephone number of the voter to the board of registrars no later than 5 PM. [§ 17-10-2(a)(3)]	Friday, June 24, 2022
Absentee ballots submitted by UOCAVA voters must be accepted until noon on this day. The ballot must have been postmarked no later than election day and meet other absentee ballot requirements to be counted. [§ 17-11-18(b)]	Tuesday, June 28, 2022
The board of registrars must deliver the provisional voter affirmations and inspector challenge statements, with the certified findings attached, to the judge of probate no later than noon; 7 days after the election. [§ 17-10-2(e)]	Tuesday, June 28, 2022

**Administrative Calendar
2022 Statewide Election**

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
At noon, the canvassing board shall tabulate provisional ballots which have been certified by the board of registrars. The canvassing board must certify the results of the provisional votes cast and must post one copy in the courthouse and must seal one copy into a container designated for each political party 7 days after the election. [§ 17-10-2(f)]	Tuesday, June 28, 2022
Last day for county executive committee to meet and receive, canvass, and tabulate returns by precinct and publicly declare results of primary runoff election no later than the second Friday following the runoff election. [§ 17-13-18(d)]	Friday, July 1, 2022
State Holiday - Independence Day	Monday, July 4, 2022
Last day for chairman of county executive committee to meet and certify to chairman of state executive committee a statement and tabulation by precincts of results of primary runoff no later than noon, second Monday following the runoff election. [§ 17-13-18(d)]	Monday, July 4, 2022
State executive committee must meet at state capitol and receive, canvass, and tabulate returns and provide Secretary of State with state primary runoff election returns by precinct on the third Wednesday following the primary runoff election. [§ 17-13-18(d)]	Wednesday, July 6, 2022
Chairman of state executive committee must certify names of those who have been nominated in first or second primary election as candidates of his/her party for state offices to Secretary of State. Chairman of county executive committee must certify names of those who have been nominated in first or second primary election as candidates of his/her party for county offices to probate judge not later than noon, the third Wednesday following the primary runoff election. [§ 17-13-18(d)]	Wednesday, July 6, 2022
The state executive committee shall provide the Secretary of State with the runoff primary returns by precincts according to county on a form authorized by the Secretary of State on the third Wednesday following the primary runoff election. [§ 17-13-18(e)]	Wednesday, July 6, 2022
Governor, Secretary of State, and Attorney General must canvass election returns required by law to be sent to Secretary of State after the election within 22 days after the election. [§ 17-12-17]	Wednesday, July 13, 2022
Absentee election manager must file list of applications for absentee ballots from primary election with probate judge 60 days after the primary. [§ 17-11-5(c)]	Saturday, July 23, 2022
The deadline for state or county executive committees to decide contests for county offices is 90 days prior to general election. [§ 17-13-86]	Wednesday, August 10, 2022
The deadline for state executive committee to decide contests for state offices is 83 days prior to general election. [§ 17-13-86]	Wednesday, August 17, 2022
Absentee election managers must file list of applications for absentee ballots from primary runoff election with probate judge 60 days after the primary runoff election. [§ 17-11-5(c)]	Saturday, August 20, 2022
The last day for political parties to submit to the probate judge for county offices and the secretary of state for state and federal offices any amendments or corrections to certifications of candidates for the primary election is 76 days prior to general election. [§ 17-6-21(b)]	Wednesday, August 24, 2022
The last day candidates can withdraw their name from ballot is 76 days before the date of the election. [§ 17-6-21(c)]	Wednesday, August 24, 2022

Administrative Calendar 2022 Statewide Election

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
The Secretary of State must certify names of opposed candidates for federal and state offices and for each candidate for office who has requested to be an independent candidate and has filed a written petition, in accordance with Ala. Code section 17-9-3(b) and 17-13-22, to the probate judge; 74 days prior to the general election.	Friday, August 26, 2022
State Holiday - Labor Day	Monday, September 5, 2022
Probate judge must issue public notice in each voting precinct of the requirement for and the availability of registration and voting aids for all handicapped and elderly individuals no later than 60 days before any state election. [§ 21-4-23(b)] This date for the general election.	Friday, September 9, 2022
The last day for probate judge to furnish list of qualified voters to absentee election managers is 55 days prior to the general election. [§ 17-11-5(b)]	Wednesday, September 14, 2022
The last day for absentee ballots and supplies to be delivered to the absentee election manager is 55 days prior to the general election. [§ 17-11-12]	Wednesday, September 14, 2022
The last day candidates in primary election can accept contributions to retire a campaign debt is 120 days after the primary election. [§ 17-5-7(b)(3)]	Wednesday, September 21, 2022
This is the last day to transmit absentee ballots to any UOCAVA voters whose absentee ballot request is received at least 45 days prior to the general (ballot transmittal 45 days prior to the general) per 52 U.S.C. § 20302(a)(8).	Saturday, September 24, 2022
State Holiday - Columbus Day	Monday, October 10, 2022
The first day for probate judge, sheriff, and clerk of the circuit court to appoint poll workers is no more than 20 nor less than 15 days before the election. [§ 17-8-1(a)]	Wednesday, October 19, 2022
The last day candidates in the primary runoff election can accept contributions to retire a campaign debt is 120 days after the primary runoff election. [§ 17-5-7(b)(2)]	Wednesday, October 19, 2022
This is the last day for probate judge, sheriff, and clerk of the circuit court to appoint poll workers is no more than 20 nor less than 15 days before the election. [§ 17-8-1(a)]	Monday, October 24, 2022
The probate judge must notify inspectors and returning officers of their appointment and publish a list of these appointments in a county newspaper not more than 20, nor less than 15 days before the election. [§ 17-8-2]	Monday, October 24, 2022
This is the last day to register to vote for general election. [§ 17-3-50(a)]	Monday, October 24, 2022
The last day for probate judge to give notice of general election, consisting of date of election and officers and subjects to be voted for and on is 14 days before each election. [§ 17-9-5]	Tuesday, October 25, 2022
First day election officials may begin testing automatic tabulating equipment for the general election to ascertain that equipment will correctly count votes cast. (Adm. Rule 307-X-1-.04)	Tuesday, October 25, 2022
First day judge of probate may print poll lists or load registration data into electronic poll books for the general election. (§§ 17-4-2, 17-4-2.1)	Saturday, October 29, 2022
For any absentee application received on or after the 8th day prior to the election that does not contain a copy of an approved form of identification, the absentee election manager shall issue a provisional ballot to that voter. [§ 17-10-2(c)(1)]	Monday, October 31, 2022
Absentee applications being returned by mail must be received not less than 7 days prior to the election. [§ 17-11-3]	Tuesday, November 1, 2022
An application for a voter who requires emergency treatment by a licensed physician within 5 days before an election may be forwarded to the absentee election manager by the applicant or by his or her designee. [§ 17-11-3(d)(2)]	Thursday, November 3, 2022

Administrative Calendar 2022 Statewide Election

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
This is the last day for authority charged to hold a school of instruction for poll workers. The probate judge must notify these election officials of time and place of instruction school and must publish notice at least 48 hours before instruction school takes place not less than 5 days before an election. [§ 17-8-9(a)]	Thursday, November 3, 2022
Absentee applications returned by hand must be received not less than 5 days prior to the election. [§ 17-11-3(a)]	Thursday, November 3, 2022
The last day probate judges can deliver election supplies to sheriffs is not less than 3 days before the election. (§ 17-13-9)	Saturday, November 5, 2022
Absentee ballots being returned by hand to the absentee election manager must be received no later than the close of business on the day prior to the election. (§ 17-11-18)	Monday, November 7, 2022
The chair of each local political party as defined in Section 17-13-40, any person whose name is on the ballot as an independent, and any announced or known write-in candidates shall be given a minimum of 24 hours notice of the time and place where the canvassing board will meet to determine the number of write-in votes cast for each office on the ballot, ballot image, results tape, or other media prescribed by the Secretary of State by administrative rule and shall be permitted to be present when the determination is made. [§ 17-6-28(c)]	Monday, November 7, 2022
General Election	Tuesday, November 8, 2022
Absentee ballots being returned by mail to the absentee election manager must be received no later than noon on this day. (§ 17-11-18)	Tuesday, November 8, 2022
This is the last day for military and other UOCAVA voters in the general election to postmark an absentee ballot returned by mail to the absentee election manager. [§§ 17-9-51(b), 17-11-18(b)]	Tuesday, November 8, 2022
The medical emergency designee must deliver absentee ballot to absentee election manager no later than noon on this day. [§ 17-11-18(a)]	Tuesday, November 8, 2022
The inspectors or returning officer must deliver ballots and returns to sheriff. (§§ 17-12-8, 17-12-12)	Tuesday, November 8, 2022
Upon the closing of the polls, all write-in votes, which may be in the form of a ballot or, if an electronic voting system is utilized in the polling place, a ballot image, results tape, or other media as prescribed by the Secretary of State by administrative rule, from each polling place in the county shall be returned to a central location in the county as determined by the judge of probate where the canvassing board shall determine the number of write-in votes cast for each office on the ballot, ballot image, results tape, or other media as prescribed by the Secretary of State by administrative rule. [§ 17-6-28(c)]	Tuesday, November 8, 2022
The written affirmations of provisional voters, inspector challenge statements, and voter reidentification forms must be delivered by the sheriff to the board of registrars by noon on the day following the election. [§ 17-10-2(d)]	Wednesday, November 9, 2022
State Holiday - Veterans Day	Friday, November 11, 2022
The county canvassing board must prepare and transmit to the Secretary of State a written report itemizing the number of write-in votes cast for each separate federal or state office and the total votes cast for each of the candidates (top two) receiving the greatest number of votes for that office. [§ 17-6-28(c)]	Friday, November 11, 2022
Deadline for voters whose ballot became provisional due to lack of identification to provide identification (or provisional ballot and identification) including the address and telephone number of the voter to the board of registrars no later than 5 PM. [§ 17-10-2(a)(3)] This date moved to Monday due to the state holiday.	Monday, November 14, 2022

**Administrative Calendar
2022 Statewide Election**

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
The county canvassing board must post a notice stating the number of write-in votes cast in each office on the ballot and, for each specific county office on the ballot, stating whether the number of write-in votes cast for the office is greater than or equal to the difference in votes between the candidates receiving the greatest number of votes for the specific county office. The notice shall be posted on the door of the courthouse and any other place deemed appropriate by the canvassing board including, but not limited to, a county website. [§ 17-6-28(c)]	Monday, November 14, 2022
The county canvassing board must determine whether the number of write-in votes cast is greater than or equal to the difference in votes between the candidates receiving the greatest number of votes for the specific county office. [§ 17-6-28(c)]	Monday, November 14, 2022
Upon receipt of all county reports setting out the number of write-in votes for each federal or state office, the Secretary of State shall determine whether the number of write-in votes cast statewide for any specific federal or state office is greater than or equal to the difference in votes between the candidates receiving the greatest number of votes for that office. In the event the Secretary of State determines that the number of write-in votes cast statewide for any federal or state office is greater than or equal to the difference in votes between the candidates receiving the greatest number of votes for that office, not later than <u>noon</u> on the first Monday following the election, the Secretary of State shall notify each judge of probate from a county where write-in votes for that office were cast that the write-in votes for that office shall be counted and reported. [§ 17-6-28(c)]	Monday, November 14, 2022
Upon determining the number of write-in votes as required, all ballots, ballot images, or results tapes with write-in votes shall be delivered to the sheriff who shall securely keep them in the same manner as provisional ballots are kept. [§ 17-10-2(d)]	Tuesday, November 15, 2022
When the number of write-in votes for any specific office is greater than or equal to the difference in votes between the candidates receiving the greatest number of votes for that office write-in votes shall be counted at the same time and in the same manner as provisional ballots are counted. [§ 17-10-2(f)]	Tuesday, November 15, 2022
Absentee ballots submitted by UOCAVA voters must be accepted until noon this day. The ballot must have been postmarked no later than election day and meet other absentee ballot requirement to be counted. [§ 17-11-18(b)]	Tuesday, November 15, 2022
The absentee election manager must report, for the general election, the number of military and overseas ballots mailed out and the number of ballots received to the Secretary of State within 7 days after the election. [§ 17-11-5(d)]	Tuesday, November 15, 2022
The board of registrars must deliver the provisional voter affirmations and inspector challenge statements, with the certified findings attached, to the probate judge no later than noon 7 days after the election. [§ 17-10-2(e)]	Tuesday, November 15, 2022
At noon, the canvassing board for poll workers shall tabulate provisional ballots which have been certified by the board of registrars. The canvassing board must certify the results of the provisional votes cast and must post one copy in the courthouse and must seal one copy into a container designated for each political party 7 days after the election. [§ 17-10-2(f)]	Tuesday, November 15, 2022
The county canvassing board must make in writing a public declaration of results by noon on the second Friday after the election. (§ 17-12-15)	Friday, November 18, 2022

**Administrative Calendar
2022 Statewide Election**

Revised 10/12/2021

Alabama Statewide Primary Election - May 24, 2022
Primary Runoff Election - June 21, 2022
General Election - November 8, 2022

Activity	Date
The county canvassing board must file the original canvass of returns for county offices, including state House and state Senate, in the probate office, post a copy of the returns at the courthouse door, and immediately transmit a copy of the returns by fax to the Secretary of State. (§ 17-12-16)	Friday, November 18, 2022
The county canvassing board must file the county certificate of results for constitutional officers with the judge of probate. The judge of probate must immediately forward the certificate of results to the Secretary of State. (§ 17-12-16)	Friday, November 18, 2022
State Holiday - Thanksgiving	Thursday, November 24, 2022
The Secretary of State must furnish certificates of election to members of the legislature and members of Congress within 10 days of receiving returns from the judge of probate of each county. (§ 17-12-21)	Monday, November 28, 2022
The last day for the Governor, Secretary of State, and Attorney General to canvass election returns required by law to be sent to Secretary of State is within 22 days after the election. (§ 17-12-17)	Wednesday, November 30, 2022
State Holiday - Christmas Day Recognized	Monday, December 26, 2022
State Holiday - New Year's Day Recognized	Monday, January 2, 2023
Absentee election manager must file list of applications for absentee ballots from the general election with probate judge 60 days after the election. (§ 17-11-5(c))	Saturday, January 7, 2023
Inauguration Day for certain non-federal offices is on the first Monday after the second Tuesday in January after the election. (§§ 36-3-1, 36-3-2, 36-3-3)	Monday, January 16, 2023
State Holiday - Martin Luther King, Jr. and Robert E. Lee's Birthday	Monday, January 16, 2023
The last day for Secretary of State to report information on the number of military and overseas ballots mailed out and the number of ballots received to the Federal Election Assistance Commission; within 90 days of each regularly scheduled general election for federal office. (§ 17-11-5(d))	Monday, February 6, 2023
The last day candidates in the general election can accept contributions to retire a campaign debt is 120 days after the general election. (§ 17-5-7(b)(3))	Wednesday, March 8, 2023
The sheriff can destroy ballots 22 months after general election unless there is notification that election has been contested. (52 U.S.C. § 20701)	Sunday, September 8, 2024

Helms, Clay

From: Helms, Clay
Sent: Monday, December 6, 2021 12:20 PM
To: 'DougBellforUSCongress@gmail.com'
Subject: Independent Candidate Qualification: Alabama

Hello Mr. Bell,

Our office is waiting for county registrar offices to input the redistricting data from the 2020 Redistricting Plan finalized by the state legislature, along with the redistricting plans finalized by their individual counties for local offices. Once their process is complete, we will begin compiling data to determine the exact signature requirements for each political district at the state level.

We have received correspondence from your campaign regarding general questions for the 2022 election cycle. Since we are aware of your campaign, I wanted to proactively reach out to you and let you know that the final, required number of signatures for Congressional District 3 is unfinished, but that we will compile that data and make it available at [Alabamavotes.gov](https://alabamavotes.gov) as soon as the counties have finished their work.

The signature requirement based on the district lines from the 2018 General Election for Congressional District 3 was **6977**. That number can only be considered a rough estimate at this point, as the official number of required signatures will depend on the new district lines. As a reminder, our office advises all independent and minor party candidates to obtain in excess of the required number of signatures, as petition signatures may be determined to be of voters outside of the jurisdictional lines, or may not be voters at all.

If you have any questions, please do not hesitate to let us know.

Sincerely,

Clay Helms
Deputy Chief of Staff, Director of Elections
Office of Secretary of State John H. Merrill
Alabama State Capitol, Suite E-206
600 Dexter Avenue, Montgomery, AL 36130

Email: Clay.helms@sos.alabama.gov

Phone: 334-353-7177



You can use this form to:

- To register to vote in the State of Alabama, you must:**

- Deadline for submitting application:**

Questions? Call the Elections Division at 1-800-274-8683 or 334-242-7210

AUTAUGA COUNTY PO Box 680036 Prattville 36068-0036 (334) 358-6740	CHILTON COUNTY PO Box 640 Clanton 35046-0640 (205) 755-3820	CRENSHAW COUNTY PO Box 328 Luverne 36049-0328 (334) 335-6568 x251 (334) 335-6568 x252 (334) 335-6568 x253	FRANKLIN COUNTY PO Box 70 Russellville 35653-0070 (256) 332-8849	LAWRENCE COUNTY 14451 Market Street Ste 340 Moulton 35650 (256) 974-2460 (256) 974-2461	MONROE COUNTY PO Box 972 Monroeville 36461-0972 (251) 743-4107 x141	SUMTER COUNTY PO Box 783 Livingston 35470-0783 (205) 652-7902
BALDWIN COUNTY PO Box 1507 Bay Minette 36507-1507 (251) 937-0305	CHOCTAW COUNTY 117 S Mulberry Ave Ste 1 Butler 36904-0132 (205) 459-2531	CULLMAN COUNTY 500 2nd Ave SW Rm 112 Cullman 35055-4135 (256) 775-4750 (256) 755-4697	GENEVA COUNTY PO Box 430 Geneva 36340-0430 (334) 684-5655	LEE COUNTY PO Box 1530 Opelika 36803-1530 (334) 737-3635	MONTGOMERY COUNTY PO Box 1667 Montgomery 36102-1667 (334) 832-1215	TALLADEGA COUNTY PO Box 6170 Talladega 35161-6170 (256) 761-2131 (256) 761-2132
BARBOUR COUNTY 303 E Broad St Rm 108 Eufaula 36027 (334) 687-1585	CLARKE COUNTY PO Box 10 Grove Hill 36451-0010 (251) 275-3062	DALE COUNTY PO Box 1101 Ozark 36361-1101 (334) 874-9038	GREENE COUNTY PO Box 224 Eutaw 35462-0224 (205) 372-9669	LIMESTONE COUNTY 100 Clinton St S Ste E Athens 35611-2665 (256) 233-6405	MORGAN COUNTY PO Box 668 Decatur 35602-0668 (256) 351-4660 (256) 351-4663	TALLAPOOSA COUNTY 125 N Broadnax St Rm 20 Dadeville 36853-1371 (256) 825-1081
BIBB COUNTY 8 Court Square W Centreville 35042 (205) 926-3102	CLAY COUNTY PO Box 446 Ashland 36251-0446 (256) 354-7815	DALLAS COUNTY PO Box 987 Selma 36702-0987 (334) 874-2534	HALE COUNTY 905-D Centerville St Greensboro 36744-1536 (334) 624-4672	LOWNDES COUNTY PO Box 311 Hayneville 36040-0311 (334) 548-2389 (334) 548-2080	PERRY COUNTY PO Box 555 Marion 36756-0555 (334) 683-2218 x5	TUSCALOOSA COUNTY 2501 7th St Ste 200 Tuscaloosa 35401-1801 (205) 349-3870 x415
BLOUNT COUNTY 220 Second Ave E Rm B-5 Oneonta 35121 (205) 625-4182	CLEBURNE COUNTY 120 Vickery St Rm 103 Heflin 36264-1166 (256) 463-5299	DEKALB COUNTY 111 Grand Ave SW Ste 105 Fort Payne 35967 (256) 845-8598	HENRY COUNTY 101 Court Square Ste K Abbeville 36310-2135 (334) 585-6080	MACON COUNTY PO Box 311 Hayneville 36040-0311 (334) 548-2389 (334) 548-2080	PICKENS COUNTY PO Box 173 Carrollton 35447-0173 (205) 367-2074	WALKER COUNTY PO Box 1472 Jasper 35502-1472 (205) 384-7279
BULLOCK COUNTY 217 Prairie St N Rm 101 Union Springs 36089-1659 (334) 738-5372	COFFEE COUNTY 6 County Complex New Brockton 36351-9791 (334) 894-5347	ELMORE COUNTY 100 E Commerce St Rm 205 Wetumpka 36092-2746 (334) 567-1150 (334) 567-1197	HOUSTON COUNTY PO Box 6406 Dothan 36302-6406 (334) 677-4776	MADISON COUNTY 819 Cook Avenue NW Ste 150 Huntsville 35801-5983 (256) 532-3510	PIKE COUNTY 120 W Church St Rm 82 Troy 36081-1913 (334) 566-1757 (334) 566-6449	WASHINGTON COUNTY PO Box 1224 Chatom 36518-1224 (251) 847-3255
BUTLER COUNTY 700 Court Sq Rm 8 Greenville 36037-2308 (334) 382-5685 (334) 382-6829	COLBERT COUNTY 201 N Main St Tuscumbia 35674-2095 (256) 386-8535	ESCAMBIA COUNTY PO Box 557 Brewton 36427-0557 (251) 867-0243 (251) 867-0312	JACKSON COUNTY 102 E Laurel St Scottsboro 35768 (256) 574-9339 (256) 574-9335	MARENGO COUNTY PO Box 480715 Linden 36748-0715 (334) 295-2249 (334) 295-2086	RANDOLPH COUNTY PO Box 215 Wedowee 36278-0215 (256) 357-2138	WILCOX COUNTY PO Box 661 Camden 36726-0661 (334) 682-9753
CALHOUN COUNTY 1702 Noble St Ste 113 Anniston 36201-3889 (256) 241-2930	CONECUH COUNTY 111 Court St Rm 102 Evergreen 36401 (251) 578-7024	ETOWAH COUNTY 800 Forrest Ave Ste 206 Gadsden 35901-3651 (256) 549-5384	JEFFERSON COUNTY 716 R Arrington Jr Blvd N Ste A-410 Birmingham 35203-0115 (205) 325-5550	MARION COUNTY PO Box 964 Hamilton 35570-0964 (205) 921-3625	RUSSELL COUNTY PO Box 700 Phenix City 36868-0700 (334) 298-1443 (334) 448-1508	WINSTON COUNTY PO Box 459 Double Springs 35553-0459 (205) 489-3966
CHAMBERS COUNTY 18 Alabama Ave E Rm 101 Lafayette 36862 (334) 864-4313	COOSA COUNTY PO Box 218 Rockford 35136-0218 (256) 377-2418	FAYETTE COUNTY 103 First Ave NW Ste 4 Fayette 35555-2627 (205) 932-5432	LAMAR COUNTY PO Box 338 Vernon 35592-0338 (205) 695-6348 (205) 695-9197	MARSHALL COUNTY 424 Blount Ave Ste 106A Guntersville 35976-1122 (256) 571-7740	SHELBY COUNTY PO Box 1642 Columbiana 35051-1642 (205) 669-3913	SECRETARY OF STATE ELECTIONS DIVISION PO Box 5616 Montgomery 36103 (334) 242-7210 (800) 274-8683
CHEROKEE COUNTY 260 Cedar Bluff Rd Ste 106 Centre 35960-1403 (256) 927-5336	COVINGTON COUNTY 228 Hillcrest Dr Andalusia 36420-2570 (334) 428-2685		LAUDERDALE COUNTY PO Box 1059 Florence 35631-1059 (256) 760-5840 (256) 760-5841	MOBILE COUNTY 151 Government St Ste 165 Mobile 36602 (251) 574-8586 (251) 574-8587	ST. CLAIR COUNTY 1815 Cogswell Ave Ste B-25 Pell City 35125 (205) 338-3954	

YOUR ADDRESS:

PUT
FIRST
CLASS
STAMP
HERE

MAIL TO:

BOARD OF REGISTRARS

Voter Registration Application**Before completing this form, review the General, Application, and State specific instructions.**

Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No Will you be 18 years old on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No If you checked "No" in response to either of these questions, do not complete form. (Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)		This space for office use only.				
1	<input type="checkbox"/> Mr. <input type="checkbox"/> Miss <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.	Last Name	First Name	Middle Name(s)	<input type="checkbox"/> Jr <input type="checkbox"/> II <input type="checkbox"/> Sr <input type="checkbox"/> IV	
2	Home Address		Apt. or Lot #	City/Town	State	Zip Code
3	Address Where You Get Your Mail If Different From Above		City/Town		State	Zip Code
4	Date of Birth Month Day Year	5	Telephone Number (optional)		6 ID Number - (See item 6 in the instructions for your state)	
7	Choice of Party (see item 7 in the instructions for your State)	8	Race or Ethnic Group (see item 8 in the instructions for your State)			
9		I have reviewed my state's instructions and I swear/affirm that: <input type="checkbox"/> I am a United States citizen <input type="checkbox"/> I meet the eligibility requirements of my state and subscribe to any oath required. <input type="checkbox"/> The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.				
		<div style="border: 1px solid black; height: 40px; width: 100%;"></div> <p style="text-align: center;">Please sign full name (or put mark) ▲</p> <p>Date: </p> <div style="display: flex; justify-content: space-around; width: 100%;"> Month Day Year </div>				

If you are registering to vote for the first time: please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a **change of name**, what was your name before you changed it?

A	<input type="checkbox"/> Mr. <input type="checkbox"/> Miss <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms.	Last Name	First Name	Middle Name(s)	<input type="checkbox"/> Jr <input type="checkbox"/> II <input type="checkbox"/> Sr <input type="checkbox"/> IV
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If you were **registered before but this is the first time you are registering from the address in Box 2**, what was your address where you were registered before?

B	Street (or route and box number)	Apt. or Lot #	City/Town/County	State	Zip Code
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If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C	<div style="display: flex;"> <div style="flex: 1;"> <p>■ Write in the names of the crossroads (or streets) nearest to where you live.</p> <p>■ Draw an X to show where you live.</p> <p>■ Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.</p> </div> <div style="flex: 2;"> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><u>Example</u></p> <div style="display: flex; align-items: center;"> <div style="border-right: 1px solid black; padding-right: 5px; text-align: center;">Route #2</div> <div style="padding-left: 10px;"> <p>● Grocery Store</p> <p>Woodchuck Road</p> </div> </div> <div style="display: flex; align-items: center;"> <div style="border-right: 1px solid black; padding-right: 5px; text-align: center;">Public School ●</div> <div style="padding-left: 10px;"> <p style="text-align: center;">X</p> </div> </div> </div> </div> <div style="flex: 1; text-align: right; vertical-align: top;"> <p>NORTH ↑</p> </div> </div>				
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If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D	
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Mail this application to the address provided for your State.

FOR OFFICIAL USE ONLY

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NECESSARY
FOR
MAILING



	Total Active & Inactive	Active										Inactive									
		Asian	American Indian	Black	Federally Registered (May be of Any Race)	Hispanic	Korean	White	Other	Not Identified	Total Active	Asian	American Indian	Black	Federally Registered (May be of Any Race)	Hispanic	Korean	White	Other	Not Identified	Total Inactive
TOTAL	3,615,467	22,538	8,761	821,624	1,171	37,430	17	2,233,644	19,006	20,853	3,165,044	4,024	1,626	138,839	99	7,496	7	288,436	5,485	4,411	450,423
ALTAUGA	42,350	234	71	7,342		288		28,849	229	248	37,261	48	16	1,038		74		3,754	50	109	5,089
BALDWIN	180,687	823	572	11,092		1,906		137,486	947	661	153,487	174	150	2,181		493		23,541	260	401	27,200
BARBOUR	17,054	36	21	6,827		87		7,653	37	78	14,739	10	3	1,152	1	25		1,081	13	30	2,315
BIBB	14,547	9	23	2,395		51		10,900	20	30	13,438	4	2	244		8		859	1	1	1,119
BLOUNT	41,075	68	88	552	2	1,076	1	35,671	129	100	37,687	12	12	83		93		3,109	31	48	3,388
BULLOCK	7,115	12	6	4,683		44		1,417	15	15	6,192	2	1	747		6		158	3	6	923
BUTLER	14,207	34	10	5,497		30		7,001	51	30	12,653	2	2	835		7		680	12	16	1,554
CALHOUN	78,802	355	138	13,747		723		53,249	465	530	69,207	72	37	2,610	2	129		6,378	125	242	9,595
CHAMBERS	25,409	69	27	8,756		93		12,801	86	137	21,969	32	5	1,441		28		1,865	23	46	3,440
CHEROKEE	19,419	38	32	723		60		16,311	21	49	17,234	8	1	112		24		2,032	1	39	2,185
CHILTON	29,075	59	50	2,667	3	426		22,647	124	94	26,070	10	6	383		46		2,497	24	7	3,005
CHOCTAW	10,706	4	3	4,071		14		5,286	8	15	9,401	4	3	664		1		615	6	12	1,305
CLARKE	18,986	39	33	7,756		39		9,086	39	33	17,035	9	5	894		11		1,009	6	17	1,951
CLAY	10,208	17	23	1,282		72		7,983	33	23	9,433	5	5	179		12		563	3	8	775
CLIBURN	11,182	19	12	279		49		9,438	16	30	9,843	2	4	56		10		1,262		5	1,339
COFFEE	35,891	256	125	4,963		823	1	23,393	491	348	30,400	50	22	1,025		277		3,725	149	243	5,491
COLBERT	42,770	111	71	6,200		259	1	31,142	299	208	38,291	25	19	796		43		3,475	41	80	4,479
CONECUH	9,770	34	16	3,931		25		4,594	31	21	8,652	1	3	565		5		529	6	9	1,118
COOSA	8,082	12	15	2,162		18		5,100	24	12	7,343		4	241		4		480	4	6	739
COVINGTON	27,374	79	51	2,803		114		20,824	73	81	24,025	12	11	516		28		2,729	21	32	3,349
CRENSHAW	10,348	14	23	2,230		23		6,892	17	33	9,232	5	4	320		12		759	4	12	1,116
CULLMAN	61,801	192	101	562	2	590		53,947	119	175	55,688	28	13	111	1	73		5,836	17	34	6,113
DALLAS	29,840	88	19	6,097	1	635		21,286	330	235	28,820	37	13	1,288	1	256		3,714	142	220	5,671
DEKALB	44,683	102	298	663		1,561		36,536	144	120	39,424	16	49	183		155		4,793	23	40	5,259
ELMORE	59,487	222	117	10,134		422		42,432	280	296	53,903	26	25	1,244		70		4,050	57	112	5,584
ESCAMBA	26,305	59	514	6,824		115		15,885	74	39	23,490	5	41	855		25		1,837	23	29	2,815
ETOWAH	74,178	297	117	9,790		685		54,988	197	371	66,445	48	23	1,639		95		5,751	57	120	7,733
FAYETTE	12,468	11	17	1,317		44		9,969	34	25	11,417	2	2	150		13		865	8	11	1,051
FRANKLIN	19,166	25	35	757	6	854		16,166	72	12	17,927	3	6	58		55		1,106	5	6	1,239
GENEVA	19,490	25	78	1,535		190		15,179	42	46	17,095	2	14	247		50		2,037	13	32	2,395
GREENE	6,622	4	2	4,871		14		1,025	14	21	5,951		2	556		4		99	2	8	671
HALE	11,893	15	12	6,243		21		4,355	30	30	10,706	1	3	716		4		445	8	10	1,187
HENRY	13,812	23	17	3,297		63		8,920	38	47	12,405	3	7	430		27		907	11	22	1,407
HOUSTON	77,721	384	166	16,594	2	731		48,463	344	702	67,386	69	31	3,183	1	148		6,633	73	197	10,335
JACKSON	38,383	84	319	1,165		274		32,022	72	121	34,057	12	56	195		32		3,977	14	40	4,326
JEFFERSON	483,045	3,619	504	177,663	1,126	4,225	2	230,346	2,550	3,365	423,440	786	103	26,137	84	728		29,695	720	1,352	59,605

LAMAR	10,636	5	5	1,061	31	8,667	22	14	9,805	1	4	133	8	676	3	6	831
LAUDERDALE	65,863	212	137	5,150	463	51,665	235	300	58,162	33	24	1,140	106	6,188	68	142	7,701
LAWRENCE	24,834	29	480	2,711	167	19,285	158	47	22,877	8	44	247	17	1,598	14	29	1,957
LEE	119,888	1,411	133	23,197	1,190	71,198	905	1,100	99,142	338	55	4,527	447	14,414	319	642	20,746
LIMESTONE	71,891	624	182	8,455	2	53,318	514	666	65,039	67	30	935	137	5,395	105	182	6,852
LOWNADES	9,799	12	6	6,410	17	2,227	15	17	8,704	3	4	855	8	220	3	6	1,095
MACON	16,707	24	10	10,296	2	2,235	94	37	12,735	7	184	3,560	18	266	54	63	3,972
MADISON	299,620	4,169	973	59,012	4,905	179,893	2,669	3,032	254,654	676	184	15,821	1,137	24,871	793	1,484	44,966
MARENGO	15,608	23	8	7,206	48	6,440	25	20	13,770	5	3	1,072	13	723	9	13	1,838
MARION	21,615	29	39	622	119	18,356	34	65	19,264	12	7	121	30	2,147	9	25	2,351
MARSHALL	63,307	195	150	1,036	2	52,892	183	290	56,721	25	22	194	194	6,054	30	65	6,586
MOBILE	308,321	2,971	871	92,615	2,232	159,074	1,980	1,511	261,259	459	169	16,509	662	27,347	791	1,123	47,062
MONROE	16,038	39	72	5,980	26	7,934	31	21	14,103	9	16	918	8	959	10	15	1,935
MONTGOMERY	157,263	1,585	150	82,070	7	50,684	813	1,431	137,855	257	28	12,400	244	5,782	230	467	19,408
MORGAN	84,262	288	316	9,238	1,754	64,169	342	340	76,447	48	40	1,310	2	6,003	79	126	7,815
PERRY	7,764	4	11	5,057	7	1,797	7	7	6,890	3	2	624	7	223	6	9	874
PICKENS	13,791	28	5	5,260	31	7,052	36	49	12,461	1	2	633	3	665	9	17	1,330
PIKE	23,110	68	72	7,167	107	11,494	89	105	19,102	24	10	1,796	47	2,031	37	62	4,008
RANDOLPH	17,845	24	20	2,920	74	12,683	55	52	15,828	8	4	396	13	1,559	13	24	2,017
RUSSELL	42,132	149	52	15,449	587	16,407	324	341	33,310	52	20	4,068	304	3,974	131	272	8,822
SHELBY	163,260	1,707	205	19,187	2,462	122,815	1,116	1,437	148,930	144	39	2,122	260	11,217	194	354	14,330
ST CLAIR	67,715	254	88	5,805	432	54,835	270	214	61,898	50	15	568	78	4,987	44	75	5,817
SUMTER	9,630	12	13	6,183	3	1,918	15	14	8,158	2	18	1,138	6	308	7	11	1,472
TALLADEGA	58,057	154	85	16,556	203	34,111	206	200	51,517	31	8	2,675	65	3,601	56	94	6,540
TALLAPOOSA	31,238	62	48	6,838	133	20,566	88	78	27,813	14	8	992	25	2,314	26	45	3,425
TUSCALOOSA	146,211	670	153	39,158	1,034	80,096	823	828	122,765	182	64	6,981	313	14,761	418	726	23,446
WALKER	47,245	99	72	2,573	182	39,103	289	113	42,432	17	14	460	35	4,194	37	56	4,813
WASHINGTON	13,318	13	568	2,808	33	8,459	26	16	11,923	1	89	390	7	892	7	9	1,395
WILCOX	8,545	15	9	5,690	6	2,243	7	11	7,981	1	1	435	1	124	1	2	564
WINSTON	16,895	30	27	72	118	15,199	28	38	15,512	7	4	12	11	1,336	4	8	1,383

THREE-JUDGE COURT

1. In my role as Chief Medical Officer, I provide clinical expertise for the Alabama Department of Public Health. Among other duties, I oversee the State's Communicable Disease Bureau, which handles disease surveillance and mitigation. In my position, I have played a significant role in the State's COVID-19 testing and vaccination outreach efforts. I have managed the State's efforts to reach vulnerable

populations, which include racial and ethnic minority groups and individuals who live in poorer communities and have less access to healthcare services. We use the Social Vulnerability Index (SVI) as part of our data-driven efforts to respond to COVID-19.

2. We have partnered with various organizations as part of our efforts to reach out to the African American community and to help improve vaccine confidence among Alabamians. Some of these organizations include the Alabama Conference of Black Mayors, Historically Black Colleges and Universities like Tuskegee University and Alabama State University, the Alabama State Missionary Baptist Convention, and the Governor's Office of Minority Affairs.

3. We created yard signs promoting vaccination and distributed them to various leaders in communities of color around Alabama, including Mayors, religious leaders, HBCU college administrators, and the Governor's Office of Minority Affairs.

4. ADPH created video Public Service Announcements with the Alabama Conference of Black Mayors in an attempt to educate Black Alabamians about COVID-19 symptoms and testing.¹

¹ <https://www.youtube.com/watch?v=4XER82uaXWI>; <https://www.youtube.com/watch?v=5O8GWqAJyHI>

5. I personally appeared in other PSAs in an attempt to reach out to communities of color in Alabama.² These PSAs are available on our website that collects resources about Alabama's outreach to vulnerable populations. We have aired PSAs on television and radio in Alabama and placed billboards in high-SVI communities. I also participated in a television program through WSFA, a local news station in Montgomery, in which viewers called in to have their questions answered about COVID-19 testing and vaccination.

6. ADPH provided information to churches, local physicians, and other local leaders in Alabama counties so that those leaders could best reach individuals in high-SVI communities.

7. On behalf of ADPH, I have participated in dozens of presentations, teleconferences, and conference calls targeting Alabama's African American community, including joint presentations with the Alabama NAACP and Congresswoman Terri Sewell. Most of these events occurred in the evenings so that the maximum amount of people possible could participate.

8. The State used the Alabama National Guard vaccination units as part of vaccine outreach efforts. The National Guard units were used predominately in counties with the highest SVI. Some of these units set up in parking lots, churches, or other similar locations to maximize outreach to high-SVI communities.

² https://www.youtube.com/watch?v=_EgNrIqjaiM; https://www.youtube.com/watch?v=6QE_ZApiXGc

9. The State's initial selection of vaccine locations was based on which facilities, almost all of which were hospitals, volunteered that they would be able to handle the product from a logistics standpoint. When the Federal Pharmacy vaccine program was rolled out, ADPH spent a great deal of time convincing our pharmacy partners to place vaccine in high-SVI areas. They eventually agreed to do so.

10. Today, there are vaccines available in every single county health department in Alabama.

11. A higher percentage of Black Alabamians have received the COVID-19 vaccine than White Alabamians. The county with the highest vaccination rate is Lowndes County, which is a majority-Black county.

12. Alabama has made extensive efforts related to COVID-19 outreach in the African American community. The efforts discussed in this declaration are not an exhaustive list—ADPH has conducted other efforts to reach vulnerable populations in Alabama and continues that work today.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on December 20, 2021.



Mary McIntyre, M.D., M.P.H.
Chief Medical Officer for the State of Alabama

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

EVAN MILLIGAN, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Case No. 2:21-cv-1530-AMM
)	
JOHN H. MERRILL, in his official)	THREE-JUDGE COURT
capacity as Alabama Secretary of State,)	
<i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

DECLARATION OF JOSIAH BONNER, JR.

My name is Josiah Bonner, Jr. I represented Alabama's Congressional District 1 in the United States House of Representatives from 2003 through 2013. I am over the age of nineteen, and the facts I have set out below are based upon my personal knowledge.

1. I testified in *Chestnut v. Merrill*, Case No. 2:18-CV-00907-KOB. My deposition and trial testimony from that case is attached. I have reviewed it, and my testimony was truthful and accurate. I have attached to this declaration the transcripts of this testimony along with the referenced exhibits.

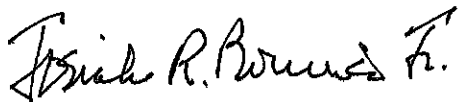
2. I understand that new litigation has been filed where plaintiffs propose a congressional map with similar structure to the maps proposed by the plaintiffs in *Chestnut*: a map that splits Mobile County, connecting the areas with more black

voters with Montgomery County and the Eastern Black Belt while connecting the parts of Mobile County with more white voters with counties in southeastern Alabama. The proposed maps in *Chestnut* divided important and longstanding communities of interest in the Gulf Coast counties to connect far-apart voters who do not share a community of interest.

3. My testimony in *Chestnut* about the plaintiffs' proposed maps in that case and the problems the maps present equally applies to any new map with a similar structure.

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

Executed on December 17, 2021.



Josiah Bonner, Jr.

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

LAKEISHA CHESTNUT, et al.,
Plaintiffs,

vs. CASE NO. 2:18-cv-907-KOB

JOHN H. MERRILL, in his official capacity as
Alabama Secretary of State,
Defendant.

* * * * *

The videotaped deposition of JOSIAH
BONNER was taken before Bethany Whaley,
Certified Court Reporter, ACCR 661, as
Commissioner, on Tuesday, July 30, 2019,
commencing at approximately 9:00 a.m., at the
Office of Attorney General, 501 Washington
Avenue, Montgomery, Alabama, pursuant to the
stipulations set forth herein.

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

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1 APPEARANCES

2

3 Representing the Plaintiff:

4 Ms. Lalitha Madduri

5 Perkins Coie

6 700 13th Street, NW

7 Suite 600

8 Washington, DC 20005-3960

9 202.654.6203

10 Lmadduri@perkinscoie.com

11

12 Representing the Defendant:

13 Mr. James W. Davis

14 Ms. Laura E. Howell

15 Office of the Attorney General

16 501 Washington Avenue

17 Montgomery, Alabama 36130-0152

18 334.353.1018

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20

21

22

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1 APPEARANCES

2 (Continued)

3
4 Representing the Defendant:

5 Mr. Dorman Walker

6 Balch & Bingham

7 105 Tallapoosa Street

8 Suite 200

9 Montgomery, Alabama 36104

10 334.2693138

11 dwalker@balch.com

12

13

14 Also Present:

15 Erika McKay, Governor's office

16 Bryan Taylor, Governor's office

17 Skip Warren, videographer

18

19

20

21

22

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8 Bonner Exhibit 1 - Map of Congressional 31
9 District Plan

10 Bonner Exhibit 2 - Map of Congressional 53
11 Districts from 1950

12 Bonner Exhibit 3 - 2011 State Board of 58
13 Education Map

14 Bonner Exhibit 4 - Revised Plan 1 62

15 Bonner Exhibit 5 - Revised Plan 2 62

16 Bonner Exhibit 6 - Revised Plan 3 63

17 Bonner Exhibit 7 - Illustrative Plan 4 63

18 Bonner Exhibit 8 - Hypothetical 2020 Plan 82
19 Map

20 Bonner Exhibit 9 - News article 120

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1 * * * * *

2 STIPULATIONS

3 It is hereby stipulated and agreed by
4 and between counsel representing the parties
5 that the videotaped deposition of JOSIAH
6 BONNER is taken pursuant to the Rules of Civil
7 Procedure, and that said deposition may be
8 taken before Bethany Whaley, Certified Court
9 Reporter, as Commissioner, without the
10 formality of a commission; that objections to
11 questions, other than objections as to the
12 form of the questions, need not be made at
13 this time, but may be reserved for a ruling at
14 such time as the deposition may be offered
15 into evidence, or used for any other purpose
16 by either party hereto, provided by the
17 Statute.

18 It is further stipulated and agreed
19 by and between counsel representing the
20 parties in this case, that the filing of the
21 deposition of JOSIAH BONNER is hereby waived,
22 and that said deposition may be introduced at
the trial of this case or used in any other
manner by either party hereto provided for by
the Statute, regardless of the waiving of the
filing of same.

It is further stipulated and
agreed by and between counsel and the witness
that the reading and signing of the deposition
by the witness is waived.

22 * * * * *

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1 THE VIDEOGRAPHER: The marks the
2 beginning of MPEG one, volume one in the
3 videotape deposition of Josiah Bonner. We are
4 on the record. Today is Tuesday, July 30th,
5 2019, and the time is 9:01 a.m.

6 My name is Skip Warren. I'm the
7 videographer. The court reporter is Bethany
8 Whaley. We're at the offices of the Alabama
9 Attorney General in Montgomery, Alabama. The
10 matter is Chestnut, et al. versus Merrill,
11 et al. The Civil Action Number is
12 218-CV-907-KOB.

13 Would counsel and all present
14 please introduce themselves after which the
15 court reporter will swear in the witness?

16 MS. MADDURI: Lalitha Madduri for
17 the plaintiffs.

18 MR. DAVIS: Jim Davis for
19 Secretary of State John Merrill.

20 MS. HOWELL: Laura Howell for
21 Secretary of State Merrill.

22 MR. WALKER: Dorman Walker for

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1 Secretary of State John Merrill.

2 MS. MCKAY: Erica McKay,
3 Governor's Legal Office.

4 MR. TAYLOR: Bryan Taylor -- Bryan
5 with a Y -- Governor's Legal Office.

6 JOSIAH BONNER,
7 being first duly sworn, was examined and
8 testified as follows:

9
10 EXAMINATION BY MS. MADDURI:

11 Q. Good morning --

12 A. Good morning.

13 Q. -- Mr. Bonner. Thank you for
14 being here.

15 A. Thank you.

16 Q. Like I said, I think we'll wrap up
17 in about ten minutes, but we do appreciate
18 your time and taking the morning out for us,
19 so thank you.

20 A. It's my pleasure. Absolutely.

21 Q. Can you please state your full
22 name for the record?

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1 A. My name is Josiah Robins Bonner,
2 Jr.

3 Q. And what is your address?

4 A. 1163 Wellesley, W-E-L-L-E-S-L-E-Y,
5 Green, Tuscaloosa, Alabama 35406, but I am in
6 the process of moving. And so my new address
7 is 7216 Sibley, S-I-B-L-E-Y, Montrose,
8 Alabama, M-O-N-T-R-O-S-E, 36559. And that
9 will be effective September 1st.

10 Q. And have you ever been deposed
11 before, sir?

12 A. I was asked that question, and I
13 was not able to give a definitive answer. So
14 I don't believe I have, but I have
15 participated in depositions when I was in
16 Congress.

17 Q. In what capacity did you
18 participate?

19 A. I was chairman and then ranking
20 member of the House Ethics Committee. So we
21 deposed witnesses when we were doing
22 investigations. I have been called as a

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1 witness -- or I was told I would be called as
2 a witness in civil disputes, child custody
3 cases and all, but I never actually testified.

4 Q. Okay. So you've never testified
5 in a court of law or any other --

6 A. Not that I'm aware of.

7 Q. So I'll just go over a couple
8 ground rules then.

9 A. Okay.

10 Q. So we're going to try to make a
11 clear record, and for the sake of the court
12 reporter, I'll ask you questions, and I just
13 ask that you wait until I'm finished asking
14 the question before you respond, and I will
15 similarly try not to speak over you to make
16 her job a little bit easier.

17 And it's also important just to
18 give audible answers, either yes or no, as
19 opposed to shaking your head or nodding your
20 head or saying uh-huh or um-hmm just because
21 it's hard to understand what that means when
22 it's on paper. Does that all make sense?

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1 A. Yes, ma'am.

2 Q. And if you don't understand a
3 question that I ask, please just let me know,
4 and I'll try to clarify.

5 A. Okay.

6 Q. If you don't tell me that you
7 don't understand --

8 A. (Witness nods head.)

9 Q. -- I'll assume that you have
10 understood. Does that make sense?

11 A. It makes sense.

12 Q. Okay. And if you need a break at
13 any time, just please let me know.

14 A. (Witness nods head.) Okay.

15 Q. I just only ask that if there's a
16 question pending we just finish that question
17 before we take the break.

18 A. That sounds fair.

19 Q. Okay. Is there any reason today
20 that you can't give your full and honest
21 testimony?

22 A. No, ma'am.

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1 Q. Any medication or anything like
2 that?

3 A. No, ma'am.

4 Q. Okay. Great. So how did -- how
5 did you learn about this case?

6 A. I was told, I believe, by a member
7 of our legal staff that there was a case and
8 that the Secretary of State's office and the
9 Attorney General's office and the plaintiffs
10 may all have some interest in talking with me
11 given that I had worked on Capitol Hill for
12 18 years and then served in Congress for six
13 terms.

14 Q. Okay. And do you remember when
15 you learned about the case?

16 A. It would have been within the last
17 six months. I've been with Governor Ivey for
18 seven and a half months. I've been her Chief
19 of Staff since January 15th, and so it was
20 after I moved into the Chief of Staff's
21 office, but I don't keep a daily calendar -- I
22 keep a daily calendar, but I -- I don't recall

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1 the phone call or exactly who called me.

2 I believe it was the -- the chief
3 counsel, Mr. Taylor, who called just to make
4 me aware of this, but I wouldn't want to swear
5 under oath about that because it could have
6 been someone else. But it was someone in
7 that -- in that legal office.

8 Q. Okay. And what did they tell you
9 about the case?

10 MR. DAVIS: I would object to that
11 on grounds of privilege. Mr. Taylor and the
12 Attorney General's office represent
13 Mr. Bonner. So don't go into details about
14 what the legal office has told you about the
15 case.

16 Q. (By Ms. Madduri) What is your
17 general understanding of the case?

18 A. Well, my general understanding is,
19 is that there was a challenge to the current
20 district lines and that the judge determined
21 that there was not enough time to order -- to
22 rule on that and to order new district lines

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1 and that that matter would be set aside.

2 And that -- the remaining question
3 was whether or not the plaintiffs' contention
4 that there be two minority districts would be
5 heard at a later time.

6 Q. And I'm not asking you for any
7 privileged information here, but who else have
8 you spoken with about the case other than the
9 lawyers that --

10 A. No one else.

11 Q. Were you provided with any
12 documents or records regarding the case?

13 A. I -- I was -- I met with one of
14 the attorneys in the Governor's office who
15 advised that I did not need to read any
16 documents or ask for any documents to prepare
17 for this. And therefore, I did not ask for
18 any documents, and I did not read any
19 documents.

20 Q. How did you prepare for today's
21 deposition, if you did?

22 A. I got up, put on a nice suit, and

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1 I -- I really came prepared to discuss my
2 experiences of having worked on Capitol Hill
3 in the federal delegation, Alabama
4 Congressional Delegation for about 28 years.

5 Q. Understood. So we can dig into
6 that. So you were the congressional
7 representative for Alabama's 1st district --

8 A. Yes, ma'am.

9 Q. -- starting in 2003; is that
10 right?

11 A. Yes, ma'am.

12 Q. Okay. Until 2013?

13 A. Yes, ma'am.

14 Q. Can you just describe for me your
15 district generally?

16 A. It is a -- it's a very special
17 part of Alabama. If you -- every member of
18 congress would think their district is the
19 most special, but ours is unique in the sense
20 that it's the only coastal district. So we
21 have mountains in north Alabama, and in south
22 Alabama, we have beautiful Gulf Coast beaches.

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1 So Mobile and Baldwin Counties are
2 the two largest counties in the district.
3 They anchor, and they have for the last 40 to
4 50 years, the contiguous counties surrounding
5 it. There's a lot of continuity in that
6 district in terms of its economy, in terms of
7 its history, and in terms of its -- its DNA.
8 A lot of it revolves around the water, around
9 the river system.

10 And when I was elected in 2002, I
11 became the fifth member of Congress to
12 represent that district since -- in -- in
13 90 years. So there's not been a lot of
14 turnover. I worked for my immediate
15 predecessor. I was his press secretary and
16 then later his Chief of Staff.

17 And I actually interned for his
18 predecessor when I was in college. So it's my
19 home, and as a result, I know that area of the
20 state fairly well.

21 Q. Which part of the district did you
22 grow up in?

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1 A. Well, at the time I grew up in
2 Camden, which is no longer in the district.
3 It's in Congresswoman Sewell's district, in
4 the 7th district. But the -- the districts in
5 Alabama have changed over the last 40 to
6 50 years based on the population changes.

7 The Black Belt of Alabama, which
8 is predominantly the 7th congressional
9 district, has lost population, and therefore
10 they've had to go into Jefferson County which
11 is the most populated county in the state and
12 some even into Montgomery County as well just
13 to find enough people.

14 The county I grew up in had
15 probably 14,000 people in it when I was a
16 child, and it probably has 14,000 people in it
17 today if you're lucky. But I grew up in the
18 northern part of the district. But then in
19 1984, I moved to help my predecessor Sonny
20 Callahan get elected to Congress. I was his
21 campaign press secretary, and then after he
22 was successful with his election, he asked me

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1 to go to Washington with him.

2 Q. Can you describe -- you talked a
3 little bit about geography, a little bit about
4 other aspects of the district. Can you talk a
5 little bit about the demographics of your
6 district when you represented it?

7 A. So Mobile is the largest city in
8 the district, and it's the port of Alabama.
9 So we have one of the largest intrastate water
10 systems in the nation. The Mobile Delta is
11 the second largest body of -- of water of its
12 kind in the nation. Second only to the
13 Florida Everglades.

14 So the district's livelihood feeds
15 off of the bay and of the delta and of the
16 river system. As a port city, we have a lot
17 of cargo that comes in and out of Mobile every
18 day. And a lot of that cargo that goes out
19 come from the surrounding areas.

20 It comes from the timber-producing
21 companies in Clarke County and in Monroe
22 County and in Escambia County. It comes from

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1 the poultry-producing counties. I mean, it's
2 a state port. It's, I think, the 13th largest
3 in the nation.

4 But in some areas like in -- in
5 timber, we're the largest. In coal, we've
6 been number one or two in the nation. So the
7 district's compactness has been largely
8 because the legislature and the federal
9 courts, when the legislature couldn't agree on
10 a legislative plan, recognized that there was
11 a community of interest in the 1st
12 congressional district that was unique.

13 And that community of interest, it
14 involves banking, it involves education, it
15 involves health care. If you're in
16 Monroeville, Alabama and you're -- you've been
17 diagnosed with an illness that needs a
18 specialty hospital, you go to Mobile.

19 If you are in -- working along
20 highway -- U.S. Highway 43, which runs from
21 Mobile all the way up to Thomasville, working
22 at one of the chemical companies that have

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1 located there or a steel mill that's located
2 there, it's very likely that you live
3 somewhere in Mobile or Baldwin Counties
4 because Washington County is not a very
5 populated county. They couldn't supply all
6 the workers for those industrial needs.

7 So the -- the district truly is a
8 cohesive area that has been that way since
9 the -- the early 1960s in the -- in the --
10 when we had eight members of Congress, Mobile
11 and Baldwin Counties were separated. But
12 after that time, the -- the leadership of
13 Alabama legislature and the Courts recognize
14 that it was impossible to separate Mobile and
15 Baldwin Counties because they were connected
16 by the bay and they truly -- they have
17 something in common that very few other parts
18 of the state have.

19 This year is Alabama's 200th year
20 as a state, but Mobile was founded in 1702.
21 Alabama was -- became a state in 1819. So
22 even the oak trees talk a different language

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1 in Mobile and Baldwin Counties. It's just --
2 it's one of the oldest parts of the country
3 quite frankly. And -- and that area's
4 political geography matches well with its
5 economic and social geography as well.

6 Q. I think you talked a little bit
7 about the economic part of that. Can you talk
8 a little bit about the political part that you
9 just mentioned, the political --

10 A. Well, as I say, Congressman Frank
11 Boykin was -- John McDuffie was elected in the
12 19 teens. He became a federal judge when he
13 left Congress. Frank Boykin was in for
14 28 years. He was the last Democrat member
15 elected. Jack Edwards was elected in 1964,
16 served for 20 years. Sonny Callahan was
17 elected in 1984, served for 18 years.

18 And then when I was elected in
19 2002, I served -- I did not complete my term,
20 but I was elected to my sixth term and later
21 resigned. But the -- the district has, since
22 1964, elected Republican members of Congress,

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1 but we have had a diverse political history
2 throughout the district as well. For
3 instance, Mobile elected an African-American
4 mayor, Sam Jones, when it was still a majority
5 white city.

6 Unlike other cities in Alabama and
7 in the deep south, Mobile avoided some of the
8 racial -- racially charged issues that
9 Birmingham, Selma, and Montgomery had. We had
10 a mayor, long before I lived there, that
11 worked hard to make sure that Mobile avoided
12 that.

13 And Mobile being a port city has
14 so much more international influence than,
15 quite frankly, some of the other cities as
16 well. Plus, we're a much older city than
17 Birmingham, for instance.

18 Q. Okay. So you mentioned sort of
19 the unique economic features and political
20 features. And I think you also said social
21 features. Can you talk a little bit about
22 those?

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1 A. We're not bragging, but we're the
2 mother of Mardi Gras. So most Americans think
3 of Mardi Gras, they think of New Orleans, but
4 they would be mistaken because it started in
5 Mobile. And it is spread throughout our area
6 of the state, Fairhope, Gulf Shores, Orange
7 Beach, Dauphin Island.

8 It -- it is a part of the
9 religious life of the district because it's
10 actually connected to the Catholic church, but
11 it's also something that -- other cities today
12 might start a Mardi Gras society, but none
13 have some as old as 150, 160 years of age. So
14 it -- it is something that people in south
15 Alabama take part in throughout our district.

16 It's not uncommon during the
17 season for there to be 150 to 350,000 people
18 that have come in from all the surrounding
19 towns. And some rent motel rooms and some
20 bring their RVs, but it's a family
21 celebration.

22 Q. Is that in Mobile?

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1 A. It is.

2 Q. It is?

3 A. That's where it originated, but
4 it's also in Fairhope, and it's in all of the
5 other veteran communities as well. But it's
6 also -- I would -- I would expand the social
7 beyond just a celebration. Mardi Gras, too,
8 connects heavily to Mother Nature. We have
9 sailing. We have fishing on the rivers, in
10 the gulf, in the bay.

11 Hunting is a popular sport. It's
12 a very social sport. It's a big -- big
13 economic driver too. And so -- so, you know,
14 many instances you choose to live close to
15 where you work or close to where the schools
16 are that you want your children to go to, but
17 a lot of people choose to live in south
18 Alabama because of the plethora of
19 opportunities they've got to socialize, to
20 enjoy nature, and to enjoy getting out of the
21 woods and getting in the water. And -- and
22 it's -- it's a common thread that connects a

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1 lot of people in that part of the state
2 together.

3 Q. So I think we're getting there
4 already, but I think you're describing some
5 communities of interest that exist in your
6 district. Can you just in your own words tell
7 me what a community of interest means?

8 A. Well, I think a community of
9 interest is an area that complements each
10 other, that -- that supports each other, that
11 connects to each other, and it does it in
12 business and commerce. It does this in
13 education. It does it in law.

14 I mean, the attorneys in the small
15 towns around Mobile practice law at the
16 federal courthouse in -- in Mobile. They
17 wouldn't go to the Middle District or to the
18 Northern District, with rare exception.

19 And then certainly that community
20 of interest has a political overtone as well.
21 When you are fortunate to be elected to
22 represent your district in Congress, you then

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1 quickly realize that you have an obligation to
2 serve the people in that district.

3 And so compactness, ease of
4 travel, going from one end of the district to
5 the other, either north, south, east, or west
6 is important, how you locate your district
7 offices.

8 Every congressional office has a
9 budget that's roughly the same amount. There
10 is a slight adjustment for a major
11 metropolitan area like New York City or Los
12 Angeles or Dallas. But you have basically a
13 million dollars -- it may be a little bit more
14 than that now -- to pay your staff, to rent
15 your office, to provide services to your
16 constituents.

17 And so that -- that community of
18 interest and that compactness is helpful to
19 you to be a better representative, to make
20 sure that you can do town hall meetings, that
21 you can go to your constituents and that they
22 don't have the burden of coming to Washington

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1 to see you.

2 Q. I think very helpfully Alabama's
3 legislature has created a -- a definition sort
4 of for communities of interest, and I think
5 we've talked -- you know, it's pretty broad.
6 And I can -- I can read it to you.

7 It's from the legislature's
8 Reapportionment Committee Guidelines for
9 Congressional, Legislative, and Board of
10 Education Redistricting.

11 So it says that a community of
12 interest is defined as an area with recognized
13 similarities of interest including, but not
14 limited to, racial, ethnic, geographic,
15 governmental, regional, social, cultural,
16 partisan, or historic interest; county,
17 municipal, or voting precinct boundaries; and
18 commonality of communication.

19 So I think you've touched on a lot
20 of these already.

21 A. (Witness nods head.)

22 Q. A couple that I don't know if

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1 we've talked about are the racial and ethnic
2 ones.

3 A. (Witness nods head.)

4 Q. Can you talk a little bit about
5 communities of interest from that aspect in
6 your district?

7 A. Well, the first history has a very
8 diverse ethnic population. Bayou La Batre is
9 a small costal community down in the southern
10 the part of Mobile County. It's the seafood
11 capital of Alabama.

12 If you enjoy eating shrimp or crab
13 meat or oysters or fish in Washington, DC, at
14 some of the finest restaurants, it's very
15 likely that the product came through Bayou La
16 Batre. It's a -- it's a shipbuilding
17 community. And it is also where one of our
18 famous native sons, Forrest Gump, called home.
19 He is fictional.

20 But we have people from Cambodia,
21 from Vietnam, from Thailand, from Taiwan, from
22 China, from Mexico, probably 17, maybe 20 or

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1 25 different countries that live in that part
2 of south Mobile County. A smaller population,
3 but nonetheless a diverse population, lives in
4 the fishing village of Bon Secour, which is
5 over in Baldwin County, near Gulf Shores and
6 Orange Beach.

7 So, for instance, when we've had a
8 hurricane or when we had the oil spill --
9 hurricane that was most devastating to our are
10 was Hurricane Ivan in 2004. Hurricane Katrina
11 hit in 2005. It was equally -- it was worse
12 for the Gulf Coast, but Hurricane Ivan was
13 really more damaging to south Alabama than
14 Hurricane Katrina.

15 Or when we had the oil spill in
16 2010 off the coast of Louisiana, my office,
17 our staff, we worked to make sure that the
18 entire community of interest got the messages
19 of evacuation, of safety, of shelter, of -- of
20 help from FEMA, of -- of -- of help from the
21 organization that was set up by the Obama
22 administration help after the oil spill that

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1 Mr. Feinberg oversaw.

2 So you do that by going -- by
3 having translators. You do that by -- by
4 actually doing flyers and mailings in
5 different languages. You do it by working
6 with the Red Cross and other groups that
7 actually specialize -- especially a lot of
8 faith-based groups that specialize in
9 contacting those different communities.

10 So it would be one of the most, if
11 not the most, diverse congressional districts
12 in the state. We have a large
13 African-American population that is spread
14 throughout the district, but there is a city
15 in the district, Prichard, Alabama, that
16 has -- it's one of the -- it would be one of
17 the ten largest cities in the state probably.

18 And it's today a majority
19 African-American population, but it wasn't
20 that long ago when it was majority Caucasian
21 population. They elected their first
22 African-American mayor when it was majority

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1 white town. And then after that, they elected
2 a white lady mayor when it was a majority
3 African-American town.

4 So there's been -- as I said
5 earlier, unlike some cities in the state and
6 throughout the nation, we have had a more
7 harmonious relationship with the different
8 racial backgrounds and ethnic backgrounds than
9 a lot of other parts of the country.

10 Q. So you mentioned Prichard as a
11 place that's majority African-American. Are
12 there other places in the district where
13 African-Americans are more concentrated?

14 A. There -- there are parts of Mobile
15 that are. Africatown, the plateau community,
16 is part in Mobile and part in Prichard.
17 Trinity Gardens -- there are sections of
18 town -- of the city of Mobile that are.

19 But I'm -- I -- I don't know the
20 numbers, but you could look at Bay Minette
21 which is the county seat of Baldwin County.
22 You can look at Chatom which is the county

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1 seat of Washington County. You could look at
2 Monroeville which is the county seat of Monroe
3 County. And you would see a -- a -- a healthy
4 balance in terms of the racial makeup. I just
5 can't tell you what those are.

6 Q. And I'm not -- I'm not trying to
7 ask you for facts or figures, so thank you.
8 That's helpful.

9 One -- I think it would be helpful
10 if I gave you a map to look at instead of --
11 so I can -- this is the current Congressional
12 District Plan which we can mark as Exhibit 1.

13 (Bonner Exhibit 1 was
14 marked for identification.)

15 MR. DAVIS: Here, hand this down
16 to Bryan, and I will share -- I'll look on
17 with Jo. Just make sure you can see it.

18 A. I've seen this before.

19 Q. (By Ms. Madduri) Yes. I'm sure
20 you're familiar with this. I wanted to ask
21 you in Clarke County, what is that area that
22 is encompassed in congressional district 1

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1 that splits Clarke County?

2 A. Clarke County, this area is
3 predominantly the area that leads into
4 Jackson, Alabama. So Clarke County has three
5 large cities. The county seat is Grove Hill.
6 And then the northernmost city is Thomasville,
7 and then Jackson is the southernmost city.

8 And so I will tell you that when
9 the decision was made in the redrawing prior
10 to this current map to split Clarke County,
11 there were a lot of local people, local
12 leaders, the editor of the newspaper, the --
13 some of the mayors, some of the other
14 prominent citizens in the community, both
15 African-American and white who were not
16 excited about having the split county.

17 But when -- when the legislature
18 made the decision and before that in the
19 previous redistricting effort to split Clarke
20 County, the members of the congressional
21 delegation made a commitment to the people of
22 Clarke County that rather than being concerned

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1 about having their county split, they would
2 find it beneficial. And we worked our hearts
3 out to make that happen.

4 So when I was elected in 2002,
5 Congressman Artur Davis was elected the same
6 year from the 7th congressional district, and
7 Artur and I agreed to do joint town hall
8 meetings. When Congressman Davis left
9 Congress and Congresswoman Terri Sewell came
10 in, she and I agreed to do joint town hall
11 meetings.

12 The ironic and, quite frankly, sad
13 thing was that we asked C-SPAN. We asked the
14 national media if they would like to see a
15 black Democrat from Birmingham and a white
16 Republican from Mobile do a joint town hall
17 meeting, and because it wasn't crossfire, it
18 wasn't controversial, and we weren't putting
19 boxing gloves on and -- and fighting each
20 other politically, it didn't make a lot of
21 news. But we did that every year.

22 And we did it. It's now

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1 continued. Congressman Byrne, I believe,
2 continues to have these meetings with
3 Congresswoman Sewell. And so the concerns
4 that the people in Clarke County had was that
5 they felt, if I can speak for them, what they
6 told me was they felt -- they were concerned
7 that if they had a split county that they
8 would not be served by either member of
9 Congress.

10 And in fact, you'd probably add up
11 that we spent as much time in Clarke County as
12 we did in any of the other counties, but that
13 area goes north of Jackson, but it does not
14 go -- as I recall, it doesn't go all the way
15 into Grove Hill, and it certainly doesn't go
16 to Thomasville. And yet when someone from
17 Thomasville would call our office needing
18 help, or when someone from Jackson would call
19 Congresswoman Sewell's office needing help,
20 help was there.

21 Q. And just so I'm clear, when --
22 when was -- you mentioned it happened in a

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1 previous redistricting cycle. When did
2 this --

3 A. So the --

4 Q. -- change happen to add Clarke
5 County or this part of Clarke County into --

6 A. So when -- when Congressman
7 Callahan was elected in 1984, Wilcox County
8 was in there, my home, and all of Clarke
9 County. So the district actually, instead of
10 having six counties, had seven counties.

11 But because of the adjustments in
12 population, the -- Wilcox County left in the
13 1990 redrawing and Clarke County became split
14 as I recall in the 2000 and then again in
15 2010. And so it was split in 2000. It was
16 split further in 2010.

17 Q. And what was -- what was your
18 involvement, if any, in that --

19 A. Well, I was a member --

20 Q. -- in those decisions?

21 A. -- of Congressman Callahan's
22 staff, and so therefore, all of the members of

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1 Congress sent their Chiefs of Staff or a
2 designee to come down to work with the
3 legislature to -- to -- obviously the
4 legislature made the decision on drawing for
5 the federal races, for the state races, for
6 the state school board.

7 So our role was to come down to
8 answer questions, to work with them to help
9 understand communities of interest,
10 compactness of district, and offer whatever
11 help we could to help them do their
12 constitutionally mandated job of redrawing the
13 districts every ten years.

14 Q. Were you ever involved in actually
15 drawing the map?

16 A. I -- I saw others who knew how to
17 work the computer, but I never actually did
18 that, no, ma'am.

19 Q. And what did you think about -- I
20 guess, first, what did you think about the
21 removal of Wilcox County from --

22 A. Well, it was personally

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1 disappointing because it was my home county,
2 but it was not a surprise. The population --
3 there was a desire at that time made to create
4 a minority district.

5 And at that time, they needed a
6 certain percentage of minority vote in that
7 district to give the best chance of creating
8 that district. So there's a higher percentage
9 of African-Americans in Wilcox County even
10 though it's a small county, 14, 15,000 people.

11 And so the legislature at that
12 time made that decision, and so that's why
13 there's -- they call it the finger. But
14 that's why there's a finger that goes up into
15 Jefferson County that's going after the
16 largest population of primarily
17 African-American voters that can also connect
18 into the other Black Belt counties to create
19 that minority district.

20 Q. In your view, did Wilcox County
21 share all of those same sorts of communities
22 of interest that you described with the rest

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1 of what was formerly congressional district 1,
2 I think, in 1990, it sounds like?

3 A. Actually, it probably was the
4 outlier. Camden is 30 miles from Selma. And
5 so if you are a child growing up in Wilcox
6 County and you need to go to the doctor or you
7 need to go to the grocery store or you needed
8 to go get a new pair of -- new set of tires,
9 you would go to Selma more than you would go
10 to Mobile.

11 So Wilcox County politically was
12 not as connected other than the fact it had
13 been in the district, and Congressman Edwards
14 served that district and Congressman Callahan
15 served that district including Wilcox County.

16 But I never had the privilege of
17 representing my home county, but my home also
18 shifted to Mobile when I moved there in 1984.
19 I was just -- I was actually born in Selma
20 because we didn't have a hospital in Camden.
21 And I didn't like it, so I moved away about
22 three days later to Camden.

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1 Q. And then Clarke County, are there
2 any communities of interest that you think are
3 split up by this, the way that this is
4 divided?

5 A. No. If you're in Thomasville,
6 which is the northernmost city in -- in that
7 county, you're still going to gravitate toward
8 Mobile. There's a major four-lane highway
9 that runs north and south.

10 You can look at the football
11 schedule this time of year, and you'll see
12 Thomasville plays Jackson, Grove Hill, and
13 Monroeville, Chatom, played Butler in Choctaw
14 County. There's no political overtones to
15 developing a football schedule, but the
16 communities are connected even though
17 Thomasville is technically in the 7th
18 district -- politically in the 7th
19 congressional district.

20 Nobody who lives in that county --
21 few people who live in that county would be
22 able to tell you whether they live in the

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1 6th -- in the 7th district or the 1st district
2 because they have been well served by
3 Congresswoman Sewell and Congressman Byrne and
4 before him, me.

5 Q. Generally when redistricting, do
6 you believe that it's preferable to keep
7 counties whole?

8 A. It was the legislature's goal to
9 keep them whole. That's what they told us.
10 At the time, Gerald Dial in the last
11 redistricting was, I believe, the head of the
12 Senate Reapportionment Committee, and Jim
13 McClendon was, I believe, head of the House
14 Reapportionment Committee.

15 And I think their -- they would
16 have preferred to have keep counties whole,
17 but they also were trying to get to zero
18 deviation. They were trying to get to a -- a
19 map this the Justice Department would approve,
20 meeting all the other goals and objectives
21 that they had.

22 So I have a good friend who was

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1 the publisher of the local paper in -- in
2 Jackson -- actually was the publisher of the
3 local paper in Grove Hill which is the county
4 seat in Clarke County, but going back to
5 the -- to the map that was drawn that first
6 separated Clarke County -- Jim Cox is the
7 publisher's name.

8 He now owns the papers in Jackson
9 as well as in Thomasville, but I remember
10 specifically him telling me that he couldn't
11 see how it could be beneficial to having a
12 split county. And years later he told me when
13 I assured him that we would make certain that
14 Clarke County was not underserved or ignored
15 in any way, he said, I should have trusted
16 you. Y'all have done everything you promised
17 and then some.

18 So -- but yes, I think most people
19 would prefer to have their counties kept
20 whole, but it's easier said than done. But
21 even so, if you look at this map, there really
22 are not that many split counties in Alabama

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1 compared to a lot of districts around the
2 country.

3 Q. Do you -- what do you think about
4 the splitting of Montgomery County the way
5 it's split?

6 A. Well, it -- it was split that way
7 to achieve the population goals, but I will
8 also tell you that being the capital city,
9 there are -- there were other members of
10 delegation that wanted to be -- wanted a part
11 of Montgomery County.

12 They wanted the -- some of it is
13 service oriented, and quite frankly, some of
14 it is -- is politically valuable to -- you
15 know, it's very expensive to run for office.
16 And so when you have a large city, the capital
17 city gives you an added reason to come here
18 not only to serve your district but also when
19 it's time to run for reelection to -- to meet
20 your political friends as well.

21 Q. And what about for the
22 constituents in Montgomery County, do you

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1 think there are any issues with them being
2 split up this way?

3 A. No, ma'am. I don't personally
4 have any reason to believe there are any
5 issues. Montgomery is also -- and I'm not an
6 expert on the 2nd district, but Montgomery's
7 economy has also been more closely tied to the
8 Wiregrass economy.

9 The Wiregrass of Alabama is a
10 geographic region like the Black Belt is.
11 It's made up of -- in Houston, Dale, Henry,
12 Coffee, Geneva, Barbour, Pike. So if you were
13 to ask people in Dothan, in Houston County, if
14 they needed to go to -- go to a bigger city to
15 go shopping, to go to the hospital, to go to
16 do business, they would choose Montgomery over
17 Mobile in a heartbeat.

18 Q. What are some -- you mentioned
19 economic interests in the Wiregrass region in
20 CD 2, what are some of those interests that
21 exist there?

22 A. Well, one that easily comes to

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1 mind is -- is agriculture. Alabama is a big
2 agriculture state. For years it was our
3 leading industry statewide, but for many, many
4 years, for decades, the federal government had
5 a federal peanut program that the counties in
6 the 2nd district actively participated in
7 along with neighboring counties in Georgia and
8 in Florida.

9 And until they changed that
10 program, people in the 3rd district, people in
11 the 7th district, people in the 1st district
12 didn't grow peanuts. It was -- it was based
13 on soil. It was also based on the
14 historical -- if you were in that program, you
15 didn't want to get out of it because there
16 were years -- if there had been a surplus the
17 previous year, they would actually pay you to
18 not grow peanuts. So it was a -- it was a
19 very lucrative program for those who were in
20 it.

21 But -- but there are other more
22 obvious differences as well. We have Fort

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1 Rucker, and we have Maxwell and Gunter Air
2 Force Base. So you've got Army Aviation down
3 in the Wiregrass, down in Enterprise area.
4 You've got the F-35s coming to Montgomery.
5 You've got Air University training all the
6 air -- the Air Force officers that will go on
7 to lead the Air Force in Montgomery.

8 We had an Air Force base in
9 Mobile. It closed in the 1960s. We build
10 ships for the Navy, so we have a much
11 different -- we're all pro military in the
12 state. But you can be pro military, but you
13 can also see a -- a -- a stark difference in
14 terms of where you're going to put your
15 efforts.

16 Like in Huntsville with the
17 administration calling for the creation of
18 Space Force, that's something of real interest
19 to the folks in Madison County and Marshall
20 County. Doesn't really have a lot of interest
21 to us on the coast unless we're going to ship
22 those rockets up the river system, and we may.

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1 But -- but our focus, if you were
2 in Congress from the 2nd congressional
3 district, you would want to be on the Armed
4 Services Committee. You'd have a vested
5 interest in protecting the federal
6 government's installations at Fort Rucker and
7 at Dannelly and at Maxwell Gunter.

8 And -- and that's borne out by
9 evidence that Congressman Dickinson who was in
10 office for 20-plus years, maybe 28 -- 24 was
11 on Armed Services. Congressman Everett was on
12 Armed Services. Congressman Bright was Armed
13 Services, and congressman -- Congresswoman
14 Roby was on it until she got on the
15 Appropriations Committee that was created when
16 the congressman from the 1st district
17 resigned. That would be me, but her goal was
18 to get on defense appropriations and she did.

19 Likewise, if you're from the 1st
20 district, you know, I -- I didn't have near as
21 much interest in helicopters as I did ships.
22 When I was in Congress, we got the contract

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1 for Austal which is an Australian shipyard to
2 build a new generation of warship for the
3 Navy, the littoral combat ship.

4 We got the contract for them to
5 build -- it was a 2-plus billion dollar
6 contract. And today 4,500 people work in that
7 shipyard. So that's -- that's an important
8 part of our economy, but it's also something
9 that you can't build ships in Dothan or
10 Montgomery. You've got to be in a deep water
11 port.

12 Q. Is there a -- an Airbus plant in
13 Mobile now?

14 A. There is. So we grew -- DNA has
15 long been in -- aerospace has long been in
16 Alabama's DNA. The Wright brothers actually
17 opened an aviation training center in
18 Montgomery in 1910, I believe. But we started
19 recruiting Airbus in my early years in
20 Congress, and then we landed them in 2012.

21 They made the decision to come.
22 They broke ground. They had the grand opening

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1 a year later, and today, they are building the
2 A-320 which is the most popular single-aisle
3 plane in the world with 9,000 planes on back
4 order.

5 And they have just started work on
6 an A-220 smaller jet that's based on a
7 Canadian jet, Bombardier, and so in less than
8 a decade, they will -- Mobile will become the
9 fourth largest city for commercial air --
10 aircraft manufacturing in the world, which is
11 pretty good.

12 Q. That's very impressive.

13 MR. DAVIS: Lali, would this be a
14 good time for --

15 MS. MADDURI: Sure.

16 MR. DAVIS: -- a break?

17 MS. MADDURI: Yeah.

18 THE VIDEOGRAPHER: This ends MPEG
19 one in the continued deposition of Josiah
20 Bonner. We are off the record at 9:52.

21 (A recess was taken.)

22 THE VIDEOGRAPHER: This begins

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1 MPEG two in the continued deposition of Josiah
2 Bonner. We're on the record at 10:02.

3 Q. (By Ms. Madduri) Mr. Bonner, can
4 you tell me -- you were mentioning there's
5 some particular agricultural interest in CD 2.
6 Is there any agricultural in CD 1?

7 A. There is. It's -- it's a
8 different type of agriculture. We -- a lot of
9 timber and soybeans, cotton, and other row
10 crops like that.

11 Q. And where in the district are
12 those located?

13 A. Washington, Clarke, Monroe,
14 Escambia, Baldwin. Although Baldwin is one of
15 the fastest growing counties, and so a lot of
16 their farmland is being squeezed for
17 development.

18 Q. Understood. And I think you were
19 talking about this a little bit before, but
20 can you tell me a bit about the split of
21 Jefferson County in the current plan?

22 A. Well, Jefferson County is the

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1 largest county in the state. And as such,
2 the -- when you've got counties that are
3 losing population like Wilcox and Choctaw and
4 Lowndes, and you've got counties that are
5 growing in population like Jefferson and
6 Madison and Morgan, when the legislature --
7 not during this last redistricting but in the
8 previous ones, Congressman Claude Harris
9 represented the 7th congressional district.

10 And when he did not seek
11 reelection, Congressman Earl Hilliard who was
12 the state legislator at the time, state
13 senator, ran and was elected to that seat as
14 the first African-American to serve in the
15 delegation since reconstruction or for a long,
16 long time.

17 And then Congressman Hilliard was
18 defeated by Congressman Davis, and then
19 Congressman Davis chose to run for governor
20 and Congresswoman Sewell ran. So I believe
21 that's my history, but the area in Jefferson
22 County was drawn as we understood it to create

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1 the best opportunity for an African-American
2 to be elected to Congress with -- I believe it
3 was a 65 percent was the number that they
4 used, but that's a few years ago.

5 Q. And do you think -- do you think
6 it's harmful at all for Jefferson County to be
7 split this way?

8 A. I would have no reason to believe
9 it is harmful to Jefferson County.

10 Q. And my understanding is that
11 basically the city of Birmingham is captured
12 in congressional district 7; is that right?

13 A. Yes, ma'am.

14 Q. Okay. And then it's mostly
15 suburbs or non city areas of Jefferson County
16 that are in congressional district 6; is that
17 right?

18 A. That would be correct. Jefferson
19 County is also one county away from being the
20 geographic center of Alabama. Montevallo is
21 actually the geographic center. It's in
22 Shelby County.

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1 And so Jefferson County being the
2 largest county, their -- their radius of
3 service and connectivity to Tuscaloosa, to
4 Walker County, to Blount County, to the other
5 counties that are contiguous. A lot of people
6 go to Birmingham to shop, for medical reasons,
7 for banking reasons, and for other reasons,
8 but I -- I don't know that you would -- I
9 don't know that it would be easy to identify
10 when you were in the 7th congressional
11 district or the 6th congressional district
12 unless you were thinking with a political
13 mind.

14 Q. That makes sense, but generally
15 there's no -- you don't think -- you're not
16 aware of any issues that arise by pulling the
17 city of Birmingham out of Jefferson County
18 this way?

19 A. I am not.

20 Q. You touched on this before, but
21 I'm just going to show you a map of 1950 --

22 A. Okay.

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1 Q. -- of the way the districts are
2 drawn. This we can mark as Exhibit 2. It's
3 the congressional districts as of 1950.

4 (Bonner Exhibit 2 was
5 marked for identification.)

6 Q. (By Ms. Madduri) So I realize
7 it's a little hard to see, but I think you
8 mentioned before that back then Mobile --
9 Mobile and Baldwin County were separate.

10 A. Uh-huh.

11 Q. Can you talk a little bit more
12 about -- I believe you said that you thought
13 it was best when they put those back together.
14 Can you talk a little bit about what issues
15 you think exist by having them separate like
16 this?

17 A. Well, in -- in this map, you would
18 have to go back to a time when the Baldwin
19 County economy was primarily agriculture.
20 Today it is a much more diverse economy driven
21 largely by tourism.

22 And so Gulf Shores -- Orange Beach

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1 didn't even exist as a community. Gulf Shores
2 was a small summertime vacation community,
3 mostly for locals to go about three months out
4 of the year. It's now -- Gulf Shores, Orange
5 Beach, and Fort Morgan, which is
6 unincorporated in Baldwin County, it's a
7 year-round economy. People come from the
8 north during the winter to escape cold
9 weather.

10 And so in the 1950s compared to
11 today, the economies of Mobile and Baldwin
12 County have grown closer and more alike in
13 shipbuilding, in seafood production, in
14 tourism. And there's a strong connectivity
15 between those two counties today that are
16 unique to Alabama. They are no two counties
17 like Mobile and Baldwin Counties because of
18 their geographic location.

19 Q. And then also at this time Mobile
20 County was combined with some of the Black
21 Belt counties to the north --

22 A. Uh-huh.

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1 Q. -- of it?

2 Do you think that configuration
3 makes sense, or are there problems that you
4 see with that sort of thing?

5 A. Well, it -- it -- it is still
6 connected in the current map to the Black Belt
7 counties. It's just because of population
8 shifts.

9 As we've discussed previously,
10 you -- you lose population in one county. You
11 gain in another faster growing county, and
12 those adjustments have been made. But you'll
13 see, this would have been Wilcox County, which
14 as I mentioned, was in the district when I
15 first went to work with Congressman Callahan.
16 All of Clarke County, Washington County, and
17 Monroe County.

18 So it is hard to see, but it looks
19 like Choctaw County and Marengo were the two
20 counties in the 1950s, but they were taken out
21 in the 1960s remap as I recall.

22 Q. In terms of communities of

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1 interest, do you think Mobile County shares
2 communities of interest with, I think, you
3 mentioned Choctaw and Marengo?

4 A. To a much less degree than they do
5 with the counties that they currently -- I
6 mean, the alignment that we're looking at in
7 today's map for all practical purposes has
8 been in place for the last 30 to 40 years.

9 And -- and the economies of that
10 area have grown more aligned during that
11 period of time. The continuity and the
12 communities of interest have grown more
13 aligned during that time.

14 Q. What are some of the -- I guess
15 the lack of continuity between Mobile and
16 Choctaw and Marengo in your view?

17 A. Well, Choctaw and Marengo would
18 probably go to Meridian, Mississippi to go
19 shopping, to go to the hospital, to go buy an
20 automobile. They are currently in the 7th
21 congressional district. Congresswoman Sewell
22 has field offices.

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1 You know, one of the challenges of
2 serving a district is you got to make sure
3 you've got staff that can get out and serve
4 those districts. She does a great job. She's
5 from Selma originally. Her mother was on the
6 city council there. And so she has a very
7 active constituent services program in these
8 rural areas.

9 They would go to Selma. They
10 would certainly go -- Marengo County would go
11 to Selma to go shopping or for the hospital.
12 I saw Meridian, but they would have a closer
13 proximity to go to Selma and a more -- a
14 higher likelihood than they probably would to
15 come to Mobile.

16 Q. And then also at this time,
17 Baldwin County, Escambia County, and Covington
18 County are in the same district. Do you --
19 and I realize Baldwin and Escambia are
20 currently still in the same district. So I
21 guess the question is: Do you feel that
22 Covington County has --

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1 A. Cov --

2 Q. -- communities of interest in
3 common with Escambia and Baldwin and this sort
4 of grouping?

5 A. Covington has a -- a strong
6 identity with Geneva County and Coffee County
7 in the Wiregrass. And that's not only where
8 it is in the political map, but it's also
9 where it is in the economic map as well. It's
10 hard to get from Andalusia to Mobile. There's
11 no four-lane highway.

12 Q. Yeah, they are not too close
13 together. I'm going to hand you the State
14 Board of Education District's Map from 2011,
15 and we can mark that as Exhibit 3.

16 (Bonner Exhibit 3 was
17 marked for identification.)

18 Q. (By Ms. Madduri) Are you familiar
19 with this map?

20 A. I'm -- I'm -- I'm looking at it
21 really for the first time in a long time.
22 I've --

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1 Q. Yeah.

2 A. I've never really studied the
3 State Board of Education maps that closely.

4 Q. Have you ever been involved in any
5 way in either giving input or --

6 A. No, ma'am.

7 Q. -- consulted in drawing these
8 maps?

9 A. No, ma'am.

10 Q. Okay. Were you familiar with them
11 at all when you were in Congress?

12 A. I -- I was familiar that the
13 legislature was redrawing the -- I mean, there
14 are eight districts as opposed to seven. They
15 have a totally different responsibility. They
16 are not federal representatives or state
17 representatives.

18 So I would say that I -- I had
19 little to no interest in where the State Board
20 of Education maps were in this redraw or in
21 any previous redraw.

22 Q. I think you would have been Chief

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1 of Staff for Congressman Callahan probably
2 when these were drawn; is that right? It was
3 probably drawn -- let's say it was drawn 2011.

4 A. No. I was a member of Congress in
5 2011.

6 Q. Oh, sorry.

7 A. In --

8 Q. Yeah. Of course.

9 A. -- 2001, I was Chief of Staff, but
10 Congressman Callahan would not have sent me to
11 Montgomery to focus on the State Board of
12 Education.

13 Q. Okay. Looking at just where we
14 have District 1 on this map, do you have any
15 issues with the way this is configured?

16 A. I don't have an opinion --

17 Q. No opinion.

18 A. -- about it.

19 Q. Understood.

20 No opinion on any -- any of this
21 configuration at all?

22 A. No.

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1 Q. Okay.

2 A. Because a State Board of Education
3 member has a different responsibility. A
4 member of Congress is not only representing
5 their constituents with votes that they cast,
6 but also with services that they provide.

7 So when someone who lives in
8 Washington County has a problem with Social
9 Security or with the Veteran's Administration
10 or they're in the military and they're trying
11 to get a different assignment, they're not
12 going to contact their state school board
13 member. They're going to contact their U.S.
14 Congressman.

15 And so I've never really studied
16 maps for state legislators or school board
17 members or anyone else because my focus has
18 always been on how to put the best team
19 together to serve the people of the 1st
20 congressional district.

21 I had over 450 town hall meetings
22 during my ten and a half years. I don't

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1 recall there ever being a state school board
2 member having a town hall meeting. I'm not
3 saying they don't or they didn't. But -- but
4 you serve -- if -- if you're a -- you just
5 have a different way of serving people when
6 you have a different job.

7 Q. Yeah. That makes sense. Let's
8 move on.

9 I'm going to show you the -- I
10 want to get your thoughts on the maps that
11 plaintiffs are proposing in this case.

12 A. Okay.

13 Q. So I'm going to give you four
14 maps, and we'll just mark them all at the same
15 time for ease. So this is -- it will be
16 Exhibit 4.

17 (Bonner Exhibit 4 was
18 marked for identification.)

19 Q. (By Ms. Madduri) Exhibit 4 is
20 called -- you'll see it's called Revised
21 Plan 1.

22 (Bonner Exhibit 5 was

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1 marked for identification.)

2 Q. (By Ms. Madduri) Then we have
3 what will be Exhibit 5, which is called
4 Revised Plan 2.

5 (Bonner Exhibit 6 was
6 marked for identification.)

7 Q. (By Ms. Madduri) And then
8 Exhibit 6 will be Revised Plan 3.

9 (Bonner Exhibit 7 was
10 marked for identification.)

11 Q. (By Ms. Madduri) The last one is
12 called Illustrative Plan 4, and that will be
13 Exhibit 7.

14 Have you seen any of these plans
15 before?

16 A. I don't know that I've ever seen
17 these plans, but I've seen different maps
18 during the previous redistricting efforts that
19 were equally as ugly.

20 Q. Okay. So then I assume you
21 haven't had any conversations about these
22 or --

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1 A. No. This is the first time I'm
2 seeing these.

3 Q. And please take as much time as
4 you need because I realize there's a lot of
5 maps, and you haven't seen them before. But I
6 just generally want to get your thoughts on if
7 you see issues or if you have criticisms of
8 these maps.

9 I'm sure as you'll see, District 1
10 is different than it is in the current plan.

11 A. Well, they all have a unique
12 characteristic, and that is that they would
13 destroy the opportunity for the
14 representatives from the 1st district and the
15 2nd district to serve their constituents in a
16 way that they have been served previously.

17 It would -- I mentioned that
18 it's -- there's no easy way to get from
19 Andalusia in Covington County to Mobile.

20 If you are the representative in
21 the 1st district in any of these maps and you
22 live in Mobile and you need to go to Houston

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1 County in Dothan, you're going to spend more
2 time in Florida than you will in Alabama.

3 Or if you're the representative
4 from -- and you live in Dothan but you've got
5 a meeting in Mobile, you're going to spend
6 more time in Florida than you will in Alabama.

7 If you live in the 2nd district
8 and you have been elected out of Mobile as
9 your base and you're trying to go to a town
10 hall meeting in Macon County or Bullock
11 County, you're going to spend half a day
12 getting there.

13 There -- there is no real
14 community of interest in these maps. And as
15 someone who's had the privilege of serving in
16 Congress and -- and doing his best to
17 represent all of the people in his district,
18 this would be a difficult challenge to
19 represent because there's so very little in
20 common with the proposals either of District 1
21 or District 2.

22 Q. Can you talk a little bit more

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1 about what you think is not in common and we
2 can -- we can take each in turn. So how about
3 starting with congressional district 2 in
4 these proposed maps, which is -- which are
5 roughly similar.

6 You don't need to necessarily
7 understand exactly what is different between
8 each one, but of course if you have specific
9 concerns on any of them, please do let me
10 know. But we can just start by talking about
11 congressional district 2 the way it's
12 proposed.

13 What are the -- what are the lack
14 of commonalities of interest in your view?

15 A. Well, the -- the Washington and
16 Clarke and Monroe County in Exhibit 4 and
17 Exhibit 6 and Exhibit 7 have nothing in common
18 with Macon and Bullock Counties except that
19 they are counties in the state of Alabama.

20 They don't share any history.
21 They don't share any geographical alignment.
22 They don't share any social or political

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1 alignment. If -- if you -- you could name a
2 town that the congressman or congresswoman was
3 from, and it doesn't really matter where on
4 these maps you're looking at, it's going to be
5 difficult to serve them based on my experience
6 of service.

7 Q. In what ways would it be difficult
8 to serve --

9 A. Being accessible, of being aware
10 of -- of -- of the -- you know, there --
11 there's a value in -- in understanding an
12 area's historical relationship with each
13 other. And so you'd have to learn a whole new
14 set of political leaders, mayors, county
15 commissioners, probate judges.

16 You have to learn a whole new set
17 of issues. The challenges that someone in
18 Macon and Bullock County -- I -- I don't even
19 know what their economy is derived from quite
20 frankly. Anymore than someone from Macon or
21 Bullock County would know what the economy of
22 Clarke or Washington or Monroe County was.

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1 You might as well just go into Mississippi or
2 Georgia, if the law allowed you to but it
3 doesn't, to pick up constituents.

4 But it -- it is -- it's -- this
5 would be foreign, I believe, to any of the
6 people who have been elected to office, and
7 quite frankly, I think it would be foreign to
8 any of the people who run for office over the
9 last 30 years to try to serve -- try to be
10 elected to much less serve districts that are
11 configured like this.

12 Q. I think you mentioned economics,
13 specifically the economy --

14 A. Uh-huh.

15 Q. -- being different or just
16 unknown. Are there any other considerations
17 that you think would be difficult here?

18 A. Well, so Houston County, Henry
19 County, Dale County, Geneva County, when the
20 people of those communities want to go to the
21 beach, they go to Florida. They go to Destin.
22 They go to Navarre. They go to Panama City.

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1 They don't go to Gulf Shores or Orange Beach.

2 When they want to export products,
3 the -- the river system doesn't provide access
4 from the Wiregrass over to here (indicating).
5 You can come by rail, or you can come by
6 interstate in Florida, but there is -- so
7 there's just no continuity of our -- of our --
8 the things we've talked about previously, our
9 social life, our business life, our education
10 life. For all practical purposes, this is in
11 a different part of the world.

12 Q. You mentioned -- just right now
13 you mention educational life.

14 A. Uh-huh.

15 Q. In 2011 when that Board of
16 Education map was created, Alabama decided --
17 the Alabama legislature decided to put part of
18 Mobile County into sort of a similar --
19 similar configuration to this actually.

20 Do you see any issues with them
21 having done that?

22 A. Again, State Board of Education

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1 and the United States Congress to me are night
2 and day. And since that time, I believe I'm
3 correct, they also changed the Board of
4 Education to where now there's a separate
5 board for two-year colleges as opposed to K
6 through 12. I don't know what that map looks
7 like.

8 And those are not elected
9 positions. They are appointed positions
10 confirmed by the state legislature. But
11 students in Houston, Dale, Henry, Geneva,
12 Coffee Counties are more than likely to go to
13 Troy University in Pike County or to Wallace
14 Community College in Dothan than they are to
15 Spring Hill College, University of South
16 Alabama, or University of Mobile or Bishop
17 State or Coastal Alabama, which are the two
18 two-year systems here.

19 And so conversely, I'm talking
20 about two-year and four-year schools, you look
21 at the student bodies of the University of
22 South Alabama, you're going to see a much

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1 larger concentration of students who are from
2 what is in Exhibit 1, the traditional 1st
3 congressional district.

4 Q. I think we've kind of talked about
5 both districts, but let's just focus on the
6 proposed congressional district 1. Can you
7 talk a little bit about what communities of
8 interest you think are broken up here?

9 Yeah. We can start with that.
10 What communities of interest are broken up by
11 having District 1 configured this way?

12 A. Economic and business, cultural.
13 I -- I mentioned earlier that if you were in
14 Congress from the current 2nd district
15 (indicating), you would probably want to be on
16 the Armed Services Committee supporting the
17 U.S. Army post Fort Rucker or the Air Force
18 bases at Maxwell Gunter.

19 If you are under the current maps
20 that you're proposing, it -- I'm not aware of
21 anyone who's ever been on Navy Seapower
22 Committee and Army and Air Force. I mean, I'm

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1 not saying it's not ever happened in the
2 history of the Congress, but it's -- it's hard
3 to be -- it's hard to serve that many
4 different constituencies that would be
5 important to your -- to your district, to the
6 constituents that live there.

7 Q. Which -- which congressional
8 committees were you on when you served?

9 A. Appropriations.

10 Q. Any other?

11 A. And ethics.

12 Q. And ethics. Any other?

13 A. My early committees, I was on
14 agriculture and science and budget. But those
15 were just to get me to appropriations. The
16 1st congressional district has long had a seat
17 on appropriations, and that was a goal of mine
18 early on.

19 Q. I think you've started to talk
20 about this, but can you help me understand if
21 you were representing the congressional
22 district 1 the way it's drawn in the -- in the

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1 proposed maps, in your opinion, are there
2 issues where there would have been conflicts
3 of interests between the communities you
4 were -- you would be representing?

5 A. I -- I think the conflict would be
6 you would be serving multiple masters, not
7 really two masters. But you would be -- the
8 economy in Mobile and Baldwin Counties is
9 totally a different focus than the economy of
10 the Wiregrass area.

11 So in addition to the challenge of
12 getting from point A to point B, there would
13 be an additional expense. I mean, I -- when I
14 was working with Congressman Callahan, we had
15 one district office. I expanded it to two.

16 You would have to have at least
17 three. Your budget's not going to up in a
18 rural area just because you have three
19 offices. So you're going to have to have
20 fewer staff or more offices, but it's -- you
21 can't have both.

22 Just the -- the -- the challenge

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1 of getting into -- I mean, if -- if you have a
2 town hall meeting in Houston County, you --
3 your best bet may be to fly to Panama City,
4 Florida to drive up. They do have an airport
5 in Dothan, but it has very limited air
6 service.

7 And there -- so you would only --
8 you'd have an airport in Mobile, and then
9 you'd have to get in the car and drive four
10 and a half to five hours to get to Dothan.

11 Q. Other than economic interests, are
12 there any other issues where you see conflicts
13 of interest arising between the communities
14 that are in the proposed congressional
15 district 1?

16 A. I think it would be fair to say
17 that there is -- there's just so little in
18 common between being in Tillman's Corner in
19 Mobile County and going up to Luverne in
20 Crenshaw County.

21 The -- the only way you would do
22 that today would be if you had a relative who

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1 lived up there and you were going to a family
2 reunion. I mean, there's -- there's no social
3 interaction. There's no athletic interaction
4 to speak of. There's -- so I -- I don't see
5 this being a map that if I were interested in
6 running for office, I would consider running
7 in because I -- not because I don't think I
8 could win it, but because I don't know why
9 anybody would want to serve in a district that
10 is this different from the -- the maps that
11 have historically served these two districts
12 and served them well.

13 Q. Can you think of any issues that
14 exist where if you were representing this
15 district, where you would vote differently as
16 opposed to if you were representing the
17 district as it currently is?

18 A. Well, I -- I mentioned the peanut
19 program. I mean, when you were the
20 representative of the 2nd congressional
21 district, you became the -- you became the
22 expert, subject matter expert of agricultural

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1 programs that were unique to this area that
2 were also unique to Georgia and Florida.

3 But no one else in delegation even
4 knew what -- what those programs were because
5 they were so unique to that area. And -- and
6 likewise, when you represent Mobile and
7 Baldwin Counties and you've got the
8 shipbuilding industry and the aerospace
9 industry, chemical industry and the steel
10 industry, you become -- you become affiliated
11 with the steel caucus, you become affiliated
12 with the shipbuilding caucus.

13 I mean, that becomes a part of
14 your network when you get to Washington to try
15 to better serve your constituents and the
16 companies and the individuals that work there.
17 So it really is a very strong economic
18 overture there.

19 Q. Is that peanut program still in
20 effect?

21 A. It -- it -- it is, but it changed
22 during a rewrite of the ag bill probably

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1 12 years ago or so. It was when I was in
2 Congress.

3 One of the things that I worked on
4 and it continues -- that Congressman Byrne
5 continues to work on is deepening of the port
6 of Mobile. And so your focus is on working
7 with the Army Corps of Engineers, not Army
8 helicopters. I mean, you -- you -- you have a
9 vested interest in supporting the -- the
10 programs that support the economy of that area
11 of the state that you live in. Just like
12 Congressman Brooks is focused on supporting
13 Redstone Arsenal up in Madison County.

14 And Congresswoman Sewell and
15 Congresswoman Roby have worked to support
16 Maxwell and Congressman Rogers Maxwell and
17 Gunter in Montgomery.

18 Q. And did you say it's the --
19 there's an interest in the Army Corps of
20 Engineers in and around Mobile?

21 A. The Army Corps of Engineers
22 headquarters from -- all the way from

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1 Brownsville, Texas to Miami, Florida is
2 located in Mobile. So it's a large
3 headquarters for the entire Gulf of Mexico.
4 And it comes in handy when you're dealing with
5 a hurricane or an oil spill or trying to
6 dredge the water system to get the port to be
7 a -- a top ten port.

8 Q. And do you have any thoughts or
9 comments about the splitting of Mobile County?
10 In all -- in all four of the maps, that county
11 is split.

12 A. I -- I -- my thought would be that
13 it's -- Mobile County is different than Clarke
14 County. Mobile is one of the largest counties
15 in the state. It is the economic hub for this
16 area of the state.

17 Remove the political maps, it's
18 the economic hub, and as such, splitting it
19 just for the political purposes of what I
20 assume would be the plaintiffs' motives, I
21 don't think is going to serve Mobile well or
22 the 1st congressional district well. But

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1 that's my personal opinion.

2 Q. And in -- in what ways do you
3 think it wouldn't serve the city of Mobile or
4 the county of Mobile?

5 A. Because of the things we've talked
6 about, the community of interest, the
7 continuity, the historical connections between
8 Mobile. And, you know, it -- it's like a -- a
9 spoken hub. I mean, this is the hub of
10 economic life in this whole region of the
11 state.

12 And it is directly tied to
13 Washington County and to Clarke County and
14 Monroe County and Escambia County. It -- and
15 it does not have that connection or tie,
16 historic or otherwise, to the counties in
17 central Alabama or the counties in the
18 Wiregrass.

19 Q. If you were representing the new
20 proposed congressional district 1, do you
21 imagine that you would hold those same types
22 of joint town halls that you were doing for

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1 Clarke County?

2 A. Well -- well, I think if you're
3 going to be successful, you're going to --
4 you're going to make every effort to serve
5 your district obviously. But it would just be
6 a much harder thing to do. If you're in
7 Washington 40 to 45 weeks out of the year and
8 you come home for a recess week or a recess
9 month like August, it is much more challenging
10 when you're -- I mean, we were able to get
11 sometimes five town hall meetings a day
12 scheduled.

13 It would be hard to do with --
14 with any of the four maps that you've got in
15 front of me. It's not just town halls. It's
16 also other ways. I mean, I had a field rep
17 who went on a monthly basis throughout the
18 district, every month went to all of the
19 counties in my district. Sometimes several
20 times.

21 So you're either going to -- as I
22 say, you're going to increase your staff.

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1 You're going to increase your number of
2 offices, but you can't do both because your
3 budget doesn't increase.

4 Q. Do you think it would be
5 beneficial potentially to a district like
6 District 7 right now, which is very large in
7 the current map, in the 2011 plan, but would
8 be significantly reduced in size in some of
9 the proposed maps, for some of these same
10 reasons that you're talking about? For
11 example, the geography, the distance, the
12 number of offices you have to have?

13 A. Because of the way Congresswoman
14 Sewell serves her district and Congressman
15 Davis served his district, I believe that
16 they -- the people who live in those counties
17 have been very pleased with the service that
18 they've gotten. And they've done a -- a -- a
19 good job because those have been
20 historically -- the -- the adjustments have
21 been made based on population and getting to
22 zero deviation from this map to the one that

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1 was ten years earlier. And the one that was
2 ten years earlier.

3 You showed a map in the 1950s.
4 But if you look really in the 1970s, 1980s,
5 1990s, 2000s, 2010s, those maps that were
6 approved and that were also approved by the
7 Justice Department are very similar in terms
8 of the area of service.

9 Q. I'm going to give you one more
10 map. The last one, I promise. And this will
11 be, I think, Exhibit 8. I apologize if it's
12 smaller.

13 (Bonner Exhibit 8 was
14 marked for identification.)

15 Q. (By Ms. Madduri) And I can just
16 tell you this is a plan that our expert drew
17 because there's some speculation that in the
18 next redistricting cycle, Alabama may lose one
19 of its seats and go down to six congressional
20 districts instead of the current seven.

21 So I just want to get your general
22 thoughts on the same thing. Same issues we've

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1 been discussing, whether there are communities
2 of interest that are at issue here. Just your
3 general views on this plan.

4 A. Well, unfortunately, I -- I don't
5 really have an opinion about this because I'm
6 working for the Governor of Alabama, and our
7 goal is to keep all seven districts. So we're
8 going to work to get as robust a census as
9 possible. So we haven't even begun looking at
10 hypotheticals of six districts. Our goal is
11 to keep seven or maybe get eight.

12 Q. Understood. If this situation
13 does arise, just looking at this map, are
14 there any specific issues that you see that
15 you find concerning?

16 A. Well, I -- I -- I would say and I
17 think anyone who has ever served in office or
18 who ever aspires to serve in office that there
19 is a value to -- as compact a district that
20 has as much community of interest and
21 continuity of interest as possible.

22 And if we lose a seat, then --

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1 then that changes the scenario totally for
2 everybody, but -- but that will be because we
3 didn't do our job to make sure that every
4 person counts in our census. And we're going
5 to do everything we can to -- to do that.

6 Q. Okay. Understood. So no -- no
7 thoughts or comments on this map?

8 A. No.

9 Q. Okay. That's fine.

10 A. No, ma'am.

11 Q. If you are called as a witness in
12 this case, what -- what do you expect to
13 testify about?

14 A. Well, I would expect that if I
15 were called, it would be to give my experience
16 as someone who worked in the federal
17 delegation for about 28 years.

18 Q. Are there any specific issues that
19 you believe you would testify about?

20 A. No, ma'am. I -- I could testify
21 on what it was like being a congressman and
22 working as a member of a congressional staff.

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1 I'm comfortable with that.

2 Q. Understood. Did you
3 participate -- we -- we talked about this a
4 little bit, but I want to just get more
5 information.

6 Did you participate in any
7 capacity in Alabama's redistricting plan
8 following the 2010 census so to create that
9 2011 plan?

10 A. I participated in the sense that
11 all of the members of Congress from Alabama,
12 Democrat and Republican, agreed to work with
13 the legislature as had been done in previous
14 redistricting efforts. And we agreed to work
15 to support keeping the districts as close to
16 what they had been historically.

17 And we all did that knowing that
18 we would have to ultimately get a slightly
19 different district than what might be ideal
20 for us but because it was for the benefit of
21 the state as a whole and for our respective
22 seven congressional districts.

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1 Q. And to -- to the best of your
2 recollection, who or what types of people did
3 you have conversations with or communications
4 with about creating that sort of plan?

5 A. Congresswoman Sewell, Congressman
6 Bachus, Congressman Brooks, Congressman
7 Rogers, Congresswoman Roby.

8 Q. It sounds like the Alabama
9 delegation. You don't have to -- it's not a
10 memory test.

11 A. It's not a real interest to our
12 senate colleagues because they didn't have to
13 run in distract maps.

14 Q. Right.

15 A. So, but the seven members of
16 Congress from Alabama worked closely together
17 and supported each other and -- and -- and --
18 and were willing to work with the legislature
19 in a bipartisan way to produce a map that we
20 believed would be constitutional, would meet
21 the criteria, that would pass muster by the
22 Department of Justice. This map did. And

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1 we -- we worked and our staffs worked to
2 support that effort.

3 Q. So outside of the Alabama
4 Congressional Delegation, outside of your
5 staff, were there other individuals or
6 entities that you worked with in the --

7 A. We worked with the Reapportionment
8 Committee of the Alabama Senate and House.

9 Q. Uh-huh.

10 A. And we worked with -- I'm sure --
11 I -- I -- I -- I don't know who the other
12 members worked with, but we -- we worked as a
13 cohesive group starting with us.

14 We had meetings. And we would
15 come to Montgomery, and we would have lunch
16 with members of the legislature, but we did
17 that not just every ten years. We did that to
18 maintain relationships.

19 Some of them actually had served
20 in the legislature prior to being elected to
21 Congress, so they had pre-existing
22 relationships there. I did not. I had never

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1 served in the legislature.

2 Q. Do you remember any of the -- the
3 specific legislators that you met with or had
4 conversations with about this?

5 A. (Witness nods head.) Well, I got
6 to know the Reapportionment Committee very
7 well. We had Senator Vivian Davis Figures
8 from Mobile. We had Representative Jamie Ison
9 from Mobile. We had -- Senator Gerald Dial
10 was the chairman in the Senate or the
11 co-chairman, Representative Jim McClendon
12 who's now in the Senate was the co-chairman in
13 the House.

14 We -- when -- when the map and
15 therefore the political lines that are going
16 to be determined by that are in the hand of
17 the legislature, you work with the leadership
18 of the legislature, the bipartisan way. You
19 work with the -- you work with the committee,
20 and that -- that's primarily who we spent most
21 of our time with because they were the ones
22 who -- in whose responsibility this fell.

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1 Congresswoman Sewell also worked
2 with the Justice Department. The Attorney
3 General married a young lady from Mobile, and
4 so she and Attorney General Holder were good
5 friends. She and President Obama and
6 Mrs. Obama were in school together, law school
7 and undergraduate. I think she and Mrs. Obama
8 were in the same social sorority.

9 So we all did what we could to
10 help get it through the legislative process
11 and then get it approved with the stamp of
12 approval from the Justice Department.

13 Q. Are you aware of any efforts to
14 create a second majority-minority district
15 during that redistricting cycle?

16 A. There have been conversations
17 about that during that cycle and also
18 previously as well. There was a general
19 consensus that if you were going to maintain
20 the threshold of what some believe that you
21 needed to have to guarantee a minority
22 district, then you would lower it such to try

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1 to create a second district that you may well
2 risk having a minority representative in
3 Congress.

4 I believe it was 65 percent. And
5 I think you were going to lower it to create
6 two, and it would be closer to 50 percent.

7 Q. What about instead of an actual
8 majority-minority second district, what about
9 like an influence district just where, you
10 know, the population -- the African-American
11 population would be higher but maybe not
12 actually up to whatever threshold the
13 legislature considered necessary to be a
14 effective majority-minority district?

15 A. I was aware of -- look, you have
16 35 state senators, and you have 105 state
17 house members. Many of whom their motivation
18 for drawing district lines are their own
19 political interests.

20 So you would be talking to
21 Representative A or Senator B, and you may
22 well be talking to someone who was trying to

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1 draw a district for their political
2 aspirations as well. So there were a lot of
3 different dynamics at play here.

4 But -- and I don't -- and I'm not
5 speaking for anyone else in the delegation,
6 but I don't believe that anyone in the
7 delegation believed that the creation of a
8 second minority district or a -- a significant
9 influence district was something that -- that
10 was given any real encouragement by any
11 members of our delegation, Democrat or
12 Republican.

13 Q. When you say "the delegation," you
14 mean the -- the seven --

15 A. Federal. Uh-huh.

16 Q. -- congressman -- congressmen and
17 women?

18 Why -- why do you think that
19 wasn't --

20 A. Well, you'd have to ask the other
21 six members who were in at the time, but I
22 think everyone believed that there were

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1 historic benefits to the service of the
2 constituents to keep the districts as they
3 have been for several decades.

4 Q. Were you supportive of creating a
5 second majority-minority or a significant
6 influence district?

7 A. I saw no value in it because I was
8 very confident that I was serving the people
9 of my district regardless of their racial
10 background, their socioeconomic background,
11 their political views, their -- or -- or other
12 issues that -- that were at play.

13 Q. To the -- to the best of your
14 recollection, were there any plans that you
15 remember that did propose having a second
16 majority-minority or a significant influence
17 district?

18 A. I -- I remember seeing -- and I
19 can't tell you whether it was the 2010 or the
20 2000 redistricting, but I remember seeing a
21 plan similar to this that would have gone
22 under Mobile Bay.

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1 There was actually a question
2 about whether that would make that contiguous
3 or not. We'd go all the way over to Dothan.
4 I saw one that even went all the way up to
5 Auburn in Lee County. And then the other part
6 of Mobile that would go all the way up to
7 Pickens and Tuscaloosa.

8 And having been a student at the
9 University of Alabama and having had children
10 who attended the University of Alabama --

11 Q. Uh-huh.

12 A. -- I knew how hard it was to get
13 to Tuscaloosa. There's no four-lane road
14 there anymore than there's a four-lane road
15 from Mobile to Dothan.

16 So I -- I heard that there were
17 legislators that were talking about that, but
18 I didn't spend a lot of time encouraging that,
19 and therefore, I didn't spend any time with
20 those legislators. But -- but keep in mind,
21 other legislators, other members of Congress
22 from the delegation were similarly looking

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1 after what was the district that they knew
2 best, and the one that they had worked in and
3 had run in and been successful in.

4 Q. Do you recall having any
5 conversations or discussions or other
6 communications about why you didn't
7 encourage -- I think you said encourage -- a
8 second majority-minority or a significant
9 influence district?

10 A. I -- I had no reason to encourage
11 creating a second minority district that would
12 have, in my view, been detrimental to my
13 district and to the service that my staff and
14 I were rendering.

15 We had an outstanding reputation
16 for serving people without regard to their
17 political views, their -- I mean, we did not
18 have a litmus test. If you called my office
19 and you needed help, you got help.

20 And the proof of that is, is that
21 I won -- I -- I won five of the six counties
22 in my first race, and I won all six counties

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1 in every subsequent race and with a couple
2 times running unopposed. If I were not doing
3 a good job, I would have drawn an opponent.

4 Q. Uh-huh. Did you ever speak with
5 any constituents or anyone in your district
6 about the potential to have a second
7 majority-minority district or --

8 A. No one ever contacted me that I
9 can recall saying that they felt that they
10 needed a second minority district to be better
11 represented. I'm not saying that there were
12 not people who might have thought that.

13 But when I went to town hall
14 meetings in Prichard or in Trinity Gardens or
15 in other communities throughout the district,
16 I -- I can't recall -- and again, I said I had
17 450, so I'm not saying they were all
18 lovefests, but I can't recall anyone ever
19 coming and saying that they wished that they
20 were in a different district and had a
21 different congressman.

22 Q. In your view, why -- why was a

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1 second majority-minority or influence district
2 not created in the last plan in 2011?

3 A. Well, I can't really speak for the
4 mindset of 140 legislators.

5 Q. Of course. In -- in your -- in
6 your view.

7 A. I -- I -- I really don't know that
8 I'm qualified to answer that.

9 Q. That -- that's perfectly fine.
10 And can you -- can you recall any
11 communications that you had with anybody,
12 conversations or written or in some of the,
13 you know, your delegation meetings --

14 A. Well --

15 Q. -- any conversations about
16 creating that or why it shouldn't be created
17 or should be?

18 A. I -- I really and truly can't
19 recall that the delegation -- when we met to
20 talk about the redistricting process, I really
21 can't recall that we spent a lot of time
22 talking about all the different scenarios that

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1 were out there.

2 Our goal was to work cohesively to
3 represent the state, to keep as much
4 disruption to a minimum as possible, and to
5 show, as we tried to show with our daily
6 service, that regardless of -- of which party
7 we represented, that we represent the same
8 state. And that we work together for the good
9 of the people of Alabama.

10 Q. So it sounds like you don't recall
11 any conversations then within the delegation
12 about the potential for creating a second
13 majority-minority or influence district?

14 A. I -- I -- I can't say
15 categorically there were none -- there were
16 not any. I don't recall any at this moment,
17 no.

18 Q. What about conversations or
19 communications outside of the delegation? Do
20 you recall any of those?

21 A. No, because we didn't come to
22 Montgomery to work with the state legislature

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1 with the goal of looking at options and
2 creating a different map. We all believed
3 that we were serving -- I said with confidence
4 that I felt like I was serving the people of
5 my district.

6 I -- I think that every member of
7 the delegation would have said the same thing.
8 Without being cocky, just with -- just
9 confidence that we were doing the best we
10 could to represent the people of our
11 districts.

12 Q. Understood.

13 Did -- in terms of the delegation,
14 did you -- was it your position then that you
15 should keep the districts the way that they
16 were, or did you have a plan that you
17 proposed --

18 A. We --

19 Q. -- a physical plan that you
20 proposed?

21 A. We knew we would have to make
22 adjustments based on population.

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1 Q. Uh-huh.

2 A. And -- and we agreed that we would
3 make adjustments based on that. And quite
4 frankly, some members ended up getting -- in
5 the final plan, some members ended up getting
6 counties that they had not sought. But that
7 was what, in the wisdom of the legislature,
8 needed to be done to accomplish the goal of
9 the map.

10 Q. So did the delegation present a
11 map that they wanted, or was there a
12 physical -- you know, like a proposed map from
13 the delegation?

14 A. I -- I believe we had an agreed
15 upon. I can't tell you that we produced a map
16 or that a map was submitted. It could have
17 been. I really don't recall. We -- we ended
18 up agreeing that we would take what the
19 legislature did and not challenge that.

20 But, for instance, the northern
21 part of Tuscaloosa County in the previous
22 redistricting was represented by Congressman

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1 Bachus. And it was adjusted to where it would
2 be Congressman Aderholt. And -- but -- but
3 for the greater good of serving the state,
4 there was -- it -- it -- it was not that big
5 of an adjustment to where it created any
6 tension within the delegation.

7 Q. So to the -- the best of your
8 recollection, were there any, I guess,
9 disagreements between what the legislature had
10 proposed and what the Alabama delegation had
11 wanted?

12 A. Once the legislature made its map
13 final, we all got on board trying to support
14 getting it cleared by the Justice Department
15 and put into place so that we could know what
16 districts we would be running in and begin
17 that process.

18 Ten years earlier, it was a much
19 more challenging effort. The governor
20 actually called, I think, two or three special
21 sessions to deal with redistricting. A
22 federal court had gotten involved.

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1 And I was working as a staffer at
2 the time, but there was a concern that we may
3 not even have maps in place for the members to
4 run in. So contrast that experience with this
5 where we were working with the legislature
6 that was trying to keep the districts as close
7 as to what they had been historically in
8 recent history, we -- we -- we chose not to
9 disagree over little things.

10 Q. Understood.

11 Ms. MADDURI: I think -- do you --
12 would you want to take a break? We've been
13 going for a little while. I have some -- I do
14 have some questions about the previous
15 redistricting too.

16 MR. DAVIS: Sure. This is a fine
17 time.

18 MS. MADDURI: This might be a good
19 time to --

20 THE WITNESS: Sure.

21 THE VIDEOGRAPHER: This ends MPEG
22 two in the continued deposition of Josiah

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1 Bonner. We are off the record at 11:08.

2 (A recess was taken.)

3 THE VIDEOGRAPHER: This begins
4 MPEG three in the continued deposition of
5 Josiah Bonner. We are on the record at 11:22.

6 Q. (By Ms. Madduri) So before the
7 break, I think we were going to start talking
8 about the previous cycle of redistricting.
9 What was your -- what was your role in that?

10 A. I was Chief of Staff for
11 Congressman Callahan. And just as when I was
12 in Congress and sent my staff down, I went
13 down on behalf of Congressman Callahan, and I
14 was there with the other Chiefs of Staff from
15 the other members of Congress.

16 And it was basically the same
17 thing, to work with the legislature to try to
18 get a plan that was as close to what we had
19 knowing that there would have to be some
20 adjustments made for population shift.

21 Q. Do you remember, just roughly, how
22 many times did you meet or have conversations

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1 about this with the other Chiefs of Staff and
2 the delegation?

3 A. Frequently. And by that, I would
4 say that leading up to the redistricting year,
5 you know, we would meet probably -- it's been
6 20 years. It's been longer than that, but
7 we -- we would've met between five and ten
8 times.

9 Q. And that's the delegation?

10 A. Uh-huh. Yes, ma'am.

11 Q. Okay. And what about
12 representatives of the legislature?

13 A. So Congressman Callahan had served
14 in the legislature, and Congressman Bevill was
15 the senior member of Congress at the time.
16 No. That would have been in the '90.

17 So in the 2000, Sonny may have
18 been the only -- and -- and Spencer Bachus, I
19 think were the only two members that had
20 previously served in legislature.

21 So the advantage of working for a
22 member who's been in the legislature or the

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1 advantage of being a member who came from the
2 legislature like Congressman Rogers did is, is
3 that you have those preexisting friendships.
4 You have those preexisting relationships. But
5 -- but -- but we worked closely.

6 Walter Braswell was Congressman
7 Harris' Chief of Staff. Tom Bevill was
8 represented by Don Smith. You have to
9 understand a small delegation like ours has a
10 very special relationship. The chiefs of
11 staffs meet every month and have lunch as do
12 the members.

13 I can tell you of very few
14 congressional delegations that meet monthly,
15 Democrat and Republican, House and Senate, and
16 talk about what we can do to -- to serve
17 Alabama as well as the Alabama delegation
18 does. And that has historically been the
19 case, and it continues to be the case. And
20 it's one of the hallmarks of what makes this
21 delegation so effective.

22 You look at Alabama's nine person

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1 delegation compared to Texas or California or
2 New York or Florida, and they can't sometimes
3 agree on what the state colors are much less
4 on how they can work together for the good of
5 the state.

6 Q. So you all met maybe five to ten
7 times, you said, prior to that redistricting.
8 What about with the legislature or legislature
9 representatives?

10 A. We -- we -- we would come -- of
11 those -- and five or ten is certainly a guess,
12 but of the times that we met, most of those
13 meetings were in Washington. And then once
14 the legislature started coming into session
15 and they started to focus on that, we worked
16 closely with the governor who is a Democrat.

17 We worked closely with the Speaker
18 of the House who was a Democrat. We worked
19 closely with the Lieutenant Governor and the
20 Senate and the House leadership. And back in
21 the 2000 census as opposed to the 2000 -- or
22 the redistricting as opposed to the 2010, it

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1 was a Democrat majority in the legislature.

2 Q. Within the congressional
3 delegation, were there -- did you all have
4 sort of a unified view on what should be done
5 with the redistricting? Were there any
6 conflicting views or disagreements within the
7 delegation?

8 A. We were consistent as we were ten
9 years later. We -- we tried to work
10 cohesively to help the legislature draw a map
11 that would not disrupt the service to the
12 state but would, in fact, allow its continuity
13 to continue.

14 Q. And were there any conflicts or
15 disagreement between what the legislature
16 wanted to do with the map versus what the
17 congressional delegation wanted to do?

18 A. I believe that it was about that
19 time that some in the legislature wanted to
20 create a minority-majority district, and that
21 was creating some tension within the Democrat
22 members of the delegation, but it was not

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1 something that we felt -- that Congressman
2 Callahan felt that he needed to get involved
3 in because he was going to work with the
4 delegation regardless.

5 Q. And was that the creation -- what
6 ultimately was the creation of congressional
7 district 7?

8 A. Yes, ma'am.

9 Q. Okay. Did you or you on behalf of
10 congressional -- Congressman Callahan have any
11 views about whether that district should or
12 shouldn't be created?

13 A. Not that I recall.

14 Q. Do you remember any conversations
15 about --

16 A. (Witness shakes head.)

17 Q. -- the creation of that --

18 A. No, ma'am, I really don't.

19 Q. Do you recall if you were
20 supportive of creating that district?

21 A. Well, my role was really to focus
22 on the 1st congressional district, and it

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1 didn't really have as much of an impact
2 because this is where you get parochial.

3 You -- you focus on your district,
4 and then it's like putting a puzzle together.
5 You see how your district's going to fit with
6 this district and that district. So our focus
7 was on trying to preserve the integrity of the
8 1st congressional district, which is what we
9 did.

10 Q. Were any changes made to the 1st
11 congressional district in order to create that
12 majority-minority district?

13 A. Well, in the 1990 census, we lost
14 Wilcox County, and then in the 2000 census, we
15 lost a part of Clarke County.

16 Q. Was that something that you -- I
17 guess, first with Wilcox County, the loss of
18 Wilcox County, was that something that you
19 opposed or supported or how -- how was that?

20 A. Well, I was a relatively young
21 staffer, and so I didn't really have a -- a
22 vote, if you will. They needed to make the

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1 adjustments. As I recall, the -- the map that
2 was drawn that resulted in the loss from
3 Wilcox County I think was actually drawn by a
4 three-judge panel, I believe.

5 So we -- we were not -- my ties to
6 Wilcox County were personal. They were not
7 the congressman's ties. He was from Mobile,
8 and he wanted to make certain that the
9 district remained as intact from Mobile and
10 Baldwin Counties as possible, and therefore
11 that was my objective too.

12 Q. Do you recall any conversations or
13 communications about the drawing of the map by
14 that three-judge panel in relation to the 1990
15 redistricting?

16 A. I remember that the legislature
17 was not able to draw a map, and we needed a
18 map. And it went to a three-judge panel, and
19 the map they produced was one that the members
20 of Congress all -- I mean, if a three-judge
21 panel makes the decision, it -- it's hard to
22 go back in and ask them if they'll make some

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1 changes to it to make you a little bit
2 happier. So we -- we took it, and we were --
3 we did the best we could to serve it.

4 Q. But do you remember having any
5 conversations or communications about just the
6 views on what they had done?

7 A. So now we're going back to --

8 Q. We're going back to 1990.

9 A. -- '90. I -- I don't recall any
10 conversations.

11 Q. And when that map was redrawn,
12 the -- the majority-minority district was not
13 created, correct?

14 A. I -- I believe that's correct.
15 I'd have to look at the map to see, but I
16 believe that that's correct.

17 Q. Okay. I think you mentioned that
18 the redistricting process in relation to the
19 2000 census was contentious. Can you talk a
20 little bit about what you mean -- meant by
21 that?

22 A. Well, Congressman Harris believed

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1 that he served the people of the 7th district
2 well. And he -- I think most of the members
3 of -- of the delegation believed that he did
4 and most of the people in his district did
5 because he was re-elected several times.

6 But when the decision was made to
7 create the district, President Clinton was in
8 office, and I guess to soften the blow, if you
9 will, Congressman Harris was made U.S.
10 Attorney.

11 So he was no longer going to be
12 afforded the opportunity to be -- I mean, I'm
13 not saying he couldn't have gotten elected.
14 He was very popular. But the district was
15 created to create a majority-minority
16 district.

17 And I don't -- I don't know that
18 many people could have gotten elected in that
19 district other than a minority member who was
20 Congressman Earl Hilliard -- then State
21 Senator Earl Hilliard.

22 I mean, he had a primary, but the

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1 primary for all practical purposes served as
2 tantamount to the general election because if
3 you got the Democrat nomination, as was true
4 in Alabama for many years, you basically had
5 been elected. The general election was just a
6 formality.

7 Q. So I think I might have asked you
8 this, but I'm misremembering, so I want to
9 make sure I understood what you said.

10 Do you -- were you supportive of
11 creating that majority-minority district?

12 A. As a young Hill staffer, no one
13 really asked me whether I supported it or not.
14 The -- the members of the delegation, though,
15 agreed to work with -- through the differences
16 of opinion.

17 Congressman Harris is deceased.
18 He died of cancer, so he would not be here to
19 speak for himself. And I'm certainly not
20 qualified to speak for him, but my
21 recollection -- his Chief of Staff and I were
22 good friends. It was Walter Braswell. He has

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1 passed away as well. So there's no one who
2 can dispute what I'm about to say.

3 But I think that they personally
4 believed -- they were Democrats, conservative
5 Democrats, but they served that district with
6 integrity and with professionalism and to the
7 best of their ability. And I think in their
8 view, they -- they believed they could have
9 continued to serve the district.

10 But the political decision of
11 creating the majority-minority district was
12 made, and the reality was that that district
13 was not drawn with the intent to keep a white
14 Democrat in that seat. That's not unusual
15 with other districts around the country where
16 those decisions are made by their legislators
17 as well.

18 Q. Right. So when you say the
19 decision was made, you're referring to the
20 Alabama legislature's decision?

21 A. (Witness nods head.)

22 Q. And --

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1 A. Yes, ma'am.

2 Q. Oh, thank you.

3 And I -- I realize -- I realize
4 that -- I believe you were Chief of Staff at
5 that point, correct?

6 A. In 1990, I was, yes.

7 Q. Right. Okay. Or sorry -- in
8 2000.

9 A. 2000.

10 Q. In the -- in the -- in the cycle
11 where the majority-minority was -- district
12 was created which is in 2000, correct?

13 A. Well, I was Chief of Staff in 1990
14 and Chief of Staff in 2000. If you've got the
15 maps, we can look at and I can show you.

16 Q. I actually don't think I have that
17 map, but I just want to clarify.

18 A. I -- I was Chief of Staff in 1990,
19 and I was Chief of Staff in 2000.

20 Q. Correct. And I might be
21 misunderstanding, but I thought the -- I
22 thought you said that the majority-minority

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1 district, CD 7, was created in the 2000 --
2 following the 2000 census?

3 A. No. It would have been created in
4 1990 --

5 Q. Okay.

6 A. -- following that because
7 President Clinton was in office during the
8 time that Congressman Harris became U.S.
9 Attorney. And he was in office -- he was
10 elected in the '92 election and served until
11 2000.

12 So it would have been in the 1990
13 census that resulted in the redraw of the maps
14 that created the minority -- majority-minority
15 district.

16 Q. Understood. Understood.

17 A. I was a young Chief of Staff. 12.

18 Q. Understood.

19 And just to make sure I have this
20 straight, so then was that the cycle where you
21 said there were five to ten meetings of the
22 Alabama Congressional Delegation and

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1 subsequent meetings with the legislature?

2 A. Yes. And when I answered the
3 question about five to ten meetings, I could
4 not swear under oath that there were five or
5 ten.

6 Q. Absolutely.

7 A. All I know is, is that we
8 worked -- as I said, we -- we had monthly
9 meetings as the Chiefs of Staff. The
10 delegation had monthly meetings. And so I
11 don't know how many meetings we had, but how
12 ever many meetings we had that were focused on
13 redistricting, the goal was to try to work
14 together for the good of the state.

15 Q. Understood.

16 To the best of your recollection,
17 was there any -- anyone that you were aware of
18 related to the Alabama Congressional
19 Delegation that was opposed to creating that
20 majority-minority district?

21 A. I don't believe there was anyone
22 who was opposed to that I can recall.

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1 Congressman Harris didn't see the need for it.

2 But -- but that was -- but that was his view,
3 and it was not shared by the people who made
4 that decision.

5 Q. Did you have any concerns with the
6 creation of that district --

7 A. I --

8 Q. -- the majority-minority district?

9 A. I -- I really did not have any
10 concerns because my focus was on the 1st
11 congressional district.

12 Q. Do you recall if Representative
13 Callahan had any --

14 A. No.

15 Q. -- concerns with creating that
16 district?

17 A. None that I can recall.

18 Q. Do you recall any communications
19 with anyone that you had where they were
20 concerned or opposed to creating that
21 majority-minority district?

22 A. I -- I really don't remember that

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1 it was a -- a -- an issue for the delegation
2 other than Congressman Harris. And I don't
3 recall that it was even that controversial in
4 the legislature. But again, that's been
5 37 years ago, 39 years ago. It's been a few
6 years.

7 Q. Understood.

8 And just so I'm clear though.
9 There was a -- some kind of litigation that
10 followed that map being created with the
11 three-judge panel that you mentioned?

12 A. In the 1990?

13 Q. Right. So I believe that map was
14 adopted in around 1992 because --

15 A. I --

16 Q. -- Clinton was in office?

17 A. That -- that would sound about
18 right.

19 Q. Okay. So was there litigation
20 that you're aware of relating to that map
21 after that, so sometime in the early or
22 mid-1990s?

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1 A. I really don't recall whether
2 there was litigation. As a result of the map,
3 I remember that the legislature failed to do
4 its job, and the federal courts made the
5 decision to draw the map.

6 Q. When you say failed to do their
7 job, what do you mean?

8 A. The legislature in Alabama, as I
9 think in most states, is charged the
10 responsibility of redrawing every ten years
11 based on a new census.

12 And as I recall, the legislature
13 was unable to agree on a plan, and if they
14 couldn't do it, the federal courts made the
15 decision that they could. Someone had to.

16 Q. Okay. So the legislature was
17 unable to create a map at all?

18 A. That -- that's my recollection.

19 Q. Okay. Do you recall what were the
20 main --

21 A. I don't.

22 Q. -- disagreements or what issues

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1 led to that?

2 A. I'm sorry. I don't.

3 Q. No, that's fine. What is the --
4 the Alabama Fair Reapportionment Fund?

5 A. Can you tell me a little bit more
6 about it?

7 Q. Well, I actually don't know that
8 much about it.

9 A. Okay.

10 Q. So I was hoping that you would
11 tell me about it.

12 MR. DAVIS: Did you say Alabama
13 Fair Reapportionment Fund?

14 MS. MADDURI: Correct.

15 A. I'm -- I'm sorry. I -- I don't
16 recognize that name.

17 Q. (By Ms. Madduri) Let me see. I
18 do have an article that mentions it, so I can
19 give you that in case it helps trigger.

20 MS. MADDURI: We can mark it. I
21 think we'll be at Exhibit 9.

22 (Bonner Exhibit 9 was

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1 marked for identification.)

2 MR. WALKER: Are we going to mark
3 this?

4 MS. MADDURI: Yes. It's going to
5 be Exhibit 9.

6 Q. (By Ms. Madduri) And feel free to
7 review the article. I believe you're quoted
8 on the first page of that document.

9 A. I am. I have not seen this in a
10 long time so...

11 Q. And I know it's been a long time,
12 so I apologize for asking you to think back so
13 far.

14 A. Okay. So this fund, based on this
15 newspaper article, and now jogging my memory,
16 was established by the seven members of the
17 congressional delegation. And it appears that
18 all seven of them supported it.

19 I cannot answer whether all seven
20 of them financially contributed to it, but it
21 addresses something we talked about earlier.
22 So this was dealing with the 2001

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1 redistricting effort, but ten years earlier
2 when the federal courts drew this, the -- each
3 congressional office has what is called a
4 members representational account, an MRA.

5 That's the money -- it's like your
6 budget -- that you have to hire your staff, to
7 set up a district office, to pay for telephone
8 services, newspaper subscription services, and
9 things like that. The law is clear that you
10 cannot use your congressional budget for
11 reapportionment purposes.

12 So as is noted in this article,
13 which has been entered as an exhibit, this
14 article states -- and I would have no reason
15 to dispute -- that Congressman Callahan
16 actually had to spend \$250,000 from his
17 campaign fund ten years earlier to -- in
18 federal court in legal fees to support getting
19 a plan, a map, a redistricting plan that would
20 in fact allow him to continue to work, run in
21 a district that is close to what it looks like
22 today.

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1 So the members, proactively trying
2 to avoid a repeat of what happened ten years
3 ago, agreed to support a plan that we went to
4 the legislature and encouraged them to
5 consider. And it was a plan that called for
6 keeping the districts as opposed to the plan
7 that at that time Dr. Joe Reed, who is
8 chairman of the Alabama Democratic Conference,
9 was pushing, which was to create a second
10 minority district.

11 But in this article, it says, it
12 quotes Congressman Hilliard who was the first
13 African-American member of the delegation
14 since reconstruction to say that -- Hilliard
15 says he knows of no plans to try to create the
16 second majority black district because the
17 changes that would require like -- because the
18 changes that would require likely wouldn't be
19 approved by the courts.

20 So you have to keep in mind it was
21 a different Justice Department. It was a
22 different time, and at that time, while it

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1 appears Dr. Reed wanted two minority
2 districts, Congressman Hilliard as the
3 Democrat -- he was not the only Democrat -- he
4 was not the only Democrat in delegation, but
5 he was the only minority Democrat in the
6 delegation -- was not supportive of that
7 effort to create two minority districts
8 because he didn't think the courts would
9 actually support that.

10 That's what I -- that's my
11 interpretation of this. And I'm sorry that
12 when you asked about the account, it -- it was
13 not a name I was familiar with. But I do
14 recall it now.

15 Q. Okay. So you mentioned, as this
16 article says, that Representative Callahan had
17 to spend \$250,000 from his campaign fund ten
18 years ago to challenge Reed's plan?

19 A. Right.

20 Q. Okay. So in Reed's plan that this
21 is referring to, it's your understanding that
22 that had two majority-minority districts?

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1 A. I didn't really recall that he was
2 pushing that in 1990, but I don't dispute if
3 that's the case. We would certainly be able
4 to -- to factually determine that. I do
5 recall that there has been discussion for some
6 time about creating two minority -- two
7 majority-minority districts, but the challenge
8 was always going to be whether it would
9 actually pass muster with the Civil Rights
10 Division and the Department of Justice.

11 Q. Do you recall what Representative
12 Callahan was unsupportive of in Reed's plan?

13 A. Well, it would have created --
14 it -- it would have divided Mobile and Baldwin
15 Counties, and it would have destroyed the 1st
16 congressional district as it had existed and
17 as he served.

18 I don't recall the specifics from
19 that. I would have to go back, but the court
20 records would show the different maps that
21 were introduced at that time as evidence.

22 Q. Do you recall this letter that

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1 this article was referencing which was
2 signed -- the article says was signed by
3 Representative Callahan?

4 A. I -- I recall it now.

5 Q. Well, no. That's fine. I mean,
6 it was a long time ago. I'm --

7 A. I don't recall the verbiage of the
8 letter. I don't recall the ask, but I'm sure
9 it was raising money. I mean, it says it was
10 a fund raising fund to try to raise money in a
11 legal way to try to get the legislature to
12 deal with the redistricting effort that the
13 legislature ten years earlier had failed to be
14 able to do.

15 Q. So in connection with the 2000
16 census in that redistricting, is it correct
17 that Congressman Callahan did not support a
18 second majority-minority district being drawn
19 at that time?

20 A. I -- I would respectfully dispute
21 that description. I don't recall Congressman
22 Callahan ever sharing with me his opinion

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1 about the pros or cons of creating a second
2 majority-minority district.

3 His focus was self-serving. It
4 was to keep the congressional district that he
5 had. And quite frankly, so was the view of
6 the other six members of Congress. If you've
7 got something that works, why would you lead
8 the effort to change it?

9 Q. Do you recall who was involved
10 with managing that fund, the Alabama Fair
11 Reapportionment Fund?

12 A. Well, this article says -- and so
13 therefore I will have to take it on face
14 value; I guess this is before fake news was
15 created -- that it was -- that the money was
16 raised and the address was the Alabama
17 Republican Party.

18 But keep in mind, we did not have
19 the ability to use congressional money for
20 this. We had already -- ten years earlier,
21 we -- the Callahan campaign had spent
22 \$250,000, which was a lot more money then.

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1 It's a lot of money today.

2 But today, that would -- back
3 then, that was a significant amount of money
4 that was used from the campaign, which was a
5 legal use of the money, but I think
6 Congressman Callahan was not alone in
7 believing that -- other members of Congress
8 were spending money as well in that court
9 defending their districts.

10 So he believed it was better to
11 raise the money through this account than to
12 have to take money out of your campaign
13 account.

14 Q. Have you ever been involved in
15 raising money for that fund to the best of
16 your recollection?

17 A. As a congressional staffer, I
18 would have been restricted in raising money
19 for any type of political activity. Each
20 House member has the opportunity to name one
21 staff member as their political liaison, if
22 you will, who can be a spokesman or who can

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1 coordinate with the campaign activities.

2 I had that role when I was his
3 Chief of Staff. So I had that in 1990 and I
4 had it in 2000. I did not have it when he was
5 first elected in 1984.

6 Q. So in that role or otherwise, had
7 you ever been involved in fundraising for that
8 fund?

9 A. Not that I recall.

10 Q. Do you recall who the primary
11 sources of funding for that -- for the fund
12 were?

13 A. Probably the same companies and
14 individuals. I don't know whether they could
15 take company -- the corporate money or not.
16 I -- so I shouldn't say companies. But we --
17 look, in Alabama and probably in most states,
18 it's the same people that get asked to write
19 the campaign contributions to both parties, to
20 both candidates.

21 So my guess is, is that if you
22 look at an FEC report today and you look at

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1 one in -- in 2000 when this fund was created,
2 you would see the same type of groups and
3 entities and people who were involved in the
4 political process.

5 It may be a different person, but
6 it would be who -- the person who was in
7 charge of -- the president of the Farmers
8 Federation, the president of the power
9 company, or the president of the -- this group
10 or that group, the business community.

11 They all have been -- they've --
12 they've grown exponentially over the years,
13 but they are the ones who traditionally
14 support both Democrats and Republicans.

15 Q. And what was your understanding of
16 the purpose or the goal of that fund?

17 A. To try to get the legislature to
18 approve a map that would avoid us going to
19 another lengthy and expensive federal court
20 proceeding and to try to keep the district
21 maps as closely aligned as they had been
22 during the previous decade for the upcoming

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1 decade.

2 Q. And did you work with this same
3 fund when you became the congressman?

4 A. I don't think we called it that.
5 I don't even know that we -- I don't know what
6 the name of that fund was, but we all chipped
7 in and raised -- we -- we all -- when I --
8 Congressman Bonner followed the leadership of
9 Congressman Callahan.

10 And when it was time for us to
11 work with the legislature in 2010, we all, all
12 seven members, Democrat and Republican,
13 donated money to try to help the legislature
14 draw a map that was as close to the one as the
15 one we had. We did not to my -- I don't
16 recall whether we actually introduced a map,
17 but Congresswoman Sewell, Congressman Bachus,
18 Congressman Rogers, Congresswoman -- now I'm
19 talking about the 2010.

20 We -- we all agreed to try to work
21 together as we had previously for the last --
22 as long as I've been around. The map you

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1 showed in 1950, I was born in 1959. So that
2 predates my knowledge.

3 Q. To the best of your recollection,
4 were funds -- was that fund ever used to --
5 whether it's lobby against or argue against --

6 A. No.

7 Q. -- the creation of a second
8 majority-minority district?

9 A. That was never the goal. The goal
10 was to keep the districts as close to what
11 they were. And it really was not -- I mean,
12 look, we -- we had -- in the 2010
13 redistricting effort, we had the first
14 African-American president.

15 We had, I believe, the first
16 African-American Attorney General, and I had a
17 very good working relationship with General
18 Holder. And to the extent any congressman has
19 a good working relationship with the White
20 House, I had a good working relationship with
21 White House.

22 On my last day in office, General

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1 Holder called to tell me what -- he was very
2 complimentary and said that it would -- he was
3 sad to see me leave, but he was wishing me
4 best wishes.

5 But it was his Justice Department
6 that stamped approved when this map came down.
7 And when we were working in the 2010
8 redistricting effort to get the map we
9 currently have as we had previously, we were
10 working in the same spirit that it existed for
11 the last 40 years.

12 And it -- it -- it's hard to
13 describe that in a transcript, but it was a
14 spirit of collegiality. It was a spirit of
15 common service to the state. It was a spirit
16 of -- of making sure that the 4.8 million
17 people that lived in our state, regardless of
18 the skin tone that they had or the accent that
19 they had or the conditions that they grew up
20 in, that -- that they were well served and
21 served well and with integrity.

22 Q. Is it your general understanding

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1 that to -- if a second majority-minority
2 district was to be created, that would
3 necessarily require changing sort of these
4 historical districts that you've been
5 describing all morning?

6 A. Well, I've never seen a map that I
7 can recall that could create a second
8 majority-minority map that would not
9 substantially alter the integrity of the 1st
10 congressional district. None of the maps that
11 you introduced as exhibits today do that.

12 And as I said, I remember seeing
13 maps that legislators were talking about in
14 previous efforts that would take part of
15 Mobile and run it up to -- there -- there is
16 no four-lane highway from Mobile to -- to
17 Sumter County or to Greene County or to
18 Pickens County. You're going to be going on
19 two-lane farm-to-market roads in a lot of
20 that.

21 Or that would take it under the
22 bay. And one of the maps in this 2000

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1 redistrict that Dr. Reed pushed actually
2 circled Congressman Callahan's home on Dog
3 River. It circled it. The house across the
4 street wasn't -- it was going to be in the
5 Mobile district.

6 Congressman Callahan's house was
7 drawn to Dog River underneath Mobile Bay all
8 the way over to Dothan, and I think it -- it
9 may not have gone to Auburn in Lee County. It
10 went up to Russell County.

11 And so that offended the census
12 that -- you talk about gerrymandering. That
13 was the ultimate where someone was going to
14 take him -- he would have not even been able
15 to drive out of his driveway, he would have
16 been in another congressional district.

17 So you can't expect that he was
18 excited about that. But we have never
19 supported doing anything that would destroy
20 the integrity of -- of not only our district,
21 but really of the -- of the districts that
22 have well served this state.

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1 Q. Do you think there are any people
2 in Alabama, your constituents, whether in the
3 overall state or in congressional district 1
4 who would have benefited from having a second
5 majority-minority district in Alabama?

6 A. I -- I don't know how they could
7 have. When I received the NAACP award as the
8 champion in 2009, they didn't put an asterisk
9 on it. When I got the very first earmark,
10 back when we could do earmarks, was for
11 Pritchard, Alabama because the mayor and the
12 council had had such a long-running dispute
13 that they wouldn't even agree to pay the
14 firefighters.

15 And they didn't even have enough
16 money to put gas in the fire trucks. And so I
17 got a grant -- a -- an earmark for Pritchard
18 to get an expanded water service so that the
19 fire hydrants could actually work, and we
20 could put money in the fire trucks so that if
21 someone's house caught on fire that it would
22 be put out.

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1 I didn't carry Prichard in the
2 ballot boxes. I don't know that I ever
3 carried Prichard in the ballot boxes. I got
4 more and more votes each time. Prichard was a
5 majority-minority city, but I served the
6 people of Prichard with all my heart.

7 And that's why I can't imagine why
8 anybody would have ever wanted -- someone
9 might have wanted a Democrat because there
10 were Democrats that didn't vote for me. But I
11 never gave anyone reason to believe that they
12 were not being well served because I was
13 Caucasian and they were not.

14 Q. Were there any issues or needs
15 that you saw or were told about from your
16 African-American constituents that were
17 different than other white constituents in
18 your district?

19 A. Well, sure. The African-American
20 constituents asked for me to help them get
21 recognition for Africatown, which I did. That
22 was probably not something that other -- I

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1 mean, that wasn't even something that
2 residents in any other counties were
3 interested in. Africatown was the site of the
4 last slave ship to actually land, the
5 Clotilda. They just recently found it.

6 But -- but -- but that's somewhat
7 of a -- I mean, I think you can go to any
8 demographic group. You can go to a -- a group
9 of soccer players and their focus is on soccer
10 fields. You can go to a group that focuses on
11 ballet or on some other activity, and they're
12 interested in that.

13 And so -- but -- but when the
14 African-American constituents that I worked
15 for and represented asked for my help, to the
16 best of my ability, we helped them.

17 Q. Do you recall any examples of what
18 African-American constituents asked you for
19 that you were able to help them on aside from
20 the --

21 A. No.

22 Q. -- Africatown?

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1 A. They needed help with the water
2 pressure and the firehoses in Prichard, and --
3 and we helped. There would have been times
4 where there -- there were applications for
5 public transportation grants. We -- we
6 provided those letters of support.

7 There are other examples of where
8 the particular neighborhood -- or a -- a good
9 friend of mine who I served with in the
10 leadership Mobile class was from the Trinity
11 Gardens area. Trinity Gardens is a majority
12 African-American section of Mobile.

13 She -- there had been some
14 shootings. Her son had been murdered, and she
15 asked if I would come have a town hall meeting
16 to meet with the young people to try to
17 encourage them to put the guns down and to
18 start loving and -- and -- and not hating.
19 And I went.

20 I went to 26 funerals of soldiers
21 that died in Afghanistan and Iraq. Probably
22 18 were African-American. I preached at one

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1 of the services. When I was standing in
2 Howard Johnson, Jr.'s bedroom with his three
3 sisters and his mother and father -- he was
4 the first soldier killed from Alabama -- I
5 wasn't standing in a black man's bedroom.

6 I was standing in an American
7 hero's bedroom. And when the father asked me
8 to preach -- he's a minister -- asked me to
9 moderate, to MC the funeral that was on
10 national TV, it was after I had said, Reverend
11 Johnson, whatever you need me to do, I will
12 do.

13 And until the day he died several
14 years later, we remained extremely close. And
15 I would be heartsick to think that anyone in
16 his family believed that I wasn't doing
17 everything in my power as a human being to
18 serve them well in their time of grief.

19 Q. That's really sad, but it sounds
20 like you did a --

21 A. Well, it's just -- it's just the
22 way we did things.

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1 Q. Uh-huh.

2 A. And we did it with the -- with the
3 25 other families as well. Thank goodness
4 they didn't all ask me to lead a funeral
5 service, but -- but, you know, when you're
6 standing there and you're looking at the
7 trophies and the blue ribbons -- I mean, he
8 was an all-star athlete, and he answered his
9 country's service. And he was killed in the
10 early days of the war in Iraq.

11 And my wife baked a pound cake,
12 and I went into to see the family whom I had
13 never met before. But that's the kind of
14 bonding experience that I tried to have with
15 all of my constituents.

16 Whether it was the bad times -- I
17 mean, same thing with the oil spill. We're
18 talking about minorities as though we're just
19 talking about African-Americans, but you go to
20 Bayou La Batre, the little fishing village,
21 and when the oil spill -- when the explosion
22 occurred at Deepwater Horizon, you have to

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1 understand that initially -- people forget --
2 initially, we were told that -- that there was
3 no leakage. And then they said, Well, there's
4 been a breach. There is some leakage.

5 We knew that the explosion
6 occurred. We knew people had been killed, but
7 then, once we started seeing that plume of oil
8 coming up, and it was such a helpless feeling.
9 And my staff and I went door-to-door to
10 businesses whose owners couldn't even speak
11 English to let them know that we were going to
12 stand by them in Mobile and Baldwin Counties.

13 I didn't go to Washington to work
14 to take some of those meetings. And when
15 you're hugging someone whose livelihood -- and
16 if you fish for a living, if you shrimp for a
17 living, and you can't get your boat out in the
18 water because it's filled with oil, you can
19 have -- don't have any money to buy bread and
20 milk for your kids.

21 And so we pressed the people at
22 BP, and we pressed the organization what was

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1 set up to provide help to those families as
2 hard as anyone could have pressed. And I did
3 that because that was my job.

4 Q. I'm sure it meant a lot to your
5 constituents to see you come door-to-door.

6 A. It meant a lot to me --

7 Q. Yeah.

8 A. -- to be able to help them.

9 Q. Yeah. In terms of civil rights
10 issues, were there any specific issues that
11 came up a lot in your district or that you
12 thought -- you understood that your
13 African-American constituents cared
14 specifically about?

15 A. Not off the top of my head. If
16 you can give me some examples, I can -- I'd be
17 happy to -- it's kind of like this article, it
18 may jog my memory. But Mobile, as I mentioned
19 earlier, had a very progressive Mayor Joe
20 Langan --

21 Q. Uh-huh.

22 A. -- who worked with the

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1 African-American community back in the '50s
2 and '60s during the Civil Rights Movement.

3 And Mobile was fortunate to avoid
4 not all, but most of the battle scars, if you
5 will, that some Alabama cities have. And --
6 and so we -- we did not have some of the
7 issues that other places had to deal with.

8 Q. Uh-huh. What about things like,
9 for example, educational outcomes? There are
10 generally pretty large disparities between
11 educational outcomes for African-Americans and
12 white people within Alabama, within lots of
13 different parts of the country. Was that ever
14 an issue that came up for you?

15 A. Not in a -- not in a negative way.
16 As I said when I went to Trinity Gardens
17 with -- with my friend after her son had been
18 murdered, I mean, I -- I visited -- my goal
19 was to visit every high school in my district.
20 I did not complete that goal, but I visited
21 most of them.

22 And I -- I -- I went to the

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1 schools that were majority-minority schools, I
2 went to the private schools. I went to the
3 Catholic schools. I went to the schools that
4 had a more even balance. I mean, I -- I went
5 wherever. I sponsored an art contest every
6 year for the kids of the 1st congressional
7 district.

8 I nominated probably 145, maybe
9 200 young men and women to go to the military
10 academies. We did not have a quota. We
11 nominated the best students that could be
12 competitive. We nominated a lot of students
13 from different racial and ethnic backgrounds.

14 And so I don't recall that it
15 was -- there was a real time during my
16 ten-and-a-half years where there was an issue
17 that -- that arose specifically with regard to
18 it being a Civil Rights issue.

19 For instance, Senator Figures and
20 I -- as she was on the redistricting committee
21 in the 2010 redistricting and maybe even on in
22 2000, I'm not sure when she -- I think she was

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1 in -- on the city council at that time.

2 But anyway, you know, we used
3 to -- we -- we used to laugh at how -- we were
4 ringing a bell for the Salvation Army one time
5 at Christmastime and got very competitive
6 that -- who got the most money in their
7 kettle, but we used to laugh at how some --
8 how hard it was for some people to imagine
9 that a -- a black Democrat and a white
10 Republican could be such close friends.

11 And she had a son that got in
12 trouble and I did everything I could to help
13 him, not because she was a state senator or
14 because she was black or because she was a
15 female, but it was the right thing to do.

16 So I don't recall that there was
17 a -- a real time or issue where the -- the
18 people in my district, regardless of their
19 political views or their racial makeup, would
20 have -- would have had -- that I would have
21 given them reason to believe that I was
22 insensitive to their views even when there

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1 were times when we disagreed.

2 And that was every time I went and
3 had dinner with my mother-in-law, I would have
4 disagreements, but -- but they were usually
5 friendly.

6 Q. Yeah. That's just part of the --
7 that's just part of the job.

8 A. Yeah.

9 Q. It sounds like you really made it
10 around your district --

11 A. I did.

12 Q. -- a lot.

13 Did you observe anything that, you
14 know, you recall where there were more
15 differences maybe socioeconomically -- just
16 socioeconomically between more minority
17 communities and more white communities?

18 A. Well, I observed that there were
19 differences between -- within the minority
20 communities. In Washington County, there's
21 a -- a -- the -- the Mobile Washington Band of
22 Choctaw Indians that was recognized by the

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1 state under Governor James' administration but
2 was never recognized by the Federal Bureau of
3 Indian Affairs.

4 Two counties over, the Poarch Band
5 of Creek Indians got a state recognition, and
6 they also got a federal recognition. The
7 Poarch Band of Creek Indians built a casino.
8 They're -- by all accounts, are making a lot
9 of money.

10 You've got four major Indian
11 tribes in Alabama: Creek, Choctaw, Cherokee,
12 and Chickasaw. And two within 60 miles of
13 each are as opposite as night is from day.

14 Both really good groups of people
15 that work really hard, but one with that
16 federal recognition got a certain benefit that
17 the others who sought that recognition, they
18 never got. I actually sponsored the
19 legislation for the MOWAS to get federal
20 recognition, but I was not able to get it
21 through the House and the Senate.

22 Q. Uh-huh.

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1 A. So I think that in this country
2 and quite frankly in the world, you're going
3 to always see examples of where some people
4 are -- have a -- have more advantage because
5 of education or more advantage because of
6 genetics. You know, some people are just born
7 healthier than other people.

8 But -- but I really don't -- I
9 can't give you a specific example of where --
10 I mean, look, I'm -- in my spare time, I'm
11 head of the -- I'm -- I'm a volunteer chairman
12 of the board for the Alabama School of Math
13 and Science.

14 It's the only -- there's 17 STEM
15 schools in the nation. Alabama has one of
16 them. I don't know what the racial makeup is
17 of our student body. They take students from
18 all 67 counties. It's a free public
19 education. But I would say probably 40
20 percent, maybe 45 percent are
21 African-American.

22 And you're taking young people who

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1 are gifted in the math and science area that
2 might live in a rural area like Wilcox County
3 and it's giving them a chance to go to a world
4 class education -- get a great education and
5 go on and get a great scholarship to go off to
6 college. So I've -- I've always prided myself
7 in looking for opportunities to help all
8 people.

9 Q. Uh-huh. Did -- do you believe
10 that African-Americans in your district
11 supported Obamacare or the Affordable Care
12 Act?

13 A. I think that they probably did.

14 Q. Did you support the Affordable
15 Care Act?

16 A. I did not.

17 Q. Do you think African-Americans in
18 your district supported the repeal of
19 Obamacare?

20 A. It's a broad generalization but
21 probably not.

22 Q. Did you support repealing?

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1 A. I did.

2 Q. Do you believe that
3 African-Americans in your district supported
4 the reauthorization of the Voting Rights
5 Act --

6 A. I -- I did not --

7 Q. -- from 2006?

8 A. I did not hear from that many
9 African-Americans about that, but I took that
10 vote very seriously. In the -- in the 2000
11 presidential election, Bush v. Gore, we saw a
12 moment in time where the disputed ballots in
13 that presidential election were not in the
14 voting right states.

15 South Florida was not covered
16 under that. The disputed ballots in Ohio and
17 in Michigan and other states, and so I
18 consulted with Congressman Edwards who had
19 actually been in Congress when the first
20 Voting Rights Act passed and with subsequent
21 reauthorizations as well as Congressman
22 Callahan who had been in.

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1 And it was not an easy vote for me
2 to cast. There were only about 35 or 36 who
3 voted against it. So I knew that I wasn't
4 voting to get something passed, but I believed
5 with all of my heart that we had seen with the
6 presidential election of 2000 and with other
7 examples as well -- that if -- it -- and it
8 worked and we needed it in the '60s for sure.
9 But -- but why didn't we apply it to the whole
10 country?

11 That was my logic behind that, but
12 I really did not have that much mail or phone
13 calls from -- I'm not saying I didn't have
14 any, but it was not a -- it was not a -- a
15 red-button issue that we heard a lot about.

16 The health care bill was. And I
17 will tell you why I voted against it. I can't
18 tell you why -- the entire Alabama delegation
19 voted against it, including Congressman Davis,
20 who was in office at the time.

21 But I kept a copy of that bill on
22 my desk. And people would come to see me, and

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1 they didn't want a picture with me. They
2 wanted a picture of that bill because it was
3 this tall (indicating). But I believed with
4 all of my heart that social security was
5 created with bipartisan support.

6 Medicare was created with
7 bipartisan support. Medicaid was created with
8 bipartisan support, and I did vote to expand
9 Medicaid to include prescription drugs -- I'm
10 sorry -- Medicare.

11 We're early in my time in Congress
12 which was not popular with some of my
13 Republican constituents, but I thought it was
14 the right thing to do. But for the life of
15 me, I actually -- at a Republican retreat
16 where the president came, begged the president
17 to not force -- he had the votes to do it, and
18 he did it. But I didn't believe that it was
19 right for the country on something that
20 touched everyone because health care's
21 universal.

22 I just didn't think it was right

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1 for us to have a partisan vote on something
2 that was bipartisan, as bipartisan as health
3 care. So I did vote against it. I think it
4 is safe to your premise that the majority of
5 the African-American constituents that
6 contacted me were supportive of it.

7 But some could argue that they
8 were supportive of it because the first
9 African-American president was proposing it.
10 President Clinton tried it with his wife
11 leading the effort, and Congress couldn't get
12 it passed.

13 And there are some who would say
14 today that people are opposed to it because it
15 was President Obama's bill. Just as there are
16 some people would believe today that if
17 President Trump had proposed it, there are
18 some who would support it even if it were the
19 same bill.

20 I just thought it was a bad piece
21 of legislation, that we needed to do
22 something, but I thought to do it on a

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1 partisan vote would divide the country.

2 Q. With regards to the Voting Rights
3 Act, did you hold any town halls --

4 A. I did.

5 Q. -- on that issue?

6 A. Well, I didn't hold any town halls
7 on that issue. I --

8 Q. Or did it came up at town halls?

9 A. It came up at some. I defended my
10 vote. And even with people that disagreed
11 with me -- and there were some, but I think
12 they respected the fact that the -- the -- the
13 logic that I used. But yes, I mean, there
14 were people -- my executive assistant is --
15 was African-American.

16 Q. Uh-huh.

17 A. She was conservative. She was a
18 Republican. And she said, Jo, this is hard
19 for me to explain when I go home at
20 Thanksgiving.

21 And when I told her my reasoning,
22 she went home at Thanksgiving. And she came

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1 back and she said, To my surprise, my family
2 understood why you did it.

3 That was personally rewarding to
4 me because my goal was never to be divisive in
5 that. I just felt that if we were going to do
6 it in 20 -- when was it? 2007?

7 Q. 2006.

8 A. 2006?

9 Q. Yeah.

10 A. -- then it should apply to
11 everyone.

12 Q. Did you meet with or consult with
13 any African-American leaders --

14 A. I did.

15 Q. -- on this issue?

16 A. I -- I talked with -- before big
17 boats, TARP, the voting rights extension, the
18 Affordable Care Act, there were -- I would
19 oftentimes seek advice even though, as a
20 congressman, you don't need to seek it because
21 you're going to get it anyway. But -- but I
22 oftentimes would seek the advice of -- of

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1 friends in a very unofficial way.

2 And yes, I -- I talked with a
3 number of my African-American friends about
4 it, about my logic behind it. One is a very
5 good friend of mine. He was a colonel in the
6 Air Force, and he said actually -- and he
7 lived in south Florida at the time. He said,
8 I think you make a pretty good point.

9 Q. So would you be --

10 MR. DAVIS: How -- how we doing?
11 Governor's going to need our Chief of Staff
12 back before too terribly long.

13 MS. MADDURI: Understood. I don't
14 have too much more. Just a page.

15 Q. (By Ms. Madduri) So would you be
16 supportive -- I'm -- I'm sure you know that
17 now the Supreme Court has overturned the part
18 of the Voting Rights Act that I believe were
19 discussed in Section 4 and Section 5, the
20 preclearance requirement, that only applied
21 to, you know, specific states as you
22 mentioned.

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1 Would you be supportive of
2 reinstating those sections if it applied to
3 all states, all jurisdictions equally?

4 A. Well, I -- I don't have a vote
5 anymore.

6 Q. Understood. But your view on
7 that?

8 A. But look, I -- my view -- I would
9 be consistent with my view. I thought it
10 should apply to all states.

11 Q. Do you think there's any kind of
12 partisanship divide between African-American
13 and white voters in your district or Alabama
14 as a whole?

15 A. Define "partisanship divide."

16 Q. Do you think one race, whether
17 white or black, votes more for Democrats or
18 Republicans?

19 A. Sadly, I think that the evidence
20 would suggest that more African-Americans vote
21 Democrat than Republican, and that's
22 frustrating to Republicans like me who want to

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1 make -- in -- in the words of a former party
2 chairman, who want to build a big tent.

3 And we want to give people who
4 have the same values and the same goals and
5 the same aspirations a room in our party.

6 Q. In your view, why -- why do you
7 think African-Americans tend to vote for
8 Democrats more?

9 A. That's like asking me to read the
10 minds of the legislature. I -- I don't know.
11 I was very proud of my many, many
12 African-American friends and supporters from
13 all walks of life. And I was equally proud to
14 represent those that did not support me, but I
15 did everything I knew to do to serve all
16 people well and with integrity.

17 And I can't really look back on --
18 on that chapter and think well, if I had done
19 things differently, I might have gotten a few
20 more votes here or a few more votes there.

21 Q. Just in -- and just in your
22 opinion, do you think -- what reasons do you

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1 think, if any, exist that African-Americans
2 don't tend to support Republicans?

3 A. I -- I really don't have an
4 informed opinion about that.

5 MR. TAYLOR: Make sure I
6 understand the extent of the question. His
7 personal opinion about why African-Americans
8 support Republicans or Democrats?

9 MS. MADDURI: Okay.

10 Q. (By Ms. Madduri) Do you think the
11 same is true on the other side? Do you think
12 white voters tend to support Republicans more
13 often?

14 A. Well -- well, are you talking
15 about Alabama or you --

16 Q. Yeah --

17 A. -- talking about nationally?

18 Q. -- Alabama. Alabama. Your
19 district, your -- within your experience
20 personally.

21 A. In -- in the last 35 years, but it
22 wasn't that long ago when Alabama was a

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Josiah Bonner

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1 one-party state.

2 Q. Uh-huh. Do you have --

3 A. It was a Democrat state.

4 Q. And you've -- you've been -- I
5 mean, you've watched that transformation, I'm
6 sure. Do you have any views on why that
7 transformation happened?

8 A. I -- I think many former Democrats
9 who became Republicans would tell you that the
10 party that they knew and grew up in changed
11 and no longer reflected their views and
12 values.

13 And, I mean, President Reagan
14 switched parties and --

15 Q. Uh-huh.

16 A. So there are a lot of examples of
17 people. George Wallace, Jr --

18 Q. Uh-huh.

19 A. -- the son of former Democrat
20 Governor George Wallace, switched parties.

21 A lot of people switched parties,
22 but I think that the national party, as

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1 evidenced by what's going on today, that the
2 Democrats continue to move further and further
3 to the left. And I think that for a lot of
4 people who grew up in Alabama being a
5 Democrat, they just don't recognize that party
6 anymore.

7 Q. Are there any specific issues that
8 jump out to you in terms of this leftward
9 movement --

10 A. Well --

11 Q. -- that you think they --

12 A. I --

13 Q. -- disagree with?

14 A. I think everything from today's
15 run up to the presidential campaign is about,
16 you know, universal free health care. Well,
17 we passed the Affordable Care Act. It's not
18 free. And there's no way it will ever be
19 free. You got to pay for it if you're going
20 to have a quality health care service.

21 So I -- I just think that even my
22 Democrat friends in Alabama today, and I've

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1 got many of them, have a hard time defending
2 some of the socialistic policies and -- and
3 views of the -- of the national Democrat
4 party.

5 Q. And I'm -- just to make sure
6 you're not too worried, I'm at pretty much the
7 end of everything. Just a couple more
8 questions for you.

9 A. I feel like I've been a political
10 commentator.

11 Q. Well, I mean, your perspective is
12 interesting.

13 A. Sure.

14 Q. You've been involved in space.

15 A. Not complaining.

16 Q. Yeah.

17 A. Not complaining.

18 Q. You can -- you can become a pundit
19 after this.

20 I'm curious if you think there are
21 any unique needs in the -- in the City of
22 Mobile as opposed to the rest of the

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1 congressional district.

2 A. Well, clearly the -- the continued
3 development of the port of Alabama is unique
4 to Mobile. It is a port that serves the whole
5 state, but we are -- as I say, I think we're
6 the 13th largest port.

7 We're -- we're in a position with
8 what the state is doing with the new
9 infrastructure bill. We're in a position to
10 invest a sizable amount of resources to make
11 Mobile one of the top five port cities in the
12 nation. That's going to great a whole new
13 economy of jobs and opportunities.

14 You won't need a four-year degree
15 or even a two-year degree, but you'll be able
16 to make 85 or 90 or \$100,000 a year, which is
17 more than double the average family of four
18 income. That's big time. That's a big-time
19 opportunity.

20 The continued growth of the
21 aerospace industry in Mobile with Airbus and
22 the continued growth of the shipbuilding

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1 industry, I mentioned the shipbuilder Austal,
2 they're the ones building the Navy ships. But
3 they are competing now with a -- for a
4 contract to get a frigate that would add
5 another 2500 people.

6 So you take 4500 people that work
7 there now and you add another 2500 people,
8 that's a game changer to your economy. So the
9 Mobile economy is also -- I mean, it -- it
10 takes a special skill set to be a pipe fitter
11 on a ship or to -- to be a welder on an
12 airplane. You don't want someone who's not
13 trained to do that.

14 So one of our challenges is to
15 continue to grow our economy, to continue to
16 grow our workforce so that young people who
17 are born in that wonderful town today have a
18 chance to get a good education, get a job, and
19 raise their family in a place that they love
20 and call home.

21 Q. Uh-huh. Do most people that work
22 in Mobile, do they all live in that same

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1 space, or are they also coming from other
2 counties?

3 A. They live in other counties, but a
4 large percentage of them live in the Mobile,
5 Baldwin County area. Goes back to that
6 continuity and community of -- of interest.

7 Q. Do you see any benefits to
8 African-Americans in Mobile if they were
9 included in a district that also included
10 counties from the Black Belt area?

11 A. They are.

12 Q. I guess more counties from the
13 Black Belt area as opposed to where they are
14 now?

15 A. Well, the -- the district that --
16 if -- if the legislature had the ability to
17 create a new district that would be ideal in
18 every setting, in my view, it would be as
19 close to what we've got now as we have,
20 because of the historical similarities,
21 because of the recent convergence.

22 It's like we were talking about

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1 earlier with Baldwin County, the Baldwin
2 County in 1950 and the Baldwin County of today
3 are two different places.

4 I -- I can't personally see that
5 there's going to be any real benefit to
6 splitting Mobile up or to even splitting
7 Mobile and Baldwin Counties apart just for
8 the -- the political benefit of the
9 plaintiffs. I -- I think that you've got to
10 think about the 780,000 people who live there
11 and who currently are interconnected in so
12 many different ways as we've discussed.

13 Q. What do you mean when you say "the
14 political benefits of the plaintiffs"?

15 A. Well, the -- the plaintiffs are
16 the ones who are advocating for the second
17 district, I believe.

18 Q. (Attorney nods head.)

19 A. And I believe I'm right that one
20 of the -- correct me if I'm wrong, that one of
21 the people at the national level that is
22 advocating for this is the former Attorney

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1 General.

2 Q. I actually don't know exactly, so
3 I can't -- I can't comment on --

4 A. I believe --

5 Q. -- that one way or the other.

6 A. I believe that's true.

7 Q. Okay.

8 A. And I do find it interesting
9 personally that his Justice Department
10 approved this map. And that it was good when
11 he was Attorney General, and that now there's
12 a desire to change it, I -- I don't understand
13 the logic behind that.

14 Q. Okay.

15 MS. MADDURI: Well, I think -- I
16 think that's all my questions.

17 THE WITNESS: Okay.

18 MR. DAVIS: Before we go off the
19 record, do we need to talk? Let's step out in
20 the hall.

21 THE VIDEOGRAPHER: We are off the
22 record at 12:44.

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1 (A recess was taken.)

2 THE VIDEOGRAPHER: We are on the
3 record at 12:46.

4 MR. DAVIS: Defendant has no
5 questions. Thank you, Mr. Bonner.

6 MS. MADDURI: Thank you, sir.

7 THE VIDEOGRAPHER: This ends MPEG
8 three and concludes the deposition of Josiah
9 Bonner. We are off the record July 30th,
10 2019, and the time is 12:46 p.m.

11

12 (The deposition of JOSIAH BONNER
13 was concluded at 12:46 p.m.)

14

15

16

17

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19

20

21

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Chestnut, et al., v. John H. Merrill

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1 * * * * *

2 REPORTER'S CERTIFICATE

3 * * * * *

STATE OF ALABAMA)

4 COUNTY OF ST. CLAIR)

5 I, Bethany Whaley, Certified Court
6 Reporter and Notary Public in and for the
7 State of Alabama at Large, do hereby certify
8 that on July 30, 2019, I reported the
9 aforementioned proceedings, and that the pages
10 herein contain a true and accurate
11 transcription of the said proceedings.

12 I further certify that I am
13 neither of kin nor of counsel to the parties
14 to said cause, nor in any manner interested in
15 the results thereof.

16

17

18

This the 12th day of August, 2019.

19

Bethany Whaley
s/s Bethany Whaley

20

Bethany Whaley, ACCR 661
Certified Court Reporter and
Notary Public for the
State of Alabama
My commission expires 3/27/22.

21

22

23

24

7/30/2019

Chestnut, et al., v. John H. Merrill

Josiah Bonner

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1 Josiah Bonner, c/o
Office of the Attorney General
2 501 Washington Avenue
Montgomery, Alabama 36130-0152

3
4 Case: Lakeisha Chestnut, et al., v. John H. Merrill
4 Date of deposition: July 30, 2019
5 Deponent: Josiah Bonner
6

7 Please be advised that the transcript in the above
8 referenced matter is now complete and ready for signature.
9 The deponent may come to this office to sign the transcript,
10 a copy may be purchased for the witness to review and sign,
11 or the deponent and/or counsel may waive the option of
12 signing. Please advise us of the option selected.
13 Please forward the errata sheet and the original signed
14 signature page to counsel noticing the deposition, noting the
15 applicable time period allowed for such by the governing
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17 not hesitate to call our office at (202)-232-0646.
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Josiah Bonner

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3
4 SIGNATURE PAGE
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5 Witness Name: Josiah Bonner
Deposition Date: July 30, 2019

6
7 I do hereby acknowledge that I have read
and examined the foregoing pages
8 of the transcript of my deposition and that:

9
10 (Check appropriate box):

() The same is a true, correct and
11 complete transcription of the answers given by
me to the questions therein recorded.

12 () Except for the changes noted in the
attached Errata Sheet, the same is a true,
13 correct and complete transcription of the
answers given by me to the questions therein
14 recorded.

15

16

17 DATE

WITNESS SIGNATURE

18

19

20

21

22 DATE

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7/30/2019

Chestnut, et al., v. John H. Merrill

Josiah Bonner

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6

ERRATA SHEET

7

8 Case: Lakeisha Chestnut, et al., v. John H. Merrill

9 Witness Name: Josiah Bonner

10 Deposition Date: July 30, 2019

11 Page No. Line No. Change

12

13

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17

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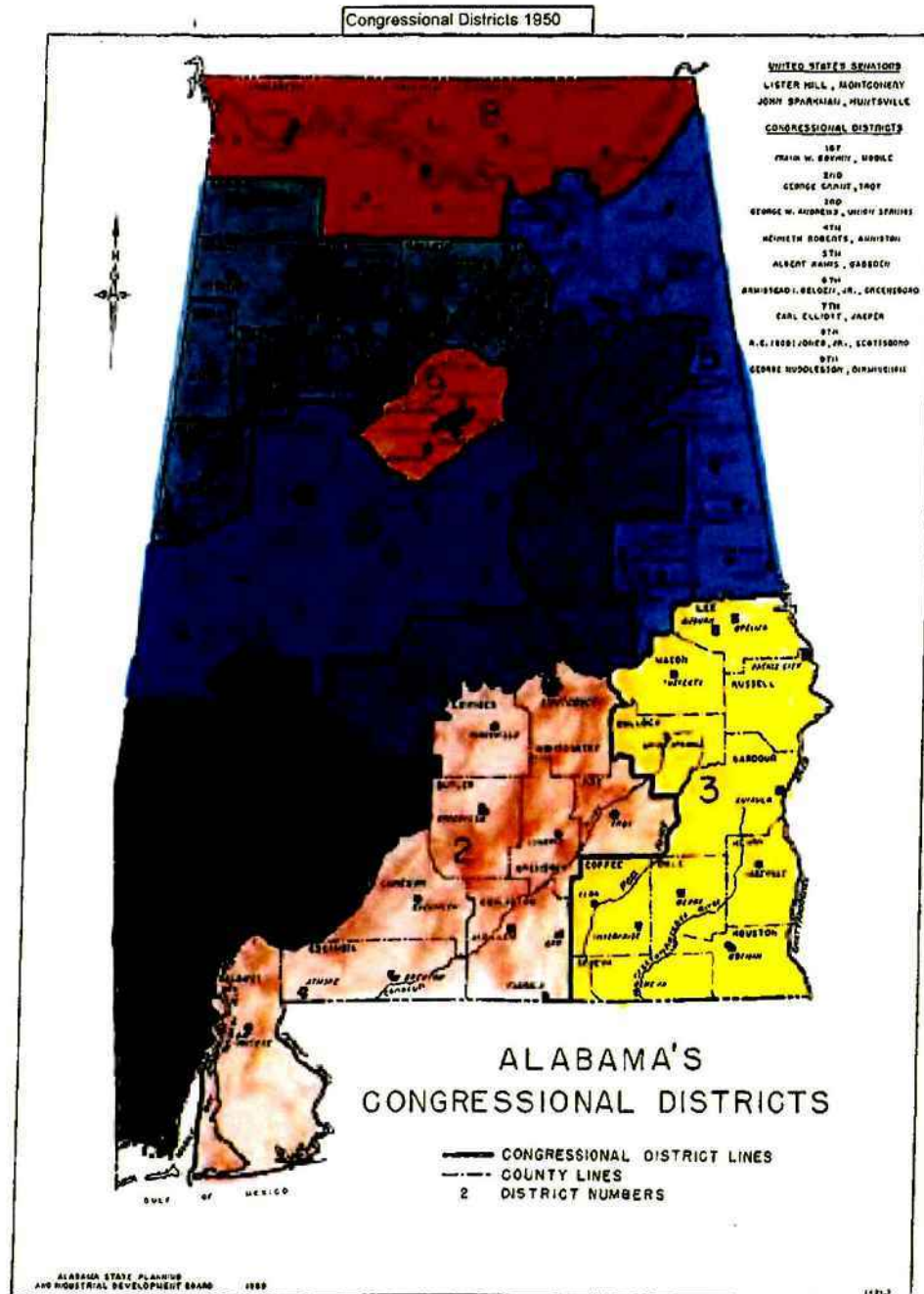
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Date



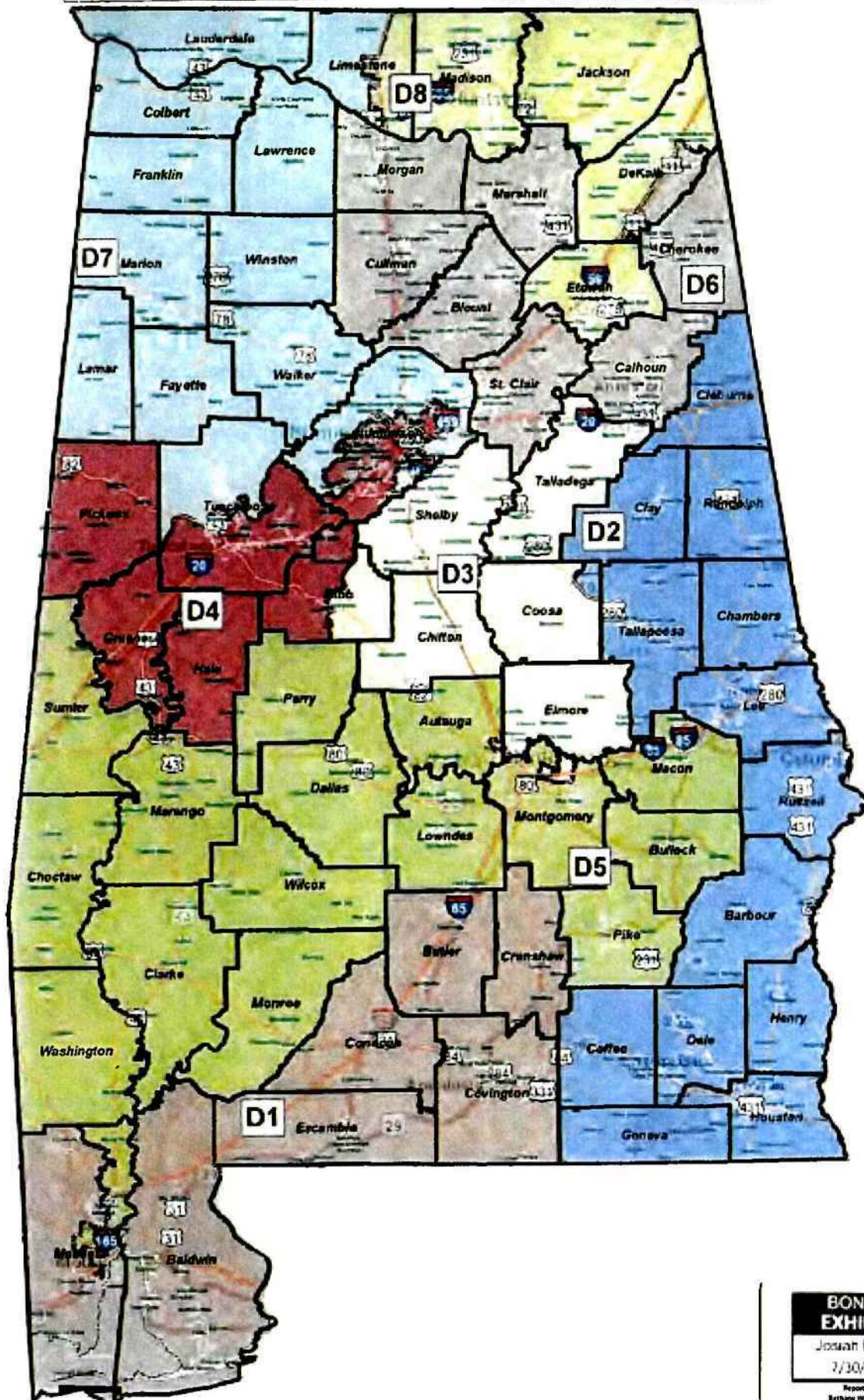
**BONNER
EXHIBIT 2**

Josiah Bonner

7/30/2019

Revised by
Bethany Whaley, CCR

2011 State Board of Education Districts

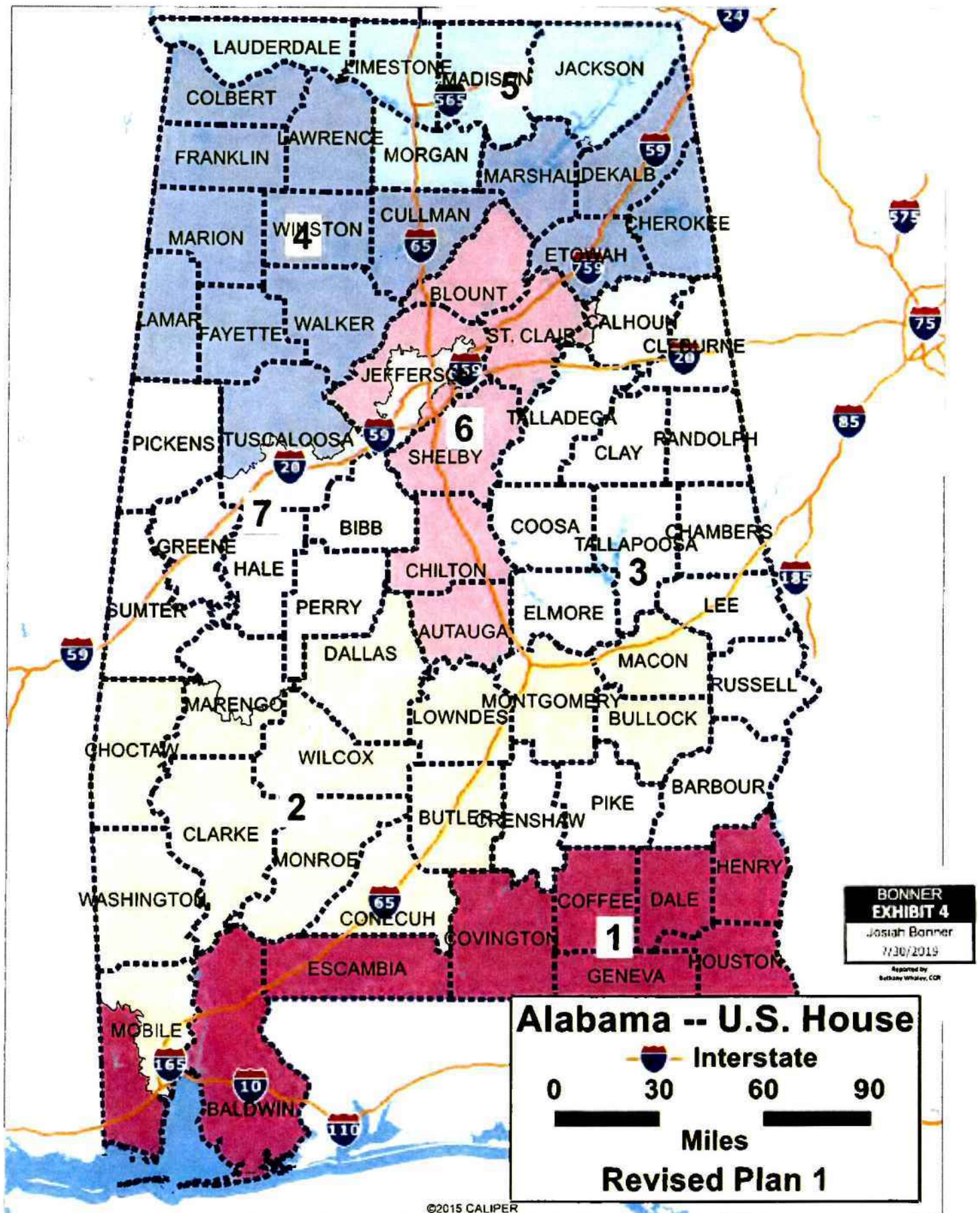


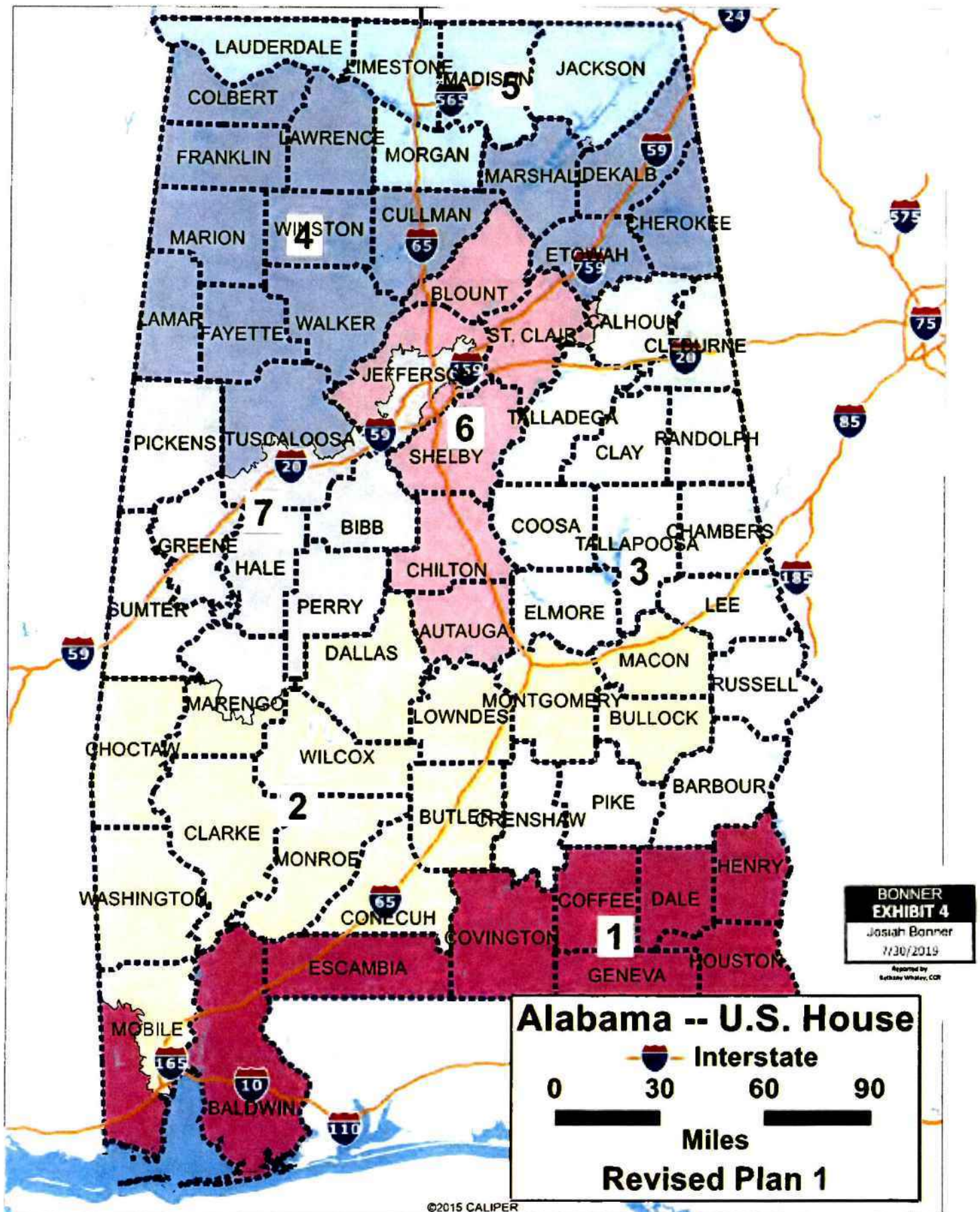
**BONNER
EXHIBIT 3**

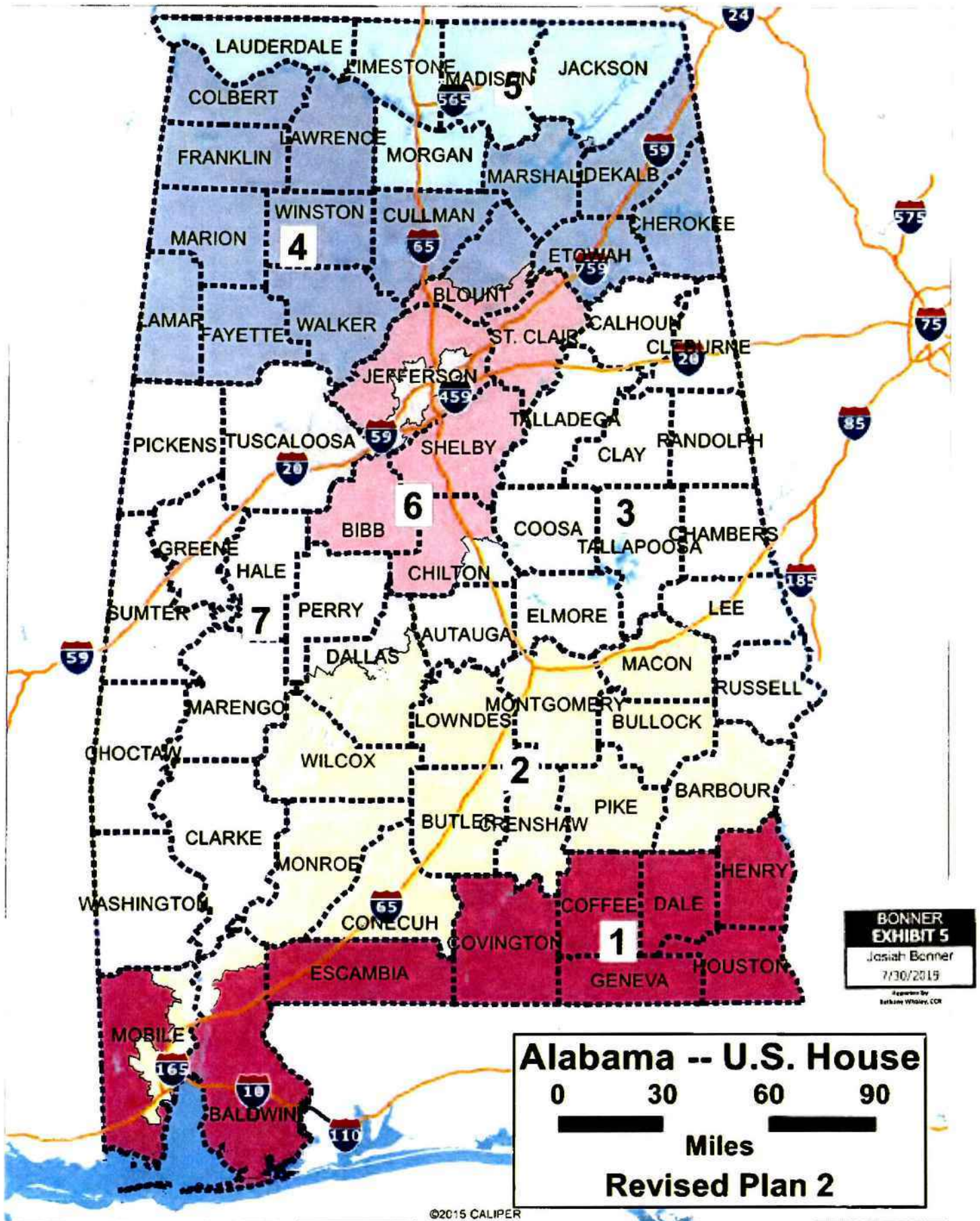
Josiah Bonner

7/30/2019

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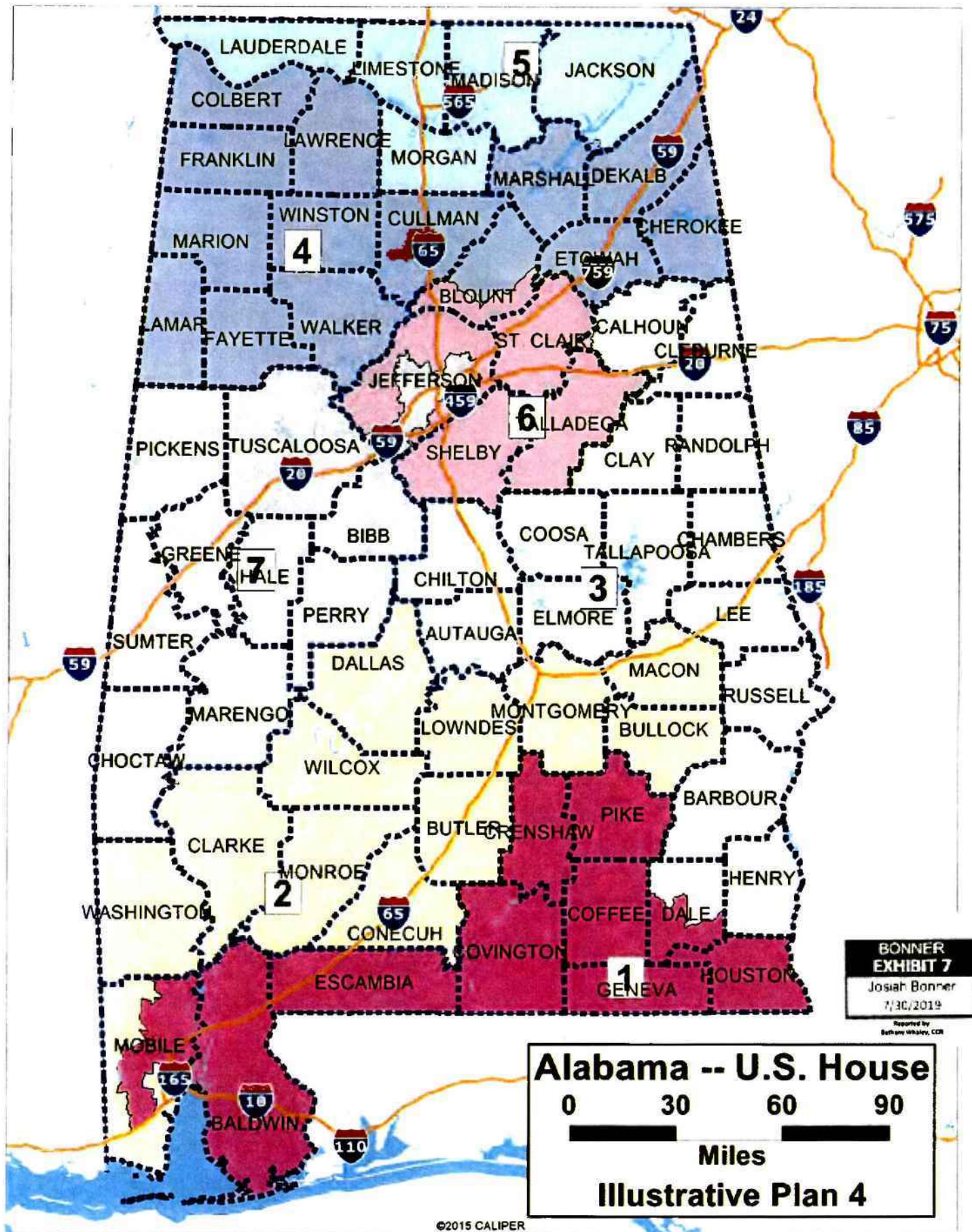






Reported by
Richard Whaley, CO

Revised Plan 3

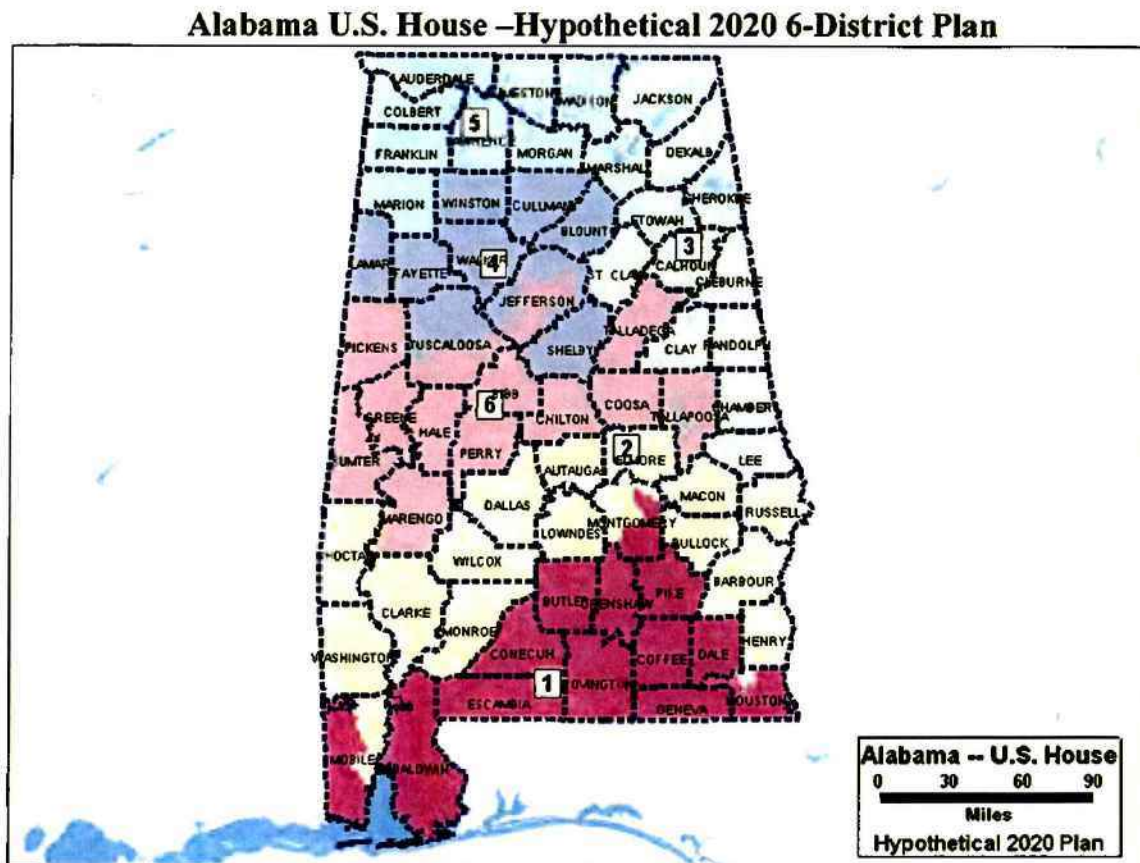


VI. Hypothetical 2020 Plan

(a) Geographic Area

41. The map in **Figure 2** (on the next page) depicts a 6-district hypothetical 2020 plan (“Hypothetical Plan”), with a realistic possibility that two of the six districts will be majority-Black CVAP by 2020.

Figure 2



42. The Hypothetical Plan is drawn using 2010 VTDs (and 2010 population), with a projected 2020 statewide population of 4.9 million (slightly

2001 WLNR 11237208, 2001 WLNR 11237208

NewsRoom

Birmingham News (AL)
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June 14, 2001

Volume 114
Section: News
Section: 80

REDISTRICTING PLAN DESIGNED WITH GOP FUNDS, REFERENCES TO RACE

MARY ORNDORFF News Washington correspondent

WASHINGTON - The bipartisan redistricting plan endorsed by Alabama's congressional delegation was paid for by money raised and managed by Republicans who warned that contributions were needed to fend off racial gerrymandering.

Alabama's only black congressman, U.S. Rep. Earl Hilliard, D-Birmingham, said a fundraising letter that mentioned rumors of creating a second majority black district played on racial fears.

"That letter is set in a racial tone to bring out the fears of Alabamians who would be opposed to this in order to raise funds," Hilliard said Tuesday.

Republicans said the letter, sent out last fall, mentioned gerrymandering and Alabama Democratic Conference Chairman Joe Reed only because of what happened 10 years ago, the last time the boundary lines for Alabama's seven congressional districts had to be redrawn.

Reed at that time sought to alter the districts to increase the chances of electing a second black to Congress. That plan was not approved after a court challenge.

"That sticks out in our mind as some of the mischief that can take place if someone so desires," said Jo Bonner, chief of staff for U.S. Rep. Sonny Callahan, R-Mobile. The fund-raising letter was signed by Callahan, who wrote that he had to spend \$250,000 from his campaign fund 10 years ago to challenge Reed's plan.

"What will happen next year?" the letter asks. The letter asks for donations from political action committees and corporate and individual donors to the Alabama Fair Reapportionment Fund. It refers to "Joe Reed's gerrymandered plan" being "forced upon our state."

Hilliard said that while he eventually signed off on the plan the letter helped pay to design, it is not the only redistricting idea he supports. He said he has seen two others that expand his district in directions that he favors. Based on the 2000 Census, the 7th District needs another 91,000 residents and the other six districts need to lose population in order to be equal.

Hilliard said he knows of no plans to try to create a second majority-black district because the changes that would require likely wouldn't be approved by the courts.

WESTLAW



2001 WLNR 11237208, 2001 WLNR 11237208

Gov. Don Siegelman is expected to call the Legislature into special session the week of June 25 to redraw lines for congressional, legislative and state school board districts.

Although Callahan's letter does not refer to political parties, the reapportionment fund was created by and is managed by the Alabama Republican Party. The phone number at the bottom of the letter is the former number of the state party's headquarters.

Republicans familiar with the letter say money was needed to help pay for a redistricting plan that would preserve the current boundaries. The plan, recently endorsed by all seven congressmen, will be one of several debated by the Legislature.

GOP Chairman Marty Connors said the plan Callahan helped negotiate for the delegation is meant to benefit incumbents, regardless of party.

"All of this started because of the extremely partisan plan Joe Reed had written. The letter goes out of its way not to have a partisan spin," Connors said. "The plan drawn by the consultants for the Alabama Fair Reapportionment Fund are not driven by partisan politics but specifically to make certain there is an alternative plan that meets Justice Department scrutiny" by creating equal-size districts without diluting minority voting strength.

Bonner said rules of the U.S. House of Representatives do not consider redistricting as official functions of congressional offices, so any work on a map or analyzing census information has to be done outside.

The Alabama Democratic Party also raised money specifically to pay for redistricting work, said Phillip Kinney, executive director of the state Democratic Party.

"The Democratic Party has provided some tools and technical support for the use of the House and Senate Democratic Caucus to aid them in their efforts in redistricting," Kinney said.

--- Index References ---

News Subject: (Legislation (1LE97); Government (1GO80); Political Parties (1PO73); Public Affairs (1PU31))

Region: (USA (1US73); Americas (1AM92); Alabama (1AL90); North America (1NO39))

Language: EN

Other Indexing: (ALABAMA DEMOCRATIC CONFERENCE; ALABAMA DEMOCRATIC PARTY; ALABAMA FAIR REAPPORTIONMENT; ALABAMA FAIR REAPPORTIONMENT FUND; ALABAMA REPUBLICAN PARTY; CENSUS; CONGRESS; DEMOCRATIC PARTY; GOP; HOUSE; JUSTICE DEPARTMENT; REPUBLICANS; SENATE DEMOCRATIC CAUCUS; SIEGELMAN; US HOUSE OF REPRESENTATIVES) (Alabama; Bonner; Callahan; Connors; Earl Hilliard; Gov; Hilliard; Jo Bonner; Joe Reed; Kinney; Marty Connors; Phillip Kinney; REDISTRICTING; Reed; Sonny Callahan)

Keywords: CONGRESSIONAL REDISTRICTING

Word Count: 785

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2001 WLNR 11237208, 2001 WLNR 11237208

NewsRoom

Page 1

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

- - - - - +
LAKEISHA CHESTNUT, et al. |
Plaintiffs, |
vs. | Case No.
JOHN H. MERRILL, Secretary | 2:18-CV-00907-KOB
of State, |
Defendant. |
- - - - - +

Washington, D.C.

Wednesday, July 24, 2019

Deposition of CONGRESSMAN BRADLEY BYRNE, a witness herein, called for examination by counsel for Plaintiffs in the above-entitled matter, pursuant to notice, the witness being duly sworn by MICHELE E. EDDY, RPR, CRR, a Notary Public in and for the District of Columbia, taken at the Rayburn House Office Building, 45 Independence Avenue, Southwest, Washington, D.C., at 9:58 a.m.

DIGITAL EVIDENCE GROUP
1730 M Street, NW, Suite 812
Washington, D.C. 20036
(202) 232-0646

2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA

1 A P P E A R A N C E S
2 ON BEHALF OF THE PLAINTIFFS:
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21 ALSO PRESENT:
22 Mitch Relfe, Legislative Director for
Congressman Bradley Byrne
Daniel Holmstock, Videographer

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P R O C E E D I N G S

Washington, D.C.

July 24, 2019

- - -

THE VIDEOGRAPHER: This is Video No. 1 in the video-recorded deposition of Congressman Bradley Byrne taken in the matter of Lakeisha Chestnut, et al. versus John H. Merrill in his official capacity as Alabama Secretary of State. It is pending before the United States District Court for the Northern District of Alabama, Southern Division, Case Number 2:18-CV-00907.

This deposition is being held at the Rayburn Office -- House Office Building at 45 Independence Avenue, Southwest, in Washington, D.C., on July 24th, 2019. The time on the video screen is 9:59 a.m.

My name is Daniel Holmstock, and I'm the legal videographer from Digital Evidence Group. Our court reporter is Michele Eddy, in association with Digital Evidence Group.

For the record now, will counsel please

Page 5

1 introduce themselves and whom they represent.

2 MR. SPIVA: My name is Bruce Spiva. I

3 represent the plaintiffs in the action.

4 MS. MADDURI: Lali Madduri, also for the

5 plaintiffs.

6 MR. RELFE: Mitch Relfe. I'm counsel

7 for the office of Congressman Byrne.

8 MR. DAVIS: Jim Davis representing

9 Secretary of State John Merrill.

10 THE VIDEOGRAPHER: Will the court

11 reporter please administer the oath.

12 - - -

13 CONGRESSMAN BRADLEY BYRNE,

14 having been duly sworn, testified as follows:

15 EXAMINATION BY COUNSEL FOR PLAINTIFFS

16 BY MR. SPIVA:

17 Q Good morning, Congressman Byrne.

18 A Good morning.

19 Q Thank you very much for taking your time

20 out. I know you have a busy schedule. We

21 appreciate that.

22 A Sure.

Page 6

1 Q We'll try to keep the encroachment on

2 your time to a minimum.

3 If you can just state your full name for

4 the record.

5 A My name is Bradley Byrne, B-Y-R-N-E.

6 Q What is your address, Congressman Byrne?

7 A 22489 Sea Cliff Drive, Fairhope,

8 Alabama, 36532.

9 Q Have you ever been deposed before?

10 A I have.

11 Q In what capacity?

12 A When I was a member of the State School

13 Board, there was a lawsuit against the State

14 School Board in our official capacity, and I

15 believe when I was Chancellor of Postsecondary

16 Education, there was a lawsuit against the

17 Department of Postsecondary Education, and in my

18 capacity as CEO of the system, I think I was

19 deposed a couple of times.

20 Q Okay. Other than those times, can you

21 recall any other times that you were deposed?

22 A I can't.

Page 7

1 Q Have you ever testified -- we've got a

2 little --

3 A Doesn't mean anything.

4 Q Okay. Have you ever testified in trial

5 before?

6 A Yes, I believe there was a trial

7 regarding the redistricting of the State School

8 Board in the Federal District Court of the

9 Southern District of Alabama, and I think I and

10 perhaps other members of the State School Board

11 were required to come and testify at that trial.

12 There was also a trial in the Montgomery

13 County Circuit Court that I was a very brief

14 witness in, and I think it was another one of

15 those redistricting cases.

16 Q Okay. And were you deposed in either of

17 those cases?

18 A I don't believe I was.

19 Q Okay. In connection with the school

20 board redistricting case, about what time period

21 was that? Maybe I'll try to refresh your memory.

22 Was it mid '90s?

Page 8

1 A No.

2 Q Was it more recent than that?

3 A It was more recent than that, but I

4 can't remember exactly when it was.

5 Q Okay. And do you recall what you

6 testified about in that redistricting case before

7 the Board of Education?

8 A There was some sort of a proposal, and I

9 don't know if it was a legislative proposal or

10 not, regarding the makeup of the districts and the

11 State School Board. There are eight districts.

12 And I was asked about my opinion about how my

13 district -- my State School Board district would

14 be put together.

15 Q Okay. And so I take it at that time you

16 were a member of the State Board of Education?

17 A I think I was. I can't remember, to be

18 sure.

19 Q All right. And do you recall whether

20 the districts changed as a result of that lawsuit?

21 A I don't know what became of that

22 lawsuit. I was just a witness.

Page 9

1 Q Okay. So let me just -- I'll briefly --
 2 you've been deposed before, but I'll just briefly
 3 go over kind of some of the, you know, usual
 4 ground rules. We're doing great so far. Usually
 5 because the court reporter has got to take
 6 everything down, I will try to wait until you've
 7 completed your answer before asking you the next
 8 question or jumping in. I would just ask if you
 9 would do the same, just wait for the whole
 10 question to come out before you answer, just so
 11 she can get everything down.

12 If I ask a question and it doesn't make
 13 sense to you, please ask me and I will do my best
 14 to rephrase it. If you answer it, I'll assume
 15 that you understand it as asked. If you want to
 16 take a break at any time, you know, just let me or
 17 your counsel know and we can -- we can do that.
 18 Just -- we just ask that while a question is
 19 pending, if you can -- if you can answer the
 20 question and then we can take a break at that
 21 point.

22 I don't think there's anything else.

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1 And there's no reason why you can't
 2 testify completely and truthfully today? You're
 3 not on any medications or anything like that? I
 4 have to ask everybody that.

5 A No, I'm not.

6 THE VIDEOGRAPHER: Your microphone fell,
 7 counsel.

8 MR. SPIVA: Oh, thank you. The question
 9 is where did it fall to.

10 Q And I will try to not gesticulate with
 11 my hands so that I don't knock the microphone off.

12 And how did you -- how did you learn
 13 about this case, Congressman Byrne?

14 A I believe I received notification of it
 15 from the Attorney General's office, State Attorney
 16 General's office. I may have read about it in the
 17 news before, but I can't be certain about that.

18 Q Do you recall who you first talked about
 19 this case with?

20 A There was a call in which there was a
 21 member of the Attorney General staff on the call,
 22 and there was a lawyer from a law firm in

Page 11

1 Montgomery, maybe two lawyers from that law firm
 2 in Montgomery that were on the call.

3 Q And do you recall who from the AG's
 4 staff was on that call?

5 A No.

6 Q Do you recall the names of the lawyers?

7 A Not really.

8 Q Was one of them Dorman? I'm forgetting
 9 Dorman's last name.

10 MR. DAVIS: Walker.

11 Q Was one of them Dorman Walker?

12 A I think Dorman may have been on the
 13 call.

14 Q You're familiar with Dorman Walker?

15 A Oh, I've known Dorman a long time. His
 16 wife used to practice law with me.

17 Q Okay. And about when was that that you
 18 received that call?

19 A This year, but I can't remember when.

20 Q Can you tell me what was discussed on
 21 the call?

22 A That the case was pending, that there

Page 12

1 may be a need for me to give testimony and so sort
 2 of in general what my understanding of the case
 3 was, what my understanding of the proposed new
 4 districts would be, and what my attitude and
 5 concerns would be about that.

6 Q Okay. And what did you say in response
 7 to those -- to those inquiries?

8 A Well, somebody showed me at that time
 9 the actual proposed districts, and I told them I
 10 had great concerns about it.

11 Q Okay. And we'll get into that in a
 12 minute. Did they show you anything else other
 13 than the proposed maps?

14 A I may have seen a copy of the complaint,
 15 but if I did, I didn't read it very carefully.

16 Q Okay. I guess that's probably one of
 17 the benefits of being a member of Congress and not
 18 a practicing lawyer anymore.

19 A That is one of the benefits, and I
 20 greatly appreciate that benefit.

21 Q I don't blame you at all.

22 And do you recall anything else about

Page 13

1 that conversation?

2 A I really don't.

3 Q Have you had any other conversations
4 about the case since then?

5 A Yes, just one to get us set up for this
6 deposition today.

7 Q Okay. Who did you talk to to get this
8 set up for the depo?

9 A I think, once again, there was somebody
10 from the Attorney General's office. Mr. Walker
11 may have been on that one, too.

12 Q All right. Did you do anything to
13 prepare for the deposition today?

14 A Just to make sure I remembered some
15 things about the district and some of the things
16 that we had done in the district, particularly my
17 town halls. I've done a lot of town halls. I
18 wanted to go back and make sure that I was certain
19 about what we had done.

20 Q Did you look at any documents to
21 prepare?

22 A Not any documents per se, no, just where

Page 14

1 did we have town halls, how often, et cetera.

2 Q All right. To refresh your recollection
3 about that, did you talk to staff or --

4 A Yes, my staff would give me this
5 information.

6 Q Got you.

7 And any other conversations or meetings
8 to prepare for today's deposition?

9 A No.

10 Q Let me -- I'm not going into detail just
11 yet, but let me -- just so I know what you -- what
12 you looked at in preparing for today's deposition,
13 let me hand you -- I'm going to have marked a few
14 exhibits and then we'll -- I'll ask you whether
15 these are the documents that you looked at.

16 MR. SPIVA: Give us just a second.
17 We're just going to gather them up here.

18 Let me give these out one at a time so
19 we don't get confused. If we could -- if we could
20 have this one marked as Exhibit 1, please.

21 (Exhibit 1 was marked for identification
22 and attached to the deposition transcript.)

Page 15

1 BY MR. SPIVA:

2 Q And, Congressman Byrne, if you could
3 just take a look at that. Like I said, we'll get
4 into detail in a little bit, but is that one of
5 the proposed maps that you looked at?

6 And just for the record, this one is
7 labeled "Revised Plan 1, Alabama -- U.S. House."

8 A I saw several. They were -- some of
9 them were pretty similar so I can't tell you for
10 sure that this is one that I saw, but it looks
11 like it might have been.

12 Q Okay. Do you know -- did anybody tell
13 you that the plans -- that the maps that you saw,
14 or the proposed maps that you saw, came from an
15 expert report of the plaintiffs?

16 A They may have, but I don't remember
17 that.

18 Q Okay. All right. I'll tell you what,
19 let me -- just as a matter of housekeeping, I'm
20 going to give you all four of these and then we'll
21 -- we'll come back to them in a minute.

22 MR. SPIVA: So if we could mark this as

Page 16

1 Exhibit 2, please.

2 (Exhibit 2 was marked for identification
3 and attached to the deposition transcript.)

4 BY MR. SPIVA:

5 Q Congressman Byrne, Exhibit 2 is a
6 document that's labeled at the bottom "Alabama --
7 U.S. House, Revised Plan 2." Does this appear to
8 be one of the maps that you reviewed?

9 A The same answer on this one. They're --
10 they're all sort of different, but they're also
11 sort of the same, so it looks like it's one I may
12 have looked at.

13 Q Pretty similar to the ones you looked --
14 you probably looked at?

15 A Right.

16 MR. SPIVA: Okay. And I'll give you
17 what will be marked as Exhibit 3.

18 (Exhibit 3 was marked for identification
19 and attached to the deposition transcript.)

20 BY MR. SPIVA:

21 Q Congressman Byrne, this is -- this
22 Exhibit 3 is labeled "Alabama -- U.S. House,

Page 17

1 Revised Plan 3." And really the same question,
2 does this appear to be one of the ones you may
3 have looked at?

4 A The same answer.

5 Q Okay, got you.

6 MR. SPIVA: Just so we have them all out
7 on the table, if this could be marked as Exhibit
8 4.

9 (Exhibit 4 was marked for identification
10 and attached to the deposition transcript.)

11 BY MR. SPIVA:

12 Q Congressman Byrne, this one is labeled
13 "Alabama -- U.S. House, Illustrative Plan 4."
14 Does that -- does that appear to be one that you
15 reviewed in preparation?

16 A The same answer.

17 Q We'll come back to those in a minute.
18 Let me just ask you a few questions just kind of
19 about your background and the current -- and the
20 current map.

21 You're currently the congressional
22 representative for Alabama's First Congressional

Page 18

1 District?

2 A I am.

3 Q Okay. And can you describe your
4 district geographically?

5 A Uh-hmm. It's all of Mobile and Baldwin
6 Counties, all of Escambia County, all of
7 Washington County, and all of Monroe County and a
8 part of Clarke County.

9 Q And can you describe your constituents?

10 A Well, I have over 700,000 people that
11 live in my district. Some people live in urban
12 areas. Some people live in suburban areas. Some
13 people live in rural areas. Some people are
14 working in one type of work. Some people are
15 working in different types of work. So it's a
16 fairly diverse district. I like that, by the way.
17 And we try to make sure we stay in touch with
18 everybody in our district, wherever they live.

19 Q What are the racial demographics of your
20 district?

21 A Well, I don't know precisely.

22 Q Sure. I'm not asking for precise

Page 19

1 numbers, but -- sorry to interrupt, but if you
2 could give kind of a general description, that
3 would be helpful.

4 A Well, the majority would be white.
5 There would be a substantial African-American
6 population and much smaller numbers of Hispanic
7 Americans. And we do have Asian-Americans
8 particularly in the southern part of Mobile
9 County.

10 Q And you gave a little bit of that in the
11 last part of your answer, but can you describe how
12 the various racial groups, you know, how they're
13 kind of spread over the district in terms of
14 geographically? Are they segregated? Are they --
15 is it pretty spread evenly over the district?

16 A Well, the district's got so many
17 counties in it that you have white and
18 African-American people in every county. The
19 Asian-American population tends to be, not
20 exclusively, but the vast majority of them are in
21 Mobile County. And you do have a fairly sizable
22 Hispanic population in the southern part of

Page 20

1 Baldwin County. That's not to say there aren't
2 Asian-Americans --

3 Q Sure.

4 A -- and Hispanic-Americans in other
5 places, but that's where you tend to find them.

6 Q Okay. How about African-American
7 residents and white residents of the district, are
8 there -- can you describe kind of patterns of
9 residential -- residential patterns among those
10 two groups?

11 A Well, if you get into the four rural
12 counties, Monroe, Clarke, Escambia, and
13 Washington, I don't -- I don't know that there is
14 any sort of pattern. If there is, I haven't been
15 aware of it. In Baldwin County, there's a smaller
16 African-American population, smaller percentage,
17 but it's not like they're just in one part of the
18 county. You'll find pockets, I guess, of
19 African-Americans in different parts of Baldwin
20 County.

21 In Mobile County, it used to be that
22 African-Americans were only -- the majority were

Page 21

1 found in the eastern part of the City of Mobile,
 2 Prichard, southern part of the City of Mobile, et
 3 cetera, but there has been in the last, at least
 4 several years, since I've been in Congress, a
 5 growing number of African-Americans that are
 6 moving out and they're locating in other areas.
 7 So they're actually dispersing more, from my
 8 experience. Some of that comes from the fact that
 9 when I campaign, I go door to door, so I'm
 10 literally seeing people when they come to the
 11 door. And some of it is when I go out and do my
 12 town halls, I'm seeing people in different parts
 13 of my district. I know when people come to the
 14 district, well, they come from this community. So
 15 that's been a change in the last several maybe
 16 more years.

17 Q In the City of Mobile, are there racial
 18 patterns in terms of where people live?

19 A Well, as I said, you find a
 20 disproportionately high number of
 21 African-Americans in what I call the eastern part
 22 of Mobile, east of where I-65 bisects the city.

Page 22

1 And also in the southern part of Mobile, we call
 2 that area Down the Bay, Maysville, et cetera.
 3 But, in my experience, in the last
 4 several years, I'm seeing more African-Americans
 5 moving west of I-65, and there's a more integrated
 6 population out west than there used to be, and
 7 that seems to be something that is evolving and
 8 getting stronger.

9 Q Okay. How long have you seen that
 10 pattern that you just described occurring?

11 A You know, I didn't notice it until I ran
 12 for Congress in 2013. I think it was occurring
 13 before I noticed it, but I certainly noticed it
 14 when I ran for Congress the first time in 2013
 15 because I went to so many different neighbors
 16 knocking on doors. So you begin to see, you know,
 17 there are a lot of African-Americans that are
 18 living in Sims, for example, and so you see that
 19 pattern begin to emerge. Since I was elected in
 20 2013, I'm seeing it occur more and more
 21 frequently.

22 Q Got you.

Page 23

1 Did you grow up in Alabama, Congressman?
 2 A I did.
 3 Q Where did you grow up in Alabama?
 4 A I grew up in Mobile.
 5 Q Did you grow up in the City of Mobile?
 6 A I did.
 7 Q And you previously served as a State
 8 Senator from Alabama's 32nd State Senate District;
 9 is that right?

10 A I did.

11 Q And what time period did you serve as
 12 State Senator?

13 A I was elected in 2002. You assume the
 14 office the moment of your election, so November of
 15 2002 until I resigned to become Chancellor of
 16 Postsecondary Education in May of 2007, I believe.

17 Q Okay. Were you ever involved in any
 18 redistricting in any capacity in that role?

19 A Other than being a witness that I told
 20 you about previously, but I wasn't on the
 21 reapportionment committee, no.

22 Q I assume from the time period, too, it

Page 24

1 was probably either after the last redistricting
 2 or before the next one.

3 A Yes, I don't remember when I was in the
 4 legislature that I as a legislator ever actually
 5 dealt with any reapportioning.

6 Q Okay. And you also previously served as
 7 a member, as we briefly discussed earlier, as a
 8 member of Alabama's Board of Education.

9 A Right.

10 Q And let me actually give you another
 11 exhibit. Actually before I do that, what -- about
 12 what time period were you on the Board of
 13 Education?

14 A I was elected in 1994 in November. My
 15 predecessor was appointed to be the DA of Mobile
 16 County, and the Governor appointed me to serve out
 17 the remainder of his term. So I actually assumed
 18 my office in December of 1994 and left that office
 19 when I was elected to the State Senate in November
 20 of 2002, so eight years.

21 Q All right. I'm going to give you
 22 another exhibit, which will be, I think, Exhibit

Page 25

1 5.

2 A I'll move these up here.

3 Q Sure, yes.

4 (Exhibit 5 was marked for identification

5 and attached to the deposition transcript.)

6 BY MR. SPIVA:

7 Q Congressman Byrne, this one is labeled

8 at the top "2011 State Board of Education

9 Districts." I realize that was well after the

10 time that you served on the BOE, but does -- does

11 this map appear to be pretty similar to the way

12 the districts were drawn when you were on the

13 board?

14 A It is not.

15 Q It's not, okay.

16 What are the major differences that you

17 see?

18 A Well, I can't speak to the other

19 districts, but my district, which is District 1,

20 was all of Mobile County, all of Baldwin County,

21 and all of Escambia County. No part of Mobile

22 County was a part of District, I guess that's --

Page 26

1 Q Five?

2 A Five? And I did not represent

3 Covington, Butler, Conecuh, or Crenshaw.

4 Q Okay. And when you were on the Board,

5 was there ever a court ordered change to the Board

6 of Education districts?

7 A No, I don't think so.

8 Q Okay. You don't recall like in 1996

9 there wasn't any kind of a change to the

10 districts?

11 A Not that I can recall. It certainly

12 didn't affect my district.

13 Q Okay. So during the time that you were

14 on there, as you recall, you didn't -- you

15 represented, as you said, Mobile, the whole county

16 of Mobile?

17 A Yes. My district from the moment I was

18 on the Board to the moment I left was all of

19 Mobile County, all of Baldwin County, all of

20 Escambia County.

21 Q What district did you represent? I

22 realize this is not the same configuration --

Page 27

1 A It was called District 1.

2 Q And it included, I think you said,

3 Mobile; did it also include Baldwin?

4 A All of Mobile, all of Baldwin, all of

5 Escambia.

6 Q Any other counties?

7 A No.

8 Q Were you aware that at some point after

9 you were on the Board that the map for the Board

10 of Education districts had changed?

11 A I was.

12 Q Okay. And what was your understanding

13 of what brought about that change?

14 A Well, I don't know what brought about

15 that change.

16 Q What -- strike that.

17 When you first got on the Board, you

18 were a Democrat at that point.

19 A I was.

20 Q When you ran for reelection, what year

21 was that?

22 A 1998.

Page 28

1 Q '98. Or I guess I should say election

2 because you had been appointed. Did you serve

3 through '98?

4 A I was actually elected in '94. My

5 predecessor, John Tyson, was appointed by Governor

6 Folsom to be the DA in Mobile County. So he had

7 two months left on his term, and so the Governor

8 appointed me to serve out those two months before

9 I assumed my full four-year term in January of

10 1995.

11 Q I see, okay.

12 So when you first ran, you ran as a

13 Democrat.

14 A I did.

15 Q Okay. And you later -- you're currently

16 a member of the Republican party.

17 A Right.

18 Q And you at some point changed from the

19 Democratic party to the Republican party.

20 A In January of 1997.

21 Q Okay. Why did you switch parties?

22 A Because the Democratic party no longer

Page 29

1 represented the principles that I stood for
 2 politically. And I was regularly told by
 3 Democratic leaders that I was not a Democrat, that
 4 I was really a Republican. I was regularly told
 5 by Republican leaders that I was not a Democrat, I
 6 was really a Republican. And I sat down with
 7 myself one day and said, you know what, you're not
 8 really a Democrat, you're really a Republican.
 9 And I think I was being honest with myself and my
 10 constituents. I think it was the right thing to
 11 do.

12 Q I know these things can be complicated,
 13 but is there a way to describe in general terms
 14 what principles you felt made you fit more with
 15 the Republican party than with the Democratic
 16 party?

17 A There were a bunch. And some of them
 18 really came to focus for me being on the State
 19 School Board. I was very much an education
 20 reformer. I believed that our education system
 21 should be there to serve the children, their
 22 parents, not other things. And I found that the

Page 30

1 Democratic party stood for taking care of adults
 2 first. And I found that to be totally contrary to
 3 my view of things. I was not familiar before I
 4 became on the State School Board with a two-year
 5 college system. At that time we go to a two-year
 6 college system, and I was not in agreement with
 7 the way that the Democratic party approached the
 8 two-year college system. I had great
 9 disagreements with them about that. I also
 10 disagreed with the Democratic party on basic
 11 issues like abortion, gaming, Second Amendment
 12 rights. And I was already at odds with the
 13 National Democratic Party. What really startled
 14 me was how much at odds I was with the State
 15 Democratic Party. And that made it very clear to
 16 me that I should change parties because, once
 17 again, I was being honest with myself and with the
 18 people I represent about where I stand on issues.

19 Q And on abortion, what -- how did you
 20 differ from the Democratic party on the issue?

21 A I'm ardently pro life.

22 Q And on the Second Amendment, how did you

Page 31

1 differ from the Democratic party?

2 A I'm ardently pro Second Amendment.

3 Q Okay. Are you antigun control?

4 A Yes, I'm antigun control. I think we
 5 have a right to bear arms under the Second
 6 Amendment.

7 Q And there was another issue other than
 8 education that you mentioned.

9 A Gaming.

10 Q Gaming. What was -- what was your
 11 difference with the Democratic party on gaming?

12 A Well, again, the Democratic party was
 13 very pro gaming and I was not. You remember in
 14 1999, Governor Siegelman pushed a so-called
 15 education lottery. And he expected the State
 16 School Board to be supportive of his education
 17 lottery. And I remember calling him on the phone
 18 and telling him, because I wanted him to hear it
 19 from me, that I was not supportive of his lottery.
 20 I did not think his lottery was good for the
 21 education system in the State of Alabama.

22 Q You became at some point the Chancellor

Page 32

1 of the Alabama Department of Postsecondary
 2 Education?

3 A Uh-hmm.

4 Q When was that?

5 A That was May of 2007.

6 Q Okay. So that was after your time as a
 7 State Senator?

8 A I was a State Senator and then Governor
 9 Bob Riley called me and wanted me to leave the
 10 State Senate, leave my private practice of law and
 11 take on the role of Chancellor with a two-year
 12 college system, a full-time job. When he
 13 initially asked me to do it, I turned him down.
 14 But he came back to me, and some other people came
 15 back to me and persuaded me to do it, and I did
 16 it.

17 Q And what were your -- what was the time
 18 period that you did that role?

19 A I was the Chancellor from May of 2007
 20 until I think May or June of 2009.

21 Q And what did you do after you were the
 22 Chancellor of the Alabama Department of

Page 33

1 Postsecondary Education?

2 A I ran for Governor and lost.

3 Q Sounds like that was probably the only
4 election you ever lost, though.

5 A It's the only election I ever lost, but
6 I'll never forget it.

7 Q Yeah. I've heard from people that
8 that's the case, right, that's the -- you never
9 forget that one.

10 A That's true.

11 Q Yes.

12 So -- and what were your
13 responsibilities generally as the Chancellor?

14 A The Chancellor is the Chief Executive
15 Officer of Alabama's two-year college system. At
16 that time, the governing board was the State Board
17 of Education so I was formally appointed by the
18 State Board of Education. That's who I answered
19 to. They were like my Board of Directors. Since
20 then they've created a separate board to govern
21 that system. That's the way it was then.

22 So I was responsible for making sure

Page 34

1 that we carried out the laws, that we carried out
2 the directives and policies of the State Board of
3 Education, and that the system was delivering on
4 our mission. At the time I took over, the
5 two-year college system was in a true crisis.
6 There were two Grand Jury investigations going on.
7 The Birmingham News had just won the Pulitzer
8 Prize reporting on corruption in the system.

9 Q It's never -- when you get the Pulitzer
10 Prize for a system that is corrupt, right --

11 A Yes. I mean, when the biggest newspaper
12 in your state gets the Pulitzer Prize, reporting
13 about the corruption of the system you've just
14 been appointed to take over -- and we were
15 attracting a lot of new jobs to Alabama. The
16 two-year college system is a critical, if not the
17 critical component to providing the workforce
18 education the people need to be able to be
19 prepared for those jobs. And so the Governor
20 said, look, I need for you to first and foremost
21 clean up the corruption in the system. And the
22 corruption was endemic in the system. Secondly,

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1 you've got to turn this system to be a much more
2 effective provider of this education as we
3 continue to develop Alabama economically. And
4 then later on, after I became Chancellor, because
5 of the recession, I had to do all of that while we
6 were cutting tens of millions of dollars out of
7 the system, but it was a daunting task. But I
8 understood how important it was to the state and,
9 despite the fact I did not want to do it -- and
10 Governor Riley can tell you how much I did not
11 want to do it -- I did it. I'm glad I did, and
12 I'm proud of the work that we did.

13 Q That's great.

14 And you also practiced law, I know, over
15 a long period of time. What kind of law did you
16 practice?

17 A I tell everybody I started out my career
18 as a commercial litigator who did labor and
19 employment law on the side and at the end of my
20 career I was a labor and employment lawyer who did
21 commercial litigation on the side. Both sides of
22 law, obviously, and doing a lot of litigation.

Page 36

1 Q And where did you practice when you were
2 practicing law?

3 A I started out -- well, all of my
4 practice was in Mobile -- geographically I was
5 headquartered in Mobile. Obviously I had cases
6 all over the State of Alabama, some in the
7 panhandle of Florida, a couple in the Gulf Coast
8 of Mississippi.

9 Q Okay. Let me ask you, I know you've --
10 it sounds like you've only had brief conversations
11 kind of about this case, but you understand, I
12 take it, Congressman, that you've been listed as a
13 potential witness for the Secretary.

14 A Yes, I have.

15 Q And what topics do you expect to testify
16 about at trial?

17 A About the proposals that would
18 significantly change District 1.

19 Q Okay. Anything else?

20 A No, sir.

21 Q And what do you expect to testify about
22 concerning that topic?

Page 37

1 A I would be testifying, I assume, about
2 the significant concerns I have about the
3 proposals in each of Exhibits 1, 2, 3, and 4, for
4 the redrawing of District 1.

5 Q We'll dive into that in just a minute.

6 And let me just ask you before we do
7 that, did you participate in any capacity in
8 Alabama's redistricting process in the 2011
9 redistricting cycle?

10 A No, I was not in the legislature.

11 Q Okay. Did you provide any input, have
12 any conversations, anything like that?

13 A Not about congressional districts. I
14 think after the fact I had a discussion with Randy
15 Davis who was the House Member somewhat -- in some
16 way involved in doing this about the School Board
17 District (indicating).

18 Q And you're pointing to what I believe
19 was marked as Exhibit 5?

20 A Exhibit 5, yes. He and I had a
21 discussion about that. It may have been after the
22 fact. I'm not certain.

Page 38

1 Q After it had changed to this current
2 configuration?

3 A It was either as it was being proposed
4 in this configuration or after it had been
5 adopted.

6 Q Okay. And can you tell me, Congressman
7 Byrne, about that conversation with Mr. Davis?

8 A Yes, I was concerned about taking away
9 any part of Mobile County and putting it into
10 another district. He and I had a discussion about
11 why they decided to do that.

12 Q And why were you concerned?

13 A Because I think it's important to keep
14 counties whole. I think it's problematic for a
15 State School Board member from Montgomery to be
16 able to understand the problems with the school
17 system in Mobile County.

18 Q Okay. And what was your understanding,
19 if any, of why the current configuration was being
20 proposed?

21 A Well, because the population changes
22 within District 5, they needed to grow it, and so

Page 39

1 they were looking for ways to grow it. And they
2 decided to put part of it, as you can see from
3 Exhibit 5, in the northeastern quadrant of Mobile
4 County. And so I was expressing concerns about
5 having two school board members dealing with the
6 Mobile County School System. That was my primary
7 concern.

8 Q Did you have any understanding of
9 whether -- of what the change to the current
10 configuration of the Board of Education districts
11 did in terms of majority-minority districts,
12 either in District 5 or District 4?

13 A We didn't get into that. I was more
14 concerned about the problem of a person from
15 Montgomery trying to understand all of the issues
16 regarding the Mobile County School System.

17 Q Did you -- did you have an understanding
18 that District 5 is now in the State Board of
19 Education district -- State Board of Education
20 map, that that is not a majority-minority
21 district?

22 A Well, it was when I was on board. It

Page 40

1 just wasn't configured this way. But it was a
2 majority-minority district then.

3 Q Okay. And was that true the whole time
4 that you were on the school board?

5 A Yes, there were -- there were two
6 different members. I have forgotten the man that
7 was the member on it when I first was elected.
8 But he was retired and was replaced by Ms. Ella
9 Bell. So I worked with both of them and actually
10 spent a little bit of time in various places in
11 that district with them because they were
12 different school board members. And particularly
13 because I had a contiguous district to work with
14 them, there were times when there were people in
15 some of the counties just to the north of my State
16 School Board district would call me for help on
17 things, and I would tell them, I'm not your school
18 board member, but I'm happy to help.

19 Q Right.

20 A And I would always inform the member
21 from that district, hey, I've had this request
22 from people in your district. I don't want to do

Page 41

1 anything in your district unless you're okay with
 2 it. In every case they would say, no, fine, I
 3 appreciate you doing it. Sometimes that was true
 4 because of the geographic proximity. It's a lot
 5 easier for somebody from Mobile to deal with
 6 Washington, Clarke, and Monroe, for example, than
 7 it is for somebody from Montgomery. So I could
 8 physically be present where it was very difficult
 9 for somebody from Montgomery to physically be
 10 present.

11 Q I take it from kind of the beginning of
 12 your answer, it sounds like there were two
 13 majority-minority districts in the plan while --
 14 during the time that you were on the school board?

15 A Yes, there was this district, District
 16 5, and I can't remember the number of the
 17 district, but it was Dr. Hall -- Dr. Hall's
 18 district. That was mainly Birmingham. I know it
 19 was more than that. Dr. Hall was the vice chair
 20 of the Board when I was on the Board. Vice chair
 21 is elected by the Board. The governor's formally
 22 the chair of the Board, but the vice chair really

Page 42

1 functions as the chair of the Board. So Dr. Hall
 2 was our vice chair chair the whole time I was on
 3 the Board, and I certainly had a lot of
 4 interaction with Dr. Hall and sometimes in her
 5 district.

6 Q Okay. Just looking at Exhibit 5, do you
 7 recall if Dr. Hall represented what's labeled as
 8 District 4 which kind of goes up into Jefferson
 9 County and Birmingham?

10 A Yes, I think she did, but I don't know
 11 that it was configured this way. I can't tell you
 12 for sure.

13 Q Sure.

14 A Mainly when I was interacting with
 15 Dr. Hall in her district, I was in the Birmingham
 16 area.

17 Q What kinds of interactions did you have
 18 with Dr. Hall concerning her district?

19 A We would have State School Board
 20 meetings in her district. She would have other
 21 meetings in her district pertaining to education,
 22 and she would invite some or all of us to come to

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1 these meetings.

2 Q Sure.

3 A I tried to accommodate Dr. Hall every
 4 chance I could. I had tremendous respect for her.
 5 She was our leader. And if she asked me to do
 6 something, if I could do it, and I was a
 7 practicing attorney so I -- lawyer duties, but if
 8 I could do it, I tried to make my schedule
 9 available for her.

10 Q How about in District 5, it sounds like
 11 you had some interactions with the representative
 12 from -- school board member, I should say, from
 13 District 5 as well?

14 A Oh, yes, yes. We had not just those
 15 three counties, just above District 1, which would
 16 be Washington, Clarke, and Monroe, but we had
 17 meetings in Selma, Tuskegee. Lots of things
 18 around Montgomery. Of course, when we met
 19 formally, usually we were meeting in Montgomery,
 20 but we had other things around Montgomery like the
 21 Trenholm State Technical College there in
 22 Montgomery. So I had a fair amount of meetings in

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1 District 5.

2 Q Okay. And who represented District 5
 3 when you were on the Board?

4 A I think the gentleman's name when I was
 5 first elected was Dr. Willie Paul, and then he
 6 retired and he was replaced by Ella Bell, who I
 7 think is still on.

8 Q Okay. Did you work with either Dr. Paul
 9 or Ms. Bell?

10 A A lot.

11 Q What kinds of things did you work with
 12 them on?

13 A Just about everything you can imagine
 14 that was within the jurisdiction of the State
 15 School Board. So it could be K-12 matters. It
 16 could be postsecondary matters. There was a lot
 17 of that. A lot of the good things about the Board
 18 when I was on it was we all interacted with one
 19 another about one another's districts a lot, and I
 20 really appreciated, when I was first on the Board
 21 and not as familiar with that district, Dr. Paul
 22 was really good about explaining things to us,

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1 taking us there. I remember we had a State School
2 Board meeting in Tuskegee and we got there the day
3 before, spent the night. We got to tour, learned
4 all about Tuskegee. So I think Dr. Paul did a
5 really good job of making sure we knew about his
6 district, in each of his district, and I really
7 enjoyed doing that.

8 Q So let me shift gears again here and
9 just ask you if you're familiar with the term
10 "communities of interest" as it applies to
11 redistricting.

12 A I couldn't define it for you.

13 Q Okay. Not a formal definition, but do
14 you have a sense of kind of what that means or --

15 A No, you would have to tell me.

16 Q Okay. In your view, are there
17 communities of interest in your district?

18 A Of course.

19 Q Your congressional district?

20 A Yes.

21 Q Is there a way you can describe those?

22 A Yes.

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1 Q I can -- I can give you a current -- I
2 know you know it very well, but if it's easier to
3 talk about, looking at the current map, I can --
4 why don't we mark one just so we all have it in
5 front of us while you're -- while you're
6 discussing. So this will be Exhibit 6.

7 (Exhibit 6 was marked for identification
8 and attached to the deposition transcript.)

9 BY MR. SPIVA:

10 Q If you want to do it in connection with
11 Exhibit 6, which is the current map of the U.S.
12 House Districts in Alabama, or if you want to just
13 do it, you know, without referencing it, however
14 is, you know, easiest for you, but if you could
15 kind of describe the communities of interest in
16 your district.

17 A Sure. And I'll start with Exhibit 6
18 because it is helpful. If you look at this map of
19 those counties, everything feeds into Mobile
20 Baldwin, okay? First of all, you have two major
21 river systems that come together, and those two
22 river systems help define both the economy and the

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1 culture and the communities of that area, going
2 back hundreds of years. Many of the jobs for the
3 district are there in Mobile and Baldwin Counties,
4 and so you have people from Washington, Clarke,
5 Monroe, and Escambia, who travel into those
6 counties for their work and then go home at the
7 end of the day. So just sort of center of
8 everything is here in Mobile and Baldwin Counties
9 just because of what they do economically. A lot
10 of what the people in that area also get in terms
11 of information comes from the three television
12 stations there because people all get those
13 television stations, and they obviously get their
14 news from that. It used to be we had a common big
15 urban newspaper, the Mobile Register, we still do,
16 but it only prints three days a week so it's not
17 quite as strong as it used to be.

18 Q It's kind of a common thing around the
19 country, the local papers going online or just
20 going out of business.

21 A Well, in Alabama, the three biggest
22 newspapers have gone to I think three days a week.

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1 They have this online presence called AL.com. So
2 -- but it used to be that even people in Monroe
3 would get the Mobile Press-Register. That's where
4 they got a lot of their news. But certainly today
5 they get a lot of their news from those three
6 local television stations.

7 Also because of the fact that you've got
8 an urban area there in Mobile, a lot of people are
9 pulled into that for cultural activities, civic
10 activities, entertainment and things. So Mobile
11 and now -- now that Baldwin County has grown so
12 much, they're kind of a magnet for those four
13 counties north of there and pull people in, both
14 for work and for the other things I mentioned.

15 Q Okay. Now, I notice that Clarke County
16 is only partially in your -- in your district. Is
17 there -- to your knowledge, is there a reason why
18 that piece of Clarke County is included in
19 District 1 but not the rest of Clarke County?

20 A Well, I wasn't a congressman when this

21 --

22 Q Sure.

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1 A -- map was done so I'm not sure what
2 their motives were, but if you followed U.S. 43
3 north out of Washington County, it would go
4 basically through the middle of what you see there
5 as part of District 1. So that includes two key
6 communities, Jackson and Grove Hill. That's not
7 all of the city limits of Jackson or all the city
8 limits of Grove Hill, but a big part of each of
9 those run right where U.S. 3 goes through there.
10 And so the people in Grove Hill and Jackson will
11 drive down to U.S. 43 to get to Mobile both for
12 work and those other things that I mentioned.

13 Q Right. Okay. Any other things that you
14 would describe as communities of interest in your
15 district?

16 A Well, everything keys off of what I said
17 before. Obviously jobs, economics pull people in.
18 You've got that river system. A lot of us like to
19 hunt and fish and so the Mobile-Tensaw River Delta
20 is a very rich place in terms of habitat. We're
21 all interested in that. This is the oldest part
22 of the state of Alabama, founded by the French in

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1 1701, but you had other people that came in there
2 to form that area. So you have this sort of
3 historical tradition there. Mobile was a French
4 city where Mardi Gras started in the United
5 States. So Mobile -- used to be Mobile had Mardi
6 Gras parades, nobody else did. Now these other
7 places all have Mardi Gras parades. And so Mardi
8 Gras has become something that pulls people
9 together. We have a major university, University
10 of South Alabama. It not only pulls people in
11 from those areas, it does things out into these
12 counties. So everything comes back to that for
13 those four counties outside of Mobile and Baldwin
14 County, everything comes back to that.

15 Now, the fastest growing county in the
16 State of Alabama, and, therefore, in my district,
17 is Baldwin County on the eastern side of Mobile
18 Bay. And so you used to just talk about Mobile,
19 but my answer previously included Baldwin County
20 because increasingly you've got Baldwin County
21 pulling people in, whether it's to the eastern
22 shore of Baldwin County or down there on the

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1 beaches, Orange Beach and Gulf Shores, which are
2 tremendous hubs for tourism activity -- people
3 play and have fun. Also as part of our sort of
4 shared culture down there is we love seafood. And
5 the seafood industry is very important to that
6 district. Lots of restaurants, not just in Mobile
7 and Baldwin Counties, but even these other places,
8 lots of restaurants specialize in seafood. So
9 that's another part of it. Gosh. While the
10 economy is diverse in that area, there are certain
11 things about the economy of that area that are
12 unique. For example, you've got a port. No other
13 part of Alabama has a port on the ocean or the
14 Gulf of Mexico. As I said, seafood is a big part
15 of it. And recreational fishing is a big part.
16 So you have -- if you just think about that part
17 of Alabama, and every part of Alabama is unique
18 and has its own good attributes, but those --
19 those are unique attributes, good attributes for
20 that part that pull people together.

21 Q Okay. Do you believe that communities
22 of interest under the current Alabama map -- but

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1 here I'm not just focusing on your district but
2 the whole state -- do you think they're generally
3 kept together under the current map?

4 A Well, I haven't thought about it for
5 other districts, and I can't claim that I have the
6 same level of knowledge about the other districts.

7 Q Sure.

8 A But knowing what I know about them, I
9 think there are common interests in each of these
10 districts. You can look at the map and tell that
11 there are some districts that are geographically
12 larger than others. And the larger they are, the
13 more geographic area you cover, the less you have
14 communities of interest. So that might be the
15 case. But when you look at like the District 5,
16 which I call it the Tennessee Valley. My daughter
17 actually lives up there so I'm familiar with it
18 through her, but I've also spent a lot of time
19 working up there. That is clearly a community of
20 interest because of the fact that they share the
21 Tennessee River. The Tennessee Valley Authority
22 provides their power. They have their own unique

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1 history up there. Huntsville, which is right near
 2 Madison County, is where they made the rocket for
 3 Apollo 11. So there's a lot of pride around that
 4 for obvious reasons. It's a more mountainous
 5 area. Where I live, it's more of a flat, coastal
 6 plain going down to the beaches area. So those
 7 two areas are pretty distinct. You can tell that.

8 District 2 is mainly -- we know it
 9 mainly as the wiregrass, plus Montgomery and some
 10 suburban counties. Wiregrass is a pretty
 11 well-defined region that has its own separate
 12 economy, special features, culture. Their
 13 agriculture is somewhat different from the
 14 agriculture that I have in my district. So
 15 they're more common that way.

16 District 7 is largely what we would know
 17 as the Black Belt in Alabama, not because of
 18 people's race but because of the soil.

19 Q Right. Yes.

20 A And so those counties have a lot in
 21 common with one another. And it's contiguous to
 22 my county, and obviously I have a part of Clarke

Page 54

1 County that is considered to be a part of it. So
 2 Representative Sewell, who represents District 7,
 3 and I work together a lot because we have a lot of
 4 things that we have in common.

5 Q I went to law school with Representative
 6 Sewell.

7 A Well, she and I -- she was, by the way,
 8 the bond lawyer -- one of the bond lawyers --
 9 outside bond lawyers when I was Chancellor of the
 10 Postsecondary system. This is before she was in
 11 Congress.

12 Q Right, yes, sure.

13 A So before she and I were colleagues, she
 14 was my lawyer.

15 Q Oh, okay.

16 A So she and I have a good working
 17 relationship. I knew some from my time before
 18 being in Congress about that district, Dr. Paul
 19 obviously introduced me to a lot, but I think
 20 Representative Sewell does a good job of that as
 21 well. So I see her district as having a community
 22 of interest.

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1 East of Alabama, District 3, that's Mike
 2 Roger's district. It's a little bit
 3 geographically bigger, but we kind of tend to see
 4 east Alabama as its own geographic region within
 5 the state. It goes from Russell all the way up to
 6 Cherokee, but you've got Opelika and Auburn where
 7 Auburn University is, an extremely important asset
 8 to the State of Alabama.

9 And then District 4, which is Robert
 10 Aderholt's district, is over there just below the
 11 Tennessee Valley. You have Cullman. You have
 12 Jasper. These are -- they tend to be kind of the
 13 same area. And that area right in the center,
 14 District 6, that's Gary Palmer's district. That's
 15 mainly the suburban areas to the City of
 16 Birmingham. The part of District 7 that gets up
 17 into Jefferson County is mainly -- mainly the City
 18 of Birmingham. So all of this area of District 6
 19 is the suburban areas to Birmingham.

20 So when I look at those, with not having
 21 the same level of knowledge about each of those
 22 districts as I do about my own, I do see that they

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1 have a lot in common and that sort of grouping
 2 makes sense to me.

3 Q Okay. Does it make sense to, with
 4 respect to kind of what you just said, District 6
 5 and District 7, to separate the suburban areas of
 6 Birmingham from the -- from the city itself?

7 A Well, I would prefer -- this is not with
 8 regard to that district -- with all districts -- I
 9 prefer to keep counties whole. But -- and I don't
 10 know why they chose to do it this way. It may be
 11 that they thought putting Birmingham together with
 12 the Black Belt districts made more of a community
 13 of interest than the suburban counties for
 14 Birmingham. I don't know. But I just -- just
 15 knowing those counties, I think that they have a
 16 lot in common.

17 Q Okay. Do you think the City of Mobile
 18 has anything in common with the Black Belt
 19 counties?

20 A Not as much. Mobile historically --

21 Q I keep mispronouncing it. I tried to
 22 get it right, but I keep -- I keep saying it

Page 57

1 wrong.

2 A It's real simple. It's Mobile.

3 Q Mobile, yes.

4 A Mobile historically was the port through
5 which timber and agricultural products moved from
6 the interior of the state of Alabama and then out
7 to the world.

8 Q Right.

9 A And so back in those days, when that was
10 a very important part of the economy of the
11 interior of the state, then there probably was
12 more contact between Mobile and the Black Belt.
13 That's not nearly as important anymore. So I
14 don't see as much contact and have not in my life
15 have seen as much contact between those Black Belt
16 counties and the southwestern part of the state.
17 They just don't have that connection as much as
18 they used to. I wish we had more of a connection,
19 to be honest with you, but it's just the
20 practicalities of the economy that they have
21 there. Mobile is not as important to them because
22 they're not moving things through the port as much

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1 as they used to.

2 Q Right. Okay.

3 Let me ask you, if you would, can we
4 flip back to the current Board of Education map,
5 which I think is Exhibit 5.

6 A Five.

7 Q Five, yes. I apologize. There are a
8 couple questions I think I neglected to ask you
9 when we were talking about that. Do you -- do you
10 view the 2011 Board of Education plan as --
11 respecting communities of interest? And in
12 particular, kind of focusing on your area of the
13 state and the area above it, so kind of what are
14 now labeled District 1 and District 5. I mean, do
15 you -- do you view that as respecting communities
16 of interest, or not really?

17 A Not really.

18 Q How come? I apologize, I know you
19 covered some of this before.

20 A That's fine.

21 I don't think that Conecuh, Butler,
22 Crenshaw, and Covington look to Mobile very much,

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1 whereas obviously the people in the northeast
2 quadrant of Mobile County that are in District 5,
3 they look to Mobile all the time. So they've been
4 essentially for purposes of the State School Board
5 taken out and put into a district that looks more
6 to Montgomery.

7 Q Okay. When you say "looks to," I think
8 I kind of like intuitively understand what you
9 mean, but can you explain a little bit more what
10 you mean by "looks to"?

11 A Where do you get your news from. Where
12 is the big city that you go shopping. Where are
13 the commonalities of the economy. Where is the
14 commonality in your traditions. You think of
15 Conecuh, Butler, Crenshaw, and Covington being
16 more a part of what we call the wiregrass. And,
17 like I say, they look to Dothan and Montgomery.
18 They don't look to Mobile as much.

19 Q Okay. Has -- I think you -- you said or
20 named the current representative as Ms. Bell, I
21 believe?

22 A Ella Bell.

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1 Q Ella Bell, yes.

2 Has she ever expressed to you any
3 concerns about the current configuration of the
4 district -- of her district?

5 A I don't think I've talked to Ms. Bell
6 since the current configuration of this district
7 was made.

8 Q Okay. Have you -- have you heard from
9 anybody concerns about the current configuration,
10 especially with respect to District 5?

11 A Well, I referenced earlier the
12 conversations I had with Mr. Davis, who was the
13 representative who was in charge of putting
14 together the State School Board districts. I
15 certainly registered to him my concerns. I don't
16 know that I remember hearing anybody else have the
17 same concerns or at least voice them.

18 Q Okay. So let's maybe now turn back to
19 what we've been calling the proposed plans or
20 revised plans. Why don't -- why don't we start
21 with what was Exhibit 1, which is labeled "Revised
22 Plan 1, Alabama -- U.S. House, Revised Plan 1."

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1 A Uh-hmm.

2 Q As soon as I can get it in front of me,
3 let me just ask you, what is your view of revised
4 plan 1, which is Exhibit 1?

5 A I don't think it's good for the counties
6 that are presently in District 1 that would remain
7 in this district, which would be Mobile, Baldwin,
8 and Escambia. And I don't think it's good for the
9 counties that are presently in District 2, which
10 are Covington, Coffee, Dale, Henry, Houston, and
11 Geneva.

12 Q Why not?

13 A Well, they are two different regions of
14 the state, and they don't have the commonality
15 that you see presently existing within present
16 Districts 1 and 2. It's a long way from West
17 Mobile to the eastern part of Houston County. So
18 a congressman has to cover that whole area if
19 they're doing their job right. So it is -- if you
20 look at the present composition of District 1,
21 it's not easy, but it's not as hard to get around
22 that district and cover all those different

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1 communities. Whereas if you had to go all the way
2 from West Mobile County to Houston County, it
3 would be far more difficult to cover all of those
4 communities. I mentioned earlier, I do a lot of
5 town halls. I do them in every community you can
6 imagine, big, small, rural, doesn't matter.

7 Q Yes.

8 A It would be very difficult for me to be
9 able to cover what's here in District 1 and have
10 the same level of town halls and certainly get to
11 the variety of places I try to get to. Plus
12 there's such a difference in the economies, et
13 cetera, and what you're an advocate for in
14 Congress, that you would still be an advocate for
15 the entire district, but it would dilute your
16 ability to be the advocate for the district. A
17 Senator and a Governor represent the whole state,
18 and they have to look out for the whole state. A
19 congressman looks out for their district.

20 Q Right.

21 A They're the ones totally focused on the
22 district. So right now as a congressman from

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1 District 1, I can totally focus on what I
2 described to you earlier as the economy and the
3 other needs for the present composition of
4 District 1. What you would be asking a
5 congressman to do under Exhibit 1 is to take that
6 same level of effort and spread it out over a much
7 broader array of interests. I wouldn't say that a
8 congressman wouldn't try to do it, but I don't
9 think even somebody working as hard as they
10 possibly could, could do it as well or with the
11 same level of attention and focus that there needs
12 to be, plus you're splitting Mobile County up
13 between District 2 and District 1, and I do not
14 think it's in the district -- in the interest of
15 the people of Mobile County to be split up like
16 that. I think they need to have a whole county
17 working with one congressman. I think they need
18 to be conjoined with the whole county of Baldwin
19 County.

20 Q Okay. Do you think there would be any
21 benefits to the people of the City of Mobile to a
22 configuration such as this?

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1 A I think it would be to the detriment of
2 the people to the City of Mobile. I've been very
3 involved in economic development efforts in that
4 area for a long time. And splitting up our
5 congressional representation would hurt those
6 economic development efforts which have, frankly,
7 done an amazing -- we have gotten an amazing
8 result these last several years. Airbus has a
9 plant there, for example. That Airbus plant just
10 didn't show up there. There was substantial
11 effort to make it happen. We have a Navy shipyard
12 there in Mobile. That Navy shipyard didn't just
13 show up there and still remain there. There's
14 substantial effort for that to happen. I'm
15 picking out some big examples.

16 Q Sure.

17 A I would -- I would think it would hurt
18 those efforts based upon my experience going
19 forward for there to be two congressmen
20 representing that area rather than one.

21 Q Something you mentioned a minute ago or
22 kind of at the beginning of the answer you gave

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1 about the map, you said that it would be
2 difficult, I think, to kind of represent --
3 effectively represent the whole area because --
4 was that in terms of the wiregrass counties in the
5 eastern part of the proposed District 1, is that
6 mainly because of the distance or because of other
7 factors?

8 A Other factors as well. Distance,
9 certainly, is a big part of it. It's a larger
10 geographic area, therefore, more difficult to
11 cover. But there's a big difference in the
12 Covington and Geneva, Coffee, Dale, Henry, Houston
13 economy, what they focus on, than there is in the
14 Escambia, Baldwin and Mobile, of the counties
15 presently in there. One of the big things about
16 those eastern counties is you've got right in the
17 middle of that Fort Rucker.

18 Fort Rucker is a major focus for any
19 congressman representing that area. It represents
20 an enormous number of jobs, not just at the Fort
21 but private sector businesses that do business
22 with the Fort. You've got a lot of military

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1 retirees around in the -- in the communities
2 around the Fort.

3 Houston County and Dothan, they have two
4 or three different very important businesses going
5 on there, but one of their newest things, they've
6 got an osteopath college, a medical school,
7 osteopath school. That's very different from a
8 medical school like you have at the University of
9 South Alabama in Mobile. Not worse or better,
10 just different.

11 Q Right.

12 A You have a major university in Mobile
13 County. They do not have a major university in
14 the eastern counties in District 1, but they look
15 just north to Pike where Troy University is. Troy
16 University is a very different university from the
17 University of South Alabama. Not better or worse.
18 Different.

19 Q Right.

20 A So the interest that you would be trying
21 to represent in these eastern counties are
22 fundamentally different from the interests over

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1 here in the western part, Mobile, Baldwin, and
2 Escambia. Even though there's some commonality in
3 agriculture, the agriculture is different.
4 They've got more poultry and cattle over there
5 than we do on our side. We have more row crops
6 than they do. So even though the agriculture may
7 be similar, there's still some significant
8 differences. So, for example, in Mobile and
9 Baldwin Counties where I focus on things like
10 fixing the red snapper season, which is a federal
11 thing, believe it or not, making sure that we have
12 the proper funding for the Navy shipyard in
13 Mobile. I can really focus on things like that.
14 But if you throw into the mix Fort Rucker, Troy,
15 these other agricultural interests that are
16 different from mine, then, once again, not just
17 from the geography, but from the diversity of
18 interest, I'm spreading my focus. I'm spreading
19 my efforts over a much broader array of interests.

20 Q Okay. Are there any issues like that
21 that you can think of where it would present kind
22 of a conflict in the way you would need to vote on

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1 a given issue? I understand that they're
2 different, they're kind of different issues, but
3 where you would say, well, gosh, I got to vote
4 for, you know, some water issue over here but I've
5 got -- I've got to vote contrary to that because,
6 you know, it's a more land-based area. Can you
7 think of anything like that?

8 A You know, I'll give you an example. We
9 had a water bill that moved through Congress a
10 couple years ago, and because I represent these
11 seafood areas, some of the seafood interests came
12 to me and said we want to include in the bill the
13 authorization of a study about oyster production.
14 Okay? Very important to that area. The Georgia
15 members saw that language and thought that it was
16 there to try to protect the flow of water that
17 ultimately gets down to Appalachia Cola because
18 they have their own oysters. And that's where the
19 Chattahoochee flows out of Georgia along the line
20 with Alabama, and then through Florida.

21 And so I was able to tell them, no, this
22 has to do with my district, which is over here.

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1 Q Right.

2 A It doesn't have to do with this side
3 over there, and I'm not getting into your water
4 wars because there's a water war between Alabama,
5 Georgia, and Florida --

6 Q Right.

7 A -- with regard to the Chattahoochee and
8 water coming out of the Atlanta. So that was -- I
9 was able to escape what would have been a blocking
10 vote from the Georgia delegation over that. But,
11 in large part, it's not necessarily how you vote.
12 It's how much time -- there's only so many hours
13 in the day.

14 Q Right.

15 A I only have so many people on my staff.
16 Okay? If you make me take my time, my staff and
17 divide it along a much greater geographic area, a
18 much wider area of interest, each one of those is
19 going to get less attention, less effort.
20 Something is going to suffer. That's just the
21 nature of the world that we live in.

22 Q Right.

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1 A So, once again, that's the difference
2 between being a congressman and a Senator.

3 Q Right.

4 A A Senator looks after the entire state.

5 Q Right.

6 A The congressman is focused on his or her
7 district. I focus on my district. Congresswoman
8 Roby who presently represents District 3 -- is
9 that what it is?

10 Q I think so, yes.

11 A Yes. Is it 2?

12 Q Two.

13 MR. DAVIS: Roby is 2.

14 A She really focuses on her district. She
15 knows that stuff about Fort Rucker. And she got
16 it. And if she needs my help, she'll call me and
17 I'll give it to her, but I recognize her as the
18 expert on Fort Rucker. If she needs some help
19 with Troy, even though I don't represent Troy, she
20 calls me and I'm going to help her, but I
21 recognize that she's got the expertise on that.
22 All of us in the Alabama delegation have that

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1 understanding. If Congresswoman Sewell tells me
2 "I need some help with something in the Black
3 Belt," you tell me where you want to go, I'm going
4 to get behind you and help you. We do that for
5 one another. It's one of the strengths of our
6 delegation, is that we do that. But we have to
7 have that focus and expertise by the member from
8 that district to lead the rest of us and, frankly,
9 to lead the state as to where we need to go.

10 Q Right. I understand you are -- you are
11 seeking to be the next Senator from Alabama.

12 A I am. I am.

13 Q You're going to have a change of focus.

14 A I am. I am. And that's why right now I
15 can sort of see the difference.

16 Q Right.

17 A There is -- there is a fundamental
18 difference between being a Senator, for that
19 matter a Governor, and being a congressman.
20 Congressmen or congresswomen focus on their
21 district. They're the advocate for their
22 district. And that's true not just in legislation

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1 but in federal programs, federal grants, and even
2 in economic development. Believe it or not,
3 they'll take a congresswoman or congressman when
4 they're doing -- pitching somebody to come to an
5 area and bring them in the room and say this is
6 why this area is so important. This is why you
7 should bring your business or factory and locate
8 it here. I play that role. I know everybody else
9 in delegation plays that role as well.

10 Q Sure, okay.

11 MR. DAVIS: Before you go to the next
12 question, Congressman, do you need a break or a
13 cup of water?

14 THE WITNESS: I would love a cup of
15 water.

16 MR. SPIVA: I'm sorry. I apologize.
17 I've been sitting here drinking this.

18 THE WITNESS: Are we taking a break?

19 MR. SPIVA: Yes, why don't we take a
20 few-minute break.

21 MR. DAVIS: Just a couple minutes.

22 THE WITNESS: Yes, that would be great.

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THE VIDEOGRAPHER: The time is 11:06

a.m. and we're going off the record.

(A brief recess was taken.)

THE VIDEOGRAPHER: The time is 11:11

a.m. and we're back on the record.

MR. DAVIS: Before we continue, Bruce, am I correct that we have an understanding that this deposition be used only for purposes of this litigation?

MR. SPIVA: Yes.

MR. DAVIS: Including the video, the deposition transcript, all of that.

MR. SPIVA: Yes, yes. It's not under seal, obviously, but we have no intent of like, you know, displaying this on the evening news or anything, you know -- anything like that, yes, right, exactly. I mean, I just -- I just want to be careful that I'm not like agreeing to keep it under seal because then it creates all kinds of problems when you have, as you know, Congressman, when you have to file, you have to file with a motion, and, you know, if there's anything that's

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referenced or anything like that --

MR. DAVIS: No, no, I'm not suggesting it should be under seal. I just want the typical understanding that with most depositions, it would be used for purposes of the litigation.

MR. SPIVA: Yes, that is -- that is -- I will agree to that, yes.

BY MR. SPIVA:

Q So, Congressman Byrne, was there anything else that was of concern to you regarding revised plan 1, which is I think labeled as Exhibit 1?

A Well, at least in general I've covered all of it, but there's -- there are a lot more details I could go into with regard to the different economies, et cetera. But, in general, I think I've told you about the spread of time, spread of resources and advocate over a greater, not only geographic area, but greater different types of interests.

Q And then maybe just focusing on, for a minute, the CD 2 under the revised plan 1, and if

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it's helpful to look at the current plan.

A Yes.

Q In looking at that --

A Yes, here.

Q -- do you have any further concerns other than the ones you've already articulated concerning the proposed CD 2 under revised plan 1?

A Well, I think I said this earlier, but I'll make sure I say it again. I think putting that part of Mobile or any part of Mobile County in the same district with the county that's basically centered on Montgomery is going to dilute the efforts that we're making there to build our economy, and also it's asking somebody who is basically focused on Montgomery to try to learn completely different, you know, economic setting, cultural setting, civic setting. And I think that's asking a whole lot from the person that represents District 2. I don't think they could do it as well. I'm not saying that they wouldn't put their effort forth. For example, if that was Terri Sewell, I think she would put all

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of her effort into it, but as smart and capable and hardworking as she is, I don't think she could do it as well.

Q And you noted -- well, I'll note, and tell me if you agree, the proposed District 7 under revised plan 1, that actually is a lot more kind of compact than the District 7 and Representative Sewell's district in the current plan.

A Yes.

Q Would you agree with that?

A I would. I do have concerns about splitting Tuscaloosa County. I think that split into Jefferson County, but it's presently split into Tuscaloosa County. And I think Congressman Aderholt or Congressman Sewell will handle it very well, but I think Tuscaloosa will be better off with one congressman.

Q Right. And Jefferson is currently split as well.

A Yes.

Q So any other concerns about any of this,

Page 77

1 you know, District 7, District 2, District 1 under
2 revised plan 1?

3 A I have focused just on what it does to
4 District 1. I haven't really looked that much at
5 Exhibit 1 as to what it would do to the other
6 districts. It does make some changes, but I think
7 from my perspective, the biggest problem is what
8 it does to District 1 and District 2 and -- let's
9 see, District 1 and District 2.

10 Q Okay. As you know from, you know, at
11 least briefly reviewing the complaint and, you
12 know, you understand kind of the basic allegations
13 in this complaint, that the plaintiffs are seeking
14 to create a second majority African-American
15 district. Do you think there would be a benefit
16 to the African-American community to having a
17 second majority African-American district?

18 A I don't really have an opinion about
19 that. I'm more concerned about the people where I
20 live. I don't think it's a benefit to the people
21 of Mobile County, whether they're
22 African-American, white, Hispanic, or

Page 78

1 Asian-American, to have a congressman from
2 Montgomery. I don't care what the race of the
3 congressman is. I don't -- if Martha Roby is
4 going to be the congressman that would come in
5 there, I don't think it's good for the people in
6 my district to have a congressman who is mainly
7 focused on Montgomery.

8 Q Okay. Now, would you agree that the
9 voting in your district in the current
10 configuration is fairly racially polarized? When
11 I -- just to get a little definition, I mean, you
12 know, the vast majority of African-Americans in
13 your district tend to vote, you know, for your
14 opponent, for the Democratic candidate, and the
15 vast majority of whites tend to vote for yourself.

16 MR. DAVIS: Object to the form.

17 A I don't -- I don't know the numbers.
18 Frankly, I don't pay that close attention to that.
19 In general I know that more African-American's
20 vote Democrat. More whites vote Republican.
21 There has been more -- some shifting going on
22 there, as a matter of fact. You're seeing, like

Page 79

1 in Mobile, the City of Mobile, you're seeing more
2 whites voting Democrat. And in Baldwin County
3 where I live, you're seeing more African-Americans
4 vote Republican. So even that's shifting around.

5 Q Okay. You haven't actually seen the
6 plaintiff's expert reports in this case, have you?

7 A No.

8 Q Would it surprise you that an estimated
9 97 percent of African-Americans in your district
10 voted -- sorry, it sounds impolite -- but voted
11 against you, voted for your opponent in the last
12 election?

13 MR. DAVIS: Object to form.

14 A I don't know the numbers and so I can't
15 say I'm surprised. Like I say, when I look at the
16 results of an election, I'm really not paying that
17 close of attention to it or concerned about that.

18 Q Okay. Do you know whether -- what the
19 African-American candidate of choice was in the
20 last congressional election?

21 A Well, my opponent -- are you talking
22 about my election?

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1 Q Yes.

2 A My opponent, the Democrat, was Robert
3 Kennedy. But I don't know -- as I said, I didn't
4 go back and look at the results after the fact. I
5 don't know exactly how the vote split out. I know
6 generally how many votes I got, generally how many
7 votes he got, but I can't tell you where they came
8 from.

9 Q Okay. How about the City of Mobile, do
10 you know how the votes split out in the City of
11 Mobile in the --

12 A In my election?

13 Q Yes.

14 A I didn't look that closely. I think I
15 carried Mobile, but I don't know.

16 Q Okay. And I think you acknowledged a
17 minute ago that, you know, most African-Americans
18 in your district tend to vote Democratic as
19 opposed to the majority of whites voting
20 Republican. Why do you think that's the case?

21 MR. DAVIS: Object to form.

22 A That is a great question, and it's

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1 something that I not only have thought a lot
 2 about, I've worried over because I don't think
 3 it's healthy. I think there's some traditional
 4 things going on. African-Americans look to the
 5 Democratic party as the party that primarily
 6 ushered through the civil rights legislation in
 7 the '60s. Although, if you go back and look at
 8 the history, it would not have happened without
 9 Republican votes in both the House and the Senate,
 10 and there were key opponents to that legislation
 11 that were southern Democrats, but I think
 12 African-Americans look to that and look to that
 13 history. But more and more I think what's
 14 happening in my district is really reflective of
 15 what's happening in the country. People are
 16 finding differences -- I don't want to use the
 17 word polarization. I don't like it. People find
 18 differences among one another because they have a
 19 different view of what American -- what the
 20 federal government should do for America, so it's
 21 more ideological in my mind than it is racial.

22 Q Why do you think that -- well, first let

Page 82

1 me ask you, would you agree, though, that that --
 2 that ideological difference closely tracks with
 3 race, corresponds to race?
 4 A I don't know because I've never actually
 5 seen a study on that, but I know from talking to
 6 people, be they white or African-American or
 7 Hispanic or Asian-American, it really starts with
 8 their role of the federal government or what's the
 9 role that should be of the federal government.
 10 So, clearly you've got people in my district of
 11 different races who see that in completely
 12 different ways.

13 And so I think it's more of what's
 14 happening across the country, that is that we have
 15 difference -- those of us who view the federal
 16 government as something that should be far more
 17 active than some of the rest of us do.

18 Q Do you think African-Americans tend to
 19 view the role of the federal government more
 20 robustly as one that should be more active than
 21 white Alabamans tend to view it?

22 A I think that -- I don't know about more

Page 83

1 white Alabamans, but the African-Americans that I
 2 have talked to about this express their desire to
 3 have the federal government do more.

4 Q Would you say that's because those
 5 African-Americans that you talked to view that as
 6 in their interest?

7 A I'm not sure we drilled down that far to
 8 know. Sometimes people will take an ideological
 9 point of view that's not congruent with their
 10 interests. So I can't say that for sure.

11 Q Okay. Do you believe that the needs of
 12 African-Americans in your district differ from the
 13 needs of other constituents in your district?

14 A No.

15 Q Why not?

16 A Because I think what people need is the
 17 same. What they need from their families is the
 18 same. What they need from their communities is
 19 the same. What they need from their nation is the
 20 same.

21 Q Do you have a sense of whether there are
 22 certain -- let me strike that.

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1 What issues, if any, do you believe are
 2 important to the African-American community in
 3 your district?

4 A The same issues that are important to
 5 the white people in my district. Their jobs, the
 6 education of their children, the safety of their
 7 homes and their community, the continuation of the
 8 opportunities that have been afforded to them.
 9 They want more opportunities for their children
 10 and their grandchildren. I just don't see a
 11 difference there. When you really sit down and
 12 talk with them, as I do in my town hall
 13 meetings -- I had one in Prichard on Friday, for
 14 example. The main issue in my town hall meeting
 15 on Friday was tolls for the new bridge coming
 16 across I-10. And there were white and
 17 African-American people there who had the same
 18 type of disagreement with the tolls, same
 19 intensity of disagreement with the tolls. It
 20 didn't make any difference.

21 Q That was a green disagreement, right,
 22 about how much green they're going to have to

Page 85

1 spend.

2 A Most things are like that. In my
3 experience, most things are like that. People are
4 people are people are people are people. They
5 have the same concerns. You might find like, for
6 example, Friday, that one concern there is,
7 there's a community in Mobile County called
8 Africatown. And it's a very important community.
9 It's where the last group of slaves who were
10 illegally brought here, by the way, in 1860 or
11 1861, it's where they congregated and formed a
12 community. We just recently found the ship that
13 they came over on. It's a big deal.

14 Q I read about that.

15 A We've got some ideas on trying to build
16 on that and build that community. One concern
17 that they have that's specific to them, but this
18 is -- it's more geographic -- it's one of the
19 routes that people might take to get around the
20 bridge would come right through Africatown and
21 would harm, potentially, the activities a lot of
22 us are interested in looking at to try to build up

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1 Africatown. But I can tell you from talking to
2 the Mayor of Mobile, who happens to be white, that
3 that is not something that is white or
4 African-American. That is, hey, this is a major
5 opportunity for Mobile. Let's not let this bridge
6 thing mess up what could be a major opportunity.
7 But the -- but the concerns that people have were
8 the same.

9 Q What about in terms of socioeconomic
10 needs? I mean, does the African-American or at
11 least on average -- obviously all of these things
12 you can't -- you can't talk about everybody
13 because there are people of different
14 socioeconomic needs of all races -- but on
15 average, are the socioeconomic needs of
16 African-Americans in your district greater than
17 the socioeconomic needs of whites?

18 A Well, in general the answer is no, but
19 there are some specifics, I think, that are
20 important. This is not just true in Mobile
21 County. It's true in other places in Alabama.
22 Unfortunately a disproportionate number of

Page 87

1 African-American children are going to some of our
2 worse schools. If you want to give everybody an
3 opportunity in America, they got to get a good
4 quality education. So the one of the reasons why
5 I got so involved in education reform prior to
6 going to the school board was -- in my view was
7 the next real fight in the civil rights movement
8 is over education. How do we get quality
9 education to every child in Alabama, be they
10 white, be they African-American, be they Asian, be
11 they Hispanic. That should be something that we
12 should all be concerned about. But in terms of
13 the actual need, it's the same. It's just that
14 we've got a specific manifestation of it
15 disproportionately affecting young
16 African-Americans.

17 Q Would you say that the income level, the
18 average income level of African-Americans in your
19 district is lower than the average income of
20 whites in your district?

21 A I've not seen any data on that so I
22 can't give you an answer.

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1 Q Okay. What about educational
2 attainment, do you know whether there's a lower
3 level of educational attainment on average among
4 black -- blacks in your district than whites?

5 A Well, as I said earlier, I think some of
6 them got lower quality education, a
7 disproportionate number of them got lower quality
8 education. So I don't know the actual data, but I
9 would not be surprised to see -- if you don't get
10 education early, it tends to have a going-on
11 effect. You may not be able to get into college
12 or you may not think about going to college. So I
13 think it's one of the most important, if not the
14 most important thing we need to be working on is
15 how do we give everybody, wherever they come from,
16 whoever their parents are, the best possible
17 education we can give them.

18 Q That's right. You did speak to that.
19 Sorry to repeat, but what -- what about
20 healthcare, are there -- and health outcomes, have
21 you seen any data on whether African-Americans on
22 average in your district have kind of lower

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healthcare outcomes, greater healthcare needs than whites on average in your district?

A I've not seen any data, but I've been very involved with community health centers in my district. In fact, I got an award for that. Community health centers tend to be more prevalent in African-American districts. They're not only in African-American communities. So I do try to work with community health centers because I think that they're the best way to provide healthcare to people that are in poor communities. And so I do see that there's a need for us to do more with those community health centers. I am glad to see the University of South Alabama Medical Center providing really good, quality healthcare to everybody in our area. And it just happens to be located in an African-American community. So the people in that community are like right there, easy for them to access. So I can't give you anything from the data, but I do think that there's a need for us to work harder at that.

Q Am I right that you supported the repeal

Page 90

of ObamaCare?

A I did.

Q Do you believe that most -- the majority of African-Americans in your district supported the repeal of ObamaCare?

A I don't know.

Q And from the people you've talked to, the African-Americans you talked to in your district, do you get the sense that they support the repeal of ObamaCare?

A Some have told me that they do. Some have told me that they don't. I can't quantify that, though, because it's not like we scientifically polled it or even tried to go out and figure out the race of people who are responding on the telephone or by email to the office. But I have had African-Americans say that they didn't like ObamaCare. They wanted us to do something different.

Q Right.

A And I've had -- I have had African-Americans say that they supported it. One

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of the things that -- going back to community health centers. 100 percent of African-Americans that I've talked to about community health centers like community health centers. That's one of the reasons I'm so focused on community health centers. The reason they are, as these community health centers are located in their communities, in their neighbors. It's easy -- it's easy for them to physically access these centers. And the centers are really set up to focus primarily on the person. And so you can see where people would say "I really like going there because they really care about me." And so I do think that community health centers are in my mind a big part of what should be a solution to the healthcare problem throughout America, particularly in my district, and I think we could put more resources into that by putting less resources into ObamaCare.

Q Are those community health centers supported by the expansion of Medicaid under ObamaCare?

A No, they're supported by direct money

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that comes from the federal government community health centers. I've forgotten the name of the program. But in a community health center, you go and they take care of you and have a sliding scale of what you pay based on your income. It may be that some people go into community health centers have Medicaid. Some of them may be on Medicare. Some of them I know, because I've talked to them, are on private insurance and they prefer to use their private insurance at a community health center for all the reasons I said earlier. So I don't know that it -- that they're benefiting any more than any other healthcare institution is from any expansion of Medicaid.

Q Has Alabama accepted the expansion of Medicaid under ObamaCare?

A No.

Q That's not really an option, I guess, for people who wouldn't otherwise qualify for Medicaid, to take advantage of the expansion of Medicaid under ObamaCare in Alabama.

A A lot of people who don't qualify for

Page 93

1 Medicaid are accessing healthcare through these
2 community health centers. And, as I say, they
3 take you regardless of your circumstances and
4 figure on the sliding scale how much you will
5 contribute.

6 Q Okay. Have you seen any polling either
7 in Alabama or nationwide about whether
8 African-Americans support the repeal of ObamaCare?

9 A I haven't.

10 Q Do you believe that African-Americans in
11 your district supported the Tax Cuts and Jobs Act?

12 A I'm not sure I've ever heard from an
13 African-American one way or the other. Let me
14 think about that for a second. I can't -- they
15 may have, but I can't recall any particular
16 conversation at this point in time.

17 Q Okay. About whether an African-American
18 or the African-American community at large
19 supports -- supported the Tax Cuts and Jobs Act?

20 A I don't remember any conversation about
21 that.

22 Q Okay. You were supportive of the Tax

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1 Cuts and Jobs Act.

2 A Oh, I absolutely was, yes, sir.

3 Q And have you -- since you've been a
4 congressman, have you taken a vote on the
5 reinstatement of kind of Section 4, Section 5 of
6 the Voting Rights Act?

7 A I don't believe I have. I don't think
8 we have. Yeah.

9 Q Are you familiar with HR 1, the For The
10 People Act which expands voter registration,
11 voting access that was passed this year?

12 A Yes.

13 Q It was passed by the House this year.

14 A Yes.

15 Q Were you in support of that?

16 A I was not.

17 Q And --

18 A But not because it did the things you
19 mentioned, but because of other things.

20 Q Why were you against it?

21 A Because they put a bunch of other stuff
22 in there that I thought was not germane to what it

Page 95

1 was supposed to be about and I did not think would
2 be helpful to what we're trying to do in America.
3 I want everybody to vote, and I'm actually
4 encouraged by the number and percentage of people
5 that have been voting, particularly in Alabama,
6 these last two or three or four election cycles.
7 I'm pretty passionate about that. But I don't
8 think -- I think that bill, while it pretended to
9 be for that, I don't think it actually was going
10 to accomplish that. I think it did some other
11 things that I didn't think were pertinent to that
12 effort.

13 Q Do you recall what it was that you
14 didn't like about the bill?

15 A We can give a full breakdown. We had --
16 I think we put out a statement at the time or we
17 can give you something. But that bill was pretty
18 vague and complex. It would take me a while to
19 take you through everything that was a problem
20 with it.

21 Q Okay. I just didn't know if there was
22 any like major thing that stood out.

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1 A No, there was a ton of stuff. One of
2 the things that disappointed me about that was, it
3 was a bill that was just loaded up. And a lot of
4 mistakes we make around here are when we take a
5 good idea, if this is a good idea, we start
6 loading other things on there. Then we destroy
7 the good idea. That's not a Republican or
8 Democrat thing, but everybody does that around
9 here from time to time.

10 Q Right.

11 A And I was disappointed in a bill that
12 could have been such a good bill that could have
13 gotten a lot of bipartisan support I think was put
14 together in such a way to where we were guaranteed
15 it was only going to be partisan.

16 Q Do you think that African-Americans in
17 your district on average support the measures that
18 were in HR 1?

19 A I've never had anybody in an
20 African-American community talk to me about HR 1.

21 Q What about -- would you support the
22 reinstatement of Section 5 of the Voting Rights

Page 97

1 Act? This is the portion that was struck down by
2 the --

3 A The formula?

4 Q Yes. Yes.

5 A The formula? No. I think there's a
6 better way to do that.

7 Q And what's that?

8 A I think we should have it apply to
9 everybody in America.

10 Q You would support something that would
11 apply essentially to the preclearance review to
12 all states?

13 A Yes, what I keep saying is, if it's good
14 enough for Alabama, why isn't it good enough for
15 California? Are we saying Alabama is more racist
16 than California? Are we saying Alabama is more
17 racist than Missouri? Are we saying Alabama is
18 more racist than Maryland? Because if you look at
19 what's happened in the last several years, you'll
20 find more racial incidences in places like that
21 than you will in Alabama, yet we're going to take
22 a law and formula and use it to only focus on a

Page 98

1 few parts of America. If it's good for Alabama,
2 it's good enough for everybody.

3 Q Right. And I'm not -- I'm not
4 disagreeing with that at all. But there was like
5 a coverage formula that, you know, involved
6 looking at registration rates and --

7 A Which I think was prejudicial to
8 Alabama, and I'm afraid a new one would be equally
9 prejudicial. That's why I said the easiest way to
10 do this is, if we're going to do this at all,
11 apply it to everybody.

12 Q Would you support that? Would you
13 support reinstating a preclearance regime if it
14 applied to all states?

15 MR. DAVIS: Object to form.

16 Q Go ahead.

17 A When that is conjoined with some other
18 things, I might. For example, I don't think you
19 should have preclearance. I think maybe the best
20 way to do it is tell everybody in America, every
21 local, state, et cetera, jurisdiction, you submit
22 to the Justice Department before you implemented

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1 the things that preclearance states you used to
2 have to do. And that gives a heads-up to the
3 Justice Department. If they want to bring an
4 action in Federal Court, they can because they
5 have that power to do that today, the Justice
6 Department does today. Private individuals have
7 the right to do that today. That wasn't taken
8 away by the Supreme Court ruling. I just don't
9 want Alabama to be singled out, and I think we
10 have been. I think in the last couple, three
11 decades that's been unfair, and I don't want that
12 -- I'm not going to vote for something that
13 singles out Alabama in a negative way like that.

14 Q I mean, you would agree with me, though,
15 that there was -- there was quite a history in
16 Alabama of suppressing black voting rights.

17 A Oh, yes. I mean, prior to the civil
18 rights laws in the 1960s, sure there were. But
19 we're 50-plus years past that. And there's been a
20 dramatic change in Alabama. I was a kid in the
21 '60s so I wasn't an adult when all of that was
22 going on, but I know the difference between the

Page 100

1 way things were in the '60s and the way they are
2 today, and they're dramatically different.

3 Q Do you -- do you know whether your
4 African-American constituents agree with you that
5 that preclearance regime shouldn't be
6 reimplemented, whether it's implemented just for
7 Alabama or for the whole country?

8 A Never had an African-American
9 constituent talk about that with me.

10 Q Do you know what position the state
11 NAACP in Alabama has taken on that issue?

12 A I don't.

13 Q Do you know the current president of the
14 state NAACP?

15 A I don't think I do.

16 Q I assume you haven't met with the
17 president of the NAACP of the State of Alabama?

18 A I don't think we've had a request from
19 the state or local NAACP for a meeting. We take a
20 lot of meetings with groups. We can't always give
21 it to them exactly when they want them, but when
22 they make a request, we try to figure out a way to

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1 set up the meeting. And I just can't recall ever
2 getting a request for a meeting from them.

3 Q Okay. I take it from your answer, then,
4 it sounds like you haven't met with the local
5 NAACP?

6 A I don't -- well, not formally. There
7 may be some members of that group that have met
8 with me in other ways.

9 Q Yes.

10 A But -- and we have people that come to
11 my town hall meetings. I have no idea whether
12 they are or they aren't.

13 Q Right.

14 A There are times where they identify
15 themselves, but it's not unusual for them to come
16 and not identify themselves as being a member of
17 this group or that group. So I could have had a
18 large number of members --

19 Q Sure, right.

20 A -- of the local NAACP be at a town hall
21 meeting and I wouldn't know it.

22 Q Right. But it's not like you -- you

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1 haven't had a meeting with, say, the president of
2 the City of Mobile's NAACP chapter?

3 A I don't think I have. I don't think
4 they have requested one.

5 Q Have you ever requested one of them?

6 A No. I mean, I typically don't request
7 meetings with people. They request meetings with
8 me. I was telling you earlier, there's only so
9 many hours in the day.

10 Q Sure.

11 A I try to respond to other -- my
12 constituents' request. There are times when I
13 reach out to a group, but there's usually a
14 particular reason for that, some event has
15 occurred or something that does involve my job
16 where I feel like, hey, I need to go out and reach
17 out to them.

18 Q Sure.

19 A But in 90-plus percent of the cases,
20 people are calling up and say we want to meet with
21 our congressman, and my staff tries to figure out
22 how to fit it into my schedule.

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1 Q Is there an Urban League Chapter in
2 Mobile?

3 A I don't know of one if there is.

4 Q I assume you haven't met with the head
5 of the Urban League in the City of Mobile?

6 A I don't think I've ever had a request
7 from them for a meeting.

8 Q Are you familiar with an organization
9 called LULAC? It's the League of United Latin
10 American Citizens.

11 A I'm not familiar with them.

12 Q I think I got -- I think I probably got
13 the acronym a little bit wrong. It's Swedish
14 LULAC, but I got the -- I think I mixed up the
15 words. But you never met with LULAC, I take it,
16 either?

17 A Not that I know of.

18 Q Are there any other African-American or
19 Latino or Hispanic-focused organizations like the
20 NAACP, like the urban league, that you have taken
21 a meeting with since you've been congressman?

22 A I've met with so many groups. I would

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1 have to go back through my calendar going back to
2 when I started. I meet with a lot of
3 African-Americans. I don't always know, as I said
4 --

5 Q Who they're affiliated with?

6 A -- who they're affiliated with because
7 they tend to come to me because of a concern about
8 a particular issue. So we're being responsive to
9 a particular issue.

10 Q Sure.

11 A They may be there as part of a group and
12 I just don't know it.

13 Q Yes, totally understand. I know a lot
14 of -- the job of a Congress person, you're mainly
15 doing a lot of what is constituent services,
16 right?

17 A Right.

18 Q It's not a Republican or Democratic
19 issue.

20 A Oh, yeah, and sometimes it may be a
21 concern -- a specific concern for a community.

22 Q Right.

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1 A And you may have a group of people come
2 to see you because of that concern for that
3 community, but you don't necessarily know what
4 organizations they're with or not. They're just
5 there because they all agree about this one issue.
6 And so we try to take -- if somebody asks for a
7 meeting, we try to figure out a way to make that
8 meeting happen. We try to figure out a way to
9 make it happen as close to where they live as we
10 can because I know it's difficult for people to
11 come to places. So I frequently try to go out to
12 people. So if a group in a community says we need
13 to meet with you about X, if it's possible, I try
14 to go out to them. It's not always possible
15 because of my schedule having to be up here voting
16 so much. So sometimes they have to come to my
17 office, but I prefer to go to them.

18 Q You mentioned town halls. Have you had
19 town halls in the City of Mobile?

20 A Oh, yes. Lots of them.

21 Q Have you had town halls in kind of
22 African-American residential sections of Mobile?

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1 A I have.

2 Q Tell me about that.

3 A Well, it's more than once. It goes back
4 several years from now. We just pick places -- we
5 try -- we don't stay in the same place.

6 Q Right.

7 A So I've had them downtown. Downtown is
8 -- tends to be more African-American than not.
9 We've had them in -- there's a high school in what
10 I was calling the southern part of Mobile.
11 There's a high school there that we had a town
12 hall in, which was more memorable for me because
13 we had a lot of planned parenthood people there.
14 We didn't know that we were going to have that.
15 Instead of being focused on that community, which
16 is what I like my town halls to be on, we had a
17 lot of planned parenthood people that showed up
18 for some reason.

19 We've had lots of meetings in -- this is
20 just outside the city limits of Mobile in
21 Prichard, like we just had one last week. I think
22 we -- some of the data I told you, I think we

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1 found out that almost half of my town halls are in
2 African-American communities, but that's spread
3 out all over the district, not just the City of
4 Mobile.

5 Q Have any people at those town halls, any
6 African-Americans expressed any disagreement with
7 your stances on any particular bill or issues?

8 A Yes. I have -- in my town halls it's
9 not unusual for people of all races to disagree
10 with me. That's why I have my town halls.

11 Q It comes with the territory.

12 A Yes, that's why I have my town halls. I
13 think people deserve to have their representative
14 come to their communities and listen to them. And
15 so it's not infrequent that I go to a town hall
16 and have people stand up and disagree with me.
17 I've had African-Americans disagree with me. I've
18 had white people disagree with me, some of them my
19 friends. But that's the essence of being a
20 congressman. If you only hear what you want to
21 hear, you're not going to be a very good
22 congressman.

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1 Q What about on issues of civil rights? I
2 know that that's kind of a broad term. Have you
3 had African-Americans at any of these town halls
4 or elsewhere express to you that they disagreed
5 with your position on civil rights?

6 A Not civil rights per se. It may be a
7 particular issue that someone might associate with
8 civil rights.

9 Q Can you give me an example?

10 A Well, I'm trying to think of one because
11 I said might.

12 Q Right. Right.

13 A I do remember one of the times that I
14 ran, I ran against a Democrat by the name of
15 Burton LaFlore. I think Burton raised something
16 in that race, but it's been several years ago and
17 I don't recall now exactly what it was.

18 Q Right.

19 I forgot to ask you about one -- when we
20 were talking about the various bills, the First
21 Step Act involving federal sentencing and prison
22 laws.

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1 A Oh, yes.

2 Q Did you --

3 A The one that the President supported?

4 Q Yes.

5 A I did not support that.

6 Q Okay. Why didn't you?

7 A Because I thought that it had the

8 potential for releasing people too early who had

9 committed some pretty serious crimes, not just

10 possession, but people were actually actively

11 involved in the distribution of very dangerous

12 drugs. I'm much more concerned about the people

13 that are involved in distributing the drugs than I

14 am the people that are using the drugs. The

15 people that use the drugs need help. The people

16 who are distributing the drugs need to be put in

17 jail and stay in jail.

18 Q Do you remember whether

19 African-Americans in your district supported the

20 First Step Act?

21 A Never heard anything from any of them

22 about that.

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1 Q Let me just take a quick look at my

2 notes. I think we're getting close to the end

3 here.

4 A Sure.

5 (Discussion off the record.)

6 Q Just one more. Are you familiar with

7 the Southern Christian Leadership Conference, the

8 SCLC?

9 A Oh, yes.

10 Q Do you know who the Alabama chapter

11 president is of that now?

12 A I do not.

13 Q Have you met with them?

14 A I don't believe they've ever requested a

15 meeting, but I'm obviously familiar with that

16 group.

17 Q Famous -- has a famous founder, right?

18 A Absolutely. Representative Sewell

19 brings a group down, we call it The Pilgrimage

20 every year. It's really sponsored by a group

21 called Faith In Politics. So I've tried to

22 participate in that every year. I've been very

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1 interested in the civil rights movement going back

2 several years. I've got a lot of books about it.

3 And my wife's family was sort of around it. She

4 lived in Montgomery. Her parents -- her mother in

5 particular were friends with some of the people

6 who were very active in the civil rights movement

7 in the Montgomery area. So I've always been

8 interested in it. I'm very familiar with the

9 history of it.

10 I don't know who's in charge of it in

11 Alabama right now, but if anybody in any of those

12 groups wants a meeting with them, they're going to

13 get it. And I'm probably seeing them at The

14 Pilgrimage every year, but I don't always know

15 who's who.

16 Q Right.

17 A And there's a lot of people there. But

18 I love going to The Pilgrimage. I love the time

19 we get to spend together talking about what

20 happened in the '60s and '70s and what we can do

21 to work together today.

22 Q And tell me what that is again. You

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1 mentioned it briefly, what is The Pilgrimage?

2 A There's a group here called Faith In

3 Politics here in Washington. And they started

4 working some years ago with Representative John

5 Lewis from Georgia. And they bring people to

6 Birmingham, Montgomery, and Selma. They call it

7 The Pilgrimage because it's like coming back. Not

8 only do they go -- we go to the main sites of

9 civil rights actions in Birmingham and Montgomery

10 and Selma, but we have programs as part of it.

11 People make presentations. When Representative

12 Sewell was elected, because she's from Selma,

13 she's a daughter of Selma.

14 Q Right. Yes.

15 A She became a lot more active in it.

16 After I was elected, she said -- knowing me like

17 she did, she said, "Bradley, you need to be

18 involved in The Pilgrimage. I said, "What is it?"

19 She told me. I said, "Wow, that's really cool."

20 So we participated at least in some part of it

21 every year since my first year. I couldn't do it

22 my first year because I had a conflict. So we

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were actually there with John Lewis and all of them for the 50th Anniversary of the Selma to Montgomery march, which was one of my sort of top 10 experiences in my life to be with John Lewis at that very important -- President Obama spoke, as you probably know, in Selma. That was a really cool experience.

What I'm saying is, I'm probably talking to some of the people you're talking about when I'm at The Pilgrimage every year, but I don't always know who's an officer of what because --

Q Sure.

A -- I know it's important, but we're so caught up in what's going on with the event of that day.

Q Sure.

Give me just one second to confer with my co-counsel --

A Sure.

Q -- the real brain here, and then --

A I used to have one of those.

MR. SPIVA: Thank you so much,

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Congressman Byrne. It's been a pleasure. I appreciate you taking the time to do it.

THE WITNESS: Good to see you.

MR. SPIVA: We can go off the record.

Oh, sorry. You -- I'm sorry, Jim.

MR. DAVIS: It's okay. For the record, I do not have any questions.

THE VIDEOGRAPHER: That's what I was waiting for. Okay. The time is 11:49 a.m., July 24th, 2019. We are going off the record, completing the videotaped deposition.

(Signature having not been waived, the deposition of Congressman Bradley Byrne was concluded at 11:48 a.m.)

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CERTIFICATE OF SHORTHAND REPORTER

I, Michele E. Eddy, Registered Professional Reporter and Certified Realtime Reporter, the court reporter before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 28th day of July, 2019.

My commission expires July 14, 2022

MICHELE E. EDDY

NOTARY PUBLIC IN AND FOR

THE DISTRICT OF COLUMBIA

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Congressman Bradley Byrne, c/o
Office of the Attorney General
501 Washington Avenue
Montgomery, Alabama 36130-0152

Case: Lakeisha Chestnut, et al., v. John H. Merrill

Date of deposition: July 24, 2019

Deponent: Congressman Bradley Byrne

Please be advised that the transcript in the above referenced matter is now complete and ready for signature. The deponent may come to this office to sign the transcript, a copy may be purchased for the witness to review and sign, or the deponent and/or counsel may waive the option of signing. Please advise us of the option selected. Please forward the errata sheet and the original signed signature page to counsel noticing the deposition, noting the applicable time period allowed for such by the governing Rules of Procedure. If you have any questions, please do not hesitate to call our office at (202)-232-0646.

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Witness Name: Congressman Bradley Byrne
Deposition Date: July 24, 2019

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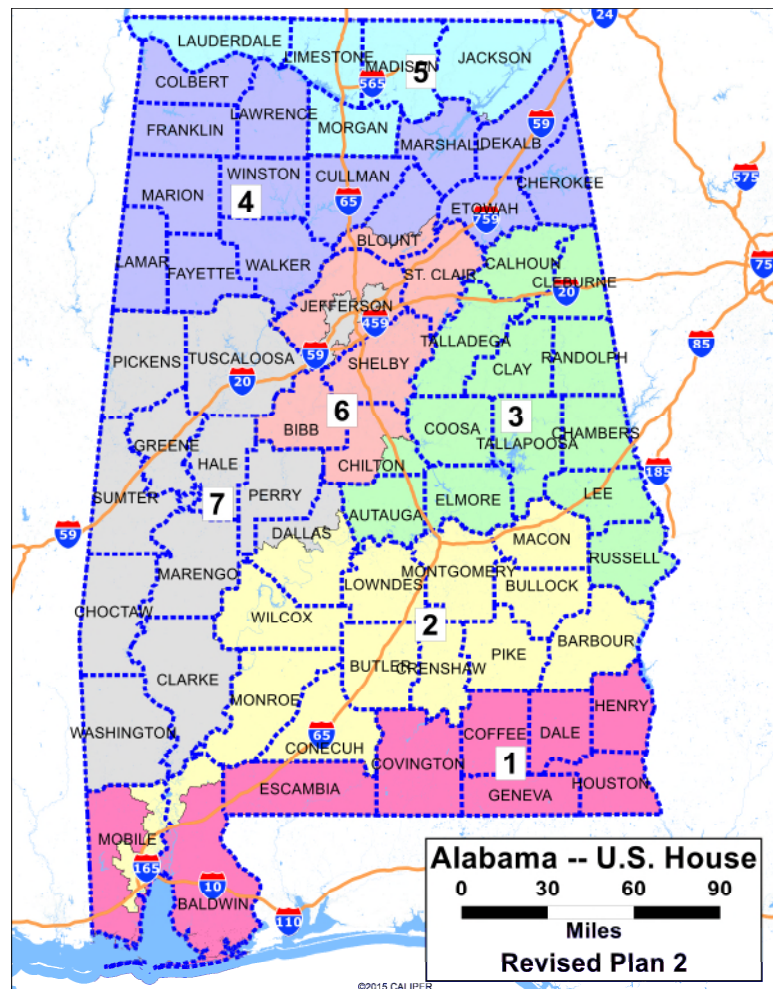
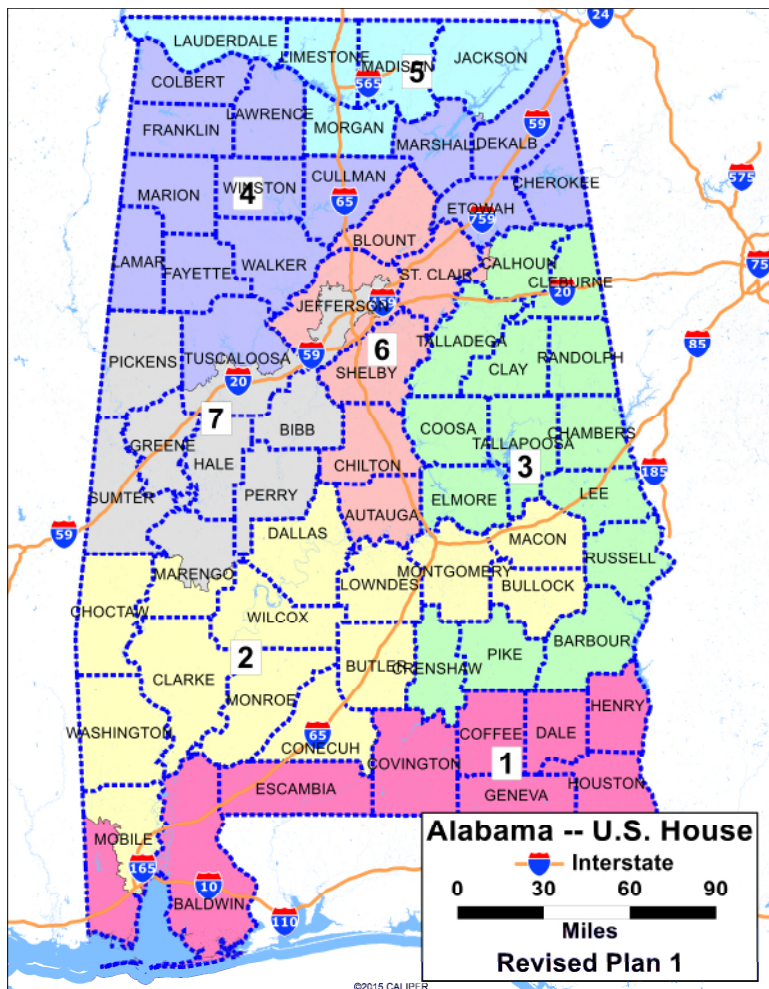
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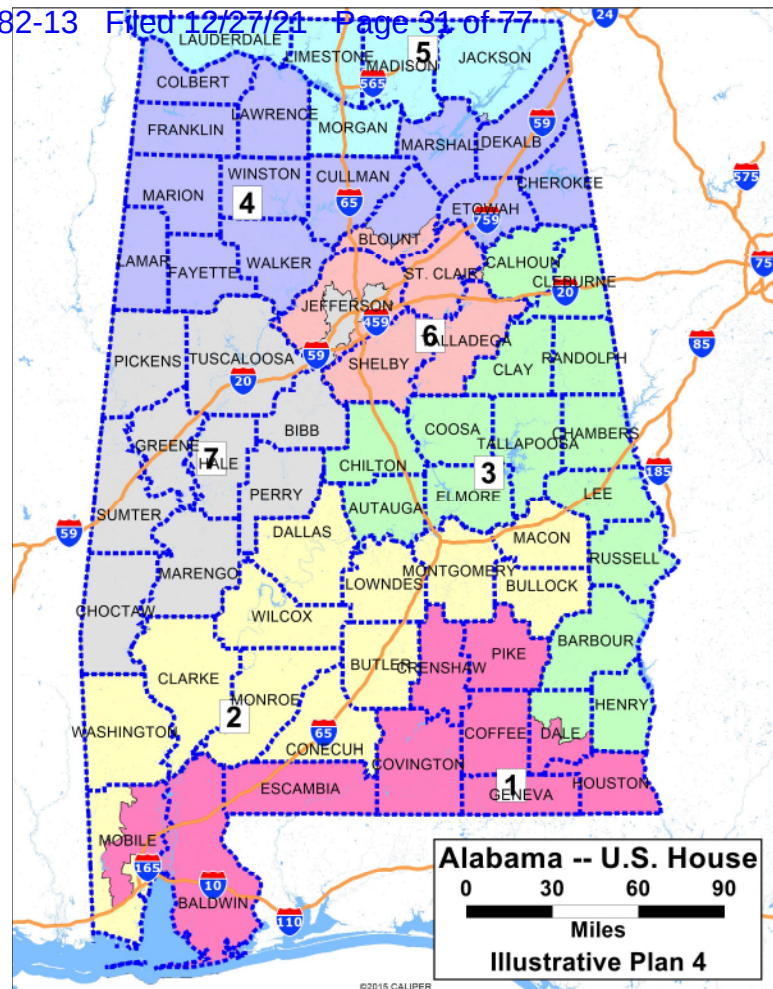
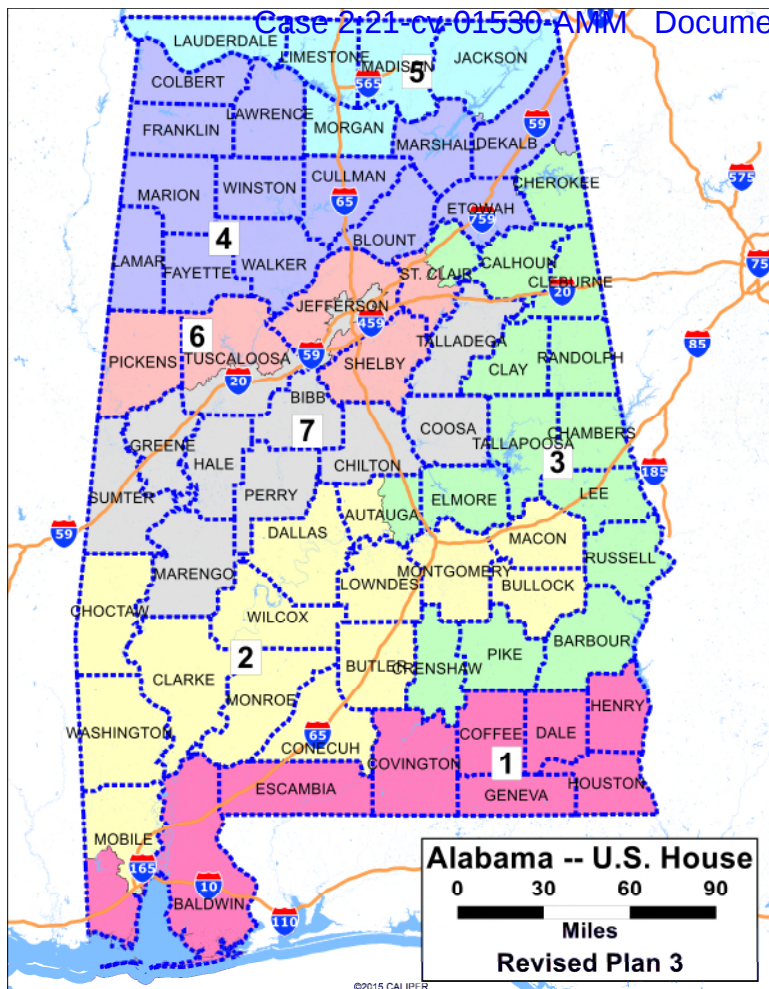
Case: Lakeisha Chestnut, et al., v. John H. Merrill
Witness Name: Congressman Bradley Byrne
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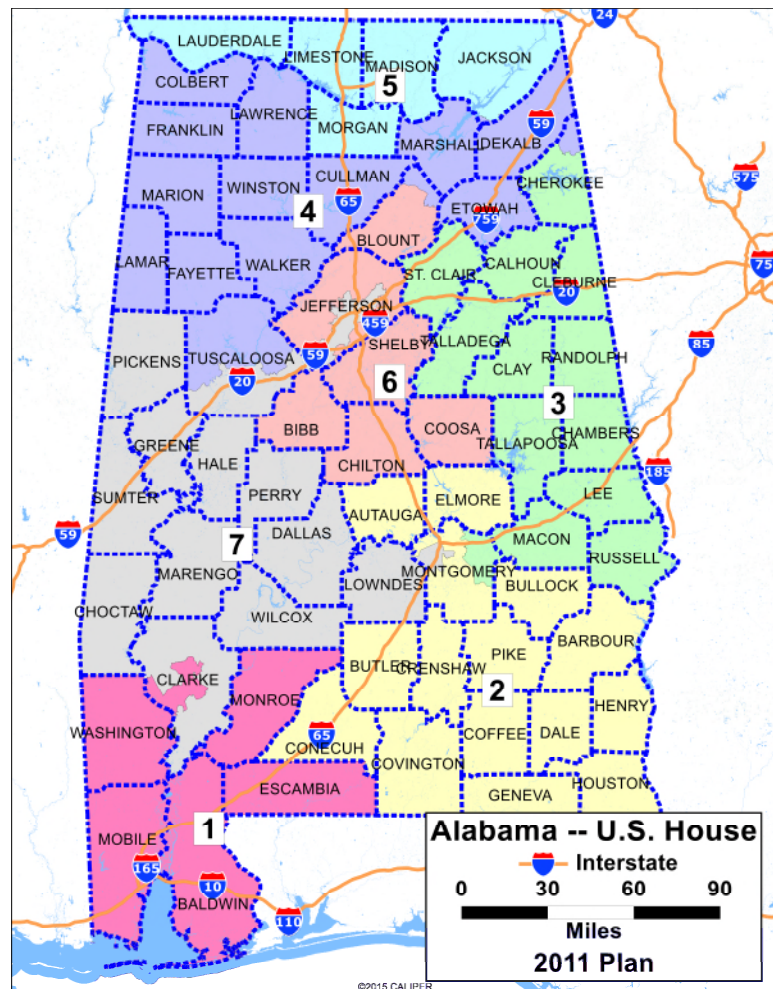
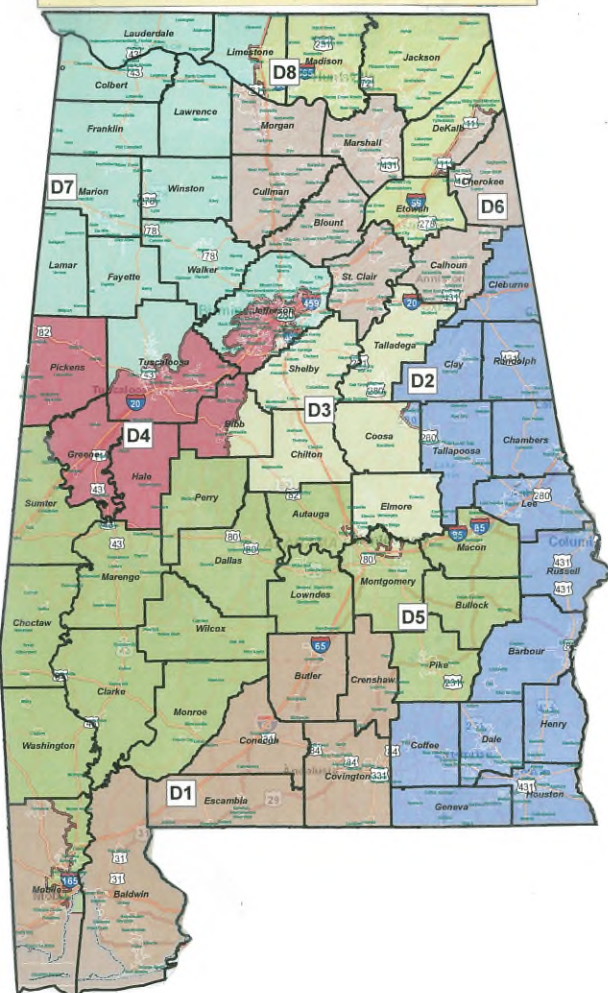
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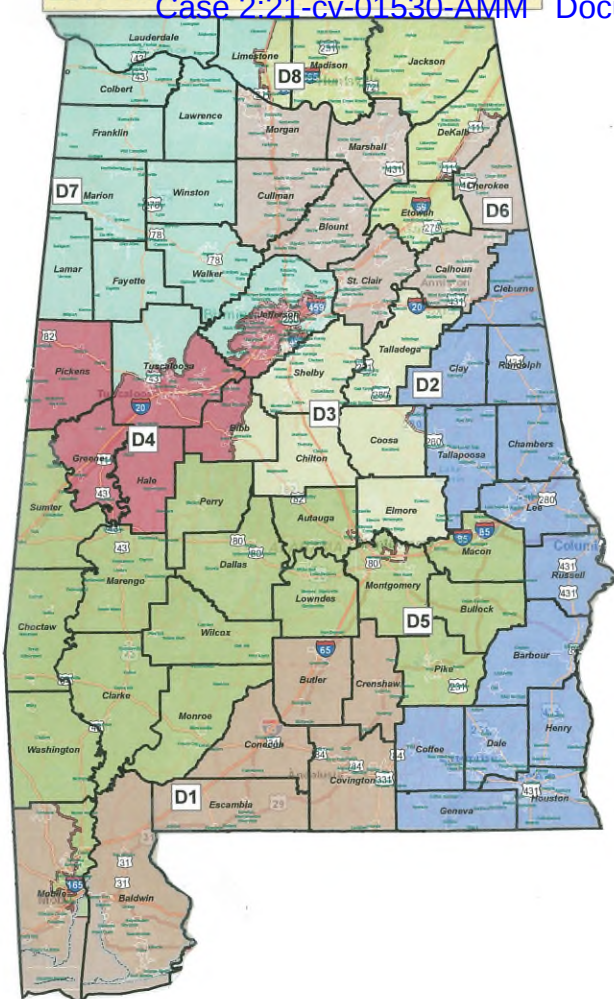
Date





2011 State Board of Education Districts





1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF ALABAMA
 3 SOUTHERN DIVISION

4 LAKEISHA CHESTNUT, an individual; *
 5 MARLENE MARTIN, an individual; * 2:18-cv-00907-KOB
 6 BOBBY DUBOSE, an individual; * November 7, 2019
 7 RODNEY LOVE, an individual; KAREN * Birmingham, Alabama
 8 JONES, an individual; JANICE * 9:00 a.m.
 9 WILLIAMS, an individual; RODERICK *
 10 CLARK, an individual; JOHN HARRIS, *
 11 an individual, *
 Plaintiffs, *
 vs. *
 JOHN H. MERRILL, in his official *
 capacity as Alabama Secretary of *
 State, *
 Defendant. *

12 TRANSCRIPT OF BENCH TRIAL
 13 VOLUME IV
 14 BEFORE THE HONORABLE KARON O. BOWDRE
 15 CHIEF UNITED STATES DISTRICT JUDGE

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P R O C E E D I N G S

(In open court.)

THE COURT: You may be seated. Good morning.

MR. DAVIS: Good morning, Your Honor.

10:32:26 THE COURT: Defense may call your next witness.

MR. DAVIS: Your Honor, the defense calls Congressman
Bradley Byrne.

BRADLEY BYRNE,

10:32:44 having been first duly sworn by the courtroom deputy clerk, was
examined and testified as follows:

THE COURTROOM DEPUTY CLERK: Please state your name in
the microphone for the record.

THE WITNESS: My name is Bradley Byrne; B-R-A-D-L-E-Y;
B-Y-R-N-E.

10:32:55 THE COURTROOM DEPUTY CLERK: Thank you.

DIRECT EXAMINATION

BY MR. DAVIS:

Q Good morning, Congressman Byrne.

A Good morning.

10:33:02 Q Thank you for being here today. Do you represent
Alabama's first district in the United States Congress?

A I do.

Q How long have you served in the Congress?

A I am at the end of my sixth year.

10:33:11 Q Let's go back a little bit and talk about your background.

Christina K. Decker, RMR, CRR

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1 You are an attorney, correct?

2 A I am.

3 Q Have you practiced in private practice?

4 A I have.

10:33:19 5 Q Where did you practice?

6 A I practiced all over the state of Alabama. In fact, I've
7 been in this courtroom in this building before, but primarily
8 in the southwestern part of the state.

9 Q Where is your home?

10:33:30 10 A Presently, it's in Fairhope. But I was born and raised in
11 Mobile. And my wife Rebecca and I lived over there until we
12 moved to Fairhope in 2001.

13 Q Thank you.

14 And, Congressman, you and I both are going to have to
10:33:41 15 remember they're taking down what we say. If I start talking
16 too fast, I will try to remember to slow down. Let's both do
17 that so they can take it all.

18 A Okay.

19 THE COURT: Well, I think Ms. Christina will let you
10:33:51 20 know when she's having any problems, right, Ms. Christina?

21 THE COURT REPORTER: Yes.

22 MR. DAVIS: I'm trying to keep anybody from being mad
23 at me this morning.

24 THE COURT: I don't know how it is for you, but for
10:34:01 25 me, that would be a tall order.

1 BY MR. DAVIS:

2 Q Congressman, have you ever been a member of the Alabama
3 Legislature?

4 A I have.

10:34:10 5 Q Where did you serve, and approximately what years?

6 A I represented Senate District 32, which was Baldwin
7 County, but not all of Baldwin County. I represented part of
8 it. I was elected in November of 2002. And under Alabama law,
9 you take your seat the moment the general election is decided.

10:34:29 10 And I served there until I resigned in May of 2007 to become
11 the chancellor of post-secondary education for the state of
12 Alabama.

13 Q And how long did you serve as chancellor of the two-year
14 college system?

10:34:44 15 A Almost precisely two years, maybe a little bit over.

16 Q And you said you have been a member of the state board of
17 education?

18 A I have; for eight years.

19 Q Is that an elected position?

10:34:52 20 A It is.

21 Q Do you serve by districts?

22 A We did, and they still do.

23 Q Where was your district located in the state of Alabama?

24 A It was District 1, so it was the southern part of the
10:35:04 25 state, southwestern part of the state. It was all of Mobile,

1 Baldwin, and Escambia counties.

2 Q Okay. I would like you to look, Congressman, at
3 Plaintiffs' Exhibit 15. You have a hard copy, and there's a
4 picture on the screen. And I represent to you that this is
10:35:21 5 Alabama's 2011 congressional district plan, so you see there
6 the boundaries of the districts as they are at present.

7 Could you describe your district for the Court,
8 particularly focusing on any ways that in your opinion this
9 area within District 1 is bound together in part of a community
10:35:40 10 of interest?

11 A So as you can see here, it is all of Mobile County, which
12 is the urban or metropolitan county; all of Baldwin County,
13 which is the fastest growing county in the state of Alabama;
14 all of Escambia County; all of Monroe County; all of Washington
10:35:56 15 County; and a portion of Clarke County that primarily includes
16 parts of the city of Jackson and the city of Grove Hill.

17 What you can't see here there are two large river systems
18 that go through the center of that district and empty out into
19 Mobile Bay. And what you also can't see here are some U.S.
10:36:16 20 highways that connect these counties primarily from the
21 northern part of the district to the southern part of the
22 district which people use to get to work.

23 There's a lot of people in Washington, Clarke, and
24 Escambia that work in either Mobile or Baldwin County. They go
10:36:34 25 there to shop, or they go there for their hospital, or they go

1 there for entertainment.

2 So the way it's aligned is that the people in those four
3 counties outside of Mobile and Baldwin travel into and out of
4 Mobile and Baldwin. I won't say all of them do, but a good
10:36:49 5 many of them do.

6 Q Where do people who live in the first district get their
7 news, their media?

8 A They get it from the television -- local television
9 stations in Mobile. They get it from the *Mobile Press*

10:37:02 10 *Register*. They get it from some radio stations that are
11 primarily centered in Mobile. And to some extent, they get it
12 from the local weekly newspapers and local radio stations.

13 Q Okay. Where would a person in, say, Washington, Monroe,
14 and Escambia County go for major hospital care?

10:37:18 15 A They would go into Mobile. You have the University of
16 South Alabama Medical Center, Mobile Infirmary, Springhill
17 Infirmary, and Providence Hospital. Those are the four large
18 hospitals in my district.

19 So it's not unusual at all to see people from one of those
10:37:32 20 four counties who either they or people in their family are
21 having to either stay in their hospitals or go there for
22 outpatient care.

23 Q Are there any major four-year universities located within
24 the present first district?

10:37:45 25 A There are. There's the University of South Alabama, a

1 regional public university that has over 15,000 students in
2 Mobile. There's also Springhill College, a smaller private
3 Jesuit college in the city of Mobile. And just outside of
4 Mobile in Mobile County, there's the University of Mobile.

10:38:02 5 Q And would a lot of students from those universities that
6 you mentioned come from Washington, Monroe, Escambia, and
7 Baldwin counties?

8 A Yes. Most of the students in those four rural counties,
9 if they're going to a public four-year college or even private
10:38:19 10 four-year college, most of them are coming into Mobile to go to
11 one of those three colleges.

12 Q Let's talk about some of the employers in the region.
13 Well, first off, there's a major port in Mobile, is there not?

14 A Yes, sir. The Port of Mobile is one of the fastest
10:38:33 15 growing ports in the United States of America. It's really the
16 reason Mobile's there to begin with.

17 It started out as a French trading post. But during the
18 boom years in the 19th century, there was a lot of product that
19 was being moved from the interior of the state of Alabama
10:38:49 20 through the Port of Mobile and out to ports in Europe. It was
21 mainly cotton, but it was also timber products, et cetera.

22 So the connections of those counties north of Mobile to
23 Mobile literally go back centuries.

24 Q You sometimes see major industries located along river
10:39:04 25 system. Are there any major industries located along the

1 rivers that flow into Mobile Bay?

2 A Yes, sir. If you go up on the eastern part of Mobile
3 County into Washington County, at the end of that part of my
4 district that's Clarke County, you have U.S. 43. And along
10:39:20 5 U.S. 43, you have a number of steel plants, chemical plants, a
6 power generating plant for Alabama Power Company, and some
7 other manufacturing concerns.

8 Q And you've said that a lot of people from these outlying
9 counties come into Mobile County to work. What are some of the
10:39:40 10 major employers in the Mobile area?

11 A The largest single private sector employer is Austal
12 shipyard that's located on the water front in Mobile. It
13 employs 4,000 direct employees and about another 1,000 contract
14 employees.

10:39:56 15 Then you have Airbus, which has not only an assembly line
16 there for the A320 and soon the A220. They have an engineering
17 facility there. And out there by the Mobile Airport an actual
18 facility that services the military.

19 You have, as I said, three steel mills there in Mobile
10:40:15 20 County, a number of chemical companies.

21 The University of South Alabama is a major employer.

22 The Mitchell Cancer Center is there, as is the University
23 of South Alabama Medical Center, another major employer.

24 And then, of course, the Port of Mobile and interests
10:40:31 25 related to the port are major employers.

1 One of the fastest growing employers is now, however, is
2 over in the southern part of Baldwin County where we have this
3 major tourism industry. We have a number of people coming from
4 the rural counties to go down to work in whatever the retail or
10:40:47 5 other things that are related to the tourism industry in south
6 Baldwin County, which is also fast growing.

7 Q You mentioned tourism. Does the fact that the first
8 district is located on the coast, is that something that binds
9 this region together?

10:41:03 10 A Oh, yeah. Very much so. It almost doesn't matter where
11 you live in my district, you've got some connection to the
12 water. It may be because you like to fish. It may be because
13 you like to eat seafood. It may be you just like being there
14 near the water and seeing it and enjoying it.

10:41:20 15 So we have -- in that whole area in southwest Alabama,
16 we've always recognized Mobile Bay and the waters that flow
17 into and around Mobile Bay as a part of who we are.

18 Q Is there a strong seafood industry in the first district?

19 A There is indeed. In south Mobile County and south Baldwin
10:41:37 20 County, there is a very strong long-term seafood industry.

21 A number of people are employed in various parts of that
22 industry. As I say, a lot of people like to come down there
23 and buy their seafood directly because it's fresh and you've
24 got a reasonable price on it.

10:41:52 25 Q Back to some of the industry we're discussing. Is there

1 any industry upriver that uses the port system to ship its
2 product?

3 A Virtually all of them do both in and out. Sometimes with
4 the chemical companies they have other things -- substances are
10:42:10 5 coming from other places that is brought into their facility.
6 They do whatever their process is to turn it into something
7 else, and then it goes right back out again.

8 So it's not unusual -- and same is true for the steel
9 companies and for some of the other manufacturing concerns.
10:42:27 10 For example, the -- for Airbus, you have a number of parts and
11 large parts of the jet that come in by barge or large ocean
12 going ship and they go to a special port there, and then they
13 are trucked back over to the Airbus facility.

14 So the port is critically important to the manufacturing
10:42:45 15 concerns all over my district.

16 Q Would it be fair to say, Congressman, that the health of
17 the economies of the entirety of your first district is linked
18 to the health of the port system?

19 A Very much so.

10:42:58 20 Q And other industries, such as Airbus and the shipyard?

21 A Very much so. I don't know that a lot of those industries
22 would be there but for the port. In fact, I think they
23 wouldn't be there but for the port.

24 Q And the port doesn't just benefit the economy of Mobile
10:43:14 25 County. Would it also benefit the economy of Washington,

1 Monroe, Escambia, and Clarke counties?

2 A The port benefits those counties and virtually every
3 county in the state of Alabama.

4 Q Sure. Well, that's a good point. Does the economic
10:43:27 5 health of the first district benefit the entirety of the state?

6 A Very definitely. Most of the tourism, the tourist tax
7 revenue for the state of Alabama comes from Baldwin County, for
8 example. A lot of the things that are flowing into our
9 automobile plants, the parts, et cetera, flow through the Port
10:43:47 10 of Mobile.

11 The Port of Mobile is presently constructing a facility
12 where they can actually take automobiles out of that port and
13 ship to other places. So the port of Mobile is a big part of
14 the economic development of the state of Alabama.

10:44:02 15 Q But you would agree that there's a strong direct link to
16 these people in Washington, Monroe, Escambia, Clarke, Baldwin
17 counties who go into Mobile County to get their paycheck?

18 A Absolutely. You have a large number of people who drive
19 in from those counties into Mobile, maybe to a lesser extent
10:44:21 20 Baldwin County for their work. As I say, they may be going
21 there for their health care. They may be going there to shop.
22 And they may be going there for just pure entertainment
23 purposes. It's sort of the center right there for those things
24 for southwest Alabama.

10:44:36 25 Q Let's talk about the social and cultural life of the first

1 district. What are some things socially and culturally that
2 bind that region together?

3 A Well, the biggest is Mardi Gras. We like to tell the
4 people in New Orleans that we have the first Mardi Gras. They
10:44:48 5 don't like that, but it's the truth. And that Mardi Gras has
6 always bound that area together. And in some of the towns
7 outside of Mobile County, they've actually started their own
8 little Mardi Gras parades there that are very fun to go to.

9 I think everybody understands that's kind of a way of
10:45:05 10 expressing our joy of life. We like to have fun. We like to
11 eat. We like to go to parades. We like to spend time with one
12 another.

13 Our Mardi Gras is very family oriented. You have families
14 who for generations have been coming into Mobile for Mardi Gras
10:45:21 15 so they can partake of that.

16 THE COURT: And moon pies.

17 THE WITNESS: And moon pies.

18 THE COURT: You can't forget the Mobile moon pies.

19 THE WITNESS: Very good microwaved with some ice cream
10:45:30 20 on top of it.

21 THE COURT: I haven't it that way. I will have to
22 see.

23 BY MR. DAVIS:

24 Q Are you aware of any counties outside of the first
10:45:39 25 district that celebrate Mardi Gras?

1 A There are some in Mississippi and some in Florida. But
2 I'm not aware of any others in Alabama.

3 Q Okay. I meant to limit my question to Alabama counties.
4 So thank you for being more specific.

10:45:52 5 What about the demographics of the first district? Is
6 this a diverse district?

7 A Extremely diverse. You've got an urban center there in
8 Mobile. You've got a major tourist destination in south
9 Baldwin County.

10:46:09 10 As you said, we have the seafood industries in both south
11 Mobile County and south Baldwin County. In south Mobile County
12 a big part of that seafood industry is a southeast Asian
13 population that immigrated there at the end of Vietnam war.

14 Then you move up into the northern part of the both Mobile
10:46:27 15 and Baldwin counties and spreading out to the rural counties.

16 Timber is a big thing. We do have agriculture. Cotton
17 and peanuts are big. Some soybean.

18 We have -- sort of a unique part of agricultural industry
19 in my district is we have a lot of nurseries. Some of them
10:46:44 20 small, some of them big in both Mobile and Baldwin counties.

21 And then you've got some tourism, a little less tourism up
22 in the northern part of my district where people like to go
23 hunt and fish. We've been trying to develop that.

24 So you've got very rural sparsely populated areas, very
10:47:01 25 urban densely populated areas. You have got areas that are

1 well-to-do, areas that are not so well-to-do, areas that are
2 developing, areas that are declining. It's a very diverse
3 district.

4 Q So you have constituents who are Asian American?

10:47:14 5 A Yes.

6 Q You have constituents who are African-American?

7 A Yes, sir. And Hispanic.

8 Q And Hispanic. You've served in the state legislature.

9 You've been elected to the board of education. You have been
10:47:30 10 elected to Congress. Do you spend much of your time
11 campaigning door to door?

12 A I do. That's one of the things that I enjoy doing. And I
13 learn a lot by going door to door. I enjoy the interaction I
14 have with the people when I do it.

10:47:43 15 Q What, if anything, have you noticed during your
16 door-to-door campaigning about where people live in your
17 district, particularly where people live of different races?

18 A Well, the populations are shifting. Families, white or
19 black, are trying to move to the suburban areas.

10:48:03 20 So as I go through suburban areas of west Mobile city,
21 west Mobile County, I notice a pretty good integration,
22 increasing integration of African-American families. It's
23 almost always families, people with children.

24 On the other side, you've got more and more younger
10:48:19 25 people, white and black, moving into the downtown and midtown

1 area because that's sort of the hot, hip place to live. And so
2 you're seeing two areas that used to be more or less segregated
3 are beginning to integrate because the younger people want to
4 go be downtown or near downtown.

10:48:35 5 The people with families want to be out in the suburban
6 areas that are little more kid friendly.

7 Q So are you seeing the Mobile area becoming more integrated
8 residentially --

9 A Yes.

10:48:45 10 Q -- over time?

11 A Absolutely.

12 Q Is there anything unique about the history of this part of
13 Alabama?

14 A Well, we were founded first by the French in the early
10:48:57 15 18th century, and then had the Spanish come in for a number of
16 years. Then the British took over for a number of years. Then
17 the Spanish came back. Then the British came back.

18 And in 1710, we and some places over what is now
19 Mississippi tried to form our own country called West Florida.
10:49:15 20 And the only thing that the British and the new American
21 Republic could agree upon was they weren't going to let us form
22 our own country.

23 So ultimately the Americans took over our part of Alabama
24 during the War of 1812. So by the time that part of the state
10:49:32 25 came into the United States of America, we had this very sort

1 of cosmopolitan beginning.

2 So you have a lot of people there -- and I'm one of them
3 who have French or Spanish forbearers. And we have that sort
4 of culture that comes into who we are. So that's unique.

10:49:49 5 The fact that we are a port city is unique in Alabama. We
6 have inland ports that are very important. But we're the only
7 deep water ocean port.

8 And we went through a period of time during the 19th
9 century when we were very outward looking towards the rest of
10:50:07 10 the world. In fact, when they referred to Mobile in London and
11 Paris newspapers in the 19th century, they never said Mobile,
12 Alabama or Mobile, USA. They just said Mobile because
13 everybody knew who it was.

14 In the latter part of the 19th century, we had three
10:50:23 15 German language newspapers. We had a vast influx of Germans.
16 About at the same time, we were bringing a lot of Greeks in
17 that ended up in a place called Malbis in Baldwin County. And
18 we found a number of people from Scandinavia and places like
19 Czechoslovakia that were moving into the area.

10:50:43 20 So we've had this type of history of different types of
21 nationalities, ethnicities, and even religions moving into our
22 area. And I see a lot of that around the state of Alabama. I
23 don't see it to the extent that I see it in my part of the
24 state.

10:50:57 25 Q Would you agree, Congressman Byrne, that Mobile and

1 Baldwin County are closely connected culturally and
2 economically?

3 A I have to quote Winston Churchill. Winston Churchill said
4 that the Americans and the British were separated by a common
10:51:10 5 language. And I tell people all the time Mobile and Baldwin
6 County are separated by a common bay and river system. We're
7 very integrated with one another.

8 My family actually started out in Baldwin County and
9 migrated over the Mobile County. We have had our feet in both
10:51:25 10 sides of the bay for generations. And we're not unusual.

11 So you've got people who have some sort of a connection on
12 both sides of the bay. And we've found over the last 20 years
13 that the economic development efforts of both sides of the bay
14 have been merging.

10:51:41 15 And so we're actually doing a lot more cooperative things
16 between the two counties. And each county sort of living off
17 of the other in various ways.

18 So the cooperation between local government, local
19 economic developers, local civic leaders on both sides of the
10:51:58 20 bay is something we've worked very, very hard on. And it's
21 paying off for us in a big way.

22 Q Are Mobile and Baldwin counties becoming more or less
23 connected over time?

24 A Much more connected. In fact, right now we have a problem
10:52:10 25 that in order to keep us connected we have got to build a new

1 Interstate 10 bridge across our river. We're struggling with
2 that there's so much connection. But that's a good thing.

3 I think it benefits both counties. And I think it's
4 benefited the incredible economic development efforts we have
10:52:26 5 had there in the last 20 years.

6 Q I didn't ask you, Congressman -- what, if any, committees
7 do you serve on in Congress?

8 A I'm on two. I'm on the House Armed Services Committee and
9 on the Education and Labor Committee. When I say education and
10:52:38 10 labor, it's both K-12 and higher education policy on the
11 education side.

12 But on the labor side, it's my old area of law practice,
13 which is traditional labor and then traditional employment law,
14 Title VII, et cetera. So that committee actually lines up
10:52:53 15 pretty well with what my experience was before coming to
16 Congress.

17 Q Okay.

18 THE COURT: Wait a minute. Education and Labor are
19 one committee?

10:53:01 20 THE WITNESS: Yes, ma'am.

21 THE COURT: That's an interesting combination.

22 THE WITNESS: Yes, ma'am. But because of my
23 background, it sort of fits being on the state school board,
24 being chancellor, and being a former labor and employment
10:53:14 25 lawyer. So I'm always uniquely suited to be on that committee.

1 I fact, I think I'm the only person in Congress that can say
2 all that.

3 THE COURT: I was about to say you're probably unique
4 in that in more ways than one.

10:53:26 5 BY MR. DAVIS:

6 Q What issues do you need to focus on when you represent the
7 first district, Congressman? If your colleagues saw you coming
8 down the hall, they say, Here comes Congressman Byrne. He
9 probably wants to talk to me about -- what?

10:53:37 10 A Oh, well. If you asked the House leadership, they'd say,
11 When Byrne comes down the hall, he's interested in that ship --
12 those ships, the fish, red snapper, and he's interested in that
13 bridge. In fact, they can go down the line and say one, two,
14 three.

10:53:51 15 And part of the reason for that is that I have just
16 focused on it, focused on it, focused on it. And they know
17 what I'm interested in and what they need to be working with me
18 on.

19 That's true for most successful members of Congress.
10:54:04 20 You've got to get everybody to understand this is what's
21 important to my district, and I'm going to focus on it, and you
22 have to focus on it with me if you want me to be cooperative.

23 Q So are those things important to you because they're
24 important to your constituent in the first district?

10:54:17 25 A Absolutely.

1 Q Are those things that Congressman Roby is known for
2 focusing on as she represents the second district?

3 A Oh, yeah. She's got Fort Rucker, a major army helicopter
4 base kind of in the center of her district. So Fort Rucker is
10:54:32 5 important to her. She has Maxwell Air Force Base up there in
6 Montgomery. Obviously very important to her. Maxwell Air
7 Force Base does a lot of different things, but a lot of it is
8 training and education.

9 She's got very important agricultural interests in her
10:54:49 10 district -- cotton, peanuts, cattle primarily.

11 She's got a university in the center of her district, Troy
12 University. That's a regional university that also has an
13 international reach even having campuses in southeast Asia and
14 China. She also has the University of Troy in Montgomery,
10:55:11 15 Auburn University in Montgomery, and Alabama State University.
16 So she's got four different universities that she works with.

17 There are also some other specialty businesses in her
18 district. Great Southern Wood Preserving, which we all know as
19 YellaWood, is located in Abbeville in her district. It's the
10:55:28 20 largest treated lumber company in the world.

21 And there is a plastic recycling business in Troy that's
22 the largest in the world.

23 And then you have a number of defense-related businesses
24 both around Fort Rucker and around Troy University itself,
10:55:44 25 including the site where they make the Thad missile system, et

1 cetera.

2 So she's got some very important economic development,
3 economic interests in her district, and military interest in
4 her district that she has to focus on. And everybody in

10:56:00 5 Washington knows that.

6 Q Well, you have the naval shipyard in the first district?

7 A Right.

8 Q And she has Fort Rucker and Fort --

9 A Maxwell Air Force.

10:56:10 10 Q -- Maxwell Air Force Base. So there are military
11 interests in both districts?

12 A Right.

13 Q Are they the same?

14 A No. So the Armed Services Committee is broken up into
10:56:20 15 subcommittees. One of those subcommittees is the Seapower
16 Committee. It makes sense if you represent a naval shipyard to
17 be on the Seapower Committee. If you don't represent a naval
18 shipyard, you wouldn't necessarily want to be on the Seapower
19 Committee.

10:56:35 20 She would be interested and was when she was on the Armed
21 Services Committee and being on tactical land and air, which
22 deals with things like Fort Rucker and Maxwell.

23 So if you were just looking at those two, they are two
24 different areas of focus within military defense matters.

10:56:53 25 It doesn't mean that she wouldn't know anything about my

1 shipyard or that I don't know about her military bases. We
2 both do, and we work with one another. But she's the leader
3 over there, with regard to Rucker and Maxwell. I follow her
4 lead. I'm the leader with regard to the shipyard in my area.
10:57:10 5 She follows my lead, as others do.

6 And so we're able to separate our areas of expertise,
7 strengthen ourselves. And by complimenting one another,
8 Alabama actually punches above its weight. If you look at how
9 many members we have in our seniority, we get far more for the
10:57:28 10 buck than most states do.

11 Q Right now, looking at the current borders of the first
12 district, do you find that this area's connected enough to make
13 it easier for you to focus on a narrow set of issues?

14 A Yes, sir. I can tell you -- I meet once a year with
10:57:48 15 economic developers, once a year with our superintendents of
16 education, once a year with our higher ed leadership, once a
17 year in various ways with local elected leadership so that --
18 and it's compact enough that I can do that. And then in
19 between those yearly meetings, we stay in touch with one
10:58:05 20 another.

21 Plus it's pretty easy to get around my district driving
22 wise. I can get to even the furthest part of my district
23 fairly easily. So from my perspective, that sort of
24 compactness of the district gives me the ability to focus on
10:58:20 25 the things I need to focus on and get my job done.

1 Q Where do you have offices?

2 A I have one in Mobile, and I have one in Summerdale, which
3 is on Alabama 59 just north of Foley. If you're going to the
4 beach, you go right past my office.

10:58:37 5 THE COURT: Is that in Baldwin County?

6 THE WITNESS: Yes, ma'am.

7 BY MR. DAVIS:

8 Q How easy would it be to focus not just on snapper and
9 ships and the bridge, but to also focus on timber and peanuts
10 and army helicopters and the other things that are in the
11 second district?

12 A Well, you know, if that was your job, you would do it.
13 But there's only so many hours in the day. You only have so
14 much staff. And when you spread yourself over that much of a
10:59:06 15 geographic area with those different interests, by definition,
16 you're going to get less attention to each of those.

17 So anybody who would try to represent both of those I'm
18 sure would do the best they could, but they couldn't do it as
19 well as if you keep these districts compact.

10:59:22 20 Q Congressman, the plaintiffs in this lawsuit have argued
21 that Alabama should draw different districts, and they've made
22 a series of proposals to suggest different ways that may be
23 done. What I have put on the screen is Plaintiffs' Exhibit 61
24 also known as their Revised Plan 1.

10:59:47 25 Look at the first district, as is configured here on

1 Plaintiffs' Exhibit 61. What response do you have to this
2 district?

3 A Well, I'd be living on Interstate 10 getting back and
4 forth between the western most part of my district to the
11:00:05 5 eastern most part of my district, because that's the most
6 efficient way to get from the western part of that district to
7 the eastern part of the district. It takes a long time to get
8 from far west Mobile County to get to Dothan over there in the
9 southeastern part of Houston County.

11:00:19 10 And then if you go up to Henry County where Abbeville is,
11 you would be even further because you would have to go over
12 Interstate 10, come up through Dothan, then go even further
13 north. That's not to say if that was my district I wouldn't do
14 it. Of course, I would do it. But because of the geographic
11:00:34 15 distance there, I would not be able to do as much.

16 So in the past six years, I've done over 130 town halls in
17 55 different localities in my district. I would not be able to
18 do that many town halls nor reach that many localities if that
19 were my district.

11:00:49 20 Q Are there communities of interest that unite southwest
21 Mobile County with Houston and Henry counties?

22 A I can't think of any.

23 Q Okay. Do they have any common industry?

24 A There is some agriculture in southwest Mobile County.
11:01:08 25 Some of it's common to Houston County, et cetera. But some of

1 it's not. For example, you have got a lot of pecans in
2 southwest Mobile County. You have a lot of watermelons there.
3 I don't think they do over there. You have some of the
4 nurseries there in southwest Mobile County. They don't over
11:01:25 5 there. And then they don't have any seafood. In the far
6 southern part of Mobile County, you have all those seafood
7 interests.

8 So, yes, there's agriculture, but it's different
9 agriculture. And you might not think that they're that
11:01:39 10 different. But when you start looking at the federal
11 agriculture programs and how they apply here, there's a great
12 deal of difference.

13 Cattle is a very different thing than growing crops. And
14 they have a lot of cattle over there in that part of Alabama.

11:01:55 15 Q Do people from Henry and Houston County come to Mobile to
16 work?

17 A No.

18 Q Do a lot of industries in Henry and Houston County use
19 ports to ship their products?

11:02:06 20 A No, sir. There is a port there in Panama City, and that's
21 closer to them to be able to truck things. So I can't say that
22 there aren't any. But all that I know of is being shipped from
23 that part of the state of Alabama through the port there in
24 Panama City.

11:02:22 25 Q Now, look at the yellow district, Exhibit 2 -- excuse

1 me -- District 2 here on Plaintiffs' Exhibit 61.

2 A Uh-huh.

3 Q It connects -- would you agree that it includes the more
4 urban parts of Mobile?

11:02:37 5 A It does. It also includes some of the less-populated
6 parts of the northern part of Mobile County, as well.

7 Q And then it goes to connect those areas of Mobile County
8 with Montgomery, Macon, and Bullock County. Are there strong
9 connections between urban Mobile and Macon, Bullock, and
11:02:58 10 Montgomery counties?

11 A As far as I know, there are no connections.

12 Q Does anyone from Montgomery, Macon, or Bullock County come
13 to Mobile to work?

14 A Not that I've ever known of. That'd be a pretty far
11:03:10 15 commute. It would be a long commute.

16 Q Do they get their media from Mobile?

17 A No. They get their media from Montgomery.

18 Q Are there communities of interest that you're aware of
19 that bind -- that bind urban Mobile County with Lowndes,
11:03:29 20 Montgomery, Macon, and Bullock County?

21 A Not that I know of. I've never known of any sort of
22 cross-fertilization, in terms of what we're doing economically.
23 I've worked with people in those counties.

24 Q Sure.

11:03:43 25 A But not on things that have anything in common with what

1 we do down in the southwest Alabama.

2 Q Looking back at District 1, the pink district, if that
3 were your district, where would you need to have offices?

4 A Certainly you would want to have an office in Dothan. You
11:04:04 5 probably would try to have something either in Brewton or
6 Andalusia, one in Mobile. But then you've got three offices,
7 and we only have so much money in the budgets they give us to
8 run our offices.

9 And so you would definitely sacrifice, in my judgment, the
11:04:20 10 one in Baldwin County. And the one you had either in Brewton
11 or Andalusia would have to be a pretty small office because you
12 couldn't afford it any other way. It's hard to maintain more
13 than two offices in your district under the budget we have got.

14 Q So District 1, as it's proposed here on Plaintiffs'
11:04:39 15 Exhibit 61, would that be more difficult for you to represent
16 than the district you presently represent?

17 A Far more difficult. I would try. Don't get me wrong.
18 And I think any representative would try.

19 But I think the reality is it's so broad geographically,
11:04:56 20 and it has such differences in their, you know, economies, et
21 cetera, I think it would be very difficult.

22 Q Would District 2, as it's configured here on Plaintiffs'
23 Exhibit 61, would it be more difficult to represent than the
24 present District 2 that Congresswoman Roby serves?

11:05:14 25 A Absolutely. I mean, you've got to represent Montgomery

1 and Mobile. And Montgomery and Mobile are friends, but they
2 are two different economies. They've got two different sets of
3 things trying to accomplish. And trying to master what the
4 needs are of those two distinct areas and regions would be very
11:05:34 5 difficult, I would think.

6 Congressman Roby would throw herself at it and I think do
7 well at it. But I think even as good as she is and as hard as
8 she works, I think she would find it extremely difficult to
9 represent an area that looks like that.

11:05:48 10 THE COURT: Is it fair to say that sometimes Mobile
11 and Montgomery may be somewhat of competitors, as well as
12 friends?

13 THE WITNESS: Yes, ma'am. That's not unusual, you
14 know, when you're going after an economic development prospect.
11:06:05 15 You're friends and work together on things you can. But if
16 there's one prospect and you both want to go get them, you're
17 competitors.

18 THE COURT: And isn't there a little bit of maybe
19 sibling rivalry as to who is the largest city at what time, and
11:06:22 20 things of that nature?

21 THE WITNESS: There's some sibling rivalry going on
22 there, yes, ma'am. We have a close connection to the people in
23 Montgomery. We have lots of friendships.

24 But let's face it. When you're trying to develop your
11:06:35 25 area economically and you're competing for a new plant or

1 factory business, you know, everybody's on their own. And
2 we're going to -- we're going to compete very hard against one
3 another. And I think that's what's made Alabama so successful
4 economically is we cooperate when we can. But, buddy, when
11:06:51 5 it's time to, you know, to suit up and go after it, we go after
6 it. And we've been a very successful as a state because of
7 that.

8 BY MR. DAVIS:

9 Q Congressman, I've put on the screen now Plaintiffs'
11:07:03 10 Exhibit 61, which is Plaintiffs' Revised Plan 2.

11 A slightly different configuration.

12 THE COURT: I think it's 67.

13 THE WITNESS: Yeah.

14 MR. DAVIS: I'm sorry if I misspoke. Plaintiffs'
11:07:15 15 Exhibit 67.

16 BY MR. DAVIS:

17 Q Congressman, would this configuration of districts present
18 the same concern as the Revised Plan 1 we just saw?

19 A It would even more so in some respects because you're
11:07:26 20 going even deeper into parts of Mobile County that have very
21 different interests.

22 So -- and I'm just looking at what it would take to drive
23 from Tuskegee to -- I guess that's Fowl River in the southern
24 part of Mobile County. That would be quite a hike.

11:07:45 25 Q If someone were running from -- wanting to represent

1 District 2, if it were drawn as it is here on Plaintiffs'
2 Exhibit 67 -- let's say you had a candidate running in a
3 primary from downtown Mobile and a candidate running from the
4 Montgomery area. Do you have any sense of which candidate
11:08:08 5 might have a stronger base of support?

6 A Yeah. The Montgomery candidate. So and think about that.
7 That means you just hurt Mobile. If you do that district --
8 that district you got in Plaintiffs' Exhibit 67 hurts Mobile,
9 everybody in Mobile.

11:08:23 10 Q Well, and then I guess you would have an election for
11 District 1 at the same time. You could have a candidate from
12 west Mobile County and a candidate from Dothan. You could have
13 a candidate elected from Dothan to represent District 1, a
14 candidate from Montgomery to represent District 2, and no one
11:08:41 15 anywhere -- who was -- lives anywhere around Mobile County?

16 A That's right.

17 Q Would you not?

18 A That would be devastating for Mobile.

19 Q Would that be good -- you said it would be bad for Mobile.
11:08:56 20 Would it be good for the state of Alabama?

21 A No. You would lose a congressman or woman who was focused
22 on that very economically dynamic part of the state.

23 And I would say the same thing by the way if we were
24 talking about Huntsville. I mean, Congressman Mo Brooks
11:09:14 25 represents Huntsville. If we lost one congressperson looking

1 out for that incredibly dynamic economy in Huntsville, it would
2 hurt the entire state of Alabama.

3 Q I'll show you now, Congressman, Plaintiffs' Exhibit 73
4 which is Plaintiffs' Revised Plan 3. It is a third
11:09:37 5 configuration of your districts.

6 Would this plan present some of the same concerns as the
7 other two we saw?

8 A Yes, sir. And I will add an additional concern that would
9 be true for this one and the rest of them. One of the things
11:09:48 10 we've been trying to do very hard is to not separate parts of
11 Mobile from others. And we don't want to separate Baldwin
12 County from Mobile. All of these start to break up Mobile,
13 which is something we're trying to stop.

14 Our mayor in Mobile Sandy Stimpson, his motto is One
11:10:06 15 Mobile. We start doing things like, this we're going against
16 that. We have a group that's trying to make sure we integrate
17 Mobile and Baldwin County together. This goes against that.
18 So this actually hurts those efforts.

19 Q Would your concerns be the same or even greater if not
11:10:21 20 only were Mobile divided, but if it were divided along racial
21 lines?

22 A I would be even more concerned. I think dividing along
23 racial lines is really bad.

24 Q And now --

11:10:36 25 THE COURT: Why do you think that is really bad,

1 dividing among racial lines?

2 THE WITNESS: Well, I think it's morally bad. But
3 when you start to sell your area economically, the last thing
4 an economic development prospect wants to see is that you have
11:10:52 5 got division with your community, and particularly racial
6 division.

7 They like seeing people who are unified, who work
8 together, who overcome problems -- not expect you to have no
9 problems. They want to see that you have unified efforts to
11:11:05 10 overcome those problems.

11 And areas that have racial divisions are areas that start
12 with a handicap in trying to attract economic development
13 prospects.

14 THE COURT: Thank you.

11:11:15 15 THE WITNESS: Yes, ma'am.

16 BY MR. DAVIS:

17 Q Do you think it would promote racial unity and thus
18 economic development and all the other benefits of racial unity
19 if we said this part of Mobile is in a district designed to be
11:11:33 20 an African-American district, and this part of Mobile is in a
21 district designed to be a white district?

22 A I think it would greatly harm all of our efforts if we did
23 that. That's why I strongly support Mayor Stimpson's motto,
24 One Mobile.

11:11:45 25 Q Congressman, I've put on the screen now Plaintiffs'

1 Exhibit 40, which is Plaintiffs' Illustrative Plan 4. It's a
2 fourth proposed configuration of districts.

3 Does this configuration present some of the same concerns
4 as you had when we looked at the other plans?

11:11:59 5 A Yes, sir. And when it snakes up into Pike County, that's
6 where Troy is. That's where Troy University is. So let me
7 tell you about what that means.

8 Troy and the University of South Alabama are football
9 rivals. So a couple of years ago, Congresswoman Roby and I
11:12:19 10 went to a Troy game in Troy. She walked out on the field with
11 the Troy team that she represents. I walked out on the field
12 with the University of South Alabama that I represent for the
13 coin toss. And, of course, we had a bet on the game.

14 Well, if I am the congressperson representing both of
11:12:34 15 those districts, which team am I going to walk out on the field
16 with? If I'm a smart congressman, I am not going to walk out
17 on that field.

18 Now, that may seem like a little thing. But by doing that
19 you're communicating, if you're Martha Roby, to the people that
11:12:48 20 are in Troy and live around Troy, and big Troy supporters who
21 you are and how you're going to support that university. Same
22 for me. Spreading yourself out like that is probably not a
23 good idea.

24 Q Are you suggesting that Alabamians are interested in
11:13:01 25 college football?

1 A Yes, sir. I think Alabamians are interested in college
2 football.

3 We have the President of the United States coming to
4 Tuscaloosa Saturday, game day for ESPN, and the Number 1 team
11:13:12 5 is playing the Number 2 team. I think we're interested in
6 college football.

7 Q Now, as you mentioned, Congressman, you've served on the
8 state board of education, correct?

9 A Yes, sir.

11:13:28 10 Q I've put on the screen now Plaintiffs' Exhibit 4 which
11 I'll represent to you is a map of the present state board of
12 education districts.

13 How many districts are in the state board of education
14 map?

11:13:43 15 A There are eight.

16 Q Was this the configuration of districts when you served on
17 the state board of education?

18 A It was not.

19 Q Okay. Your District 1, then, looked different from this
11:13:53 20 District 1?

21 A Very different.

22 Q How did your District 1 look?

23 A It was all of Mobile County. So it was no part of like
24 this finger comes down from District 5. It was all of Baldwin,
11:14:06 25 all of Escambia which is the same here. But I did not have

1 Conecuh, Butler, Crenshaw, or Covington.

2 Q Who represented District 5 when you served on the state
3 board of education?

4 A My first six years it was Dr. Willie Paul. And then the
11:14:24 5 last two years I was on there, it was Ms. Ella Bell, who passed
6 away earlier this week.

7 Q Did only people from your district call you with any state
8 board of education business?

9 A No. People in Washington County and Monroe County either
11:14:40 10 got confused about whether I was their school board member or
11 because I was so close by wanted me to come up there and do
12 things with them. So it was not unusual for me to get a call
13 from a school or a school system or education advocate saying,
14 would you come up and meet with us?

11:14:56 15 And I would always call the board member from that
16 district and say, Look, I got this phone call. I want to go up
17 there and be helpful to them. But it's your district, and I am
18 not going to go in your district. And without fail, they would
19 say, No, I appreciate your doing it because it's hard for me to
11:15:10 20 get down there. So thank you for going up and doing that.

21 So even though they weren't my constituent on the school
22 board, I would go up and have meetings and do things and then
23 transmit whatever I learned about that to Dr. Paul or Ms. Bell
24 when I saw them next.

11:15:22 25 Q Congressman, do you support a state board of education

1 plan that divides Mobile County in this way?

2 A No. And I was pretty outspoken about it.

3 Mobile County -- the Mobile County school system is the
4 largest school system in the state. It's gone through some
11:15:41 5 difficult times. But it's has made some real strides recently
6 because of substantial efforts that the leadership within the
7 system and people in the system had been making. Montgomery
8 County schools, as you probably know, have had a lot of
9 problems recently and are really struggling.

11:15:57 10 It would be very difficult to be a state school board
11 member representing two such large urban districts that have
12 issues, but different issues. In addition to which, you're
13 going to have a lot of these rural areas. You are going to
14 have those rural areas or some rural areas no matter which one
11:16:14 15 you have.

16 But to have both urban areas, I think one of us is going
17 to get the short end of the stick. And because -- I'm not
18 taking anything away from anybody involved with this -- because
19 the primary focus of that district is Montgomery, it's going to
11:16:30 20 the Mobile County school system.

21 Q Hypothetically, even if everyone in the room thought this
22 was a great way to configure the state board of education
23 districts, does that mean it would be a good way to configure
24 congressional districts?

11:16:43 25 A No. Being a congressman and being a state school board

1 member, I am one and I was the other. They are two completely
2 different things. It is far, far, far more involved to be a
3 congressman.

4 When you're in the state school board, you have got a
11:16:57 5 relatively narrow range of issues that you're focusing on.
6 When you're a congressman, you're focusing on an incredibly
7 broad array of issues; everything from foreign and military
8 policy to health policy, et cetera.

9 And to be able to deal with that in all of its local
11:17:13 10 manifestations, and there are local manifestations to all of
11 these issues. To try to cover something of that breadth in two
12 different distinct metro areas, I think would be extremely
13 difficult.

14 Q Okay. Well, I don't want to suggest that communities of
11:17:28 15 interest are not important when you're drawing board of
16 education districts. But would you agree that if you have
17 districts that break up communities of interest for a board of
18 education plan, that that doesn't present as many problems as
19 if you break up communities of interest for a congressional
11:17:46 20 district?

21 A Oh, yeah, I agree with that. But I still don't like this
22 state school board configuration. I have been very vocal about
23 that.

24 Q Now, you said you hold -- I'm going to put the present
11:17:59 25 districts back up.

1 A Okay.

2 THE COURT: Just for the record -- Plaintiffs' 15?

3 MR. DAVIS: Plaintiffs' 15.

4 THE COURT: Thank you.

11:18:11 5 BY MR. DAVIS:

6 Q You said you hold town hall meetings in your district?

7 A Yes, sir.

8 Q Where?

9 A Everywhere. I have had over 130 town hall meetings in
11:18:22 10 six years across 55 different communities. I don't just have
11 them in Mobile. I just don't have them in Baldwin County. I
12 have them everywhere. And so we've been to the tiniest places
13 you can imagine because I think those people deserve to see
14 their congressman too.

11:18:39 15 Q Do you hold town hall meetings in precinct that maybe you
16 didn't carry in the election?

17 A Yes. I've done that many times.

18 Q Do you hold precincts in communities that have a large
19 African-American population?

11:18:51 20 A Yeah. Of those 55 different communities, not quite half
21 of them are majority African-American and have African-American
22 mayors, et cetera. So there are local officials there that are
23 African-American.

24 Q Do you have a sense of how many town hall meetings you may
11:19:10 25 have held in areas with a strong African-American presence?

1 A Well, if I have had 130 across 55 different communities,
2 it's probably at least 50, maybe more. And there are multiple
3 ones in different ones, too.

4 So Mobile, for example, I've had town halls in different
11:19:31 5 parts of Mobile, the eastern half and the western half, all
6 over. There's an African-American community up in the northern
7 part of Mobile County called Mount Vernon, another Pritchard.
8 I've been to Pritchard a number of times at their request.

9 So we try to spread it around as much as we can. And we
11:19:53 10 always respond to requests. For example, if a community says,
11 We want you to come back, we come back.

12 So we've been to Grove Hill. I think this is my -- I was
13 over there the other day. I think I've been there six times in
14 six years.

11:20:04 15 So we try to be as responsive to the people in these areas
16 as we can.

17 We actually had a CBS news crew -- morning news crew come
18 down with us a year and half ago. They followed us for an
19 entire day. And I was real proud of that. And at the end of
11:20:24 20 the day, the news crew turned to me and said, These were some
21 of the nicest people we've ever met -- even people that
22 disagreed with you. And there were people that disagreed with
23 me in my town halls. They were so nice. I said, That's how we
24 roll down here in southwest Alabama.

11:20:38 25 Q When you have a town hall meeting, do you call only on

1 people who you think will give you a friendly question?

2 A I wish I had that clairvoyance, but I don't. The way I
3 run my town halls is this: We gather -- whoever the host is
4 welcomes everybody and we usually have a pledge, or something
11:20:52 5 like that. Then I get up and say, Look, I am not going to give
6 you a speech. I'm just going to take your questions and
7 comments. I only have one rule and that's we respect one
8 another. And I say, Who wants to start us off? And people
9 raise their hands.

11:21:04 10 Now, most of the people, the vast majority of the people
11 in those rooms, I don't know who they are. And I have no idea
12 what questions I'm going to get. I've had national news
13 reporters with me, and I've warned them, I have no idea what
14 they're going to ask me. So when I call on somebody, I
11:21:18 15 literally don't know what they're going to ask or say.

16 And I try to -- I pick, but I try to bounce around the
17 room. And I try not to go back to the same person more than
18 once. Although sometimes you do that because nobody else is
19 asking questions.

11:21:31 20 And so I try to call on as much of a diverse array of
21 people in that room as I can. And we get some very diverse
22 array of comments and questions. And like I say, sometimes
23 people agree with me, and sometimes they do not.

24 Q Do you want to hear the concerns and points of view of
11:21:47 25 people who don't agree with you?

1 A Absolutely. I tell people all the time at the end that
2 you don't get to do this in the People's Republic of China or
3 Iran. And the great thing about America is that we get to have
4 that sort of interchange between the government and the people,
11:22:02 5 and that government has to hear even things that's not, you
6 know, with what I think is the right policy option.

7 But I think that's valuable to me to do that. And that's
8 why I do it. And I do a lot more than most people in Congress
9 do.

11:22:15 10 Q Do you run for office under the manner of any particular
11 political party?

12 A Yeah. I'm a Republican.

13 Q Do you consider yourself to represent constituents even if
14 they're members of a different political party?

11:22:31 15 A Of course. When you run in an election as a Republican or
16 Democrat, when the election is over, you have a job to do. And
17 your job is to represent the entirety of your district. All
18 700-plus thousand people, your job is to represent them.

19 So, you know, but most of the time when you have contact
11:22:48 20 with people, it's not over some grand issue. It's because they
21 have a problem with the VA, or social security, or whatever.
22 And my job is to be their congressman. And we work very hard
23 on doing things for them.

24 So probably the number one thing that I interact with my
11:23:04 25 constituents about are problems they have with the VA, whether

1 they're African-American, white, or anything. And so that's
2 what they want out of their congressman is somebody that's
3 going to take those sorts of things seriously. And when they
4 have a policy position, they want us to listen to them.

11:23:18 5 They're not always expecting me to agree with them. But at
6 least they want me to listen to them, and I try do that.

7 Q Is there anything, Congressman, that you have worked on
8 and fought for during your service that you're particularly
9 proud of that may have had a special benefit towards the

11:23:33 10 African-American communities?

11 A Yeah. There are two.

12 Q What's that?

13 A I am the -- there are two of us. There are two cochairs
14 for the historically Black College and University Caucus in the
11:23:44 15 United States House of Representatives.

16 The other cochair is Alma Adams, a Democrat from North
17 Carolina. And she and I over the last three or four years --
18 and I'm going to give her more credit than me because she has
19 been great at this --- have grown that caucus into a fairly
11:24:01 20 large caucus in the House. We've been able to pass some
21 legislation that I think is important.

22 Equally important, is we've been bringing people in from
23 the private sector who have not interacted with HBCUs. To get
24 people -- major companies, et cetera to try to understand what
11:24:17 25 an HBCU is, the importance of their mission, their students, so

1 they're paying more attention to their students. And that has
2 been a great joy for me.

3 I was able to put an amendment on a bill that came through
4 the House education committee -- education labor committee last
11:24:32 5 week that spread out and added to some programatic offerings
6 that HBCUs could have under some federal programs. Because of
7 that, I received the Thurgood Marshall College award. The
8 Thurgood Marshall fund works with HBCUs, African-Americans
9 students to try to provide them more opportunity. And I was
11:24:53 10 very proud they gave me that award.

11 The second is that I work with community health centers.
12 Now, community health centers are not focused just in
13 African-American communities. But at least in my district,
14 there are a lot of community health centers in hard to reach,
11:25:07 15 underserved areas that are predominantly African-American.

16 So I've been one of the leaders in Congress in trying to
17 provide more authority and more resources to these community
18 health centers because I think they do the best job of anybody
19 I've seen of getting health care to people who really need
11:25:24 20 them, can't afford it, and probably wouldn't access it any
21 other way. And I received an award for that, as well.

22 So if I think of the top two things, I would think about
23 those. But as I said earlier, the day in and day out stuff I
24 do for individual constituents, a lot of whom are
11:25:41 25 African-Americans whether they're working with VA or social

1 security, that is so important. And we try to do all of that
2 as best we possibly can for everybody who calls into my office
3 or comes and asks for our help.

4 Q Do you campaign in African-American neighborhoods?

11:25:56 5 A I do.

6 Q Do you seek support in your elections from people of all
7 races in your district?

8 A Of course. I mean, I would like to win 100 percent of the
9 vote. I know I'm not. And, frankly, I know certain areas that
11:26:09 10 are not likely to vote for a Republican. But I try to go there
11 and campaign because I still believe that they need to see me
12 campaigning. And I'm still going to fight for their vote right
13 down to the end.

14 Q Speaking of health care, when you spoke to the community
11:26:23 15 health centers, Congressman, one of your constituents testified
16 in this case, and she disagreed with your vote on a bill that
17 would have repealed the Affordable Care Act.

18 A Uh-huh.

19 Q Why did you vote to repeal the Affordable Care Act?

11:26:36 20 A So I represent everybody in my district. And I listen to
21 everybody. The vast, vast, vast majority of the people in my
22 district who have expressed themselves to me are adamantly
23 opposed to the Affordable Care Act and want it repealed and
24 replaced.

11:26:52 25 When I ran in my special election the fall of 2013, that

1 was the precise point in time that the way that law worked,
2 that health insurance companies were sending out notices to
3 people to tell them that their health insurance plan was being
4 canceled.

11:27:08 5 So I distinctly remember being at a football game in
6 Citronelle High School. This would have been in October,
7 September, October of 2013. And I'm passing out my fliers.

8 And word got around that somebody that was running for
9 Congress was there. And people went out to their cars to get
11:27:27 10 the notices they had just received to show me the notices that
11 said, We have canceled your health plan. And they were
12 outraged. Some of them were crying. And that continued after
13 I went into office.

14 So to represent my constituents, yes, I voted to repeal
11:27:45 15 and replace the Affordable Care Act because I didn't know want
16 to just repeal it. I wanted something in its place that would
17 try to meet the same needs as the intent of the Affordable Care
18 Act in a way that made more sense for my constituents and I
19 think for most people in the United States of America.

11:28:03 20 And the people in my district have strongly supported me
21 in doing that.

22 Q Was your position on that bill based at all on race?

23 A No. I've had African-Americans come up to me and complain
24 about the Affordable Care Act.

11:28:15 25 Q Congressman, this same constituent disagreed with your

1 vote on a bill concerning the First Step Act.

2 A Yeah.

3 Q What position did you take on that bill?

4 A I voted against it.

11:28:25 5 Q Why?

6 A There was some things in that bill that I liked. When I
7 ran the two-year college system in Alabama, we did the
8 education and workforce training inside Alabama state
9 penitentiaries. And so I saw the benefit of some of the things
11:28:40 10 they were trying to do in there.

11 But I was concerned the bill went too far in providing
12 some leniency to people who were involved in significant drug
13 trades and people involved in violent crime. And I didn't
14 think I would be representing my constituency, who by the way,
11:28:55 15 strongly supported me in that if I had voted for that bill.

16 Every congressman has to go through that calculus when you
17 vote for a bill because you are always going to have people in
18 your district that will disagree. That's okay. But where are
19 the vast majority of my constituents? On that bill, I knew
11:29:12 20 exactly where they were, and I voted that way.

21 Q Is your decision to run as a member of the Republican
22 party based on race?

23 A No.

24 Q Why do you run as a member of the Republican party?

11:29:31 25 A I have a fundamental belief that the most important thing

1 in America are the people, not the government. And when I look
2 at the philosophy of the Democratic party, it's about the
3 government, not about the people.

4 When I look the philosophy of the Republican party, it's
11:29:47 5 let's keep the government smaller, less invasive, so people can
6 decide things for themselves, whether it's health care or
7 whatever. So the basic philosophy of the Republican party is
8 not just more in keeping with my personal philosophy. It's
9 more with keeping with the vast majority of my constituents.

11:30:06 10 That's not to say that I don't understand and respect the
11 policy positions and the philosophy of the Democratic party. I
12 do. I work with Democrats a lot in the House. If you are
13 going to be successful, you have to do that.

14 But in America, there are two political parties. And the
11:30:22 15 Republican party more closely lines up with my beliefs and the
16 beliefs of my constituents. The Democratic party does not.

17 Q Do you have friendships with people who run as Democrats?

18 A Absolutely. I have lots of friendships with Democrats.
19 And one of the most rewarding parts of my experience in
11:30:38 20 Congress is not only to develop those relationships on a
21 personal basis, but to turn them into legislation. I will give
22 you an example.

23 A few years ago, you recall the "Me Too" movement got
24 started. And, you know, you found out these horrible things
11:30:52 25 that were going on in the entertainment industry, journalism,

1 United States Congress too. And I found out to my shock that
2 the same processes that the private sector is subject to under
3 Title VII of the 1964 Act are not the same that are applicable
4 to Congress. In fact, Congress was running a taxpayer funded
11:31:14 5 slush fund to pay off sexual harassment claims. As a former
6 labor and employment attorney who represented these small to
7 medium-sized businesses insisting they follow that, I was
8 outraged that Congress wasn't.

9 Well, I wasn't the only one. There was a woman from
11:31:30 10 California named Jackie Speier, a very liberal Democrat, who
11 has been an outspoken visionary, I would say, about that issue.
12 And when she and I found out that we shared that view, she and
13 I partnered on the piece of legislation that brought Congress
14 through the "Me Too" era into where we have to comply with the
11:31:52 15 same rules as everybody else, did away with the slush funds.
16 That piece of legislation passed the House unanimously, the
17 Senate unanimously, and it's a law today. And I'm proud of
18 that.

19 And Jackie Speier, who loves to tell the story about the
11:32:05 20 far-left Democrat from the California and the conservative
21 Republican from Alabama working together on a piece of
22 legislation that was morally right.

23 Q Congressman, I know you're busy representing the first
24 district and all of your other obligations. Why are you
11:32:22 25 interested enough in these district lines to take time out of

1 your schedule to come talk to the Court today?

2 A Because I know how important this is both as a constituent
3 having dealt with congressional offices, but also as a member
4 of Congress. If we get it wrong, it destroys the ability of
11:32:42 5 our Congressmen to represent us, a Congresswoman to represent
6 us, and destroys our ability to work together in the different
7 regions of the state to continue to move our state forward.

8 I think it's extremely important to get the districts
9 right. And if you make districts based upon race, you're
11:33:00 10 making them wrong. Because at fundamental, people are people
11 are people are people, and we need to be serving the people.
12 And to let an artificial construct like race become the
13 defining characteristic for our congressional districts, it's
14 not only economically antithetical to our interest, I think
11:33:18 15 it's morally reprehensible.

16 Q And do you believe even if everyone in Alabama were of the
17 same race that the districts that the plaintiffs propose would
18 be harmful to the economic interest of Mobile?

19 A Yeah. You know, I've been spending a lot of time in
11:33:32 20 Huntsville recently. I love Huntsville. Great place. But the
21 economic, social interests, et cetera of Huntsville and
22 Tennessee Valley are very different from my part of the state.
23 If you don't believe me, you go up there. They'll tell you
24 that.

11:33:46 25 So part of the job of a congressman is to make sure that

1 you're representing those differences that you're focusing on.
2 That doesn't mean that I'm going to fight with Mo Brooks about
3 what he is trying to do up there. To the contrary. Mo will
4 define for us, Here are the things that are important in my
11:34:02 5 district. Please help me, and I will do that.

6 Now, if you are a statewide official, if you're a governor
7 or a senator, you have to look at the statewide interests.
8 That's your job. When you're a congressman, your focus has to
9 be on your district, and you have to know the different parts
11:34:16 10 of the state are not better or worse. They're just different
11 from one another.

12 I don't have a Redstone Arsenal in my district. But if I
13 did, I would be as focused on that as Mo Brooks was. And I
14 hope that we'll continue to have congress people that
11:34:29 15 understand that that's our job.

16 Q Congressman, there was testimony earlier in this case. A
17 witness had brought a group to Washington, D.C. requesting a
18 meeting. She thought that it may have been with your office,
19 but she wasn't sure. And the testimony was that whichever
11:34:49 20 congressman it was declined that meeting and, in fact, made the
21 group wait out in the hallway when they showed up.

22 If a constituent or someone from Alabama requested a
23 meeting from you, would you try to accommodate that?

24 A Always.

11:35:03 25 Q Is that true regardless of race?

1 A Of course.

2 Q Is that true regardless of party affiliation?

3 A Of course. Because I don't always know the party
4 affiliation. Most of the time I don't.

11:35:15 5 Q Would you ever turn down such a meeting and make a group
6 wait in the hall if they came to see you?

7 A No, sir. And if I found out my staff did it, I would fire
8 them.

9 MR. DAVIS: May I confer, Your Honor?

11:35:27 10 THE COURT: Yes, you may.

11 MR. DAVIS: Your Honor, I pass the witness.

12 THE COURT: Who's going to do cross-examination?

13 MR. SPIVA: That would be me, Your Honor.

14 THE COURT: Okay.

11:35:39 15 CROSS-EXAMINATION

16 BY MR. SPIVA:

17 Q Good morning, Congressman Byrne. We met in the Rayburn
18 building in Washington, D.C. this morning at your deposition.
19 And we appreciated getting some of your time at that point.

11:35:54 20 It's good to see you again this morning.

21 A Good to see you.

22 Q Let me start with one of the things you talked about on
23 direct examination, Congressman Byrne.

24 You mentioned the mayor -- or the current mayor of the
11:36:06 25 city of Mobile, Mr. Sandy Stimpson and his One Mobile pledge.

1 Do you think that's been accomplished in the city of Mobile?

2 A I think they made dramatic progress.

3 Q And, of course, you're aware that Mr. Stimpson defeated
4 twice the first elected African-American mayor of the city of
11:36:31 5 Mobile?

6 A Yeah. Sam Jones, who I supported in his first runs for
7 office.

8 Q And do you know what the racial breakdown was in the vote
9 in the city of Mobile?

11:36:43 10 A I have no idea.

11 Q Would you be surprised that Mr. Stimpson in the last
12 election in 2017 received only 10 percent of the black vote?

13 A I wouldn't be surprised or not surprised. I just don't
14 know enough about the election returns to be able to respond to
11:37:01 15 it.

16 Q And in certain predominantly white areas of the city of
17 Mobile, Mr. Stimpson received upwards of 90 percent of the
18 white vote. Are you aware of that?

19 A I'm not. I don't know how you break it down that way
11:37:14 20 because the city's becoming so integrated. So I don't know how
21 you would be able to tell which was a white vote, which was a
22 black vote.

23 Q And I mean -- well, if that's the case, would that --
24 would that suggest to you that -- that the city has really
11:37:32 25 moved that far towards the admittedly ideal of one -- One

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1 Mobile?

2 A No. That would tell me the person that made that analysis
3 doesn't know what they're talking about.

4 Q So if either polling organizations or political scientists
11:37:50 5 had done an analysis and shown that that was the breakdown of
6 the vote, that would be your response?

7 A I'm sorry I'm laughing. But I have seen so many polls
8 that say so many different things. The thing I've learned
9 about polls is that how you draw your sample, how you ask your
11:38:07 10 question has a great determining factor on what the outcome is.
11 And I have seen so many bad polls that until I see all the
12 underlying things in the poll, I tend not to believe it.

13 As you may know, I am running for U.S. Senate right now.
14 I have seen so many different polls that show so many people
11:38:23 15 are winning or losing the race that it's just a joke. So I
16 haven't seen these polls.

17 But I know how Mobile has been integrating, and I don't
18 know how you can seriously determine how many people in this
19 precinct or how many people in that precinct were white or
11:38:39 20 black and voted for Sandy Stimpson or voted against Sandy
21 Stimpson. I don't know how you know that.

22 Q So moving to a slightly different topic. You had
23 mentioned some of the integration that was going on and how
24 united Baldwin and Mobile is. Are you aware that some of your
11:38:57 25 constituents view Baldwin County as a sundown county?

1 A I'm sorry. I don't know what a sundown county is.

2 Q A county where it's not safe for black people to go after
3 sundown?

4 A I've never heard of that before. But I see

11:39:11 5 African-Americans after sundown all over Baldwin County doing
6 all sorts of things -- working, going to school activities,
7 participating in, you know, various entertainment and social
8 events. So anybody that feels that way doesn't know Baldwin
9 County.

11:39:25 10 Q So if a constituent of yours testified in court under oath
11 that she feels uncomfortable and has been harassed in Baldwin
12 County after sundown, you would question whether that
13 constituent --

14 A No, no, no. I'm not going to question somebody's
11:39:42 15 individual experience. I wasn't there with them, so I don't
16 know whether it was or wasn't. But I would say that is
17 certainly not a practice. And if anybody's done that in
18 Baldwin County, they would be going against the great weight of
19 what our public opinion is about what's appropriate and what's
11:39:55 20 not.

21 I guarantee if you go to any of the high school football
22 stadiums in Baldwin County this Friday night that are playing
23 playoff games, you will see black and white cheering for their
24 teams. And if they're on the same team, they're cheering
11:40:10 25 together.

1 Q That's great. Would you agree, though, it's sometimes
2 difficult for a member of the majority to really know the fears
3 and tribulations of members of the minority?

4 A No, I don't agree with that. I think it's true that it's
11:40:24 5 very difficult for any one human being to know exactly what's
6 going inside the life and head of another human being. But I
7 would not make a generalization based upon race like you just
8 did.

9 Q You don't know precisely the demographics of your
11:40:38 10 district; is that fair?

11 A Well, I don't know what you mean by precisely, but I can't
12 give you precise percentages, no.

13 Q Do you know what percentage African-American Mobile County
14 is?

11:40:49 15 A No. I think you asked me that in my deposition. I don't
16 remember what it is.

17 Q Okay. And you don't know what percentage African-American
18 Mobile city is, either?

19 A No, I don't. It doesn't matter to me.

11:41:01 20 Q But you do know that there is a substantial black
21 population in Mobile County?

22 A Oh, certainly, yeah.

23 Q And there's also a substantial black population in the
24 city of Mobile?

11:41:11 25 A Certainly.

1 Q And in the city of Pritchard?

2 A Yeah.

3 Q And you don't know whether the vast majority of
4 African-Americans in your district have voted for your opponent
11:41:24 5 in your past elections?

6 A Well, I'm told that. One time when I did a town hall in
7 the city of Pritchard, the local newspaper reported on it and
8 said how extraordinary it was that I did a town hall in there
9 when I got seven votes out of the city of Pritchard. But it
11:41:39 10 didn't matter to me that I only got seven votes in the city of
11 Pritchard. The people of Pritchard wanted me to be there, and
12 I'm going to be there.

13 Q That's not something you pay close attention to whether
14 you were the candidate of choice of African-Americans?

11:41:49 15 A I really don't.

16 Q You don't know the current president of the Alabama state
17 conference of the NAACP, do you?

18 A No.

19 Q And I take it from that you haven't met with the president
11:42:01 20 of the state conference of the NAACP since you have been a
21 congressman?

22 A Never had a request for a meeting with that person.

23 Q And you've never met as a group with representatives of
24 the state NAACP; is that fair?

11:42:14 25 A Well, I think we talked about this in my deposition. I

1 don't whether I have or haven't because people don't always
2 identify what groups they're with when they come to see me. So
3 I may have without knowing about it. But no one came into my
4 office and said We're with this group. So what we do when
11:42:29 5 groups meet --

6 Q Let me clarify the question. Maybe I can ask a better
7 question than I asked in the deposition.

8 A Right.

9 Q You have never officially met with representatives of the
11:42:39 10 state of Alabama NAACP; is that fair?

11 A Well, I may have and I didn't know it. They may have not
12 identified themselves as such.

13 And what I was getting ready to say is this: Is that we
14 respond to requests from groups to come see me. If they make a
11:42:53 15 request -- you heard what I said earlier. We accommodate them.

16 To my knowledge, we've never had a request by that group
17 to come see me. If they have, I would have said, Fine, come
18 see me.

19 Q Just so the record is clear, I mean, whether it was
11:43:08 20 pursuant to a request, by you or by them, you've never had a
21 meeting with a delegation from the state NAACP where they
22 announced to that they were from the NAACP?

23 A Not -- not identified as such.

24 Q Okay. And I take it the same is true of the local NAACP,
11:43:27 25 say the Mobile County NAACP or the city of Mobile NAACP?

1 A They've never requested a meeting with me.

2 Q Okay. And you haven't met with them?

3 A Because they've never requested one.

4 Q And you have never requested one of them either?

11:43:39 5 A Well, I don't normally requests meetings of other people.
6 They normally request meetings with me. That's the way it
7 works.

8 Q Sure. I can understand that.

9 Have you ever heard of the Black Women's Round Table?

11:43:50 10 A I'm sorry. The what?

11 Q The Black Women's Round Table?

12 A I have not heard of it.

13 Q I take it from that you have never personally met, again,
14 with people who announced themselves as being from the Black
11:44:01 15 Women's Round Table?

16 A They've never requested a meeting with me.

17 Q And have you heard of the National Coalition of Black
18 Civic Participation?

19 A No.

11:44:09 20 Q And I take it the same; you have never had a meeting with
21 them?

22 A They've never requested a meeting with me.

23 Q And have you met with a delegation from the national or
24 from the Alabama Urban League?

11:44:21 25 A They've never requested a meeting with me.

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1 Q Have you ever had a meeting with the national or the
2 Alabama Chapter of the Southern Christian Leadership
3 Conference?

4 A They've never asked for a meeting with me.

11:44:32 5 Q You have a sizeable and growing Hispanic population in
6 your district, do you not?

7 A Well, sizeable might be a little exaggerated. I do have a
8 Hispanic population. It has expanded some and also contracted
9 some during the recession.

11:44:49 10 Q Okay. But you have a growing Hispanic population in your
11 district; is that fair?

12 A Growing some, but not very fast.

13 Q Have you ever had a meeting with the League of United
14 Latin American Citizens?

11:45:02 15 A I'm not familiar with them.

16 Q Ever heard of an organization LULAC? That's sometimes the
17 acronym for that organization.

18 A No, sir.

19 Q And do you currently live in the city of Mobile,
11:45:20 20 Congressman?

21 A No.

22 Q You live in Baldwin County?

23 A I do.

24 Q And do you believe that as a congressman that you are in a
11:45:29 25 position to help residents of Alabama on issues of education,

1 for instance?

2 A Of course.

3 Q Criminal justice?

4 A Of course.

11:45:36 5 Q Health care?

6 A Of course.

7 Q Affordable housing?

8 A Of course.

9 Q Employment opportunities?

11:45:43 10 A Sure.

11 Q And you would agree with me that you have responsibilities
12 to your constituency, with regard to those types of issues?

13 A I have responsibility to my constituents regarding a wide
14 variety of issues. Those would be among them.

11:45:59 15 Q Okay. And you would agree with me, wouldn't you,
16 Congressman Byrne, that a disproportionate number of
17 African-American children are going to some of the worse
18 schools in Alabama and in your district?

19 A Yes. I think it's one of the biggest problems facing the
11:46:15 20 state of Alabama. It's something I've tried to do something
21 about starting back with my state school board service.

22 I think we have really missed a tremendous opportunity to
23 move Alabama forward by consigning African-American children
24 because of where they live to perennially failing schools.

11:46:35 25 That's one of the reasons why I have been such an advocate of

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1 charter schools, to give the parents of those children a chance
2 to send their children to high performing schools.

3 I think it's the great civil rights issue of our time that
4 we find a way to get better education to all children, but
11:46:48 5 particularly to African-American children who have been forced
6 into schools that continue to fail.

7 Q Congressman, thank you for that.

8 Let me ask you about a couple of other issues along the
9 same lines. You don't know whether the average income level of
11:47:05 10 blacks in your district is lower than the average income of
11 whites in your district, do you?

12 A Yeah. I think you asked me in this deposition. I don't
13 know.

14 Q Okay. And you don't know whether African-Americans on
11:47:14 15 average in your district have lower health care outcomes or
16 greater health care needs than whites on average in your
17 district?

18 A I don't know.

19 Q And you, as I think you discussed on direct, you voted to
11:47:25 20 repeal the Affordable Care Act?

21 A Repeal and replace it with a different program.

22 Q Okay.

23 A That I thought would work better for my people.

24 Q Okay. Fair enough.

11:47:34 25 But you don't know whether the majority of the

1 African-Americans in your district were against the repeal of
2 the Affordable Care Act?

3 A I had very few people white or black come up to me and
4 speak to me that they were in favor of the Affordable Care Act.
11:47:48 5 I had a large number of people, African-American and white, who
6 were opposed to the Affordable Care Act.

7 Q You've never, for instance, seen any polling that suggests
8 that African-Americans in your district were for the repeal of
9 the Affordable Care Act?

11:48:00 10 A No.

11 Q And you haven't seen any polling data, I take it, whether
12 blacks either in Alabama or nationwide support the repeal of
13 the Affordable Care Act?

14 A I don't think I have, no. If I did, I don't remember.

11:48:13 15 Q And you are against restoring Sections 4 and 5 of the
16 Voting Rights Act? I think you've noted the formula or
17 preclearance provisions?

18 A Yeah. I get the -- which one is which, but I'm against
19 any sort of formula because I think we should have -- if we're
11:48:31 20 going to have a Voting Rights Act provision with regard to
21 preclearance, it should apply to every part of the United
22 States of America. So you wouldn't need a formula.

23 Q And we did discuss this at your issue. You don't really
24 mean preclearance, right? You mean the Department of Justice
11:48:45 25 should have enforcement authority, correct?

1 A Yeah. Well, if we're going to have preclearance,
2 everybody should go through it. But I think it's better to
3 have a situation where local governments, et cetera, would
4 simply send their information to the voting rights division of
11:48:58 5 the Justice Department saying we're about to go X, and the
6 Justice Department have plenty of time to make up their time
7 whether we need to go to court under existing provisions of the
8 Voting Rights Act to block that situation so that they could
9 make sure the voting rights are not being interfered with, and
11:49:14 10 that's a better way to do it.

11 Otherwise in a preclearance, you're certainly reversing
12 the burden of proof. You're making political entities, you
13 know, municipalities, counties, et cetera, prove that they're
14 not guilty. That's not America.

11:49:29 15 Q Well, I mean, you would agree with me, wouldn't you,
16 Congressman, that at least in 1965 there was a very good reason
17 to reverse that burden, wouldn't you?

18 A Absolutely. And I -- I understand why it was put there
19 that way. But I think we all have to understand that was
11:49:42 20 extraordinary. That should only be done under extraordinary
21 circumstances.

22 I mean, I grew up in Alabama in the '50s, '60s, and '70s.
23 I know it was like. It was terrible. We needed to do some of
24 those things. But it's not the '50s, '60s, '70s anymore.
11:49:59 25 Alabama is a different place.

1 You find things that are happening in other parts of
2 America that are -- I think very offensive that you don't see
3 happening in Alabama anymore. So I wonder why we would single
4 out Alabama or any other state in having a provision like that.

11:50:15 5 So I'm not for forming it. If we're going to do anything,
6 apply it to everybody.

7 Q Just to be clear, you would not be in favor of a
8 preclearance regime even if it were applied to every state in
9 the union; isn't that right?

11:50:25 10 A No, sir. I don't -- I don't think preclearance -- the
11 reversal of the burdens is appropriate under these
12 circumstances that aren't extraordinary anymore. But if you
13 are going to do it, apply it to every part of the United States
14 of America. Don't pick on Alabama.

11:50:38 15 Q And you've never talked to any of your black constituents
16 about whether they think there's a continued need for
17 preclearance under the Voting Rights Act?

18 A I think we talked about this during my deposition. I
19 think.

11:50:52 20 Q I'm asking you fair questions. Not asking anything for
21 the first time. Sorry to interrupt you, Congressman. I was
22 trying to make a light moment.

23 You go ahead. Go ahead.

24 A I think what I told you is that Burt LeFlore, who ran
11:51:07 25 against me the first two times I ran for Congress -- I think

1 Burt Leffler mentioned it as part of the campaign. But other
2 than Burton doing that, I don't recall anybody every saying
3 anything to me about it.

4 Q And you don't know what the position of the NAACP in
11:51:20 5 Alabama is on that, do you? On whether the preclearance regime
6 should be restored?

7 A They've never talked to me about it.

8 Q You don't know what their position is?

9 A No, sir.

11:51:29 10 Q And I think you discussed on direct that you are familiar
11 with the First Step Act which reformed federal sentencing laws;
12 is that correct?

13 A I am.

14 Q And you opposed the First Step Act?

11:51:42 15 A I did. There were parts I liked; parts I didn't like.

16 Q And President Trump actually signed that into law,
17 correct?

18 A He did. He's very proud of it.

19 Q Let me talk to you for a minute about President Trump,
11:51:55 20 Congressman. You recall the Charlottesville marches and riots
21 by white supremacists there?

22 A I do. A shameful episode in the history of America.

23 Q It was. I agree with you on that, Congressman.

24 And you recall a young woman killed by one of those white
11:52:17 25 supremacists?

1 A Yes. Tragedy.

2 Q You recall an African-American man was run down by that
3 same white supremacist who killed her?

4 A Tragedy.

11:52:23 5 Q And you recall that other African-Americans and some
6 whites were beaten by those white supremacists?

7 A A tragedy.

8 Q And do you recall that following the killing of Heather
9 Heyer in Charlottesville that President Trump remarked that
11:52:40 10 there were fine people on both sides of that -- of those
11 marches in Charlottesville?

12 A I don't recall that. But I don't think there were fine
13 people on both sides.

14 Q You don't recall President Trump saying that there were
11:52:52 15 fine people on both sides?

16 A No, sir, I don't.

17 Q And do you recall the President saying in July of this
18 year that several congresswomen, all of whom were minorities,
19 should quote, unquote, go back to the countries where they
11:53:14 20 originally came from?

21 A I know he said something about that, but I don't remember
22 precisely what he said. So I don't want to characterize what
23 he said.

24 Q Do you recall that at a rally that the President held a
11:53:29 25 few days later that participants chanted, "Send her back," when

1 President Trump mentioned Representative Ilhan Omar, who is a
2 refugee from Somalia?

3 A No, I don't remember that.

4 Q And do you recall that there was a vote on the House of --
11:53:45 5 the floor of the House of Representatives condemning the
6 President for the tweets saying that these minority
7 representatives should be sent back?

8 A I don't remember that.

9 Q So you don't recall that you voted against the resolution
11:54:02 10 condemning those tweets?

11 A Well, there are lots of resolutions on the floor of the
12 House of Representatives that say a lot of different things. I
13 would have to see the resolution itself, because sometimes
14 they'll put one thing in a resolution and add a whole bunch of
11:54:18 15 other things in it. And I voted against it because of the
16 other things. So I would have to see the whole resolution.

17 That's what they do. They try to sneak other things in
18 there. I'm not going to get tricked into voting for something
19 I don't believe in.

11:54:30 20 THE COURT: In other words, do you actually read
21 things before you vote on them?

22 THE WITNESS: Your honor, I hope you would expect
23 people who are members of the bar that would actually read the
24 bills before we vote on them.

11:54:39 25 THE COURT: I would hope everyone does.

1 THE WITNESS: Yes, ma'am. I do my best.

2 BY MR. SPIVA:

3 Q This just happened this last spring. You really don't
4 have a recollection of the tweets by the President?

11:54:48 5 A No, sir, I don't. And I'll tell you why.

6 I decided once we got -- President Trump was elected, that
7 because of the incredible attacks on him and on other people
8 around him that there are two different things going on in
9 American society. There is the noise, and there is the
11:55:11 10 substance.

11 I and my staff are focused on the substance. We are not
12 focused on the noise. I'm not going to get myself or my staff
13 distracted from doing the substance of our jobs because there's
14 vast incredible noise out there.

11:55:25 15 So, no, sir, I don't pay attention to a lot of that stuff
16 because it has nothing to do the job that I do.

17 Q Would you agree that the President is engaged in racial
18 appeals?

19 A I don't know that he's engaged in racial appeals.

11:55:39 20 Q The things that I just mentioned, would you agree that
21 those are racial appeals?

22 A Well, I didn't hear them. So I don't know what context or
23 anything else. I think that there are people across America
24 who speak in racial terms, including liberals who speak in
11:55:57 25 racial terms that greatly disappoint me.

1 As someone that grew up in Alabama in the '50s, '60s, and
2 '70s, we paid a price. And I would hope that we have gotten
3 past all of that.

4 And to find people, liberals and Democrats -- liberals and
11:56:11 5 conservatives alike who want to go back and go back through all
6 and make decisions based upon race goes exactly against what
7 Dr. King stood for. And so I would hope all of us would get
8 over racial language and get on with the future of our country.

9 Q And that would apply to the President, as well?

11:56:27 10 A That would apply to everybody, including members of
11 Congress who are Democrats, including people who bring lawsuits
12 like this.

13 Q Would it surprise you to learn that some of your
14 African-American constituents took a message from the
11:56:39 15 President's tweets and from his statements about the
16 Charlottesville incident that -- took a message from that, a
17 negative message from that?

18 A Gosh, President Trump could get up in the morning and
19 clear his throat and people would take a negative message from
11:57:07 20 that. They do. We call it Trump Derangement Syndrome.

21 Q Do you think any of the Hispanic constituents that you
22 have took a negative message from him in saying that Mexicans
23 were rapists?

24 A I've never heard any Hispanic constituent complain to me
11:57:23 25 about President Trump.

1 Q You don't have an opinion on whether it would benefit the
2 African-American community in Alabama to have a second majority
3 African-American district?

4 A It would help everybody in Alabama to have congressmen and
11:57:37 5 congresswomen that are focused on the needs of their district,
6 and I don't think your race has anything to do with it.

7 Q Congressman Byrne, you would agree that it takes work to
8 bridge the kinds of divides that we have been talking about,
9 wouldn't you?

11:57:51 10 A Oh, yes, sir, I do.

11 Q And particularly racial divides?

12 A Yes, sir, I do.

13 Q And would you agree that blacks and whites sometimes come
14 at issues differently because of their experience growing up
11:58:03 15 either black or growing up white?

16 A Of course, I do.

17 Q And I know that you have said you don't really know what
18 the views of the majority of African-Americans in your district
19 are on some of these issues. But would you agree with me that
11:58:17 20 if I'm an African-American in your district, and I don't really
21 feel that you are responsive to my concerns and needs, that it
22 would be better for me to be joined with other
23 African-Americans in the Black Belt and Montgomery who share my
24 perspective?

11:58:33 25 A No, I don't agree with that.

1 Q Let me shift gears, Congressman.

2 You work -- I think you testified to this on direct. You
3 work with other congress people in Congress, including across
4 the aisle?

11:58:44 5 A Yes, sir.

6 Q You work with very well with Congresswoman Terri Sewell?

7 A Absolutely.

8 Q You have a good working relationship?

9 A I have a good working relationship, and going back years
11:58:57 10 before we were in Congress, a good professional relationship.

11 Q And you would work with another congresswoman or person --
12 that would be Terri Sewell, or whomever was representing a
13 different district -- if Mobile were, in fact, split and there
14 was a second district?

11:59:13 15 A Yes, sir. I -- the way we operate in the Alabama
16 congressional delegation is that we support one another when it
17 comes to things that are pertinent to the state of Alabama and
18 to our individual districts. It doesn't have to be my
19 district. I will support other people. I supported
11:59:30 20 Congresswoman Sewell on a number of things of her district, as
21 she has mine.

22 Q And you have continued the joint town halls that
23 Congressman Bonner used to have?

24 A We have done some. We haven't done any recently, but we
11:59:43 25 have done some.

1 Q And you would agree I take it that -- you are aware, of
2 course, that Montgomery is split between -- Montgomery County
3 is split between three different congressional delegations?

4 A I am. I am. I don't think that's good for Montgomery.

11:59:57 5 Q But you have no doubt that the three Congress people who
6 work --

7 A No.

8 Q Let me get the question out first. You would agree with
9 me that the people who -- the three Congress people who
12:00:08 10 represent Montgomery work together to try to protect the
11 interests of Montgomery County?

12 A They do. They work very hard together.

13 THE COURT: Representative Byrne, while we're talking
14 about that, will you remind me who the two other
12:00:30 15 representatives are for Montgomery County?

16 THE WITNESS: Congresswoman Roby and Mike Rogers.

17 THE COURT: That's right.

18 THE WITNESS: Congresswoman Roby, I think, has the
19 southern part of the city of Montgomery, and Congressman Rogers
12:00:45 20 has the eastern part. I said the city. I should have said the
21 county of Montgomery.

22 THE COURT: And Representative Sewell has the western
23 part?

24 THE WITNESS: Right. Yes, ma'am.

12:00:51 25 THE COURT: Thank you.

1 BY MR. SPIVA:

2 Q Congressman Byrne, I think that you had testified a lot
3 about the history that Baldwin and Mobile shared together. And
4 it's true that they have been in one congressional district for
12:01:09 5 about 50 years now; is that right? Almost 50 years?

6 A At one point, they were split. But I can't tell you how
7 long ago it was.

8 Q Okay.

9 A I can tell you it's far better off for them to be
12:01:22 10 together.

11 Q Let's maybe turn to -- this is Defendant's Exhibit 1. If
12 we can turn to, I think it's page 6 of Exhibit 1.

13 And I will represent to you this is an exhibit that
14 defense counsel put into evidence.

12:01:39 15 This is a depiction --

16 THE COURT: What is -- excuse me. What is the number
17 at the bottom of that exhibit?

18 MR. SPIVA: It should be Defendant's Exhibit 1, Your
19 Honor.

12:01:50 20 THE COURT: Right. But the page number.

21 MR. SPIVA: I thought it was page Number 6. But it
22 looks like on this version, it's just got the Bates number.

23 THE COURT: That's what we've been using. So if we
24 could use that one, it would help keep the record straight.

12:02:05 25 MR. SPIVA: Will do, Your Honor. That's Chestnut

1 Defense 3021.

2 BY MR. SPIVA:

3 Q And this is a depiction of the congressional districts
4 from 1964. And you would agree with me, Congressman Byrne,
12:02:21 5 that Baldwin and Mobile were split with Mobile County being in
6 District 1 and Baldwin being in District 2?

7 A Yes, sir. That's what it looks like.

8 Q And the District 2 in the 1964 map has Baldwin and
9 Montgomery County both paired in District 2, correct?

12:02:41 10 A That's what it appears to show, yes.

11 Q And if we could turn to the next page?

12 THE COURT: Before we leave that, how many
13 congressional districts were there in 1964, according to that
14 map?

12:02:52 15 THE WITNESS: Eight.

16 THE COURT: Thank you.

17 THE WITNESS: We lost a seat somewhere in there. I
18 have forgotten exactly when. I think maybe in 1980 or 1990.

19 BY MR. SPIVA:

12:03:03 20 Q If we can turn to the next page.

21 This is Chestnut Defense 3022 at the bottom. Defendant's
22 Exhibit 1.

23 And this is a 9th District map, but it's a 1950 map. And
24 you would agree with me here that Baldwin and Mobile were also
12:03:27 25 split between congressional district -- Districts 1 and 2,

1 correct?

2 A Yeah. This is a very famous map. Because after that,
3 Alabama went from nine to eight. And instead of the
4 legislature figuring out to configure them, they let everybody
12:03:37 5 run. And whoever was the guy that ran last was the odd guy
6 out. Guess who the odd guy out was? Frank Boykin from Mobile.
7 So in Mobile we are very sensitive about that.

8 Q I can see -- I can understand that.

9 So let's take a look at page 3023 of Defendant's

12:04:07 10 Exhibit 1. This is the 1940 congressional map. And here,
11 too --

12 A Counselor, I wasn't alive in 1940. I want to make that
13 point for the record.

14 THE COURT: And neither was I, just for the record.

12:04:22 15 BY MR. SPIVA:

16 Q And neither was I. Neither was I.

17 So Baldwin and Mobile are indeed split between 1 and 2
18 there, as well, aren't they?

19 A They are.

12:04:32 20 Q Okay. And if we can go back to 1917, which I believe was
21 the last -- this is before *Baker vs. Car*, so I don't think they
22 did redistricting as often as they started to. I guess 1940
23 was before *Baker vs. Car* too. But for whatever reason, I
24 believe the previous map was from 1917. And that's page 3024
12:04:55 25 of this Defendant's Exhibit 1.

1 And you'd agree with me here that Baldwin and Mobile are
2 also split between District 2 and District 1?

3 A That's certainly what it appears to show.

4 Q And let's just -- we won't -- I don't want to take too
12:05:13 5 much time. But if we can just briefly show on the screen in
6 order pages 3025, which is the 1901 map; and page 3026, which
7 is the 1891 map; and page 3027, which is the 1867 map.

8 And would you agree with me, Congressman Byrne, that each
9 of those maps -- well, strike that. Strike that.

12:05:47 10 THE COURT: Right. 1867 is going to mess you up
11 there.

12 BY MR. SPIVA:

13 Q Let me ask you: Would you agree that in the 1901 and the
14 1891 maps that Baldwin and Mobile counties were split between
12:06:04 15 CDs 1 and 2?

16 A That's what it appears to be.

17 Q So prior to the 1970s, the last time that Baldwin and
18 Mobile were united in a congressional district was in 1867, it
19 appears, and that's from Chestnut 3027, Defendant's Exhibit 1?

12:06:24 20 A Yeah. If you look at it, one of the things that's
21 happened there is that Alabama has added congressional
22 districts.

23 Q Uh-huh.

24 A Which is a good thing.

12:06:31 25 Q Yeah.

1 THE COURT: Well, between 1867, when it was four
2 districts, to 1950, when it was nine, and then we've had a
3 couple of other times when there's -- when it started
4 decreasing.

12:06:47 5 MR. SPIVA: I think 1867 was still -- was actually six
6 districts, Your Honor. But, yeah, increased then decreased.
7 That is true.

8 THE COURT: Okay. My eyes aren't seeing that much
9 difference in the three different blue districts. Sorry.

12:07:02 10 MR. SPIVA: I think the coloring job that y'all did
11 was pretty good for the most part.

12 BY MR. SPIVA:

13 Q So -- and, of course, you discussed -- we can take that
14 down.

12:07:15 15 You discussed, Congressman Byrne, on direct that the state
16 board of education maps splits Mobile to some extent, at least
17 part of the city of Mobile. I think you already said -- you
18 opposed that, correct?

19 A Yes, sir. I opposed that. But I understand what they did
12:07:32 20 in 2011, whenever it was.

21 Q And Ms. Ella Bell until she -- I'm sorry. I know you knew
22 her and worked with her when you were on the SBOE. I heard
23 about her passing.

24 A Uh-huh.

12:07:46 25 Q That she represented District 5 prior to her death a few

1 days ago. And do you have any reason to believe that she was
2 not able to effectively represent that district?

3 A She was not able to effectively represent that part of the
4 district.

12:08:03 5 Q And what about District 4? Do you believe that the -- I'm
6 sorry. I think the other district there is district --
7 District 1, the -- in the SBOE map?

8 A Yeah.

9 Q And do you believe that the representative who represents
12:08:25 10 District 1 is able to effectively represent their district?

11 A Yes. Because the difference is that that person is not
12 having to also represent the urban area of Montgomery. They
13 only have one -- or part of one urban area, whereas the person
14 in District 5 has two.

12:08:43 15 Q And you had mentioned on direct that it would be a
16 problem, I guess, joining the urban area of Montgomery with --
17 and I'm not talking about just on in terms of the SBOE map. I
18 mean in terms of the congressional map. There was a problem
19 with joining, I think the urban areas of Montgomery with the
12:09:02 20 urban area of Mobile; is that fair understanding?

21 A Yes. Not because they're urban, but because of the
22 different types of economy and culture, et cetera.

23 Q Do you think there's a problem with Congresswoman Sewell
24 representing both Birmingham and Montgomery?

12:09:18 25 A I've never really thought about it. I think it would be

1 better if she had one and not two.

2 As I said earlier, I think it would be better if there
3 weren't three Congressmen representing Montgomery. I think it
4 would be better if there was one. I think it would be better
12:09:33 5 if there was one representing Birmingham and if there was one
6 representing Huntsville.

7 I'm not saying they are not trying to do the best they can
8 with what they have got. They are. They're good people doing
9 hard work.

12:09:44 10 If I only had to focus on Montgomery, I would be a better
11 congressman for Montgomery. If I had to focus on Montgomery
12 and Mobile, I wouldn't be as good a congressman for either
13 area.

14 I have had the great benefit of only having to focus on
12:09:55 15 the Mobile urban area and the sort of economic thing that
16 spreads out from that. And that's allowed me to really
17 understand my district, really understand their needs, and
18 focus on them and lead on them.

19 Q Fair enough. But you don't -- I guess my question is kind
12:10:09 20 of going more to the fact that Birmingham and Montgomery are
21 currently and have been I guess for some time in the same
22 district. And you don't -- you believe that Congresswoman
23 Sewell effectively represents both of those area despite that?

24 A Congresswoman Sewell can effectively represent a lot of
12:10:28 25 things. She is extremely competent. I'm saying take her or

1 anybody else out of it. I think it would be better for each of
2 our metro areas to have one congressman representing that area
3 and looking out for the interests of that area. And I don't
4 think it's good for Montgomery to be split up among three
12:10:42 5 different districts.

6 Q And you mentioned at the beginning, I think of your direct
7 examination, that your district -- Congressional District 1 has
8 a lot of diverse interests. You talked about it being very
9 rural and very urban, well-to-do, and not so well-to-do?

12:11:05 10 A Yeah.

11 Q And declining and increasing; and African-American,
12 Hispanic, and Asian; and having soybeans, and nurseries, and
13 tourism, and cotton, and timber, and lots of different
14 interests that you have to represent. But, nonetheless, you
12:11:22 15 are able to, I take it, in your view you're able to effectively
16 represent all those interests?

17 A I am effectively able to do it. I would be less effective
18 if I had to spread that same effort over a wider geographic
19 areas with other interests that aren't presently in my
12:11:37 20 district.

21 MR. SPIVA: If I can confer for one minute, Your
22 Honor.

23 Thank you very much, Congressman. I appreciate it.

24 THE COURT: Any redirect?

12:11:54 25 MR. DAVIS: Yes, Your Honor.

REDIRECT EXAMINATION

1
2 BY MR. DAVIS:

3 Q Congressman, if the Alabama NAACP would like to meet with
4 you, would you be happy to try to accommodate that request?

12:12:06 5 A Absolutely.

6 Q Is that true of the Southern Christian Leadership
7 Conference?

8 A Yes. Let me point out, at one point, I was a member of
9 the Alabama NAACP.

12:12:14 10 Q Is that true of the Urban League?

11 A Yes, sir.

12 Q Is that true of all of the groups that you were asked
13 about?

14 A Yes, sir. If somebody asked for a meeting with me, we
12:12:22 15 move heaven and earth to accommodate them, particularly if
16 they're from the state of Alabama.

17 In Washington, my schedule is sometimes as such that a
18 vote gets called, and I just can't be there. And I have to
19 leave it to a staff person.

12:12:34 20 But we try as much as we possibly can to have me there
21 personally present when any group of people from Alabama come
22 to see me in Washington. And, of course, if it's in my
23 district, I'm always there.

24 Q And you said that normally people request meetings of you
12:12:49 25 instead of you meeting -- requesting meeting with constituents.

1 Is that true just of you, or is that just the way a
2 congressman's office operates?

3 A That's the way a congressman's office operates. We have
4 so many people and groups that want to meet with us that it is
12:13:04 5 a struggle to try to accommodate everybody. If you try to
6 accommodate everybody as we do, you're not really hunting for
7 other people to meet with because you don't have time to go
8 hunting for people to meet with. You're just doing the best
9 you can to meet with people that are making a request. And if
12:13:20 10 they have made a request, obviously they have something that's
11 important to them. And so we're going to do everything we can
12 to accommodate them so we can hear what's important to them.

13 Q So if you haven't reached out to any group of any kind of
14 any nature, that doesn't mean you're opposed to that group?

12:13:36 15 A Counselor, I'm also a member of the Alabama State Bar. I
16 have never reached out to Alabama State Bar for a meeting. But
17 they have with me. And so when they do, I will accommodate
18 them. But I never call the Alabama State Bar for a meeting.

19 Q Would you say that Mobile and Baldwin County are more
12:13:57 20 connected today than they were in the '60s and before?

21 A Absolutely.

22 THE COURT: Why is that?

23 THE WITNESS: Well, because back in the -- before that
24 period of time, Your Honor, Baldwin County was a very sparsely
12:14:12 25 populated rural county and had connections to Mobile, but they

1 weren't economic connections so much. As Baldwin County has
2 started to develop, the two economies have just merged with one
3 another.

4 So and this is the problem we've had with this interstate
12:14:31 5 bridge. We have tens of thousands of people living on one side
6 of the bay and working on the other. They're not all going one
7 way. They're crossing one another. So where I get my hair
8 cut, one of the ladies that cuts my hair lives in Mobile, but
9 she cuts my hair in Baldwin County.

12:14:48 10 When I have some checkups that I do at the outpatient
11 thing in Thomas Hospital there in Daphne, there are a lot of
12 women. The nurses that work in there that know me, because I
13 have been there a couple of times, I know are from Mobile.

14 So you have got people going both ways. We've just
12:15:05 15 integrated the two economies. And that's been to our great
16 benefit.

17 It's also been to our benefit in the legislature because
18 when you add the Baldwin County delegation and the Mobile
19 County delegation working together, we have greater throw
12:15:19 20 weight in Montgomery.

21 BY MR. DAVIS:

22 Q Were there many high-rise condominiums in Baldwin County
23 in the 1960s?

24 A There were none. The high-rise condominiums started after
12:15:30 25 Hurricane Frederick in 1979 and revolutionized the tourism

1 economy, which was basically zero in Baldwin County prior to
2 that time.

3 Q Would you say that the transportation system in the Gulf
4 Coast region is better today than it was in the '60s?

12:15:47 5 A It is better, but because of the vast increase in the
6 number of vehicles we've got coming, we are going to have to
7 continue to improve it. So we have continuing challenges.

8 But one of the things that's really put those two counties
9 together is when they completed Interstate 10 across the Mobile
12:16:03 10 Bay and Interstate 65 across the Mobile River Delta. That made
11 it easier to get back and forth.

12 THE COURT: In the 1960s, for some in this room who
13 may not have been alive then or remember it, to get from
14 Montgomery to the city of Mobile, was the interstate completed
12:16:24 15 into the city in the '60s?

16 THE WITNESS: No, ma'am.

17 THE COURT: Do you remember where it was -- those of
18 who were going to Mobile from Montgomery would have to get off
19 the interstate?

12:16:33 20 THE WITNESS: Yes, ma'am. You got off at Alabama 225
21 and drove south about 20 miles to Spanish Fort, and you got on
22 what we call the causeway, which is U.S. 31 and 90 and 98.

23 THE COURT: And if the weather was bad going across
24 that causeway, it could be somewhat treacherous, could it not?

12:16:54 25 THE WITNESS: Yes, ma'am.

1 THE COURT: Rain and wind, and stuff like that.

2 THE WITNESS: And when the tide gets up and you get a
3 wind coming from certain direction, the bay will actually
4 overwhelm the causeway. And you can't get across it. So
12:17:08 5 building the raised interstate was a big step forward.

6 THE COURT: And that wasn't finished until about when?

7 THE WITNESS: They finished I-10 across Mobile Bay in,
8 I'm pretty sure 1976.

9 THE COURT: Okay. And so was it after the completion
12:17:24 10 of that interstate that Mobile and Baldwin really became more
11 united --

12 THE WITNESS: Yes, ma'am.

13 THE COURT: -- than they were previously?

14 THE WITNESS: I think that had a lot to do it.

12:17:36 15 And then it's odd to think of this, but that hurricane,
16 Hurricane Frederick, had a way of bringing both counties
17 together.

18 And then you had more people who literally started living
19 full-time on the eastern shore of Mobile County, which went
12:17:50 20 from a very sparsely populated area to having over 100,000
21 people living there now.

22 So it dramatically changed the nature of Baldwin County
23 from being primarily a sparsely populated rural county to being
24 more of a suburban and tourism county.

12:18:07 25 And as I said, you've got this integration of people and

1 economics between two county. They're much more tightly
2 connected now from when I was a child.

3 THE COURT: I just remember going to Mobile to
4 Montgomery, and it would take us longer to go from that exit
12:18:25 5 where the interstate stopped that was in -- was it in Baldwin
6 County?

7 THE WITNESS: Yes, ma'am.

8 THE COURT: North Baldwin County.

9 THE WITNESS: Stockton.

12:18:33 10 THE COURT: Yeah. It would take us longer to get from
11 there to the city of Mobile -- it was just that far on the map
12 (indicating) -- as it took to get from Montgomery to that area.

13 THE WITNESS: Well, it greatly improved the ability to
14 get from the northern part of Baldwin County to the northern
12:18:49 15 part of Mobile County when they completed I-65 across the Delta
16 which I think was 1981 or '2, somewhere in there.

17 THE COURT: Yeah. So just a little history lesson for
18 some who may not be aware of traveling issues in Alabama in
19 that time zone time frame.

12:19:11 20 THE WITNESS: Your Honor, I remember them well.

21 THE COURT: Uh-huh.

22 BY MR. DAVIS:

23 Q With these different developments, Congressman, is it more
24 feasible today for someone to live in Baldwin County and work
12:19:22 25 in Mobile than it would have been in the 1960s?

1 A Completely different. Much, much, much, more feasible.
2 And that's why you have literally tens of thousands of people
3 every day going back and forth.

4 Q Congressman, I've put Plaintiffs' Exhibit 4 back on the
12:19:38 5 screen, which is the state board of education districts.

6 During your cross-examination, you were asked, I believe,
7 if the representative of District 5 could effectively represent
8 all areas of the district?

9 A Yes.

12:19:51 10 Q Did I understand that correctly?

11 A Yes, sir.

12 Q And you said that they could not?

13 A They could not.

14 Q Okay. Is that because of some problem with the particular
12:19:58 15 representative, or is that because of the way the districts are
16 configured?

17 A It's the way the district is configured. I mean, I know
18 Ms. Bell who passed. I know she would have liked to have spent
19 more time in Mobile. But with so many hours in her day, you
12:20:15 20 look at her district, and she's got so many, many issues she's
21 having to deal with in Montgomery, she couldn't spend that time
22 in Mobile. She didn't have the time in her calendar.

23 Q I want to be clear. You are not criticizing Ella Bell at
24 all?

12:20:29 25 A No.

1 Q But the Alabama Legislature gave her a district where it's
2 going to be really hard to do her job; is that your testimony?

3 A That district from a part-time school board member.

4 Remember, these are part-time positions. That's almost an
12:20:39 5 impossible district.

6 And when you think of issues that are going on in the
7 Mobile County school system, the largest school system in the
8 state. And the Montgomery County school system has all these
9 issues right now, I don't know any person that could adequately
12:20:53 10 cover those two as a part-time school board member.

11 So I am not being critical of Ms. Bell at all who I knew
12 very well. I just think that that district's impossible.

13 THE COURT: And let me ask you this: Are the issues,
14 the school-related issues in Mobile and Montgomery that are
12:21:12 15 urban centers, different from the school issues in Marengo, and
16 Sumter, and Choctaw, and -- I can't read what that one is --
17 what is the one between Crenshaw -- well, Butler. We'll just
18 say Butler.

19 THE WITNESS: Those are all very different areas.

12:21:36 20 THE COURT: Those are extremely rural areas, are they
21 not?

22 THE WITNESS: Very rural. They don't have a lot of
23 local funding, which is a big problem that they face.

24 Some places don't have broadband, which, as you know, is
12:21:50 25 very important to delivering certain types of technology to

1 schools. So the problems that a lot of our rural schools in
2 Alabama face are different from the urban schools.

3 Mobile County has some extra problems because there are so
4 many different languages spoken in the southern part of Mobile
12:22:07 5 County and in the western part of Mobile County because the
6 University of South Alabama attracts a lot of different people
7 of different nationalities. So the Mobile County school system
8 is struggling with English as a second language-type issues
9 that you will not see in Montgomery County.

12:22:23 10 Montgomery County has a number of people who are sending
11 their children to private schools and it drains people out of
12 public schools at the very time you have more and more people
13 coming in from places like Korea because of Hyundai, et cetera.

14 So both school systems face serious issues. But they're
12:22:46 15 different types of issues.

16 THE COURT: Uh-huh. And those issues for Mobile and
17 Montgomery are very different from the rural school issues?

18 THE WITNESS: Yes, ma'am, very different.

19 BY MR. DAVIS:

12:23:00 20 Q Congressman, I believe you were asked during
21 cross-examination if you were aware that in the mayoral
22 election whether Sandy Stimpson was supported mainly by white
23 voters and his opponent mainly by African-American voters?

24 A Yes, I was asked that.

12:23:16 25 Q You weren't familiar with the racial patterns?

1 A No.

2 Q Congressman, I want to show you a part of the deposition
3 of one of the plaintiffs in this case, Lakeisha Chestnut, one
4 of your constituents, someone who lives in Mobile. It was
12:23:33 5 taken in June of this year. And I want to show you -- I will
6 represent to you --

7 THE COURT: Can you zoom in a little bit and see if we
8 can get that a little clearer?

9 MR. DAVIS: Is that better, Your Honor?

12:23:51 10 THE COURT: Yes. Look at that.

11 BY MR. DAVIS:

12 Q I will represent to you that she was asked what she was
13 looking for in a congressman and that she said on page 30 of
14 her deposition, beginning on line 8, that, quote, It doesn't
12:24:05 15 matter if that person is a man or a woman, black or white,
16 Democrat or Republican.

17 I'll give you a perfect example. Sandy Stimpson, our
18 mayor, he not only -- not only did he reach out in the
19 Caucasian communities, he reached out to African-American
12:24:20 20 communities. And he won overwhelmingly the African-American
21 support, and he's Republican.

22 My question to you, Congressman, is: Is this more
23 consistent with the Mobile, Alabama that you know?

24 A Yes. And this doesn't start with Sandy Stimpson. This
12:24:39 25 started a number of years ago. But we've made our whole

1 leadership, civic, political, faith-based, et cetera, have made
2 a real effort for us to work across our community as one
3 community. Sandy picked up the motto. But he stated a motto
4 that simply states what we've been doing for a long time.

12:24:57 5 And what she's saying here is what I was saying earlier
6 when she said that he got a lot of African-American support.
7 So when I heard some polls saying he didn't, I've got questions
8 about that, because I know a lot of African-Americans who live
9 in the city of Mobile who are very strong supporters of Mayor
12:25:11 10 Stimpson because of the record that he's done there, and
11 because they have very much bought into this whole idea about
12 one Mobile.

13 Q I'm going to see if I can get two maps on here at once.

14 THE COURT: And the two are which exhibits?

12:25:40 15 MR. DAVIS: Plaintiffs' Exhibit 15, which is the 2011
16 plan; and Plaintiffs' Exhibit 61, which is Revised Plan 1.

17 BY MR. DAVIS:

18 Q Congressman, the top one is a map of the districts as they
19 currently exist, and the bottom one is just a reminder of one
12:25:58 20 of Plaintiffs' proposals.

21 A Right.

22 Q Are you concerned with health care as it relates to your
23 constituents, Congressman?

24 A Yes, sir, very much.

12:26:10 25 Q Are you concerned that your constituents have access to

1 good education and opportunities?

2 A Passionately so.

3 Q Are you concerned that your constituents are part of an
4 area where the criminal justice system is fair?

12:26:27 5 A Yes, sir.

6 Q Is that true for your constituents of all races?

7 A Yes, sir.

8 Q When you're fighting for health care opportunities, good
9 health care, for a good education system, for criminal justice
12:26:42 10 system, are you going to be more effective doing it in the
11 districts as they are now, or if you're trying to run back from
12 west Mobile county to Dothan?

13 A In the districts as they are now.

14 Q When you're fighting for education and criminal justice
12:26:56 15 system, are you going to be more effective --

16 MR. SPIVA: Your Honor, I'm trying to not object. But
17 he's kind of testifying here. He's -- leading is the
18 objection.

19 THE WITNESS: I can answer the question without you
12:27:08 20 leading me.

21 I am going to be more effective representing my
22 constituents in anything in District 1 under Plaintiffs'
23 Exhibit 15 than I am in the other one. It's just too broad a
24 district for me to be effective in.

12:27:21 25 I care about all those issues. I'm going to work like

1 crazy on them. I'm being practical. There's so many hours in
2 the day. There's a lot of things to cover and lot of things
3 going on in that district.

4 I want to say this about health care. Alabama has been
12:27:37 5 mistreated under the Medicare program for years. The
6 reimbursement rate that our hospitals receive compared to
7 national average for Medicare services -- on average, we
8 receive 20 percent less.

9 Now, that hurts all of our hospitals. But it particularly
12:27:55 10 hurts our rural hospitals that are hanging on by a thread. So
11 I started working on this when I first got to Congress.

12 When President Trump came in, he put a new person in
13 charge of Medicare. I got a meeting with her, expressed to her
14 the problem. To her great credit, she worked with us, came up
12:28:14 15 with a new formula.

16 And as of October 1st of this year, Alabama hospitals,
17 particularly the rural hospitals, are going to be receiving
18 tens of millions more dollars. That benefits all of my
19 constituents, but it particularly benefits my rural
12:28:30 20 constituents. And it particularly benefits poor people in
21 those rural areas, and particularly benefits African-American
22 poor people in those rural areas.

23 And they were very much in my mind because without that
24 hospital, they would have to drive from Monroeville or Brewton
12:28:45 25 or Grove Hill to Mobile. And some of them might not make it.

1 That stroke may mean when they got to the hospital they're
2 dead. So when you're fighting, you have to have that sort of
3 thing in mind.

4 And if you're spread out and got to know so many rural
12:29:02 5 hospitals -- like all the rural hospitals in Mobile, Baldwin,
6 Escambia, Covington, you can get to know them, but not very
7 well. I know rural hospitals in my area, because I have been
8 to every one multiple times.

9 THE COURT: Thank you.

12:29:14 10 THE WITNESS: Yes, ma'am.

11 MR. DAVIS: And nothing further, Your Honor.

12 THE COURT: I have a couple of questions, if I may.

13 THE WITNESS: Sure.

14 THE COURT: Okay? You were shown some of
12:29:27 15 Ms. Chestnut's deposition testimony.

16 THE WITNESS: Yes, ma'am.

17 THE COURT: She also testified that -- I think it was
18 her, or was it Ms. Jones -- I'm sorry. I'm getting my
19 witnesses confused maybe.

12:29:43 20 Oh, it was Commissioner Tyson, who testified about taking
21 a group up to D.C.

22 MR. SPIVA: Yes, Your Honor.

23 THE COURT: That's right. And she said that she sent
24 an e-mail and requested a meeting, didn't get one, so went to
12:30:07 25 your office and had -- her group was told to wait outside.

1 I've been to some of the offices of our congressional
2 delegation in D.C. Is your outer office large enough to hold
3 15 people at one time?

4 THE WITNESS: 15 would be pushing it.

12:30:32 5 THE COURT: Would everybody be standing up?

6 THE WITNESS: Oh, yes, ma'am. I only have seats for
7 about four or five people.

8 THE COURT: Could 40 people get in there?

9 THE WITNESS: No, ma'am. Nowhere near 40 people could
12:30:42 10 get in my anteroom.

11 THE COURT: So if I brought a group of high school
12 students up to see you, and I had 15 people with me, would we
13 be able to come in and wait in your little waiting area?

14 THE WITNESS: Well, 15 wouldn't be in the waiting
12:31:00 15 area. We would have to leave some people outside. And then
16 when I was able to see them, then they would sort of bring them
17 all inside -- escort them into my office.

18 I don't have a desk in my office so I can leave it all as
19 a meeting area. So I can handle in my office maybe 15 people.
12:31:17 20 But if it got bigger than that, we would have to go somewhere
21 else.

22 And a point of fact, I tend to meet with the high school
23 groups either on the steps of the capitol, or frankly, I have
24 met with them in a stairwell that was relatively quiet because
12:31:30 25 I just don't have room in my office to accommodate people of

1 that size.

2 THE COURT: So if you were, say, I don't know, in a
3 meeting with someone else or at the capitol, and a group that
4 was 40 people or 15 people came to see you, would it be
12:31:49 5 unusual -- or would it be an indication of disrespect if they
6 were asked to wait in the hallway?

7 THE WITNESS: Well, let me just say this: I don't
8 know that we've ever done that. I'm not aware that we have.
9 But it certainly wouldn't be a sign of respect. It's just the
12:32:06 10 practicality that we have so little space in there, and we
11 don't like to crowd people in those offices. And they're
12 usually multiple groups going in and out. So we can't just
13 accommodate one group at a time.

14 Sometimes people on their own congregate outside my
12:32:22 15 office. They sort of gather up there. And when it's time to
16 come in, they come in. Usually they're coming in as another
17 group is walking out. So that sometimes happens.

18 And we do take our pictures with certain groups outside my
19 office because inside my office is too small to take a picture.

12:32:38 20 THE COURT: Okay. All right. You have also talked
21 about your work with the historically Black College and
22 University Caucus?

23 THE WITNESS: Yes, ma'am.

24 THE COURT: Do you have in District 1 an historic
12:32:54 25 black college?

1 THE WITNESS: I do. It's called Bishop State
2 Community College.

3 THE COURT: And where is that?

4 THE WITNESS: It's in downtown Mobile. It started out
12:33:04 5 as a satellite of Alabama State. And then when Alabama created
6 the two-year college in the '60s, it was turned into a two-year
7 college. But it's always been and it's still understood under
8 federal laws and guidelines as an historically black college
9 and university as a number of other two-year colleges in
12:33:21 10 Alabama are.

11 So my first work with HBCUs when I was on the state school
12 board, but then I worked with Tuskegee, Alabama State, and
13 Alabama A&M when I was in the state legislature. Then when I
14 was chancellor of the two-year college system, I had all the
12:33:37 15 HBCUs in the system.

16 So Ms. Adams, who is the cochair when she was elected and
17 decided to put together an HBCU caucus, she came to me because
18 she knew about my experience. And she wanted to have somebody
19 that was a partner in that endeavor who had some substantial
12:33:55 20 experience with HBCUs. And she knew of my philosophy, which is
21 the HBCUs offer another type of opportunity that's a good part
22 of the mix and the diversity of American higher education.

23 THE COURT: Okay. And you mentioned something about
24 an amendment that you tacked onto a bill.

12:34:12 25 THE WITNESS: Yeah.

1 THE COURT: And I didn't catch what that amendment
2 actually did or does.

3 THE WITNESS: So what we passed through committee last
4 week was a substantial reauthorization and rewrite of the
12:34:25 5 Federal Higher Education Act, which covers a whole lot of
6 things in education. And I didn't think it had adequately
7 provided for some programatic services that are provided for by
8 the federal money at HBCUs.

9 So I wrote an amendment that would expand what HBCUs could
12:34:47 10 do with the money and what kind of money they could access with
11 the federal government. And we had to have a roll-call vote,
12 and just about every amendment came up that day, but that
13 amendment passed by voice unanimously.

14 THE COURT: Okay. But that's just in the House. It
12:35:03 15 still has to go to the Senate, right?

16 THE WITNESS: Yes, ma'am. I don't know what the
17 trajectory is going forward to the Senate. But that --

18 THE COURT: But at least you did your part in the
19 House?

12:35:12 20 THE WITNESS: That's what we can do, yes, ma'am.

21 THE COURT: Okay. All right. I may well have caused
22 some additional questions from anybody.

23 And, Mr. Spiva, it's your turn anyway. Do you have any
24 further?

12:35:26 25 MR. SPIVA: Nothing further from me.

1 MR. DAVIS: No further questions, Judge. We thank the
2 Congressman for taking time to be here.

3 THE COURT: Thank you very much for being here.

4 THE WITNESS: I appreciate you and counsel
12:35:36 5 accommodating my schedule, Your Honor. Thank you.

6 THE COURT: Certainly. I hope we haven't kept you too
7 long.

8 THE WITNESS: Thank you.

9 THE COURT: We had talked about taking a late lunch.
12:35:46 10 This isn't terribly late, but do you want to break now?

11 MR. DAVIS: Your Honor, Mr. Bonner is not here yet.
12 He was planning to be here by 1:00, and he will be here by
13 1:00. But I think this will be a good time for a lunch break.
14 And that would still allow ample opportunity for us to finish
12:36:02 15 Mr. Bonner today.

16 THE COURT: Okay. All right.

17 So we'll come back at 1:40. How about that?

18 MR. DAVIS: Thank you, Judge.

19 THE COURT: If you will have your witness on the
12:36:16 20 stand, we will be ready to rock and roll for the afternoon.

21 MR. DAVIS: He'll be ready to go.

22 THE COURT: Okay. Great.

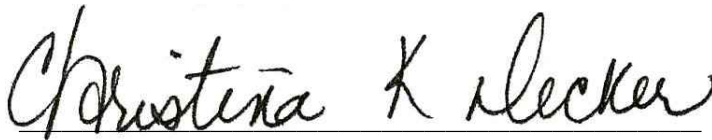
23 (Recess.)

24 THE COURT: Defense may call the next witness.

13:40:00 25 MR. DAVIS: Defendants call the Honorable Joe Bonner,

CERTIFICATE

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

11-14-19

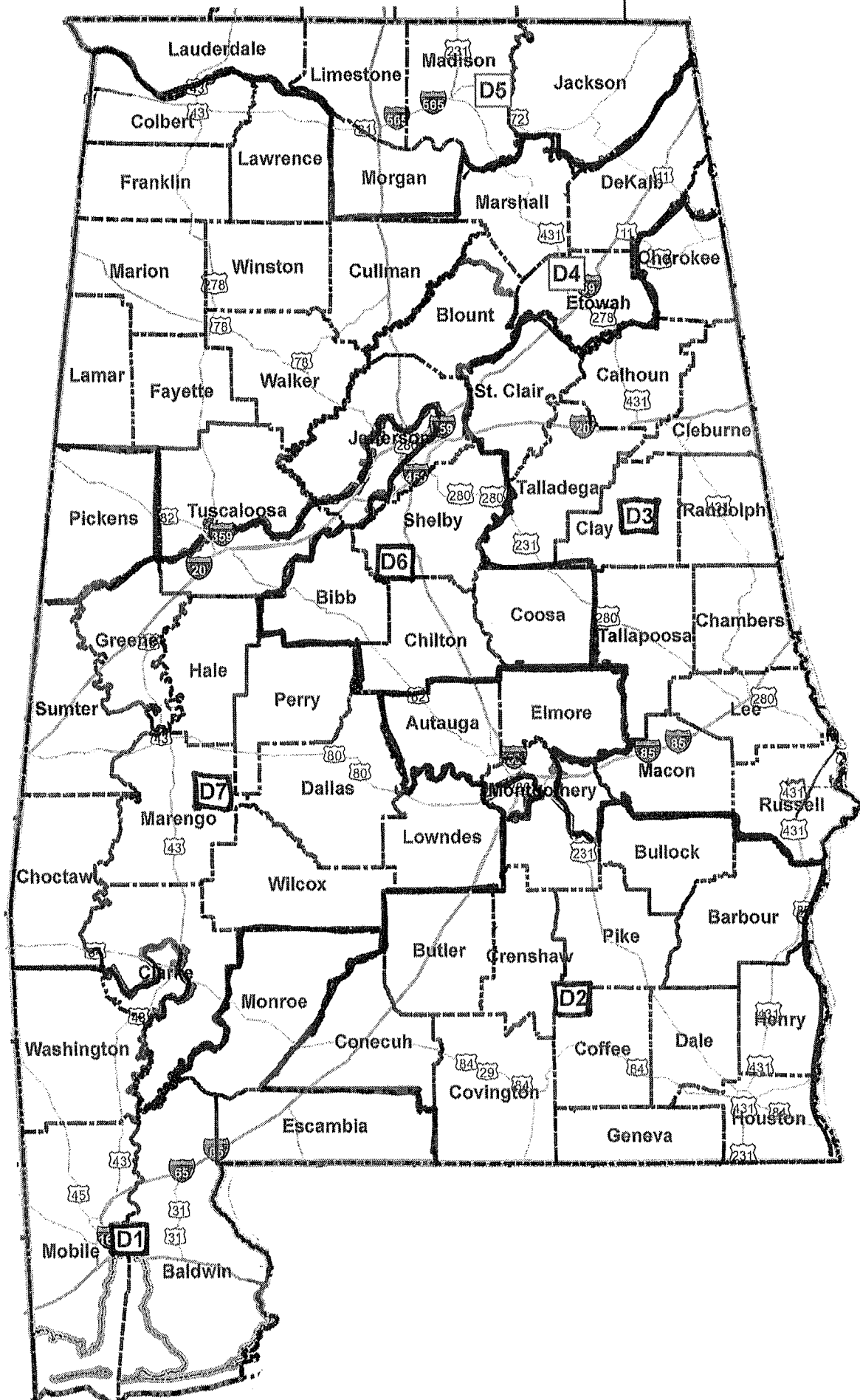
Christina K. Decker, RMR, CRR

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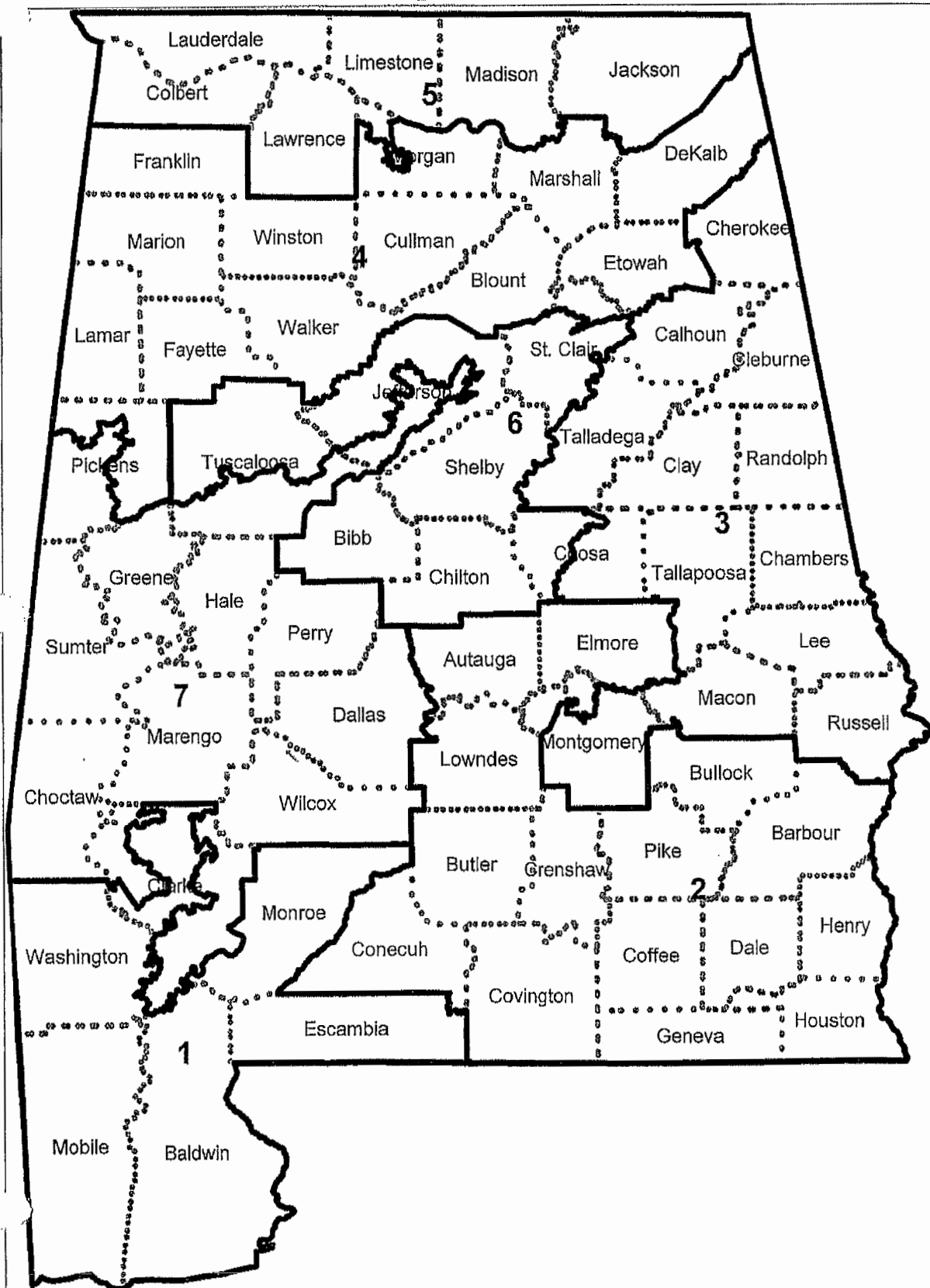
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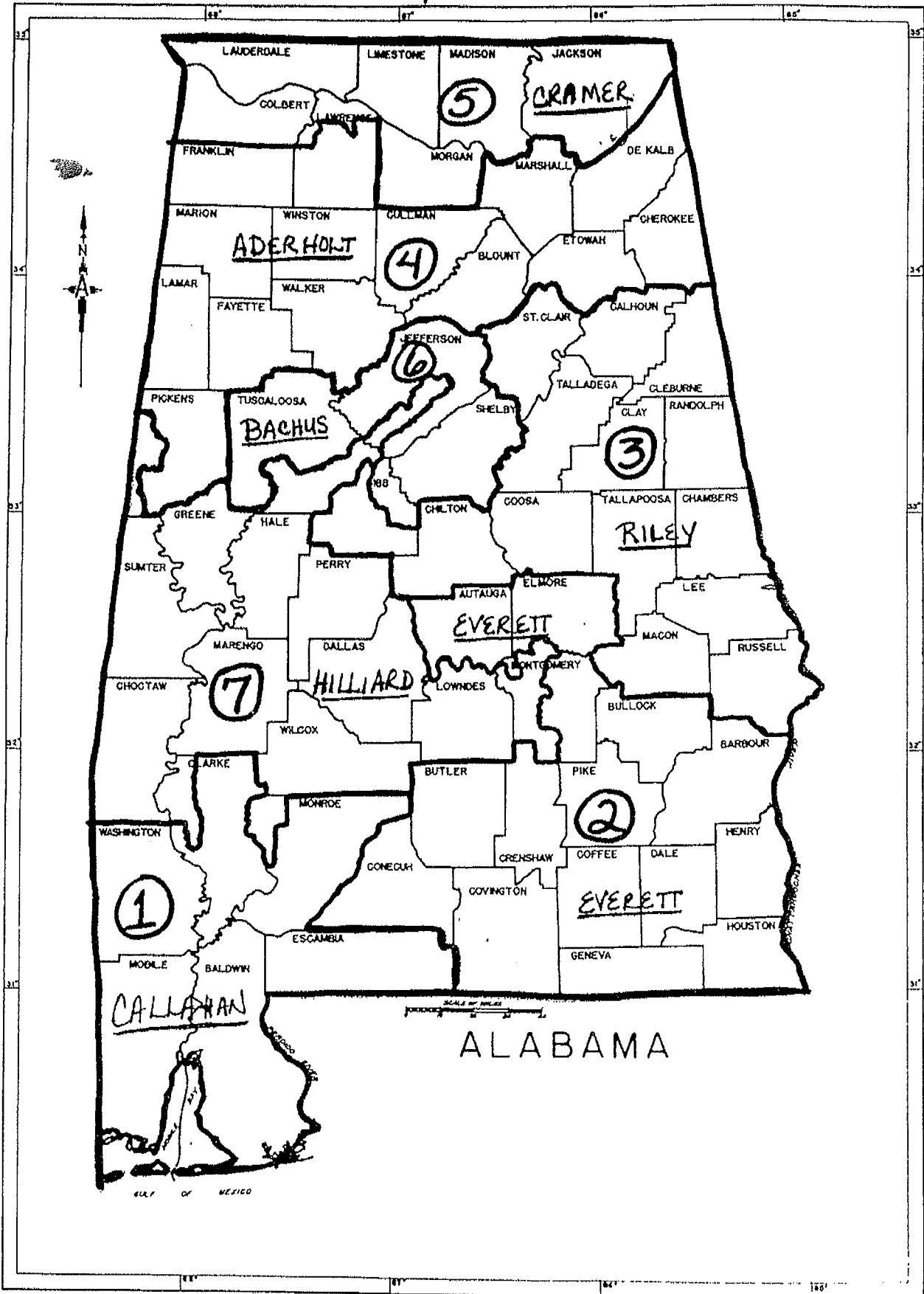
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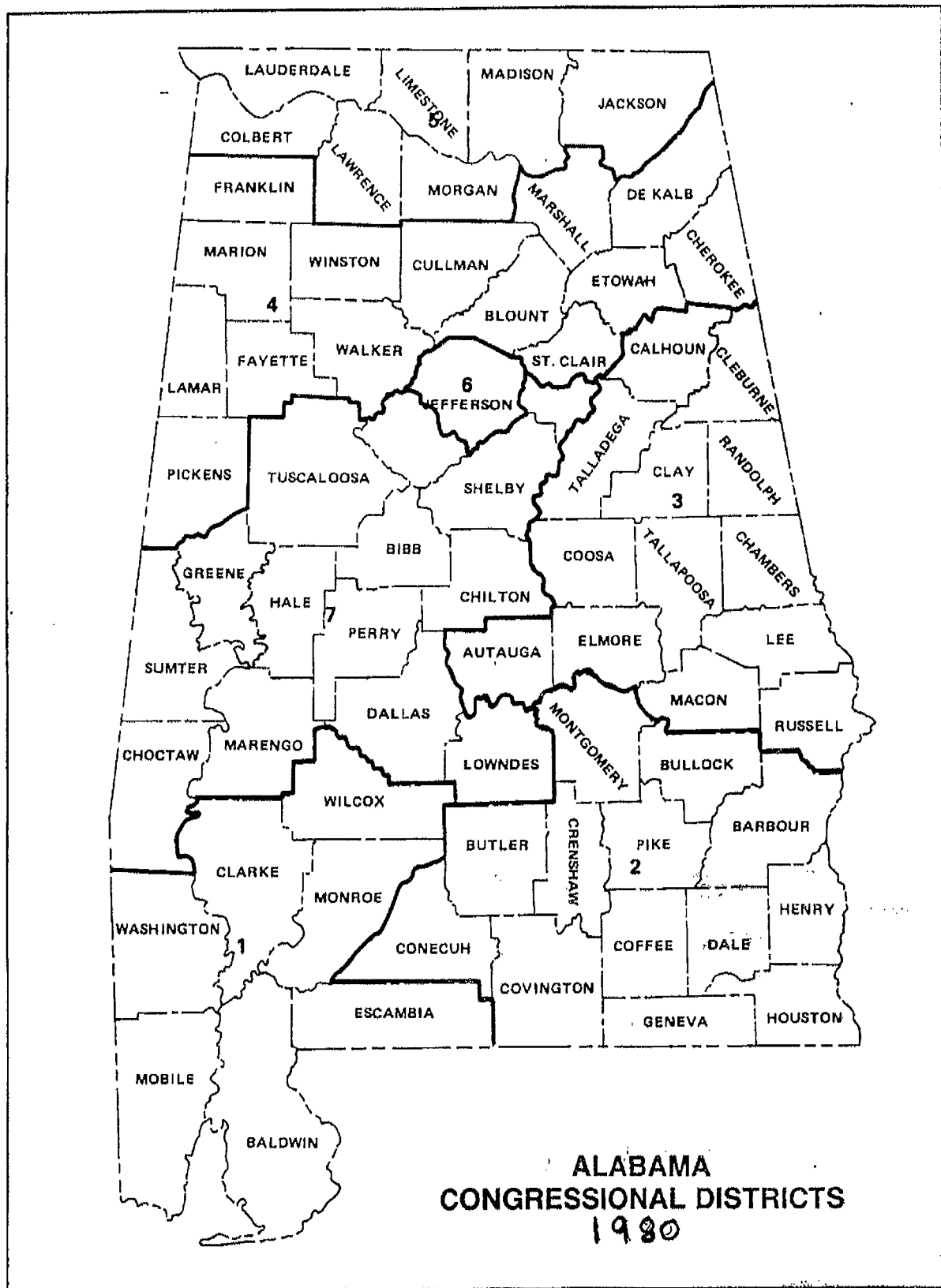


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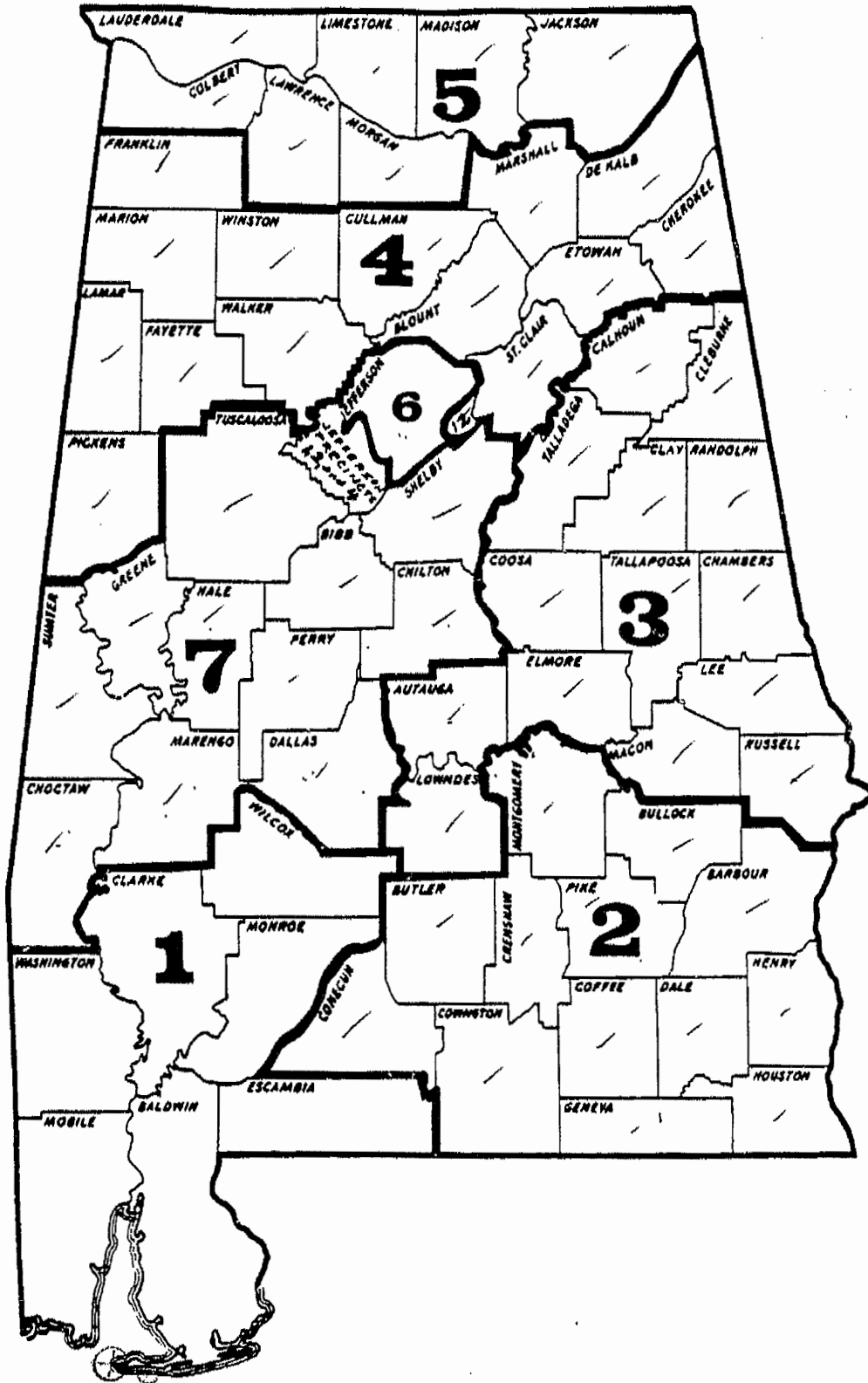


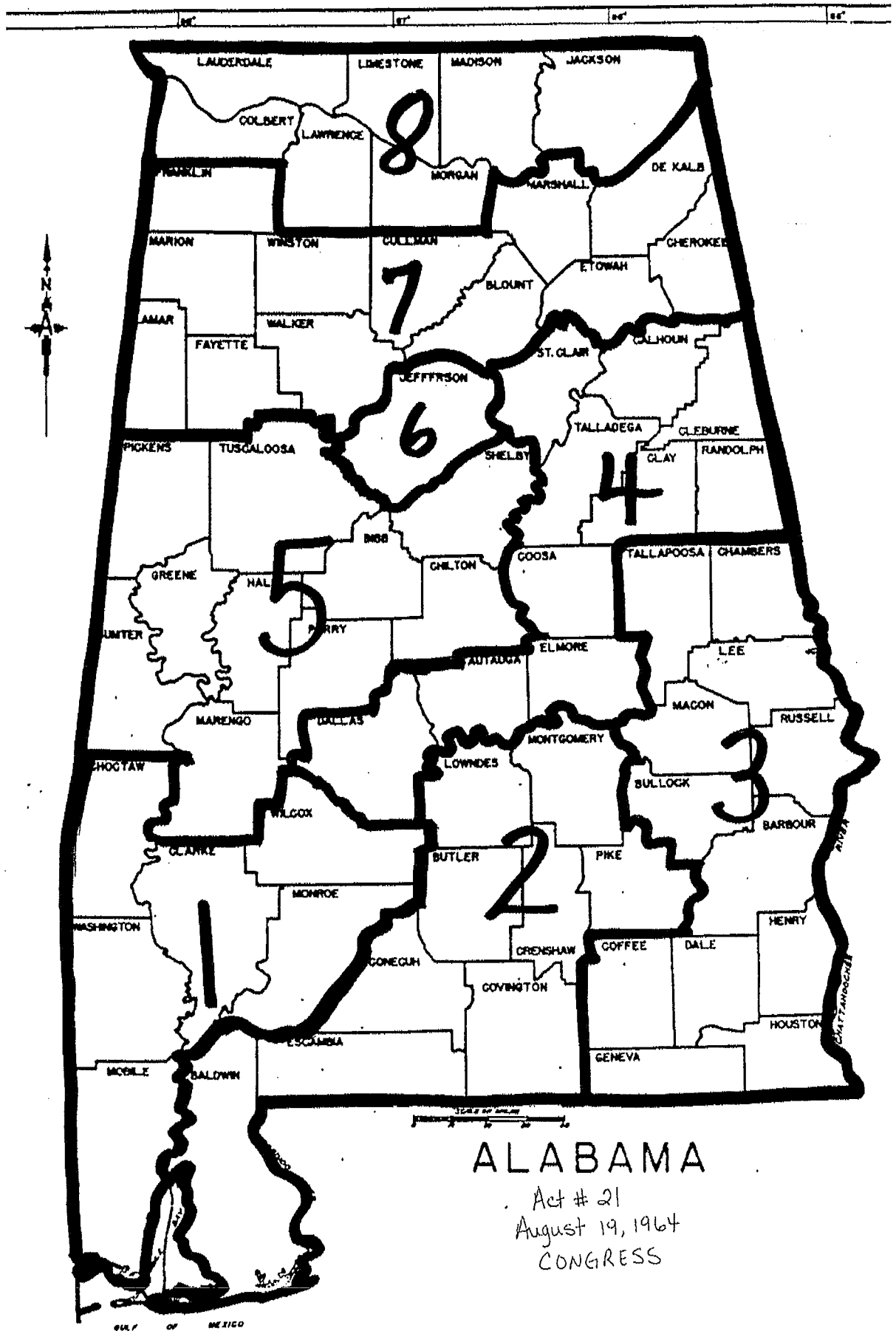
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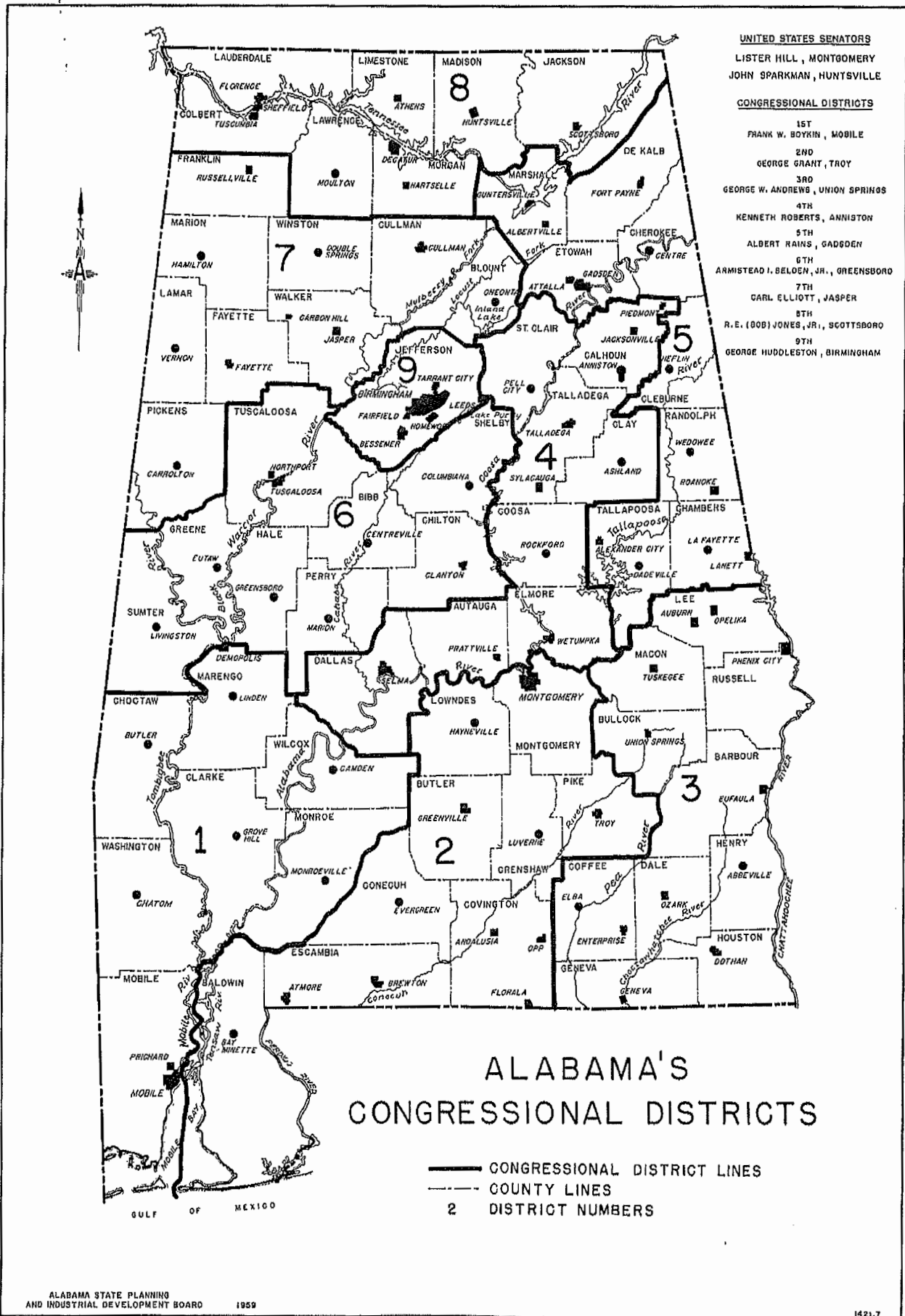


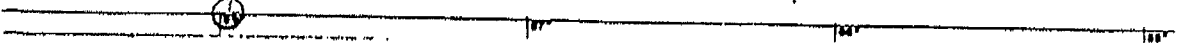
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ALABAMA'S CONGRESSIONAL DISTRICTS



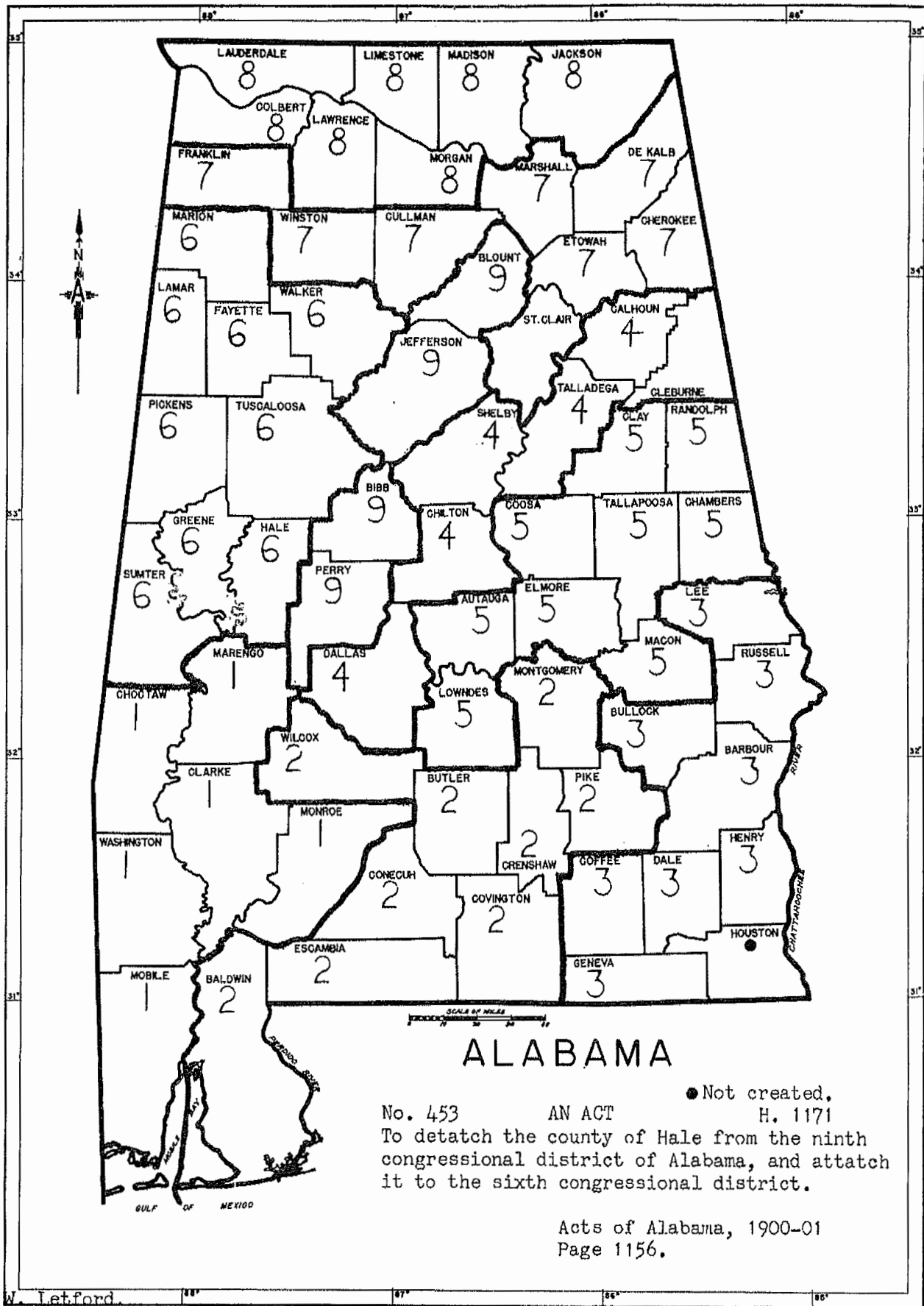


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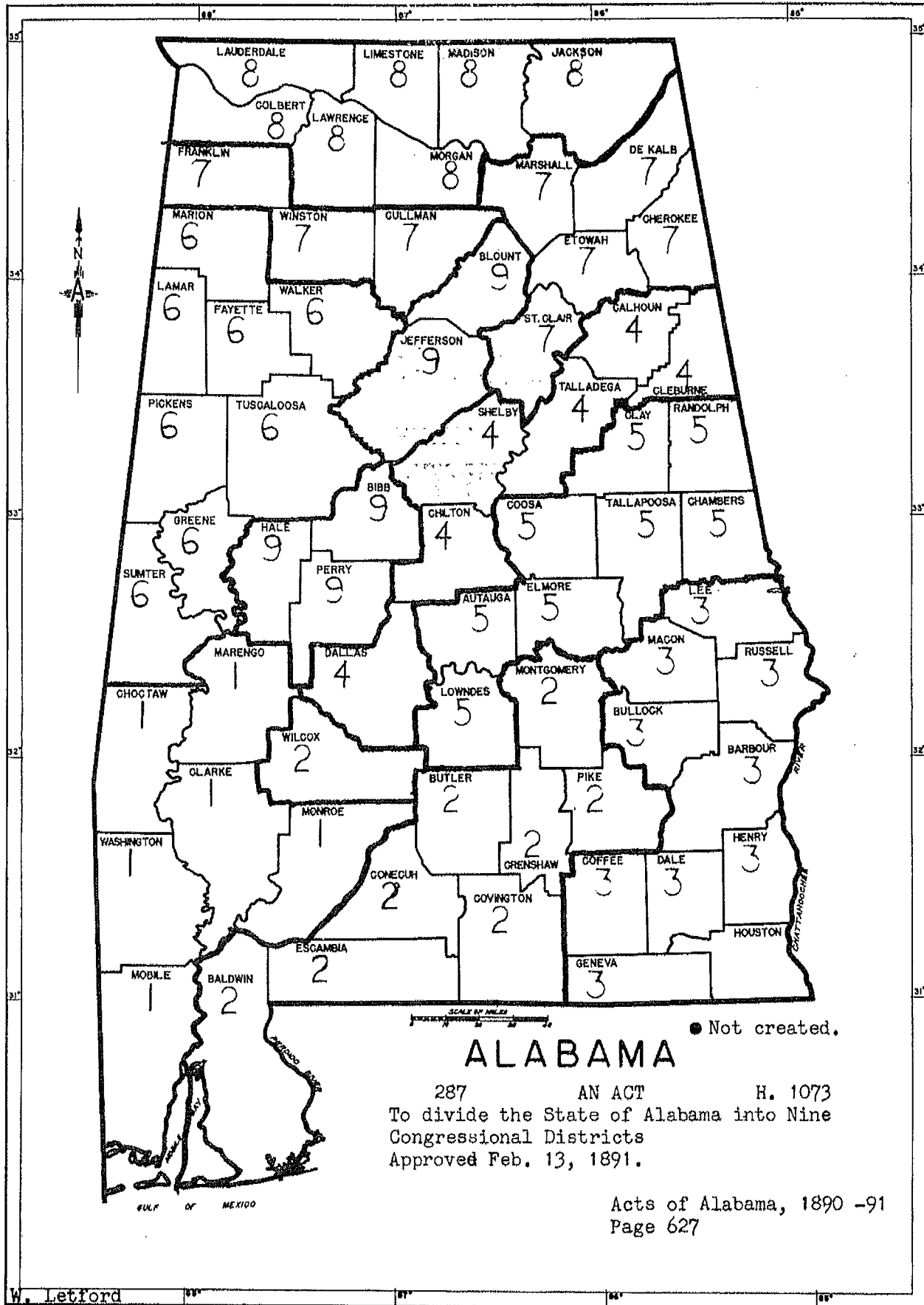




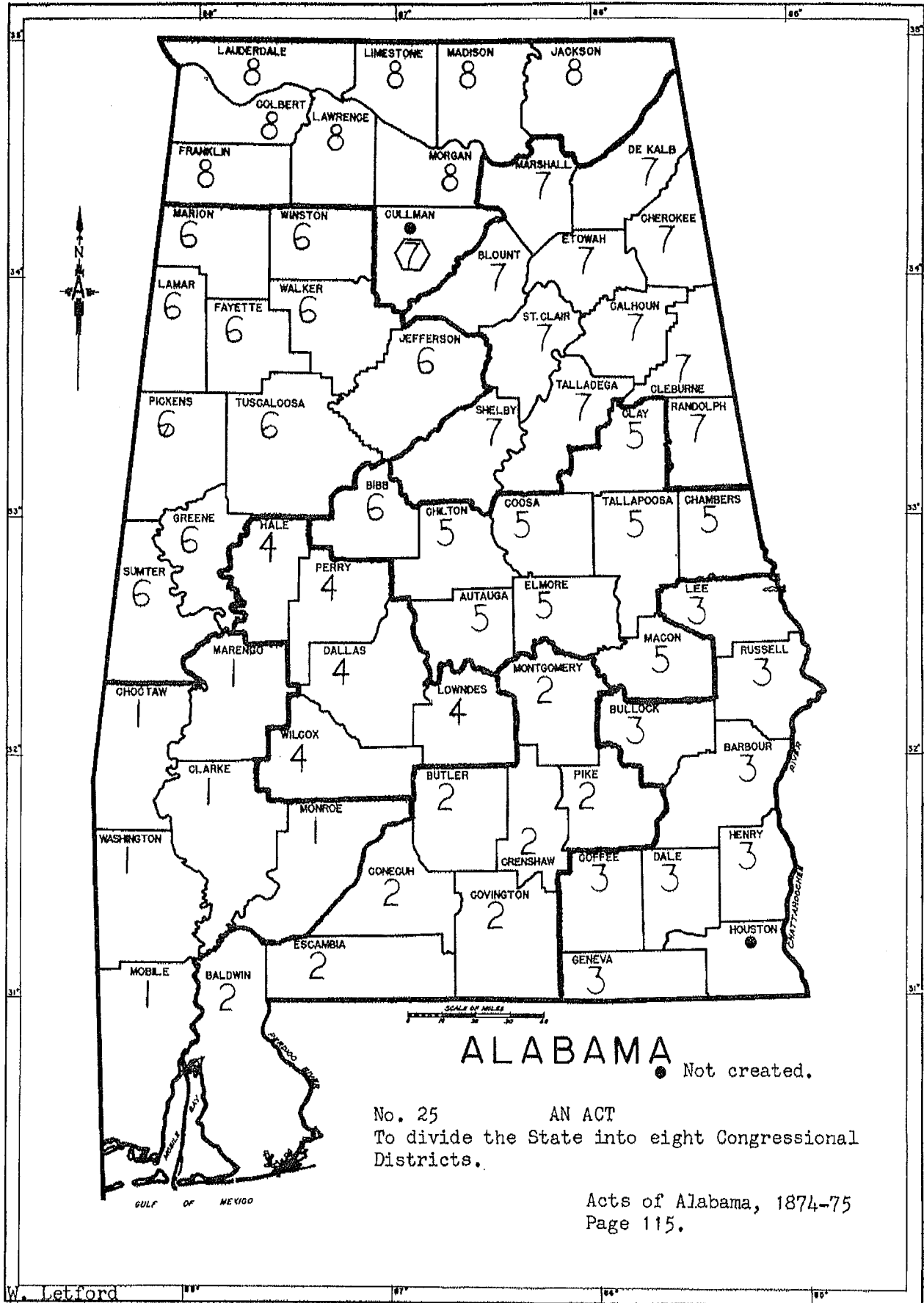
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Feb. 14, 1901 - Mar. 4, 1917



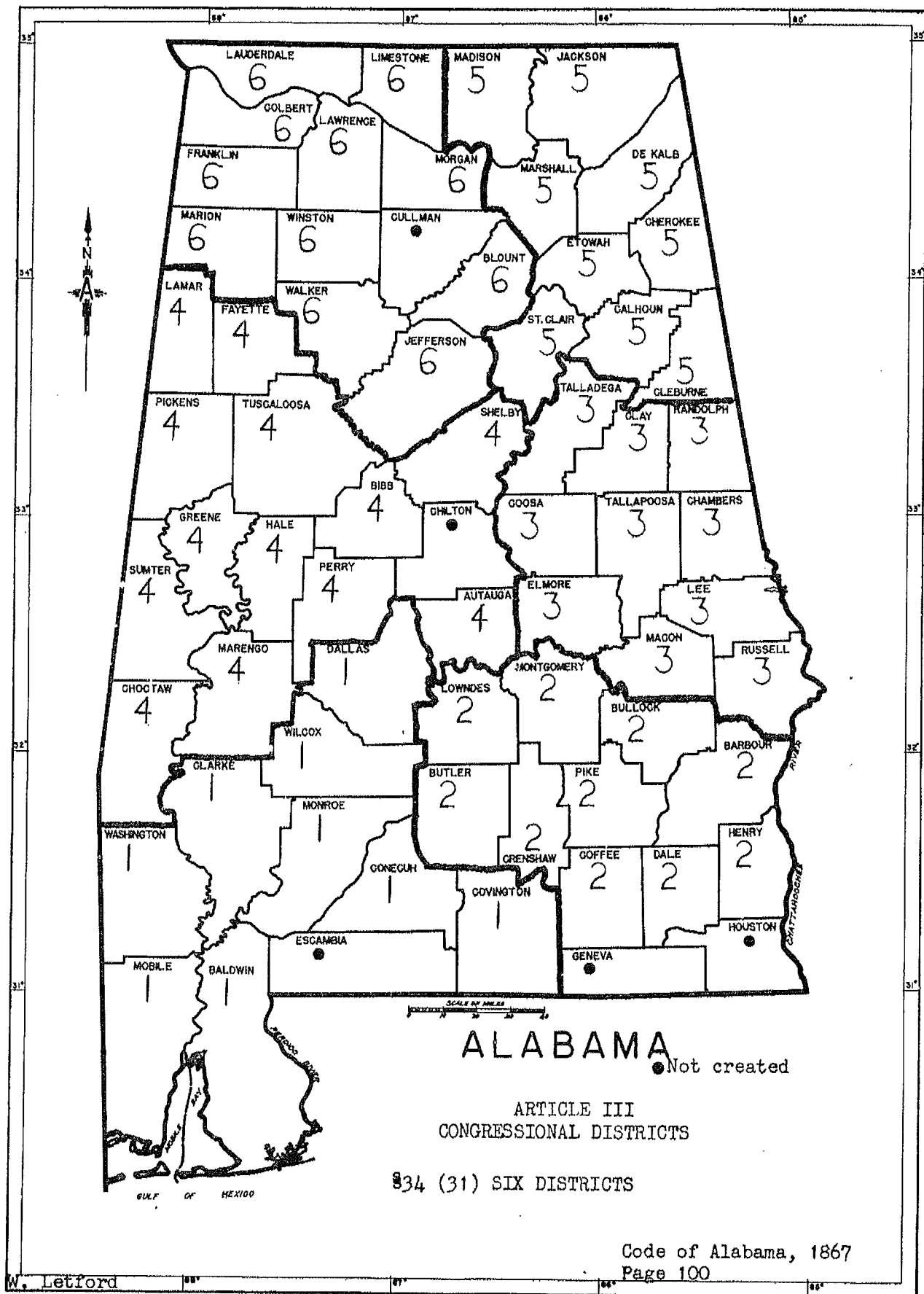
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Feb. 13, 1891 - Feb. 14, 1901



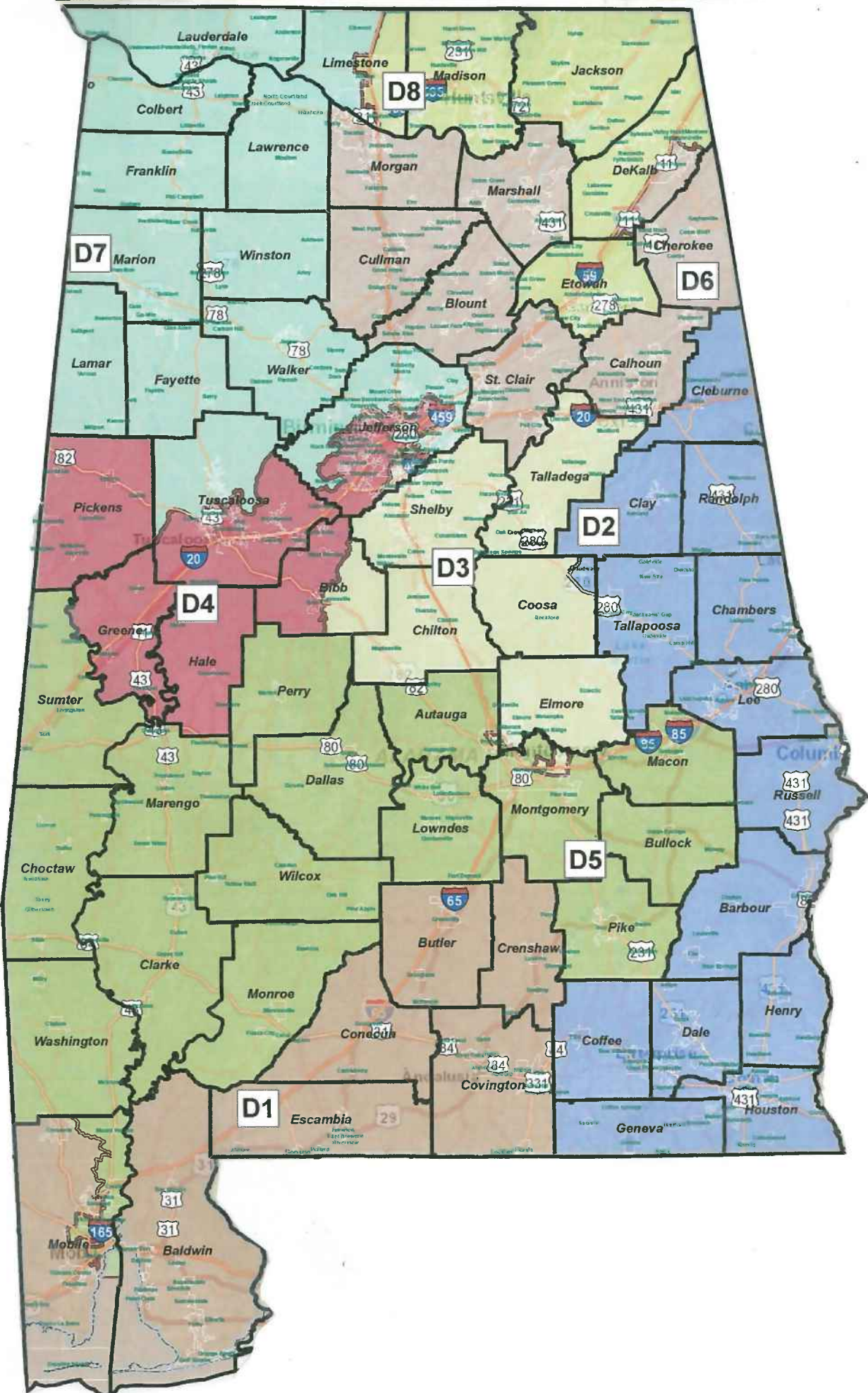
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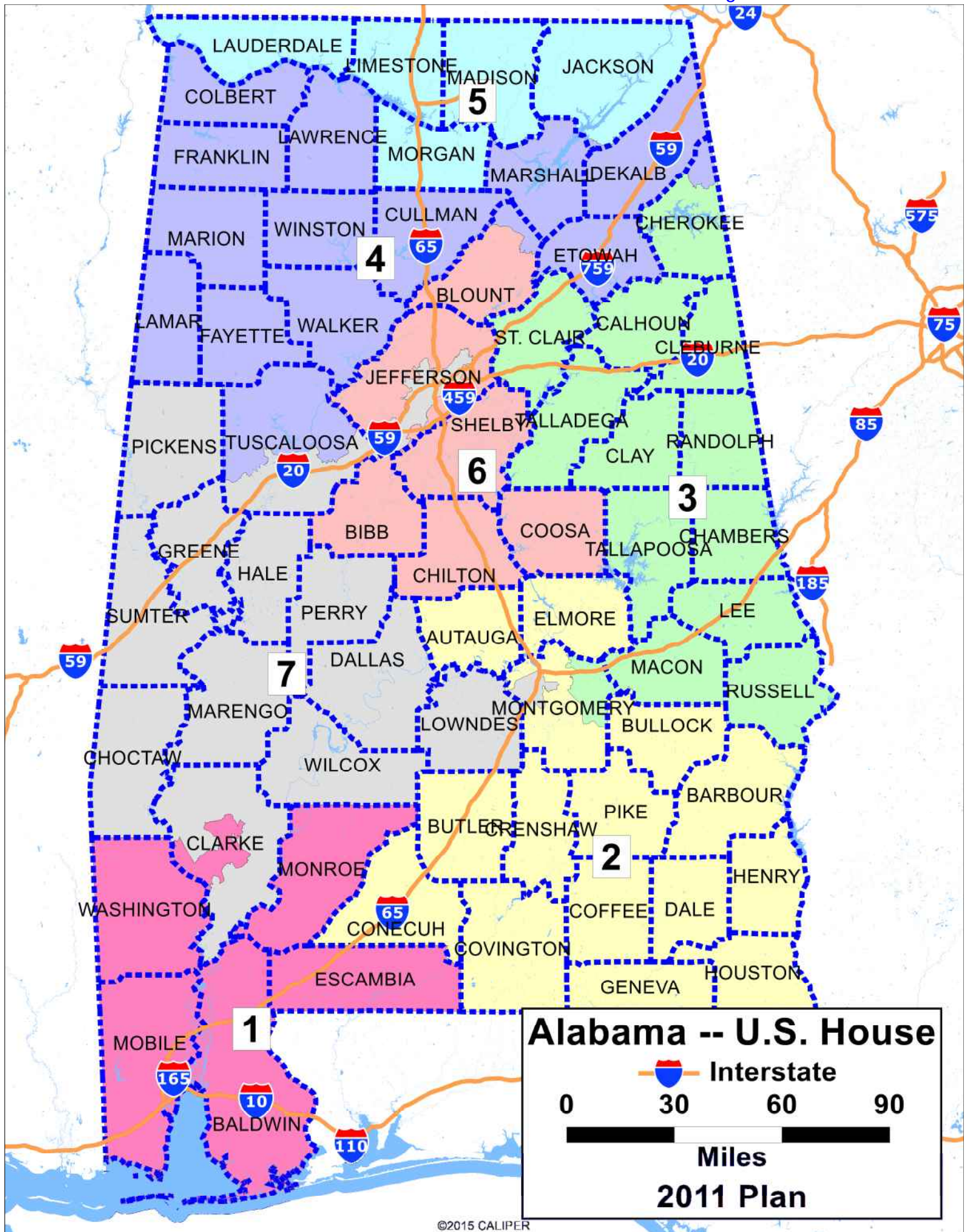


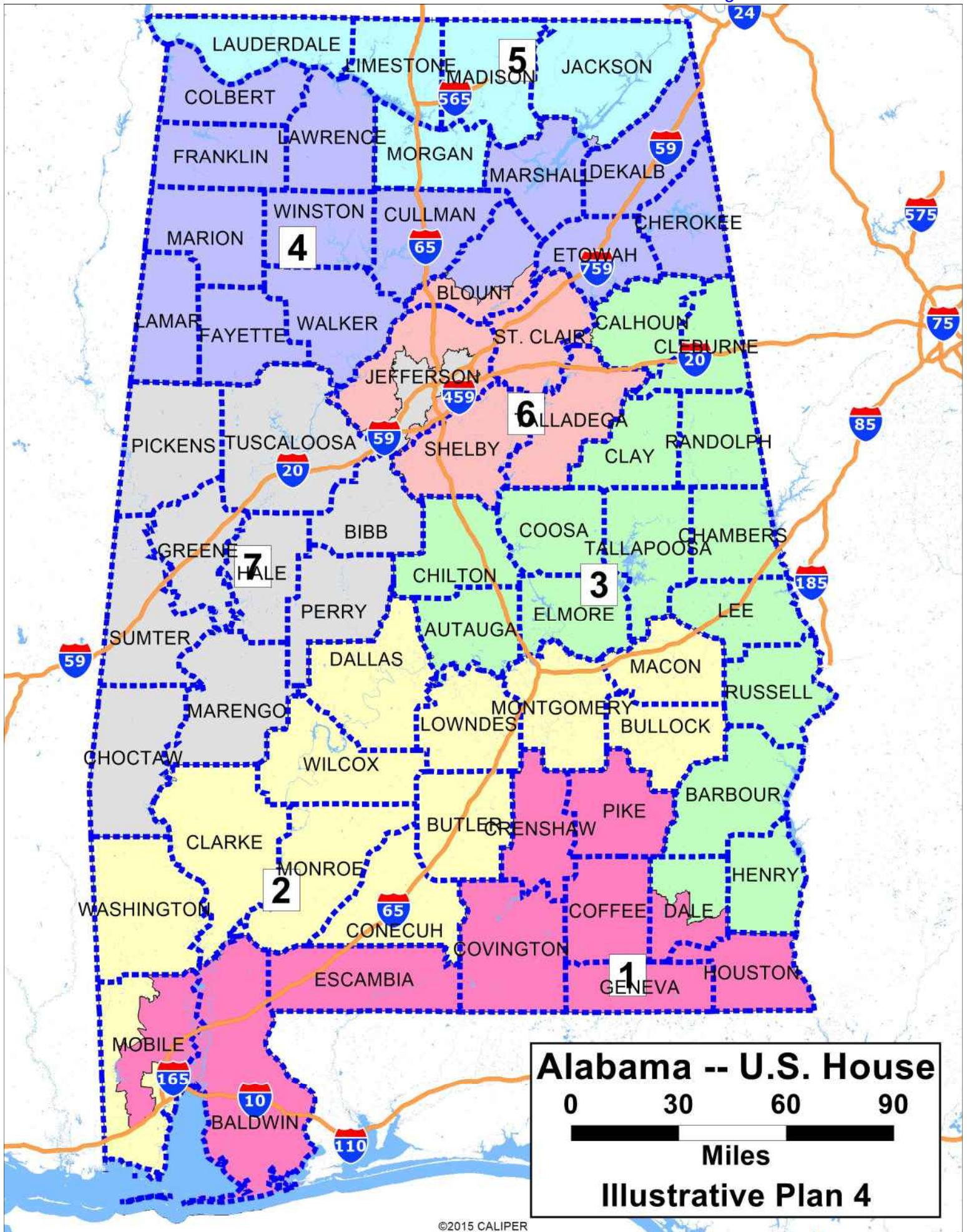
CONGRESSIONAL DISTRICTS
UNDER CONSTITUTION OF 1867

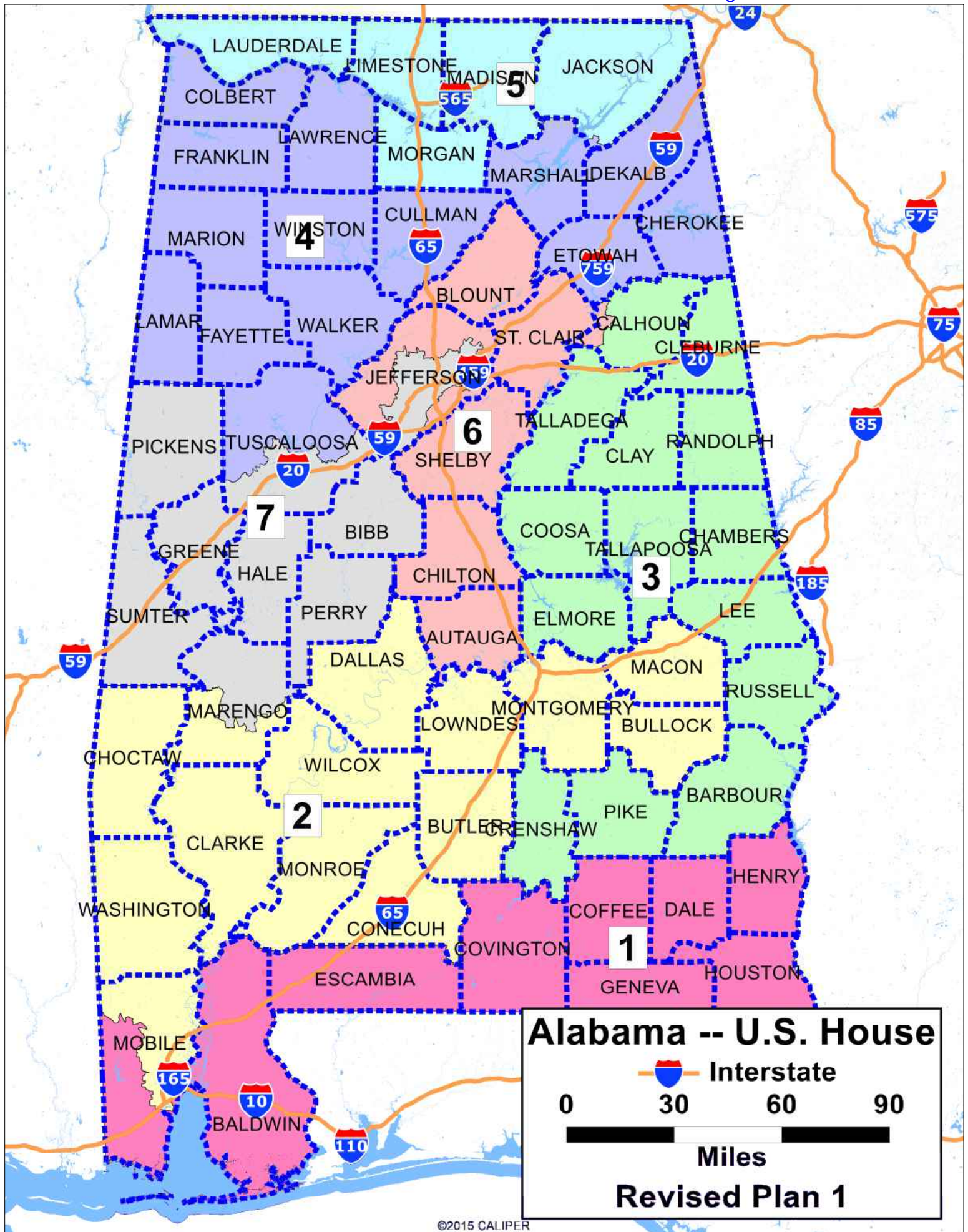


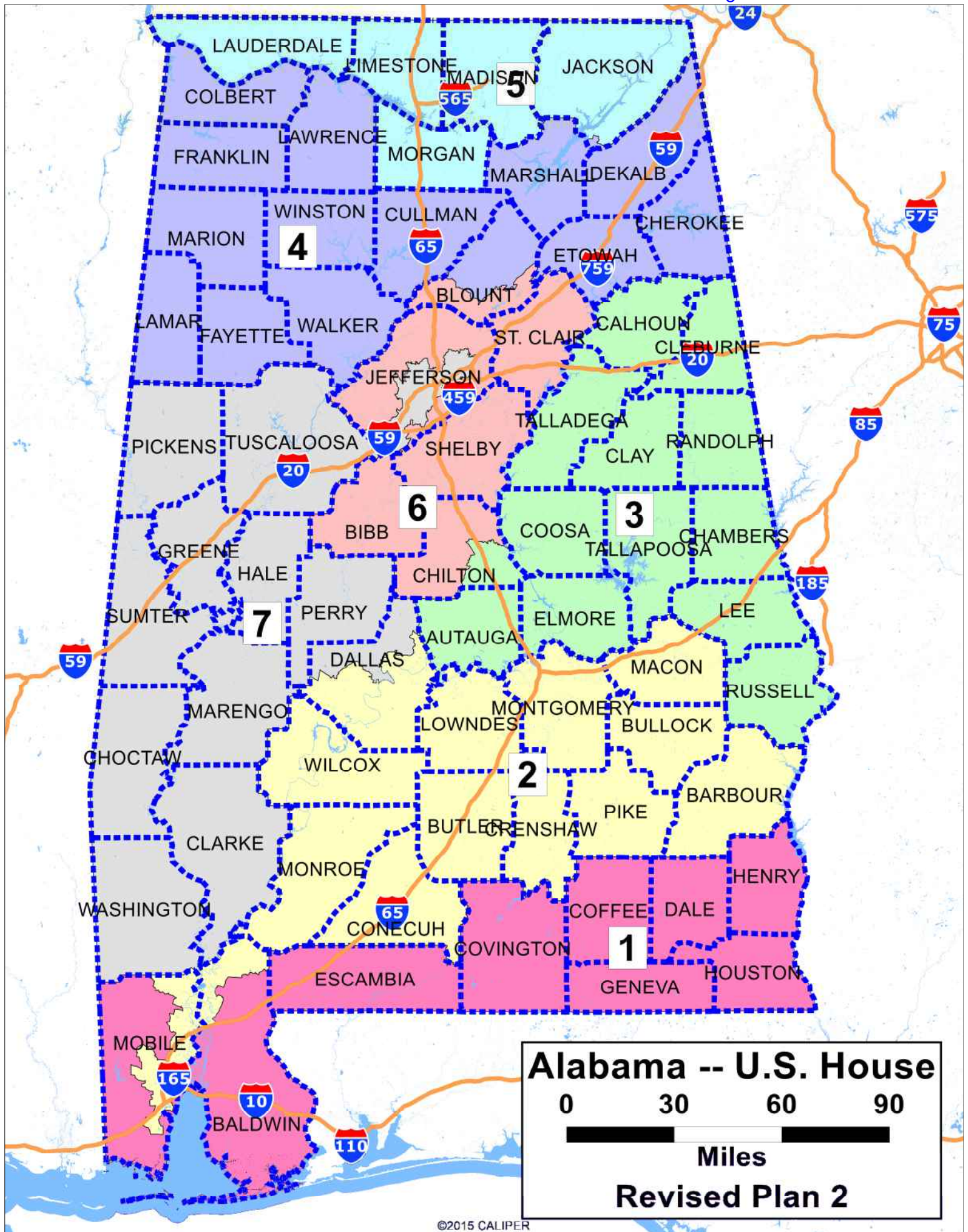
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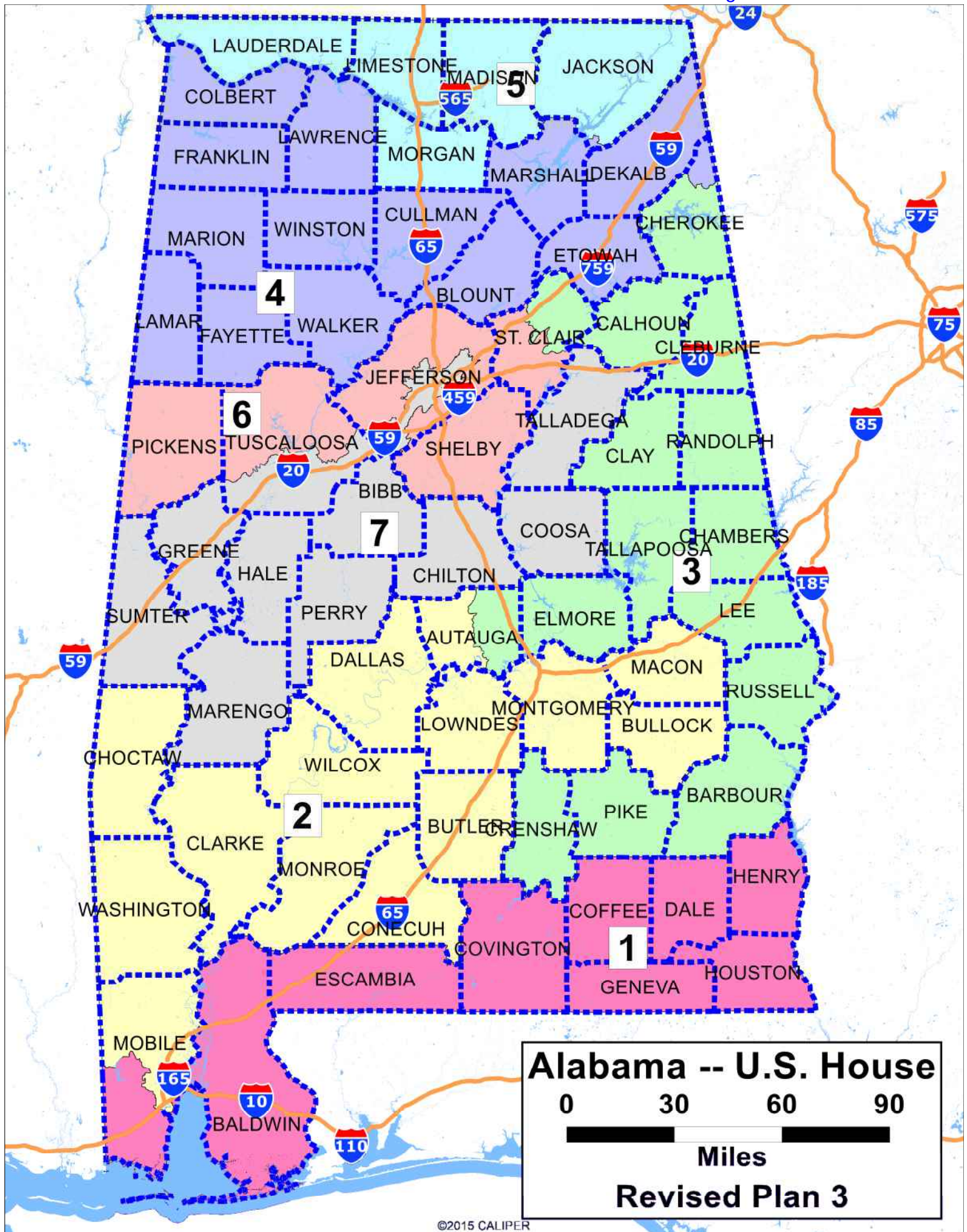












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U.S. DISTRICT COURT

N.D. OF ALABAMA

P U B L I C H E A R I N G

JOINT LEGISLATIVE COMMITTEE

ON

REAPPORTIONMENT

Mobile Gas Auditorium
2828 Dauphin Street
Mobile, Alabama

June 14, 1991

6:00 p.m.

SHORES REPORTING SERVICES, INC.

413 NORTH 21ST STREET
BIRMINGHAM, ALABAMA 35203
(205) 251-2427

1 COMMITTEE MEMBERS
2 REPRESENTATIVE MICHAEL E. BOX, 96th House District,
3 Satsuma, Alabama.
4 SENATOR STEVE WINDOM, 35th Senate District, Theodore,
5 Alabama.
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P R O C E E D I N G S

June 14, 1991 6:00 p.m.

SENATOR WINDOM: Well, it's a little after
six and I guess it's time to go ahead and get started.
I appreciate y'all coming.

I'm Steve Windom, and I'm going to chair the
meeting tonight, which is the congressional
reapportionment hearings that are being conducted by the
Reapportionment Committee that's been appointed by the
Legislature, specifically the Speaker of the House and
the Lieutenant Governor.

With me tonight is my colleague, Mike Box,
who is the House representative on the Reapportionment
Committee for the First Congressional District. And the
Lieutenant Governor appointed me as the Senate
representative from the First Congressional District.

And we are going around the state holding a
series of hearings to get citizen input on how you think
reapportionment ought to be structured and how the
congressional districts ought to be structured in the
state.

With us is Marilyn Akers Terry, who is the
Executive Director of the Reapportionment Committee, and
also Keith Kennedy, who is our court reporter. And
he'll be taking down all of your statements when you

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come to tell us your ideas on reapportionment.

When you do come to the podium, I would ask
that you state your name and spell it if you would for
the court reporter before you make your statement. If
you have any written comments we would be happy to
receive them.

What we're doing, as I said, is going around
the state doing a series of hearings to get citizen
input on how congressional district lines should be
drawn, how you feel about where Mobile ought to be
placed in the congressional reapportionment process.
And then we'll be having meetings of our Committee and
we'll put together a reapportionment plan that we'll
submit to the Legislature.

The way the timetable is right now, the
numbers have to be ready for next year's qualification
for congressional races, and that date is April 3rd.
Those numbers have to be submitted to the Justice
Department ideally 120 days ahead of time and certainly
at least 60 days, but it's our goal to have them in by
the 120 day guideline limit, which would be December 3rd
of this year.

I know some of you have seen in the media
yesterday that we had some adjusted census numbers and
those will be finalized on July 15th. Since the

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Legislature will go out of session around July 30th, it's probably impossible that we could have a reapportionment plan approved by the Legislature by the time the regular session is over with. So it appears to us that there will be no choice but to have a special session in the fall in order to approve the reapportionment plan that we come up with.

One thing that I'll tell you is that our population has to be plus or minus 1% on a district by district basis on the seven districts across the state. Right now we're looking at an ideal population, these are with the numbers before yesterday, of 577,277. A total population based on the 1990 census is 593,911 in the First District as it is now. So there's a variation of 2.8%, which is greater than the ideal and that's a total of 16,084 people.

Based on the adjusted numbers that we got yesterday, assuming that they pan out, the ideal population would shift to 592,286, which would put the current population of our congressional district within the plus or minus 1% without making any changes whatsoever, and that's encouraging news.

The one thing that is a given in this reapportionment process is that we're going to create a district in the state that's going to be a Black

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answer any questions that you have.

A little more on the process. After we adopt the reapportionment plan in the Legislature it has to go to the Justice Department for clearance by the Justice Department. And then, frankly based on the changes that are going to be made across the state, I anticipate that there will probably be some litigation. I think that's a pretty good bet at this point. And hopefully we'll have, still be ready for our elections with our reapportionment plan and for qualifications on April 3rd.

Mike, do you have some comments you would like to make?

REPRESENTATIVE BOX: I'll wait until the end.

SENATOR WINDOM: Okay. At this time then we'll call on our speakers. And I'd like to call on our distinguished congressman, Sonny Callahan.

CONGRESSMAN CALLAHAN: Thank you Senator and Representative Box, it's nice to see you guys working so hard. I'm here tonight to share with you my thoughts on congressional reapportionment as it relates to the First Congressional District of Alabama. And I'll submit for your convenience a written statement for your records.

Having been in both the Alabama House during the reapportionment in the '70's and the Alabama Senate

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district. 65% Black population is the ideal population that the Committee is looking at. So there's quite a bit of discussion on how that district is going to be created.

I think that there is probably a pretty good chance that the First Congressional District, at least this point, may not be affected according to some of the plans that we have seen, although there have been some that we have seen that would dramatically change the district.

We had a hearing in Grove Hill Monday night I guess, wasn't it, Mike, and the residents of Clarke County very much want to stay in the First Congressional District. I don't think there's much doubt that Mobile County, or at least a majority of Mobile County, will remain in the First Congressional District. But there are all sorts of variations that could occur and that's why we need and appreciate your input tonight.

As far as how we're going to conduct this process -- of course, I've introduced the Committee members and the staff that are here. I've given you a little overview on the process and what we're doing, and I'll give you a little bit more in just a minute. And then we're going to have those of you that have signed up to speak to come and talk to us. And then we'll

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in the reapportionment of the '80's, I can certainly sympathize with the difficulty and demanding task that your committee has. Therefore, I will be the last person to presume to tell you how to divide up the state into equal parts.

But I would like to tell you that it has been my pleasure to state, honor, I suppose, to have represented the seven counties that now comprise the First Congressional District of Alabama. I hope and believe my office has developed a special relationship with every constituent who has asked for our assistance over the years. And I can tell you that I've enjoyed traveling through all seven counties, and especially enjoyed the great hospitality and reception that I have received there.

Therefore, it should come as no surprise that I ask you, to the extent possible, to keep the First Congressional District intact. As you are aware, the First District is approximately 16,000 -- this is with the old census -- residents over the ideal district number. But as you're also aware that small deviation even then is clearly within the previously accepted limit of plus or minus 2.5%.

Other than population, I hope that you will agree that the following three principles are critically

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important in creating a fair and effective congressional district. I mention effectiveness because I know as a congressman the worst vote you can cast on the floor of the House of Representatives is a vote that may help one part of your district but conceivably can harm another. The principles are compactness, community of interest and conformance to existing political, jurisdictional boundary. Geographical compactness is important in two ways.

First, if the district is too spread out geographically, then it becomes almost impossible for the member and the district office to adequately serve their constituents. I might add that probably 5 to 6,000 people have visited my office in the last five or six years. And it would be virtually impossible for them to visit my office or any office that was some 200, 225 miles away from the congressman's district office.

Secondly, compactness greatly affects community of interest. If geographical areas become too large, then community of interest is bound to suffer; that is, do we in Mobile have more in common with Baldwin County or Tuscaloosa County? Community of interest is the most critical aspect of the reapportionment in terms of casting votes on the floor of the House of Representatives. As I said earlier, the

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possible. I ask this, just not for me, but for the better representation of the citizens of Baldwin, Clarke, Escambia, Mobile, Monroe, Washington and Wilcox counties which presently comprise the First Congressional District.

You guys got a hard task in front of you and I sympathize with you, but I certainly appreciate, on behalf of the people of Alabama, what you're trying to do and; that is, to make this a fair place with fair representation in Congress and I know that you will do your job as fairly and as equitably as you can. Thank you.

SENATOR WINDOM: Thank you for your remarks. The next speaker is Doctor Joseph Mitchell.

DOCTOR MITCHELL: Thank you. Gentlemen, ladies, I am speaking and representing the interest of the community of the First Congressional District. And I come to you speaking for the Alabama New South Coalition, Mobile County chapter, where Celia Lutin is president.

At this point in time it is extremely important that we address the issue that is going to be one of the first of the state. And it concerns itself with the establishment of a district that is going to, at some point in time, be predominately Black.

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toughest choices are between one part of your district and another.

To the extent possible, counties and cities with like interests must be kept together; that is, Baldwin County and Mobile County, for example, both have interest in legislation that affects the Gulf of Mexico.

And finally there is conformance to existing political jurisdictional boundaries. To the greatest extent possible any congressional district should be a combination of both counties and cities; that is, don't put a part of the City of Mobile in one district and another part in another district.

A major factor in providing effective representation requires that citizens know who to contact for help. You should not need to know what street your congressman lives on to find out who represents you in Congress. Also congressmen should not be put in the position of getting grants or federal assistance for one part of a city or a county and letting someone else worry about the other half.

In summation because of the aforementioned factors please do your best to allow the First Congressional District to remain exactly the same. If changes are imperative to achieve some other goal, then please change this district as little as realistically

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Using the statistics that I have before the statistics that you have gave, we know for the purposes of this particular body of information at that time we had four million, forty thousand, five hundred and seventy and eighty-seven people in the State of Alabama approximately. We divide that by seven, giving us a total of 577,277 persons per district that can come up with the lines appropriate for that.

The perfect seat would be 577,227 people. This district that we're talking about will be 65% Black, and therefore will need 375,197 Black people in it. This is the information that we have.

Now, this plan, under the current information in terms of percentages, can't vary by more than 1%, plus or minus 1%. That amount of variance is, I assume, is allowed -- is designed to allow us not to allow us to set up a gerrymandering factor that might inappropriately include or exclude a particular population of people.

Furthermore, no district, no voting districts are supposed to be allowed to be split in counties only when necessary. And when counties are split, it is preferred that splits occur in large cities where voters are compact.

Not without an adequate amount of information

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1 I will say that the compactness refers now, to a certain
2 extent, to the compactness and the density of the
3 population of people that can have geographical
4 references but not necessarily.

5 We put it to you and suggest and recommend
6 that you look very, very closely at how these
7 populations of people and how the counties are set up.
8 When we look at where the people are in the state there
9 are only so many logical and arithmetical designs that
10 we can construct that's going to impact upon the state.
11 It's going to impact upon, as you mentioned, court
12 action and somebody is going to scream bloody murder
13 regardless of how you do it.

14 Our suggestion and recommendation that will
15 be presented at another point in time by the Alabama New
16 South Coalition at the state level is that you work
17 very, very diligently with the leaders in several
18 communities to come to an equitable solution that will
19 provide us with a new district that will enhance the
20 opportunities for all citizens of Mobile, Mobile County
21 and the State of Alabama.

22 The First Congressional District, as it now
23 exists, I believe consists of Clarke County, Monroe
24 County, Escambia County, Baldwin, Mobile and Washington
25 counties, I think that's right.

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1 MS. MURPHY: My name is Cecelia Murphy. I
2 think in one of your handouts you indicated that any
3 plan that is submitted would be a matter of public
4 record. I was just curious if y'all had any plans
5 submitted to you as a Committee, and if so, is it
6 possible for you to tell us what suggestions you have
7 and so forth?

8 SENATOR WINDOM: We have -- what's happened
9 at this point is, I think Representative Box and I have
10 been involved in the hearings in Grove Hill and this
11 hearing tonight and we've not had any submitted at
12 either one of those hearings.

13 But the staff has had in some of the other
14 hearings around the state some proposals submitted, I
15 think a total of three, Marilyn?

16 MRS. TERRY: Yes.

17 SENATOR WINDOM: We have two of those with us
18 tonight. One of them, I think, basically just takes
19 Wilcox County that's been proposed. And the other one
20 that we've seen to this point substantially changes the
21 First District and really moves us all the way over,
22 taking part of Dothan in, part of Houston County in.
23 But those are the two. What is the third one, Marilyn?

24 MRS. TERRY: The third one leaves the First
25 District very similar to the way it is now. It actually

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1 SENATOR WINDOM: Wilcox County.

2 DOCTOR MITCHELL: And Wilcox County. It is
3 very possible that that one recommendation that most
4 closely fits the allowable variance might possibly
5 exclude one of the current counties. We are going to
6 push, hopefully, for the equity associated with the
7 development of this new district.

8 We ask that you consider this information and
9 we ask that you please consider and continue to consult
10 with the diversity of leadership and fellowship in the
11 state and particularly so in the First Congressional
12 District as it now exists. Thank you very much.

13 SENATOR WINDHAM: Thank you, Doctor Mitchell.
14 I know we've had some folks come in late.

15 Judge Noonan, would you like to make some
16 remarks?

17 JUDGE NOONAN: Thank you, no.

18 SENATOR WINDOM: Any other persons in
19 attendance like to make any remarks before we close the
20 remarks portion of the public hearing? Going once,
21 going twice. All right. We'll close the remarks
22 portion.

23 At this point in time we'll move into any
24 questions that anyone has and we'll try and see if we
25 can't provide some answers. Yes, ma'am.

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1 splits Beville's district in half and the Fifth District
2 in half and creates a minority district that splits,
3 goes through Bibb County, splits Jefferson County and
4 comes across to pick up Macon and Bullock County.

5 SENATOR WINDOM: But those are the ones that
6 have been suggested at hearings. And, of course, we'll
7 take those into considerations when we start our
8 deliberations.

9 The last hearing I believe is in Montgomery
10 next week; isn't it?

11 MRS. TERRY: Next Wednesday at six o'clock.

12 SENATOR WINDOM: Next Wednesday at six
13 o'clock will be the last one and then we'll start
14 deliberations. Who has the next question?

15 DOCTOR MITCHELL: I need to get your specific
16 numbers on the population that you are currently using.
17 I think you mentioned it was five hundred ninety
18 something thousand?

19 SENATOR WINDOM: No. The one you had, the
20 numbers you had were correct, and, that is, the 577,227.
21 But we got the new numbers based on the numbers that
22 came in, they're not official, so we're not really using
23 them, but we just ran some quick numbers. Assuming they
24 became official on July 15th the current population of
25 the First District would be within plus or minus 1% with

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the present counties intact.

DOCTOR MITCHELL: My information to compactness pertains to population density. Does it do that or am I in error or how is it? Is it considered geographical compactness? And I can't -- I don't understand geographical compactness versus population compactness when you're talking about density and variations in populations.

MRS. TERRY: The guidelines that the Committee adopted actually say that districts will be created and be reasonably compact is the way -- we don't -- I don't think we go beyond defining --

DOCTOR MITCHELL: Nice legal term for saying --

MRS. TERRY: -- what, but we do say reasonably compact.

DOCTOR MITCHELL: But not deciding whether that means --

SENATOR WINDOM: That's not been defined as far as whether that's geographic or population. Probably a little bit of both.

MRS. TERRY: Right. There may be some, some federal, some case law, some precedent set, but that's what our legal counsel will be there to advise us on.

On page three of the reapportionment

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have to be a very, very strong effort made to see if it is possible and feasible to construct a congressional district that has a majority Black population. And depending on how that it is done the other surrounding congressional districts are likely to be impacted.

MS. MITCHELL: Thank you.

SENATOR WINDOM: Any other questions? Any other comments? Then we'll close the -- well, no, Mike you want to make some comments. Go ahead

REPRESENTATIVE BOX: I'm just going to add one thing. On that issue you probably noticed the maps around the room. Our staff has pulled a state map and the larger counties to show Black concentrations in the population. They're color coded according to what percent black population exists. One -- I think yellow is 30%; orange is 40; and red is 50%. You'll -- you can look and see which counties fall into one of those categories.

And then in the larger counties of Tuscaloosa, Montgomery, Mobile and Jefferson they've been broken down by precincts to show which precincts have various levels of Black voting population. All of that will be very instrumental in constructing a possible Black congressional district. So you can get an idea of some of the possibilities.

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guidelines, which is one of the handouts, criteria for legislative and congressional districts is set out. And under three, all legislative and congressional districts will be composed of contiguous and reasonably compact geography. So, it does speak to geographical areas there.

SENATOR WINDHAM: Any other questions?

MS. MITCHELL: Jenetta Whitt Mitchell. Is it -- does the Committee see a possibility of the district being drawn that will leave District One intact as it is?

SENATOR WINDOM: I think with the possible increase in population that we saw yesterday that there is a much greater possibility than there was when we did have a greater variance than we're trying to shoot for. Mike, what do you think?

REPRESENTATIVE BOX: I'm trying to figure out how to phrase this.

MS. MITCHELL: I'll accept his answer.

REPRESENTATIVE BOX: It's definitely possible, and for the folks in the First Congressional District it's very definitely preferable, but there will be at lot of other factors.

As Doctor Mitchell pointed out and Senator Windom mentioned at the beginning, there is going to

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The two plans that we have are up here. I don't think we have enough to hand out. So you may want to just take a look if you want to look and see what a couple of the proposals are.

I emphasize one more time to agree with what Senator Windom has said. The Committee has not drafted a plan. The members of the Committee have not met to even discuss structuring a congressional plan. All that we have done so far is solicit input and comments from the public. We'll start later this summer to actually draw up a congressional plan which will be introduced in all probability in a special session this fall. So at this stage we're open to your suggestions and your help.

SENATOR WINDOM: Judge Noonan.

JUDGE NOONAN: Is there such a thing as a prototype where you have your compactness, both in terms of density as well as geography, and then apply your ratios and then let the politics takeover after that, and history takeover, but do you have a prototype as an example?

SENATOR WINDOM: We do not have a prototype as such. We have -- and the public is invited to come to Montgomery. We have a very nice computer system that we're making -- what are the public days, Marilyn?

MRS. TERRY: On Fridays from 8:30 to 4:30 any

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1 member of the public who wishes to create a
2 congressional or a legislative plan can come to the
3 State House and actually work with a technical person to
4 create a plan.

5 SENATOR WINDOM: And you're welcome and we
6 invite you to do that. But we have a very nice computer
7 system that is set up with the numbers. And, of course,
8 it will have to be re-programed after July 15th. And I
9 guess cad cam, or whatever they call that fancy
10 engineering stuff, that you can draw lines and move them
11 around and see what effect that will have. So you can
12 come and we have all the numbers plugged in. And I
13 guess to that extent, we do have a prototype that you
14 can work with to try to create your vision for what the
15 congressional districts ought to look like. But we do
16 have that available and encourage people to come and
17 help us come up with a plan that will suit the needs of
18 our state. Anybody else have -- Marilyn, do you have --

19 MRS. TERRY: I was just going to say that two
20 of the three statewide proposals that we've received as
21 a result of these hearings have been drafted on the
22 computer system in the State House.

23 One of them was actually drafted with some
24 numbers and then he came to verify his numbers on the
25 computer and actually see what the plan would look like.

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23

1 way down to the streets that surround this auditorium
2 and get the population for this block. And that is
3 totally up to you where you want to select the lines.

4 As you make changes to one district, a report
5 on the screen automatically shows you the population
6 with the five race categories, total population and
7 voting age population broken down by race. And it also
8 shows you how you effect all the districts around it as
9 you make a change to an individual district.

10 DOCTOR MITCHELL: I've seen Auburn
11 University's program work. So I was wondering if it was
12 basically the same, computerized in the same package?

13 MRS. TERRY: Well, we're all using the TIGER
14 files, the geographic map files that were produced the
15 Census Bureau. And that's tied with the public law
16 data, the census data that came out.

17 SENATOR WINDOM: And that would be a big help
18 to anybody that would like to try to come up with their
19 own district and we would be glad to have them come and
20 use the system. That's what it's for. Anyone else have
21 a question or a comment?

22 Thanks for coming. And we hope to have
23 something good before the year is out. Thank you.

24
25 END OF HEARING

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1 JUDGE NOONAN: How do they define
2 compactness?

3 SENATOR WINDOM: Really, what the guidelines
4 that we established talk about geographical at this
5 point, but I'm sure that the population will also fit
6 into that as well.

7 MRS. TERRY: All of the districts, I guess
8 first thing as they've been drafted, were based on
9 population. And they've been trying to come up with
10 districts that would fall within that plus or minus 1%.
11 And I guess, except for one plan, most of them have --
12 they've used the base plan to start working from and not
13 completely start it over with a plan, but you certainly
14 could do that if you chose to.

15 DOCTOR MITCHELL: If I understand correctly,
16 the computer program that's in use effectively looks at
17 the populations, not necessarily the existing lines?

18 MRS. TERRY: Well, the -- as you pull up the
19 computer, as you pull up -- it's a statewide map. And
20 we've got the 1980, the current congressional plan in
21 the system, or you could start from a base plan of
22 Alabama without any existing district lines. But it has
23 county boundaries, precinct boundaries and goes all the
24 way down to an individual census block basis. So on the
25 computer we could go from a statewide map and go all the

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C E R T I F I C A T E

1 STATE OF ALABAMA)
2
3 JEFFERSON COUNTY)

4 I, ROBERT KEITH KENNEDY, Notary Public for the
5 State of Alabama at Large, hereby certify that I am the
6 Court Reporter who made machine shorthand notes of the
7 foregoing proceedings at the time and place stated in
8 the Caption thereof; that I later reduced my shorthand
9 notes into typewriting, or under my supervision; that
10 the foregoing pages numbered three through twenty-three,
11 both inclusive, contain a full, true, and correct
12 transcript of proceedings had on said occasion.

13 I further certify that I am in no way related
14 to nor employed by any of the parties, the witness or
15 counsel, and that I have no interest in the outcome of
16 this matter.

17 Given under my hand and seal this the 24th
18 day of June, 1991.

21 
22 Robert Keith Kennedy
Notary Public

23 My Commission Expires
24 September 5, 1994
25

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2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA

P U B L I C H E A R I N G

JOINT LEGISLATIVE COMMITTEE

ON

REAPPORTIONMENT

Joint Briefing Room
Alabama State House
Montgomery, Alabama

August 21, 1991

10:00 a.m.

SHORES REPORTING SERVICES, INC.

413 NORTH 21ST STREET
BIRMINGHAM, ALABAMA 35203
(205) 251-2427

COMMITTEE MEMBERS

SENATOR RYAN DEGRAFFENRIED, 21st Senate District,
Tuscaloosa, Alabama.

REPRESENTATIVE JAMES M. CAMPBELL, 36th House District,
Anniston, Alabama.

REPRESENTATIVE JAMES L. THOMAS, 69th House District,
Selma, Alabama.

REPRESENTATIVE MICHAEL E. BOX, 96th House District,
Satsuma, Alabama.

REPRESENTATIVE JOE FORD, 28th House District,
Gadsden, Alabama.

SENATOR TED LITTLE, 27th Senate District, Opelika,
Alabama.

REPRESENTATIVE JOHNNY CURRY, 50th House District,
Bessemer, Alabama.

SENATOR FRED HORN, 18th Senate District, Birmingham,
Alabama.

REPRESENTATIVE W. C. BOWLING, 2nd House District,
Cullman, Alabama.

REPRESENTATIVE JOHN BUSKEY, 77th House District,
Montgomery, Alabama.

SENATOR CHARLES LANGFORD, 26th Senate District,
Montgomery, Alabama.

REPRESENTATIVE STEVE FLOWERS, 89th House District, Troy,
Alabama.

SENATOR RAY CAMPBELL, 3rd Senate District, Town Creek,
Alabama.

REPRESENTATIVE FRANK ROGERS, 51st House District,
Birmingham, Alabama.

SENATOR DANNY CORBETT, 28th Senate District,
Phenix City, Alabama.

SENATOR LARRY DIXON, 25th Senate District, Montgomery,
Alabama.

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P R O C E E D I N G S

August 21, 1991 10:00 a.m.

REPRESENTATIVE CAMPBELL: We have got a
quorum present.

We have two people here this morning to
present plans. We have Mr. Huffstutler, who has two
plans, and Mr. Albert Turner to present a plan.

We'll recognize Mr. Huffstutler at this time.

Mr. Huffstutler, do you have a -- you have
the floor. Senator Horn, are you going to be the
proponent here?

SENATOR HORN: Some or similar.

REPRESENTATIVE CAMPBELL: Which one are you
going to start with?

SENATOR HORN: The one that's already been
presented.

Thank you, Mr. Chairman. Ladies and
gentlemen, what we have here this morning, it is one of,
one of two and, maybe, one of several plans that my own
personal demographer, R. C. Huffstutler, drew for me
merely taking into the considerations that I asked him
to do. And he is going to introduce Plan A here today
for your consideration.

Plan B has been introduced and will be
defended at a later time. And he is presently taking

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under consideration Plan C that I feel that we, as a
Committee, that we, as a state, may have and must have,
which will be Plan C.

And not to bring it up or attempt to lose you
in it, but the major reason that we went to Orlando to
find out what other states were doing and to our sad
chagrin we found that other states that had presented
their plans to Justice were rejected on something that
this state must meet.

We found out, that particularly in the state
of Louisiana when they would introduce their plan,
Justice sent them back for the simple reason that they
did not have the ultimate number of Black districts that
could come, irrespective as to the percentages being 65
or above 50 for that matter.

And so we, in my estimation, will be sent
back, irrespective as to what plan we end up with. We,
again in my estimation, must show and defend that two
predominately or two Black districts cannot come from
the State of Alabama. That will be Plan C that we will
come back with showing that we had two Black districts
from this state, irrespective as to the number that may
be in it. It may be two 50's; it may be one 40; one 60;
it may be one 30 and one 60. But we are going to have
and show that and defend the reason why two districts

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1 cannot be and eventually settle with the one ultimately
2 that we would like to have.

3 And so with that, Mr. Huffstutler is going to
4 show Plan 1, The Horn Plan 1. So, he is my own
5 demographer and refer all questions to him, or if not, I
6 will attempt to answer them also. So at this time let
7 us hear from R. C. Huffstutler.

8 MR. HUFFSTUTLER: Thank you, Senator Horn.
9 Marilyn, can you bring up my map on the screen, please?

10 MRS. TERRY: That's it.

11 MR. HUFFSTUTLER: No, it's not.

12 MRS. TERRY: What's it called?

13 MR. HUFFSTUTLER: Horn's Plan, R. C.
14 Huffstutler.

15 MRS. TERRY: Just Horn's Plan?

16 MR. HUFFSTUTLER: Yeah. Two June.

17 SENATOR DIXON: What is that?

18 MRS. TERRY: That's it. It's up at the top.
19 The shaded in where the -- the black lines are the
20 current congressional plan so we can see where it's
21 being changed.

22 Do you want me to get rid of the black lines,
23 will that help you?

24 MR. HUFFSTUTLER: Take the black lines out
25 for a minute. I think everybody on the Committee is

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7

1 REPRESENTATIVE FLOWERS: You put some of the
2 whites --

3 MR. HUFFSTUTLER: What? If you'll look -- do
4 you have the handout?

5 REPRESENTATIVE FLOWERS: Yeah.

6 MR. HUFFSTUTLER: Okay. Inside there it has
7 a printout of Montgomery County.

8 SENATOR LITTLE: Marilyn, do we have any more
9 handouts?

10 MRS. TERRY: Yes.

11 SENATOR DIXON: Mr. Huffstutler, am I correct
12 in understanding what you say is that you have drawn a
13 Black district across the state and you're cutting out
14 the City of Montgomery from the Second Congressional
15 District, which is where the incumbent currently lives,
16 and you're moving, you're putting that in the Black
17 district. And then you're -- then you're adding two
18 more counties to make up for the population loss by
19 taking Montgomery County out of it and reconstituting
20 the Second District?

21 MR. HUFFSTUTLER: Everything is correct with
22 what you said except I checked the home place of
23 Dickinson is in, still in District Two.

24 SENATOR DIXON: Well, you didn't take the
25 City of Montgomery out because he lives right in the

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1 perfectly familiar where all the districts are right
2 this minute.

3 Okay, District One. I'll start with the
4 lower left-hand corner, Mobile. Deleted one county from
5 it and got the numbers, if you still have your handouts
6 from the other day when we gave them out. That leaves
7 District One with a population of 580,343, which gives
8 it a variance of plus .54%.

9 Okay. Now, then, District Two, I added
10 Russell County and Lee County to it and split Montgomery
11 County and took virtually the City of Montgomery out of
12 Montgomery County and made it into -- put it in with
13 Black district as I call District Six. Then the numbers
14 turned around in District Two being 580,721, which is
15 plus .61% over.

16 REPRESENTATIVE FLOWERS: Can we ask
17 questions?

18 MR. HUFFSTUTLER: Yes, sir.

19 REPRESENTATIVE FLOWERS: You took the City of
20 Montgomery, take all the whites out of Montgomery too?

21 MR. HUFFSTUTLER: Well, what I did was I took
22 the map of the County of Montgomery and made contiguous
23 voting districts around and tried to draw out mainly the
24 Black districts. But I had to include some white
25 districts in too to make it contiguous.

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1 heart of it.

2 MR. HUFFSTUTLER: I didn't say -- I didn't
3 take the whole city, I just took most of it.

4 SENATOR DIXON: Well, you left the incumbent
5 in the Second Congressional District. I don't know how
6 much of Montgomery you took out because he lives, he
7 lives in the heart of the City of Montgomery.

8 MR. HUFFSTUTLER: Well, you'll see on -- do
9 you have your --

10 SENATOR DIXON: Yes, I do. But this doesn't
11 have the city.

12 MR. HUFFSTUTLER: Well, this particular part
13 right here of -- has Two in there, that's -- the
14 Cloverdale area, all that in there, the Normandale
15 Shopping Center, I think it is.

16 SENATOR DIXON: So what you did is you took
17 east Montgomery and all of the white growth of the city
18 and put it in the Black congressional district.

19 MR. HUFFSTUTLER: No.

20 REPRESENTATIVE BUSKEY: They're still in the
21 Second.

22 MR. HUFFSTUTLER: No. They're still in the
23 Second District. You'll just have to see a big map of
24 Montgomery to see what all I did to you.

25 SENATOR DIXON: I think that's the correct

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1 term.

2 MR. HUFFSTUTLER: Well, somebody is going to
3 do it to everybody and I live in Jefferson County and
4 wait until we get to Jefferson County and wait and see
5 what we did to me.

6 REPRESENTATIVE ROGERS: That's right. You
7 murdered us.

8 SENATOR DIXON: And you say your Mr. Horn's
9 personal demographer?

10 MR. HUFFSTUTLER: I'm a retired school
11 teacher. Also of a different persuasion.

12 SENATOR DIXON: What do you mean by that?

13 MR. HUFFSTUTLER: I'm a Republican, yes, sir.

14 SENATOR DIXON: Thank you, Mr. Huffstutler.

15 MR. HUFFSTUTLER: We've got Montgomery up on
16 the screen. Now, maybe, you can see it a little bit
17 better.

18 MRS. TERRY: We had Montgomery. I thought
19 you were about to move to Jefferson.

20 MR. HUFFSTUTLER: Now we get off Montgomery
21 County for a second. And you can see what I've got for
22 District Three then up above it in kind of a lavender
23 color there.

24 And then up above that in the corner is
25 District Five in kind of a red color.

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11

1 REPRESENTATIVE BUSKEY: Can you give me the
2 number of, the number of Blacks that you put into the
3 Black district, Montgomery County?

4 MR. HUFFSTUTLER: Yes, sir, I can.

5 REPRESENTATIVE BUSKEY: And the number of
6 Blacks that you've got in Jefferson County you put in
7 the Black district.

8 MR. HUFFSTUTLER: Not off the top of my head.
9 But I can tell you it's going to be about 150,000,
10 somewhere in that range.

11 REPRESENTATIVE THOMAS: Out of Jefferson
12 County?

13 MR. HUFFSTUTLER: Out of Jefferson County,
14 about a hundred and -- we have 190,000, close to
15 200,000, somewhere in that range. Like I said, I can
16 give you exact numbers, but I'll have to go through my
17 notes.

18 REPRESENTATIVE FLOWERS: That's out of
19 Jefferson County?

20 MR. HUFFSTUTLER: Jefferson County Blacks.

21 REPRESENTATIVE FLOWERS: How many Blacks out
22 of Montgomery?

23 MR. HUFFSTUTLER: About 150,000.

24 REPRESENTATIVE THOMAS: There isn't 150,000
25 people in Montgomery.

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SOS007301

1 REPRESENTATIVE HALL: You drew that one for
2 Senator Barron; didn't you? It would be perfect for him
3 or Hinton Mitchem to run for that. It looks to me like
4 there's been a little gerrymandering done there for
5 those senators.

6 MR. HUFFSTUTLER: No, sir. If you'll look at
7 the map itself, if you'll look at the map itself, this
8 particular one I tried to make it more geographically
9 together.

10 REPRESENTATIVE HALL: Looks to me like you
11 took it more apart.

12 MR. HUFFSTUTLER: I didn't care who lived
13 where on running because I don't really know anything
14 about the northern part of the state. And like I said,
15 I live in Jefferson County and I live in Lee County.

16 SENATOR DIXON: Mr. Chairman, may I ask that
17 we resuperimpose the current congressional districts
18 back over this plan, would that mess you up too much,
19 Mr. Huffstutler?

20 Mr. Huffstutler, can we resuperimpose the old
21 congressional districts back over this, would that mess
22 you up too much?

23 MR. HUFFSTUTLER: No. Go ahead.

24 SENATOR DIXON: Would that help other people?
25 I think that would help me some.

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1 REPRESENTATIVE FLOWERS: Well, that's too
2 many.

3 MR. HUFFSTUTLER: Well, that's what I'm
4 saying. It's no more than that.

5 REPRESENTATIVE THOMAS: There is not 150,000
6 Blacks in Montgomery.

7 MR. HUFFSTUTLER: I'll put it this way, I
8 took as many as I could get. Okay. As close I can give
9 you total population that I took out of Montgomery
10 County to put into District Two was around 94,000
11 people.

12 SENATOR DIXON: Do you have a breakdown on
13 that?

14 MR. HUFFSTUTLER: No, I don't have a
15 white-black breakdown on it. The computer can probably
16 give it to you.

17 SENATOR DIXON: In your district, other than
18 Birmingham, and your map, other than Birmingham and
19 Montgomery, is there any other major cities that are
20 split in half?

21 MR. HUFFSTUTLER: No. That's what I tried to
22 do on this plan was only split two counties, was
23 Montgomery and Jefferson County. Jefferson County is
24 going to have to be split anyway you look at it. And if
25 the Blacks in Montgomery and Macon County and Bullock

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County are included in the Black district, then you'll have to split Montgomery too because it's contiguous there.

SENATOR DIXON: Well, you're obviously gerrymandering by running that line over and pick up those two counties. That's done to benefit somebody.

MR. HUFFSTUTLER: No, sir. What I did was to benefit the Blacks that live in those two counties. Now, what you have to understand, I don't care who gets elected, that's the difference between me and some of the rest of you here.

REPRESENTATIVE HALL: Why are you working on it then? If you don't care, why are you working on it?

MR. HUFFSTUTLER: Because I'm a citizen of the State of Alabama.

REPRESENTATIVE HALL: Well, you care then. Don't tell us you don't care.

MR. HUFFSTUTLER: I don't care who gets elected. I care about my congressional districts. I do not care who is elected to them when I do not live in that district. That is up to the people who live in that district to determine. If five people want to run or ten people want to run, that's their business.

I live in two different districts. I live in Jefferson County. I own a house, I live there in

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SOS007303

15

that the Black district?

MR. HUFFSTUTLER: Yes, sir.

SENATOR DIXON: Whose Senate district is that?

MR. HUFFSTUTLER: I don't know.

REPRESENTATIVE CURRY: That would be primarily Senator Horn's and Senator Bennett's.

Does the Black district -- where does that start, in East Lake?

MR. HUFFSTUTLER: Barrett Elementary School, 4501.

REPRESENTATIVE CURRY: And Hueytown, which district is it in?

MR. HUFFSTUTLER: Hueytown, I think is, as we looked at one time before, Mr. Curry, is in the yellow.

And if there's any questions about it in the pink area up there, upper end 4501. The reason I know where that's at because that's where I live. My particular part is called East Lake for the ones of you that know about that part of town. It's slowly going from white to black.

REPRESENTATIVE ROGERS: You're putting Walker County in District Seven?

MR. HUFFSTUTLER: Yes, sir. I don't know why -- I know about what that fight means. I've heard about

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SOS007305

Jefferson County. I also live in Lee County. That's because my wife teaches at Auburn University.

REPRESENTATIVE ROGERS: Which one do you claim?

MR. HUFFSTUTLER: Neither one claims me I don't believe. I don't think Senator Little claims me or Senator Horn either one.

SENATOR DIXON: Is there another plan?

SENATOR HORN: Do we have any further questions other than what we have given out to you?

SENATOR DIXON: Have you got another plan, Senator Horn?

SENATOR HORN: I have another one, we have two more, but only this one will be presented today.

SENATOR DIXON: Okay.

MR. HUFFSTUTLER: Marilyn, could you pull up Jefferson County and let's get that fight over with.

Now, Jefferson County, I split it in three different districts. Part of it goes into what I call District Seven, which is the blue area. And the pink area, that's the part of the Black district, District Six. And then the yellow is District Four, as I call it, on this particular plan. Any questions on that particular --

SENATOR DIXON: The pink, Mr. Huffstutler, is

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16

that one.

REPRESENTATIVE ROGERS: You'll hear more too.

MR. HUFFSTUTLER: Yes, I have. I've heard a lot already. That's the reason there's a Plan 2 and 3 after this.

REPRESENTATIVE ROGERS: Did you go to the doctor after you drew this thing up?

MR. HUFFSTUTLER: No, sir. But I'm going to the doctor right after this is over with in Birmingham. I have a pain in my feet and after this I may have a pain a little higher up in my legs.

REPRESENTATIVE CURRY: There's going to be a lot of us with pains before this is over.

MR. HUFFSTUTLER: I agree with you. When we get to Plan 2 and Plan 3 it gets better.

REPRESENTATIVE ROGERS: Let's move on.

MR. HUFFSTUTLER: Okay. You've got your totals you can see that I'm -- District One through Seven is plus or minus, less than plus or minus 1%. So the numbers work. District Six turns out to be 67.31% Black. And also you have significant Black populations in One, Two and Three, which is over 20%.

SENATOR DIXON: Is there any reason why you changed the district numbers?

MR. HUFFSTUTLER: No. Nothing in particular.

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SOS007306

1 SENATOR LITTLE: Marilyn, go back to his
2 original plan.

3 REPRESENTATIVE BUSKEY: While we're waiting,
4 I think you said you estimated you took about 150,000
5 Blacks out of Jefferson County?

6 MR. HUFFSTUTLER: No. It's going to be more
7 than 150,000 after looking back at my notes. It's
8 192,000, I think it is.

9 REPRESENTATIVE BUSKEY: Jefferson County only
10 has 228,000. I think you've got about 157,000.

11 MR. HUFFSTUTLER: No. I did better than
12 that. I know I did better than 150,000 out of Jefferson
13 County.

14 REPRESENTATIVE THOMAS: Have you checked his
15 numbers out?

16 MRS. TERRY: Yeah. Everything he has done
17 has been built by our system. We just need to run a
18 report that will -- we haven't run a report that asks
19 for that specific information.

20 REPRESENTATIVE THOMAS: So you don't know
21 whether the numbers he's giving you --

22 MRS. TERRY: In terms of the Blacks that he
23 has put in the districts, no, we would have to run a
24 report to verify it.

25 But I do know that that finger that runs into

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SOS007307

19

1 correspond, because the colors and the numbers will
2 always be the same. For example, District Four will
3 always be yellow according to the way we have the system
4 set up, but we can change those colors when they --

5 LITTLE: Well, I guess, if we could have a
6 distinct red somewhere or something that would really,
7 seem like to me, it would give more dimension.

8 MRS. TERRY: Sure. We'll look into doing
9 that.

10 MR. HUFFSTUTLER: Any other questions on this
11 plan gentlemen, ladies? Any questions? Okay. That
12 takes care of Plan 1. I'll see you back later at a date
13 with Plan 2. And it's up to Senator Horn when that's
14 introduced. I'll leave it all up to him. We have it
15 ready, but it's his plan and I'll let him do the
16 deciding on it.

17 REPRESENTATIVE BOX: You all don't want to
18 present anything else today?

19 MR. HUFFSTUTLER: No, sir, I don't.

20 REPRESENTATIVE THOMAS: Fred, the Plan 2 and
21 3, those are the plans you're talking about which will
22 show that you could do two districts?

23 SENATOR HORN: Plan 3.

24 REPRESENTATIVE THOMAS: So you have another
25 plan which will show one district?

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SOS007309

1 Jefferson County is close to 200,000 people. If you do,
2 if you take all the majority Black precincts out of
3 Jefferson it's close to 200,000. I think it's 196 or
4 something.

5 MR. HUFFSTUTLER: I think that's about the
6 same thing I quoted a minute ago.

7 REPRESENTATIVE CURRY: That would have to be
8 about right.

9 SENATOR LITTLE: Marilyn, for the benefit of
10 the Committee, on future maps can we distinguish the
11 colors differently from District One and District Six?
12 Is there any way to have a distinct red for one -- I
13 mean, the way it -- maybe, I just don't have enough
14 color distinction, but I'm reading into it --

15 MRS. TERRY: Where District One and District
16 Seven is, is that what you're talking about?

17 SENATOR LITTLE: Well, I'm thinking about the
18 minority district in Mobile County. To me those colors
19 just go very closely together and it's a bit confusing.

20 MRS. TERRY: Right. We can change it, we can
21 customize the colors. In this particular case the
22 Mobile District and Seven just happen to be up against
23 each other. If you were to draw a plan and put One at
24 the bottom and Seven at the top, then the colors
25 wouldn't run together. But when those numbers do

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1 SENATOR HORN: Similar to this plan. I have
2 another plan similar to this, not the same
3 configuration.

4 MR. HUFFSTUTLER: Plan 2 is similar to this,
5 but it's reality as I call it, as is your question a few
6 minutes ago. And Plan 3 will be just an alternative for
7 the courts.

8 REPRESENTATIVE BOX: We have with us also --

9 SENATOR HORN: Just one statement.

10 Essentially, we only have two counties that were
11 divided. With your permission, I would like to place
12 all of these 10 or 12 maps breaking down into details in
13 the Jefferson County Delegation and let it remain for a
14 couple of weeks. And then Legislators there to see.
15 And then find a central place to leave them for the ones
16 in Montgomery to see exactly what and where the
17 precincts end or start. And with your permission, I'd
18 like to do that. And I can place these in the Jefferson
19 County Delegation office and let them remain for the
20 next week or 10 days.

21 REPRESENTATIVE BOX: Do you want to leave
22 them up here?

23 SENATOR HORN: No. In the Jefferson County
24 Delegation office.

25 SENATOR DIXON: Where is that?

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1 SENATOR HORN: That's on the 10th Floor in
2 the Commerce Building in Birmingham. And then I'll wait
3 on you to tell me a place we can leave it here for the
4 Montgomery legislators to see.

5 SENATOR DIXON: If you would, Senator, I
6 think it would be all right with us is, after you get
7 finished with that you can bring it back here to Marilyn
8 and we'll come up and see it here.

9 REPRESENTATIVE BOX: Our next presenter will
10 be Albert Turner. He's presented two plans. For the
11 record, he's going to discuss Plan A; is that correct?

12 MR. TURNER: That's right.

13 REPRESENTATIVE BOX: Plan B has not yet been
14 verified. The numbers are still being checked on that
15 one. So we'll hear now from Mr. Turner about his plan.

16 MR. TURNER: Mr. Chairman --

17 SENATOR LITTLE: Mr. Chairman, can we ask the
18 individuals if they're presenting plans in their own
19 behalf, or on behalf of someone else. Like I presume,
20 we had the Horn Plan, and Mr. Turner, I presume, is
21 either presenting on his behalf or on behalf of someone
22 else?

23 REPRESENTATIVE BOX: That's a good point.
24 Mr. Turner, if you would, identify who you're with and
25 in what capacity do you present this plan.

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25 in what capacity do you present this plan.

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SOS007312

22

1 MR. TURNER: This plan has been accepted by
2 the New South Coalition. And they are presenting this
3 exact same plan as a plan that they will support. I
4 also drew this plan as a plan for the Perry County Civic
5 League. And I started off drawing a plan just for my
6 own gratification.

7 Before I present my plan, I would like to
8 give you a little thought behind what I was trying to
9 do. I didn't just draw a plan. I listened to most of
10 the people who had concerns about redistricting of the
11 State of Alabama and did all I could to put a plan
12 together that would answer as many questions or as many
13 concerns as possible.

14 One concern I considered was incumbents. So
15 I did all I could to not disturb incumbents, with the
16 exception of the fact that there will be two incumbents
17 have to meet. And that would be the incumbents in the
18 west part of the State of Alabama according to my plan.
19 That's Representative Harris and Beville. They will be
20 in the same district. Otherwise, no other incumbents
21 would have incumbents in the district with them.

22 The Black plan has no incumbent in it at all.
23 And that would be a lot of reasons behind that that I'll
24 discuss later.

25 I also tried to not disturb what is called

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1 Republican-Democratic theory as much as possible because
2 I had already been warned that we should not use plans
3 to try to deviate from what was pretty much the norm in
4 terms of the political party structure.

5 So you might note that in the Mobile area
6 there is also exactly what it was before, with the
7 exception of moving Wilcox County out. And that leaves
8 that plan intact for political reasons.

9 In Montgomery, which is District Two, in my
10 plan it will be District Three really. Mobile is Two in
11 my plan. I left the incumbent there basically intact,
12 with the exception of having to take some of the Blacks
13 from Montgomery for a lot of reasons. And other than
14 that, this plan is almost the same. Other than the fact
15 I had to also make all those districts within a 1%
16 deviation.

17 And I would like to state to you now -- I
18 have some of these to pass out, but I don't have enough
19 for everybody, but the deviations in my plan the highest
20 I have is .54. In other words, that's a plus .54.
21 That's the largest deviation from the norm. And that
22 would be in District Two, which is the Mobile area. The
23 rest will be less than .54.

24 District One is a plus 35; District Two is a
25 plus 54; District Three is a plus 43; and District Four

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1 So, my sole interest was to develop a plan
2 that was as fair as possible and as close as possible to
3 a 65% Black. My theory is that we would like to have
4 one seat in congress that we can say we sent somebody
5 to. I feel very strongly that if it's 50 or 55%,
6 whoever wins that plan will win as a result of whatever
7 the Whites in that district does. And I'm interested in
8 trying to have at least one out of seven. I would like
9 for the record to show that and I intend to take that
10 position all the way.

11 So my plan, as a Black plan, is about 65%
12 Black. And I worked on that with the theory of trying
13 to give people in Birmingham a chance to be elected.
14 People in Montgomery a chance to win. People in the
15 Black Belt a chance to win. And the Black people in
16 East Alabama. I used that theory because these people
17 have, throughout the years, worked in politics and
18 they've got strong political organizations and they've
19 got strong Black representation in all of these areas.

20 And I feel that based on the history of
21 Alabama and the struggle of Alabama that all of these
22 areas should be represented in Congress with a Black
23 representative. And that anybody from any of those
24 areas who is Black, who can win, should have the
25 opportunity to win. Now, that's my thesis behind my

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1 is a minus 48; District Five is a minus 36; District Six
2 is a minus 35; District Seven is a minus 13.

3 I'd also like for you to note that these
4 numbers have been computerized. I had the services of
5 the Sociology Department or whatever in Auburn, Alabama,
6 and they ran all these figures through the computer and
7 they've been computerized with my map and everything
8 else. So I would like to say that to authenticate the
9 figures and they did checkout through a computer.

10 In my philosophizing of this plan, I had been
11 told from the Black community that it was various Black
12 people who had an interest in running for the
13 congressional seat. And by the way, I want to dispel
14 all theory, I have no intention at all of trying to
15 support a two Black congressional seats in Alabama. I
16 think it's ludicrous, to be honest with you. I don't
17 see no possibility of having two seats that Black folks
18 can win in Alabama. In fact, I have a problem in trying
19 to get one that they can win knowing the Black Belt of
20 Alabama and the State of Alabama, and I intend to take
21 that position with Justice and anybody else. I'm not
22 interested in trying to take a fold of the population of
23 Alabama and try to make two Black seats out of it. I do
24 not buy that theory that a 50% Black seat or a 55% Black
25 seat is electable.

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1 Black district.

2 The others, the best I could do, was to keep
3 them as close as I could to what they were and not to
4 try to show any favoritism to Democrats or Republicans.

5 In Birmingham, Alabama, in particular, I used
6 as few Blacks as I could to make my seat black as it
7 should have been. And that was on the theory that if I
8 had used too many Blacks out of Birmingham, it would
9 allow Birmingham to switch its party position too easy.

10 So I took Birmingham and Shelby County, or
11 the remainder of Jefferson County that I left, and
12 Shelby County, and put it together to make a district.
13 I took the theory that I will leave enough Blacks in
14 Birmingham to domino the Whites that I added from the
15 Shelby County. And the Democrat then would have to win
16 from his constituents in Birmingham.

17 Shelby County has roughly a hundred thousand
18 people in it that is known to be strictly Republican.
19 And we left roughly 80,000 Black people in Birmingham to
20 domino that effect. And that's the theory upon drawing
21 your Birmingham seat and not using no more Blacks than I
22 had to use.

23 I did use 150,000 Black people from
24 Birmingham out of 228,000 up there. And, of course,
25 that would leave roughly 80,000 people, more precise,

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1 78,000 would be left in that district to help balance it
2 all and to help keep it as is politically.

3 As you might note, I took the whole Black
4 Belt as is and put it in the Black district. Started at
5 Choctaw County and going all the way up through
6 Tuscaloosa County.

7 Tuscaloosa has 38,000 Black people in it.
8 And we took 26,000 of the 38,000 out of Tuscaloosa and
9 gave it to the Black district. We also took roughly
10 25,000 white people from Tuscaloosa. So Tuscaloosa
11 County would have 50,000 people in District One. I call
12 that the Black district. And, of course, they're about
13 50/50.

14 Montgomery was an area I was very concerned
15 about and I guess I worked on that map for about two
16 years to be sure that we got all the Black people we
17 could get out of Montgomery, Alabama into the Black
18 district. So they had 87,000 down there, Blacks in
19 Montgomery. And my plan drew about 75,000 of those
20 85,000 into the Black seat. I did not want to have a
21 fight between what we call the Black community, ADC and
22 New South. So I put all that I could in that from ADC
23 and all I could from New South so there would be no
24 lawsuit about ones that are Blacks having an advantage
25 over the other one.

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1 REPRESENTATIVE BOX: Mr. Turner.

2 SENATOR LITTLE: How many counties have you
3 split, Mr. Turner?

4 MR. TURNER: In my drawing I split Jefferson,
5 Tuscaloosa and Montgomery. That was to give us a
6 maximum.

7 REPRESENTATIVE FLOWERS: I thought Shelby was
8 split to; isn't it?

9 MR. TURNER: Shelby is not -- Etowah is split
10 a little bit, that's right. Etowah, we got 10,000
11 people out of Etowah County to make our deviation right.
12 I was very concerned about not having a deviation that
13 was larger than one-half percentage point.

14 SENATOR LITTLE: Point out Etowah. I don't
15 see where it's split over there.

16 MR. TURNER: You've got a very small amount,
17 it's not large, but it's a very -- it's 10,000 people to
18 be exact. And we need that 10,000 to give, to be sure
19 that our deviation didn't get beyond what's allowable.

20 SENATOR LITTLE: Now, Mr. Turner, do you mind
21 if we go ahead and slip the present congressional screen
22 on top of that just to get a --

23 MR. TURNER: That won't bother me at all.

24 REPRESENTATIVE BOX: This won't take but just
25 a second. Let me get Representative Rogers' question.

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1 So we find that we took roughly 90% of the
2 Black people from Montgomery and put them into the Black
3 seat. The whole City of Montgomery has roughly 150,000
4 people in it, for the full county at least. And out of
5 that I took about 75,000 of them being Black.

6 REPRESENTATIVE BUSKEY: You mean the city?
7 You said 150,000, you're talking about the city, not the
8 county?

9 MR. TURNER: Yeah.

10 REPRESENTATIVE BUSKEY: It's about 170,000.

11 MR. TURNER: In the whole county.

12 REPRESENTATIVE BUSKEY: The county has got
13 about 209,000.

14 MR. TURNER: Yeah. What I'm saying is, the
15 whole county of Montgomery, because I took some of the
16 county too.

17 REPRESENTATIVE THOMAS: Blacks you're talking
18 about --

19 MR. TURNER: Yeah. I was just talking about
20 the whole county that I took. Of course, the way I got
21 it here is a little different from this. I got 120,000
22 -- I've got 75,000 of these people being Black out of
23 the 209,000 total peoples. But in the county, my total
24 population of Montgomery is only 120,000 people. Now,
25 these figures will vary a little bit.

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1 REPRESENTATIVE ROGERS: In regard to
2 Jefferson County, what's that number now under your
3 plan? It's presently District 6.

4 MR. TURNER: In my plan it's Seven.

5 REPRESENTATIVE ROGERS: How many counties now
6 are making up --

7 MR. TURNER: Jefferson.

8 REPRESENTATIVE ROGERS: -- what, the old
9 Sixth District?

10 MR. TURNER: You've got Jefferson and Shelby
11 together, that's all. That makes up what used to be Ben
12 Erdreich's district. That's all you've got. You've got
13 Jefferson County and Shelby County. In other words,
14 Shelby County had enough people to replace what I took
15 from Jefferson County to give you almost a perfect
16 district there. In fact, the deviation is less than a
17 half of a percentage point.

18 REPRESENTATIVE ROGERS: Then what about that
19 portion that Claude Harris has now, does he lose all of
20 that?

21 MR. TURNER: Claude, doesn't have any of
22 that. That went into what we call District One, which
23 would be a Black seat. That's the -- that's your
24 figures on it. And I'm calling this District -- Seven
25 is what I'm calling, that's just your old Birmingham

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1 seat, and it's made out of Jefferson County and Shelby
2 County only.

3 REPRESENTATIVE BOX: Representative Buskey.
4 Mr. Turner, I was a little concerned about your
5 beginning statement of protecting incumbents.

6 MR. TURNER: As much as possible.

7 REPRESENTATIVE BUSKEY: Is that a primary
8 consideration of yours in drawing the plan was
9 protecting incumbents?

10 MR. TURNER: That is one of my
11 considerations. And according to the Justice Department
12 and all the experience that I've had in drawing plans
13 that would have to be one that you do consider. They
14 are very concerned that you give all the consideration
15 that's possible to the incumbents. And all the court
16 cases I've been in, I've been in a lot of them.

17 REPRESENTATIVE BUSKEY: What I really want to
18 know -- I understand what you're saying. What I really
19 to know, in drawing your plan when you considered
20 incumbents on a scale of, say, one to five, where did
21 that consideration fall?

22 MR. TURNER: Well, all the incumbents, as far
23 as I'm concerned, have got an opportunity to be elected
24 with the exception of Claude Harris and Beville.

25 REPRESENTATIVE BUSKEY: My question is; in

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1 I took all -- I took everything in
2 consideration that I thought they could challenge me on
3 and tried to draw a plan around it, including factions,
4 Black factions; including the Republican issue;
5 including the incumbent issue. I did the best I could
6 in terms of compactness. Of course, that became
7 somewhat of a problem a little bit.

8 But I also wanted to be sure that there was
9 major factions who would not have a strong leg to stand
10 on. I didn't want the Republican Party to be able to go
11 to court and argue that we drew plans specifically to
12 dismantle them nor the Democrats.

13 And, of course, I was very concerned about my
14 numbers because I know if the numbers were wrong you
15 ain't got a chance. So you might note that my average
16 deviation is less than a half percentage point. And
17 that was one of my greatest concerns. That's what
18 caused me to split Etowah County because I was very
19 concerned that I didn't get out of bounds with them
20 numbers because I know how bad you can be challenged in
21 court on that issue. So I drew my plan with really
22 court challenges in mind, I want to be honest with you.

23 REPRESENTATIVE BOX: Representative Curry.

24 REPRESENTATIVE CURRY: Mr. Turner, you said
25 you left approximately 80,000 Black residents in

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1 your thinking in drawing the plan, if you were, in your
2 consideration of things to be considered such as
3 incumbency, where does this consideration fall in
4 protecting the incumbency 1, 2, 3, 4, 5 on your --

5 MR. TURNER: Well, my first concern working
6 for a group of Black people, and I drew this plan trying
7 to create a Black district, there's no question about
8 that. So my first concern was draw a Black district
9 that we thought would pass Justice and that would be
10 hard to challenge in court.

11 Now, once I made that, then I went to work
12 trying to protect incumbents and Republicans and
13 Democrats so to speak.

14 REPRESENTATIVE BUSKEY: So incumbents became
15 number two, your number two consideration?

16 MR. TURNER: That would be basically the way
17 I would say it. Of course, we also considered the
18 theory I was aware of the fact that the courts is very
19 concerned about the fact that you should not jive around
20 with the Republican-Democrat thing.

21 And I drew a plan -- I'll tell you, I drew my
22 plan with the intentions of trying to beat a court
23 challenge, to be honest with you. And I did everything
24 I could with this plan to be able to defeat anybody in
25 court.

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1 Jefferson County in the blue district you have drawn
2 there. Do you know offhand what communities or cities
3 those might be?

4 MR. TURNER: To be honest, I know exactly.

5 REPRESENTATIVE CURRY: Well, how about
6 telling us.

7 MR. TURNER: You drew my map by what we call
8 a district -- a census map. In other words, I drew
9 precincts and boxes and junk like that. So I knew
10 exactly what boxes we took, what precincts we took and
11 all.

12 REPRESENTATIVE CURRY: Well, what happened to
13 the City of Bessemer, where is it?

14 MR. TURNER: I can tell you to start with
15 that nothing was left intact specifically. There was
16 some of the City of Bessemer taken out and some left.

17 Birmingham on my map looked like this. That
18 is exactly what I took out of the City of Birmingham.

19 REPRESENTATIVE CURRY: Oh, I like that map.

20 MR. TURNER: I do too. And I do have a match
21 that I can show you exactly what precincts end and what
22 exactly precincts out because I did my own precincts.

23 REPRESENTATIVE CURRY: You have a good plan.

24 MR. TURNER: And this -- that's the
25 computerized list of what precincts is in and out and

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1 the numbers on each precinct.

2 I did leave Senator Horn out. And when I
3 found out where he lived, I put him in. I was close all
4 the time, but I finally found out where he lived. And
5 the only change in my plans, I had to take one precinct
6 out and put one precinct in to get Mr. Horn in, but it
7 did not change my numbers at all, I found one to swap.

8 SENATOR HORN: His plan now has a chance.

9 MR. TURNER: Senator Horn is in.

10 SENATOR DIXON: Mr. Turner, you've got --

11 MR. TURNER: Who am I addressing?

12 REPRESENTATIVE BOX: Senator Dixon.

13 SENATOR DIXON: Mr. Turner, I'm wondering,
14 you speak about lack of gerrymandering, you speak about
15 compactness, but yet you have a very obvious corridor
16 running across north Montgomery in order to pick up
17 Macon County.

18 MR. TURNER: Exactly right.

19 SENATOR DIXON: Now, would not it be more
20 compact if your plan included Lowndes County, which is
21 contiguous to --

22 MR. TURNER: Lowndes County is in there.

23 SENATOR DIXON: I understand. Which is
24 contiguous to west Montgomery only, and then pick up
25 Washington County and some of the other Black Belt

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1 opportunity to run for this seat.

2 SENATOR DIXON: So what you're saying is,
3 then you have split Montgomery County to give them a
4 chance to run?

5 MR. TURNER: Now, wait a minute. I want to
6 tell you -- I want to answer your question. And your
7 question is, we are very concerned about giving Bullock
8 and Macon County the opportunity to be involved in
9 whatever senatorial -- congressional Black seat there
10 is.

11 Now, also they're concerned, we are very
12 concerned about having as large a Black population as we
13 can. And we had chosen to use Washington County, which
14 is about 35% Black, and had chosen to use Pickens
15 County, we would have gotten a much smaller number of
16 Black people from either one of those counties. And
17 would have caused to have to use more Black people from
18 Jefferson County, which I did not want to do because we
19 also have a concern not to have one of these major areas
20 top heavy. The Black community did not want to have a
21 Birmingham instance where there's many more Blacks than
22 in Montgomery or the Black Belt of Alabama. So we had
23 all of those things to consider.

24 And in considering all these things from all
25 angles, not just the Montgomery angle. I think I left

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1 counties rather than running a corridor across the top
2 of Montgomery and unnecessarily splitting Montgomery
3 County just to pick up Macon County.

4 MR. TURNER: Montgomery was not split for the
5 purpose of picking up Macon County, I want to make sure
6 that's clear. Montgomery was split, Montgomery was
7 split for the purpose of getting every Black citizen I
8 could into the Black district.

9 SENATOR DIXON: Well, if that's the case --

10 MR. TURNER: That's what I split it for.

11 SENATOR DIXON: -- I would think that
12 Washington County and Pickens County and some of the
13 other Black Belt counties that you've left out of your
14 compact district over there would have been more
15 reasonable to have been included than instead of running
16 that corridor over there and pick up Macon County.

17 MR. TURNER: I think I explained to you in
18 the beginning of why we chose Macon County.

19 SENATOR DIXON: No, you didn't.

20 MR. TURNER: Well, my reason was is because
21 Macon County is one of the counties who have a large
22 number of Black elected officials, and for years who
23 have had Black elected officials.

24 We also understand that there are several
25 people in that area who would like to have the

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1 everybody in Montgomery I could have left in there for
2 Dickinson and did what we had to do.

3 REPRESENTATIVE BUSKEY: You said Dickinson or
4 Dixon?

5 MR. TURNER: Dickinson or whatever his name
6 is. I don't know. Whatever his name is down there.

7 SENATOR DIXON: Well, it just seems to me
8 that you have unnecessarily split the county.

9 MR. TURNER: We couldn't get the same -- we
10 could not get the same effect. I tried everything in
11 the State of Alabama. And Washington and Pickens County
12 does not give us the effect of having Bullock and Macon
13 in terms of blackness.

14 You've got Macon County, which is about 90%
15 Black, and Bullock County, which is about 80% Black.
16 And the only way I could have got the rest of the Blacks
17 is that I would have to go to Birmingham, which I didn't
18 want to do, because I do two things when I get more
19 Blacks from Birmingham.

20 One is, I make the Democratic seat weaker,
21 and another one is I give the Black people a greater
22 advantage of electing somebody in Birmingham than the
23 rest of the state. And that was the concerns I had in
24 trying to draw my stuff.

25 SENATOR HORN: The press is here, you don't

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mind me going ahead and adopting your plan?

MR. TURNER: No, I don't. I have no objection.

REPRESENTATIVE BOX: I have a question from Representative Thomas.

REPRESENTATIVE THOMAS: Basically all of the plans that tend to draw the predominately Black district you will find Montgomery County in it. I think your question was why take Montgomery County. You've got to have Montgomery County to get the numbers.

SENATOR DIXON: I'm not the least bit concerned about that.

MR. TURNER: That's what Montgomery County looks like, actual precinct by precinct.

SENATOR DIXON: The only thing I'm concerned about is that you're splitting the county in half, just cutting out half of Montgomery and putting it in another district. You're splitting the city in half is what you're doing.

REPRESENTATIVE THOMAS: True. But you're doing it in order to get the numbers.

SENATOR DIXON: So that is your statement and goal then, it's all right with you if we split the city in half in order to achieve the Black district?

REPRESENTATIVE THOMAS: If that's the only

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about.

SENATOR DIXON: Mr. Turner, these pink precincts --

MR. TURNER: That's the White. That's Mr. Dickinson or whoever.

SENATOR DIXON: You know, you're splitting neighborhoods here, you're getting --

MR. TURNER: Ain't no neighborhoods split. Everything I've got there is a -- absolutely not one precinct split. Everything I've got is solid precincts. I do not split precincts.

SENATOR DIXON: What I'm saying is, you've made a half moon around the City of Montgomery. You're coming over here from Southlawn, going up, picking up Chisom, going up and picking up east Montgomery, coming over here and picking up Carriage Hills and putting all of that into the Black district. And then you've just got a little finger of a pie coming in here and picking up. You're giving most of the City of Montgomery to the Black district.

MR. TURNER: We had to do that to be sure that your representative was in that white precinct. That's why we see that finger in there. Right there where your pencil is, is where the representative lives. We barely could get him in there. And I didn't want to

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way it can be accomplished. And according to the way I perceive it, you're going to have to have Montgomery in it.

SENATOR DIXON: So you're going to support a plan that does that?

REPRESENTATIVE THOMAS: Oh, absolutely.

MR. TURNER: Now, the only thing I would like to add is that we know, there is no question about this, that there's going to be a court suit from here to yonder if you don't put everybody you can in Montgomery County in that Black seat. We already know that. You might not, but I do.

So my personal, first concern was to give Mr. Reed every Black citizen he could get in Montgomery County. And I didn't want to have a fight with Johnny Ford and the rest of the Ford supporters in Tuskegee. These other people are not that hung up you named.

Gerrymandering, as far as I'm concerned, you know, if you're going to go draw a Black seat, you've got to gerrymander -- if you like to gerrymander, you can forget about having anything Black because you just can't do it no way. The Black people live in Birmingham, Alabama, they live in Mobile, and they live in Montgomery and the Black Belt of Alabama. And when you leave there, there are no more Black folks to talk

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draw a plan that didn't have him in it. So he's in there. I made sure that I get a written statement of where he lives.

SENATOR DIXON: What you've also gotten, Mr. Turner, is you've got the high growth white part of the City of Montgomery in your district also.

MR. TURNER: Well, I had to do it because I had to have some white folks to make my district up. I've got to have some white folk in there now remember. Ain't but 85,000 Black folks in Montgomery. And I've got to have a district that also 577,000 people in it. So I've got to have some white folk in that district.

So, you know, Montgomery had to lose some and some of them had to be white. It's about 50% really is. Whites and Blacks of Montgomery is about 50/50. But I wanted to be sure that I got every Black that I could get.

REPRESENTATIVE BOX: We have a question from Representative Thomas.

REPRESENTATIVE THOMAS: What is your composition -- have you done a tally of what the Black composition is in the Black Belt and compare it to Montgomery and Jefferson?

MR. TURNER: Well, let's say it this way.

REPRESENTATIVE THOMAS: Do you have any

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1 numbers?

2 MR. TURNER: Yeah, I've got it. But it's --
3 I can explain it two different ways.

4 REPRESENTATIVE THOMAS: Explain it the way I
5 like it.

6 MR. TURNER: In my theory, we've got three
7 component parts of that district, in the Black district.
8 And I considered the three components being Birmingham a
9 component; Montgomery a component; and the Black Belt a
10 component. And as near as possible I tried to give each
11 one of those components a fair representative as
12 possible in terms of having a chance to be elected. So,
13 I ended up with 150,000 Black people out of Birmingham,
14 which has the largest number of Blacks that I can get
15 there.

16 As far as I'm concerned, I consider East
17 Alabama and Montgomery to be kind of cousins. So if you
18 put East Alabama and Montgomery together, you'll end up
19 with roughly about 150,000 Blacks there or close to it,
20 a hundred thirty, or something like that.

21 The Black Belt and Tuscaloosa goes together
22 and they come up with something like 130,000. So you
23 will find that the three entities that we considered
24 ourselves in the Black community has about as equal
25 chance as being challenged. And there is no entity can

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1 can get elected, Mr. Dickinson, because he won't have no
2 Black to be in his way.

3 SENATOR DIXON: But he doesn't have his
4 traditional power strength anymore, you've taken out the
5 white neighborhood --

6 MR. TURNER: Well, he's still Dothan, Alabama
7 down there, and he's still got Auburn, Alabama.

8 SENATOR DIXON: Yeah. But you've also taken
9 out the white neighborhoods of Montgomery.

10 MR. TURNER: Now, I had to do that. Now, he
11 can't have everything.

12 REPRESENTATIVE BUSKEY: He lost Montgomery in
13 the last election.

14 SENATOR DIXON: Not in those districts.

15 REPRESENTATIVE BOX: This is not completely
16 accurate. The current District Seven has 180,000 Blacks
17 in it. And that's the nucleus of all, of both of these
18 Black districts.

19 Now, that 180,000 includes a small number
20 from Jefferson plus the ones from Tuscaloosa County. So
21 you can probably figure there was roughly 150,000 in the
22 Black Belt counties outside of Jefferson and Tuscaloosa.

23 REPRESENTATIVE THOMAS: Outside of Jefferson
24 and Tuscaloosa.

25 MR. TURNER: The eight Black Belt counties

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1 win without the help of the other one.

2 Now, this has been a concern that we've
3 discussed among ourselves. And we're trying to draw a
4 plan that's going to satisfy the Black community more
5 than we is anybody else.

6 We couldn't do nothing for the white folks
7 but do what was already there. We got a district drawn
8 that was suitable. And, of course, we would not like to
9 have a seat drawn, I'm going to tell you now, that
10 leaves East Alabama out of the Black seat because of the
11 historical reasons. They had the very first Black
12 elected official in the State of Alabama. And we think
13 as folks going to Washington saying they represent Black
14 folks they need to be representing where Black people
15 are elected and not just some Black folks. And that's
16 going to be my advice when I get to Justice or anywhere
17 else.

18 And what I have drawn has given historical
19 Montgomery its chance; historical Birmingham its chance;
20 and historical Black Belt of Alabama its chance and the
21 best man will win. And in doing that, I did not bother
22 any new incumbents really, as far as I'm concerned.

23 Now, the man has a white district about 80%
24 that you're concerned about. He has less than 25% Black
25 people in there. So if white folks want him elected, he

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1 that we got in that district --

2 REPRESENTATIVE THOMAS: That's what I'm
3 concerned about.

4 MR. TURNER: -- has a total Black population
5 of 144,958 people -- no, total population.

6 The Black population of those eight counties
7 88,697 people.

8 REPRESENTATIVE THOMAS: Give me those figures
9 again.

10 MR. TURNER: For eight counties, it's
11 144,958. And we've got 88,697 of them Black. Now,
12 that's the eight counties. But in my theory of what I
13 call the Black Belt, that is not exactly what I consider
14 as being -- but that's the eight counties.

15 That does not include Marengo County and it
16 does not include -- the Marengo County will give you
17 another 12,000. And, of course, wherever you want to
18 put Macon and Bullock, they would be in there somewhere
19 too.

20 But based on what I generally know from my
21 working for the State of Alabama, you've got a pretty
22 balanced three part in the Black district. And in the
23 white district you did not do anything to disturb them.
24 We didn't mess with the Republicans no more than we had
25 to.

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1 Jefferson County was the biggest county and I
2 was concerned about it and I think I did all I could do
3 to save Jefferson.

4 REPRESENTATIVE BOX: Let me make one
5 observation on that point because we didn't really get
6 into that on Senator Horn's plan earlier. You said it
7 several times, you want to leave enough Blacks in
8 Jefferson County in the current District Six?

9 MR. TURNER: That's true.

10 REPRESENTATIVE BOX: The current District Six
11 has 36% Congressman Ben Erdreich's district is 36%
12 Black? Under your plan, Ben Erdreich's district is
13 going to be -- let's see. Is that District Four?

14 MR. TURNER: Ben Erdreich is going to be
15 District Seven now.

16 REPRESENTATIVE BOX: District Seven is going
17 to be 15.16%. You're cutting him by more than half.
18 And under Senator Horn's plan it's 6.7%. He's cutting
19 him 30%.

20 MR. TURNER: That's the best I could do for
21 him and still keep the Black district. Because
22 Birmingham is the nucleus of where all the Blacks live.
23 And I kept as small a number as I could and still have
24 what I considered a 65% district.

25 And, of course, I had no other place to go

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1 and get the Blacks because I had gotten all I could out
2 of the Black Belt and all I could in Montgomery. And I
3 had gotten -- I put Tuskegee and Bullock in there to get
4 the rest. So I really don't have any place to go to get
5 them otherwise.

6 REPRESENTATIVE BOX: Looks to me like what
7 you have done, although it may be a little more
8 acceptable than what Senator Horn's plan says, what you
9 have done is taken a significant portion of Congressman
10 Erdreich's democratic support away from him, leaving him
11 with some shaky ground I would suspect.

12 REPRESENTATIVE FLOWERS: Every plan does
13 that, though, Mike.

14 MR. TURNER: We did all we could for him,
15 everything I could, and still give him a Democratic
16 Black seat.

17 REPRESENTATIVE BOX: One other observation.
18 You've got one district with 66% Black; one's 28; one's
19 25; and one's 19. Those are your highest concentrations
20 of Blacks.

21 MR. TURNER: Where have you got one 28 at?
22 That's Mobile. That's just like it was all the time.
23 We didn't change Mobile.

24 REPRESENTATIVE BOX: You've got four
25 districts that have close to 20% or better Black.

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1 MR. TURNER: Yeah.

2 REPRESENTATIVE BOX: And we saw today he had
3 28, 23, 20 in Six and Seven, plus one was 18. So he has
4 got about five districts that are close to that one.

5 MR. TURNER: Yeah. But he also would have a
6 much weaker Black seat with that.

7 REPRESENTATIVE BOX: His Black seat is 67%,
8 yours is 66. His Black seat is stronger than yours.

9 MR. TURNER: And I think you need to check
10 his Black numbers too because he had too many in
11 Montgomery.

12 REPRESENTATIVE BOX: These were done on the
13 computer and they're accurate.

14 MR. TURNER: Okay.

15 REPRESENTATIVE BOX: There's a possibility of
16 drawing a plan that would create a 60% Black district, a
17 30% Black district and two 25% districts.

18 MR. TURNER: That wouldn't do us no good. I
19 wouldn't be interested in that.

20 REPRESENTATIVE BOX: That would give you
21 three significance impact districts.

22 MR. TURNER: I've got a real problem with
23 that, I really do. I think that's the problem you just
24 mentioned, I'm serious about that. And I don't think
25 30% is much of an impact. I'm serious what I'm saying.

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1 I think the impact is going to be about the
2 same regardless in all fairness. Other than the fact
3 when you've got something like 30 or 35% Black people in
4 a district, I personally don't think you've got much
5 impact if the people ain't together anyway.

6 REPRESENTATIVE BOX: Better to have two 25's
7 and a 30 than to have a 20, a 25 and a 28?

8 MR. TURNER: I'll answer that question in
9 respect to what it does otherwise. I will speak in
10 terms, what we do in terms of incumbents; what it does
11 in terms of deviations. And I can't answer that
12 question out of the clear blue because I -- and what it
13 would do in terms of splitting ED's and this kind of
14 thing, you know.

15 But now if you want to keep everything you
16 can intact about any splits, try to keep incumbents as
17 close as to home as you can, then I have to answer that
18 question that way. But just on hypothetical numbers, I
19 can't talk about. And that's what I feel like you're
20 giving me there is hypothetical numbers.

21 REPRESENTATIVE BOX: Anybody else have any
22 questions for Mr. Turner?

23 REPRESENTATIVE THOMAS: One final question.
24 You gave a figure of 150,000 out of Birmingham. I know
25 a great number of those are Blacks or all of those

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1 Blacks, are you talking about 150 total number out of
2 Birmingham?

3 MR. TURNER: No. It's 170,000 total people
4 left in Birmingham. 175,000 total people and 150,000 of
5 them are Black people. And in all the plans that I have
6 checked out without going to Mobile, and I do have a
7 plan that has Mobile involved that I haven't scoped out
8 properly.

9 REPRESENTATIVE THOMAS: You've got it in your
10 back pocket?

11 MR. TURNER: But other than that, and
12 considering anything else I need to consider, frankly
13 speaking, I think the Black community, and I'm very
14 serious about this, is going to have about as much
15 impact the way I've got that plan drawn wherever, than
16 you would if you split them all up and tried to use
17 other stuff. And I think if we did you what you're
18 talking, you would probably mess with incumbents there
19 and Republicans and all that kind of stuff.

20 REPRESENTATIVE BUSKEY: My real concern, I
21 think there is not going to be a whole lot of interest
22 in a plan that does not give the Black district, I'll
23 use 65, it could be a little less than that, 60.

24 And also from Senator Dixon's question about
25 splitting up Montgomery, you've got to have two of the

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1 taking your time to come talk with us today.

2 SENATOR DIXON: Didn't he say he has another
3 plan?

4 REPRESENTATIVE BOX: He does but the
5 numbers --

6 REPRESENTATIVE THOMAS: It's in his back
7 pocket.

8 REPRESENTATIVE BOX: We do have a copy of his
9 Plan B.

10 MR. TURNER: Well, that would be simply
11 putting Mobile in the district and takes out East
12 Alabama, to be honest with you. And the reason I don't
13 push it too hard because we've got Mobile and Montgomery
14 and Birmingham in that and I think that's a little too
15 much. And, of course -- but if somebody wants me to
16 draw that --

17 REPRESENTATIVE THOMAS: Just keep that in
18 your back pocket.

19 REPRESENTATIVE BOX: Is there anyone else who
20 has not signed up who would like to address the
21 Committee this morning?

22 If not, our next meeting is the day after
23 Labor Day at three o'clock.

24 REPRESENTATIVE BUSKEY: Mr. Chairman,
25 yesterday the chairman had the members of the

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1 metropolitan districts --

2 MR. TURNER: No doubt about it.

3 REPRESENTATIVE BUSKEY: -- or large county
4 areas. You've got Montgomery, Jefferson, or Jefferson,
5 Mobile, or Jefferson, Montgomery, and you can't draw a
6 predominate Black district without those two, two of the
7 three large metropolitan districts to pick from those
8 counties in that district.

9 REPRESENTATIVE BOX: A question from
10 Representative Flowers.

11 REPRESENTATIVE FLOWERS: I just wanted to say
12 that I want to commend Mr. Turner for the concept
13 politically that he has taken the three areas we would
14 take the Black population from and given them equal
15 representation, Jefferson County from the Black Belt and
16 from the Montgomery area with his sort of similar
17 numbers among the Black community.

18 He's also in Jefferson County given the
19 Democratic incumbent, at least, a fighting chance by
20 giving him 80,000. He's enhanced -- he's probably gone
21 anyway, but what I'm saying is, he's given him a chance
22 a little bit in that Republican district up there. So I
23 want to commend you. Much better than Senator Horn's.

24 REPRESENTATIVE BOX: Any other questions of
25 Mr. Turner? Thank you, Mr. Turner. We appreciate you

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1 congressional aids here stand and be recognized.

2 I wonder if we could have all of the
3 congressional candidates, potential candidates stand at
4 this time.

5 REPRESENTATIVE BOX: That may be a little
6 premature.

7 Nothing else, the meeting is adjourned. See
8 you the day after Labor Day.

12 END OF HEARING

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C E R T I F I C A T E

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, ROBERT KEITH KENNEDY, Notary Public for
the State of Alabama at Large, hereby certify that I am
the Court Reporter who made machine shorthand notes of
the foregoing proceedings at the time and place stated
in the Caption thereof; that I later reduced my
shorthand notes into typewriting, or under my
supervision; that the foregoing pages numbered three
through fifty-four, both inclusive, contain a full,
true, and correct transcript of proceedings had on said
occasion.

I further certify that I am in no way related
to nor employed by any of the parties, the witness or
counsel, and that I have no interest in the outcome of
this matter.

Given under my hand and seal this the 26th
day of August, 1991.


Robert Keith Kennedy
Notary Public

My Commission Expires
September 5, 1994

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2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA

PUBLIC HEARING

JOINT LEGISLATIVE COMMITTEE

ON

REAPPORTIONMENT

Joint Briefing Room
Alabama State House
Montgomery, Alabama

October 2, 1991

9:00 a.m.

SHORES REPORTING SERVICES, INC.

413 NORTH 21ST STREET
BIRMINGHAM, ALABAMA 35203
(205) 251-2427

COMMITTEE MEMBERS

SENATOR RYAN DEGRAFFENRIED, 21st Senate District,
Tuscaloosa, Alabama.
REPRESENTATIVE JAMES M. CAMPBELL, 36th House
District, Anniston, Alabama.
REPRESENTATIVE W. C. BOWLING, 2nd House District,
Cullman, Alabama.
REPRESENTATIVE MICHAEL E. BOX, 96th House
District, Satsuma, Alabama.
REPRESENTATIVE JOHN BUSKEY, 77th House District,
Montgomery, Alabama.
SENATOR DANNY CORBETT, 28th Senate District,
Phenix City, Alabama.
REPRESENTATIVE JOHNNY CURRY, 50th House District,
Bessemer, Alabama.
SENATOR LARRY DIXON, 25th Senate District,
Montgomery, Alabama.
REPRESENTATIVE STEVE FLOWERS, 89th House District,
Troy, Alabama.
REPRESENTATIVE JOE FORD, 28th House District,
Gadsden, Alabama.
REPRESENTATIVE ALBERT HALL, 22nd House District,
Gurley, Alabama.
SENATOR FRED HORN, 18th Senate District,
Birmingham, Alabama.
SENATOR CHARLES LANGFORD, 26th Senate District,
Montgomery, Alabama.
SENATOR TED LITTLE, 27th Senate District, Opelika,
Alabama.
REPRESENTATIVE FRANK ROGERS, 51st House District,
Birmingham, Alabama.
SENATOR JIM SMITH, 2nd Senate District, Madison,
Alabama.

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REPRESENTATIVE JAMES L. THOMAS, 69th House
District, Selma, Alabama.
SENATOR STEVE WINDOM, 35th Senate District,
Theodore, Alabama.

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PROCEEDINGS

October 2, 1991 9:00 a.m.

REPRESENTATIVE CAMPBELL: We have a
quorum. I assume the Republicans caucus will come
in out of the hall at the appropriate time.

Fellow committee members before we
commence reviewing the plans, we cut things down,
one of the matters that is floating around is a
plan that has been proposed, it has not been
submitted to us, that creates two districts that
have a majority Black population in them.

This plan, I believe, is something that
the National NAACP has submitted to us in a format
that was incompatible with our computer. They
sent us a list of what counties would comprise or
what parts, the counties and parts of counties
that would comprise the two Black districts and
said y'all figure out what the other five
districts look like. But based on Alabama's
population, theoretically it's possible to have
two districts that have a Black population and a
majority.

And one of the things that we have done
is I wanted to ask for some testimony on the
feasibility of such a plan because somebody's

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1 going to draw one and somebody is going to submit
2 it and this is as a good a time as any to request
3 some feelings, particularly from those that are
4 effected.

5 At this time I'm going to call on
6 Mr. Joe Reed. Mr. Reed would you tell us.

7 It's nice of all you folks in the
8 Republican caucus to join us.

9 SENATOR CORBETT: Now, wait a minute.
10 I'm not in the Republican caucus, I was just out
11 there lobbying.

12 REPRESENTATIVE CAMPBELL: Mr. Reed.

13 DOCTOR REED: Mr. Chairman and members
14 of the Committee I have two or three things I
15 would like to say in opening.

16 First, I would like to thank you for
17 inviting me to participate and allowing me to
18 participate before this very important committee.

19 I would also say while we're standing I
20 do strongly encourage, and I would commend you for
21 the way you're going about your job and the
22 seriousness of it, I do commend you for that.

23 And I would say to you that as Judge,
24 the late Judge Richard Reeves said, I think if you
25 go back and look at the court opinion in the case

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1 Abraham Lincoln made in his second inaugural
2 address that he said both the North and the South
3 both prayed to God for victory. Let each side be
4 victorious over the other. But he says very
5 obvious God wasn't going to answer both prayers.

6 And I know it's kind of like these
7 reapportionment plans. Everybody has a plan out
8 and they want the Legislature to take their plan,
9 they think it's somehow endowed with some
10 ingenuity that no other plan has in it.

11 So I would say that it is very obvious
12 the Legislature can't adopt all plans, but I would
13 ask you to do one thing is, not withstanding all
14 other, adopt a plan that meets the law.

15 You have taken an oath to uphold the
16 Constitution of Alabama and the Constitution of
17 the United States and I would urge you to adopt a
18 plan that meets the law first, it has to meet the
19 law first.

20 I would not be intimidated by the
21 executive branch of the government saying it's not
22 going to call a special session, so what. And I
23 don't think you've got to worry about that. I'd
24 wait until to the regular session, in fact, maybe
25 save some money. If they want to call one, fine,

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1 of Buskey, not Buskey, but Burden versus Hobby,
2 that was the most recent legislative
3 reapportionment case where you are now under where
4 Judge Johnson was citing Judge Reeves' statement
5 that said he had longed for the day when the
6 Alabama Legislature would do its constitutional
7 duty. And went on to commend the Alabama
8 Legislature for passing a reapportionment plan
9 that they said met the constitution.

10 Of course, Judge Reeves has passed
11 away, but he was an Alabamian whose soul and
12 everything rested in this state and so was Judge
13 Johnson. They were simply saying that they were
14 just, in effect, glad to see the Alabama
15 Legislature do its duty on this last
16 reapportionment plan. That was 19 -- the plan
17 which you're now serving under.

18 And I say that only to say again to you
19 here today that I would strongly encourage you and
20 call upon you and I know you will, do your duty in
21 this reapportionment plan. That is to say, that
22 while there are some plans before you, and all of
23 us who drafted plans would encourage that plan be
24 adopted.

25 I'm kind of reminded of the statement

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1 but if it does not want to call one, don't worry
2 about that, pass it in the regular session and
3 you've got time to pass it.

4 The last time around it took us three
5 days to get the last plan precleared. John
6 Teague, you remember so well, that we carried the
7 plan up on Thursday, I received a call from Brad
8 Reynolds, I believe that Saturday, says stay here
9 until Monday so we can have a joint press
10 conference so we can hail the Alabama plan as a
11 model for the nation.

12 And I'll have you to believe now if you
13 go to the Department of Justice, Civil Rights
14 Division, you will find a picture of Alabamians
15 hanging in that Frederick Douglas Room
16 representing Alabama. Roy Johnson was there and
17 some others were there, but I just happen to see
18 two persons who participated in that various ways.

19 But the point I'm trying to make is, it
20 took us three days to get a plan precleared. I'm
21 not suggesting to you that it would take only
22 three days for this. I'm suggesting to you that
23 you do have time. If no special session is
24 called, you do have time to pass a plan. And I
25 wouldn't fret and be intimidated. And I don't think

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1 that the Legislature of Alabama ought to have to
2 commit to anybody in advance of what it's going to
3 do on a legislative reapportionment plan in order
4 to get a special session of the Legislature.

5 I think you've got an obligation to
6 meet the law. And the most you ought to commit to
7 is we will pass a plan that satisfies the United
8 States Constitution; that satisfies the 1965
9 Voting Rights Act; and one to the extent that
10 you're required to do so to satisfy the Alabama
11 Constitution and that's your obligation. And I
12 will call on you to do that.

13 I know that oftentimes there's somebody
14 been involved in some judicial mischief, judge
15 shopping and that's okay, except that, you know,
16 and I commend you for saying to your lawyer that
17 do whatever is necessary. And I think one of you
18 said yesterday, I believe it may been
19 Mr. Campbell, I think the paper quoted him as
20 saying, that they thought the case may have been
21 premature and that's okay.

22 But that's not the big thing. The most
23 important thing for you to do is, if you pass a
24 plan that meets the Constitution, you don't have
25 to worry anybody else because the judiciary has a

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1 which the Alabama Legislature has operated. Was a
2 plan that I was the chief architect for that
3 particular plan. That was the first plan that
4 passed this Legislature, passed the Justice
5 Department, and was blessed by the United States
6 Middle District Court, Judge Frank N. Johnson
7 presiding. That plan you and I operated under.

8 I've also drafted a plan for the State
9 Board of Education, in which the State Board of
10 Education is now operating under. That's a case
11 called Watkins versus Hobby, I believe it is. And
12 that case involved the reapportionment of the
13 Alabama State Board of Education. That plan
14 resulted in two Blacks being elected to the State
15 Board of Education out of eight, a membership of
16 eight.

17 The first Blacks were elected to the
18 State Board since -- that was the first Black who
19 were elected to the State Board since 1874.
20 Peyton Finley was the last Black to serve on the
21 State Board of Education in Alabama. Well, that
22 plan now has two Blacks, that plan resulted in two
23 Blacks being elected. One, of course, being
24 Reverend Willie Paul and Doctor Ethel Hall.

25 I have also drafted, chief drafter for

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1 the city council plan that we currently are under.
2 Montgomery has four Blacks out of nine on the
3 Montgomery City Council.

4 The current plan for the Montgomery
5 School Board, Montgomery School Board has four
6 Blacks out of seven on the Montgomery School
7 Board. Those are district plans.

8 Also there are numerous other plans
9 across the State of Alabama we've helped to draft,
10 helped to participate. And we're very pleased
11 about our record of success.

12 In drawing a reapportionment plan one
13 doesn't have to be a genius, just have to have the
14 know how and be willing to meet the law. In every
15 plan we've drafted we've simply turned to the
16 lawyers and said what's the law, and the lawyers
17 said this is the law. They said this is the law.
18 We simply follow the law and that's why we have
19 been successful.

20 One doesn't have to be a genius, just
21 have enough courage to follow the law. So I want
22 to get that in the record.

23 Now, there's a plan, one of the plans
24 before you now is commonly referred to as the
25 Reed-Buskey Plan. That plan satisfies, has one

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1 Black district, several influence districts. The
2 counties, seven counties are divided in that
3 particular plan. And someone alluded yesterday, I
4 saw in the press where they said that the current
5 congressional district plan is only two counties
6 divided.

7 But I'll have you to know now your
8 current congressional districts are
9 malapportioned. If you don't know that they are
10 malapportioned. They were malapportioned when
11 they were passed ten years ago, we just didn't
12 bother it, didn't have the time, we were so busy
13 trying to do the legislature reapportioned. But
14 the congressional district plan which you operate
15 under the last ten years is malapportioned. It
16 did not follow the one-person, one-vote. They
17 just got by for ten years but that's over now
18 because it's a different day.

19 But -- so the fact that only two
20 counties were divided was not something that was
21 so good and great about it, it's just that nobody
22 challenged the makeup.

23 If you draw, or if anyone draws, I
24 don't think anyone has drawn a plan yet that has
25 no deviations and left -- has less than two

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1 congressional seat because there are several
2 factors, and I think you have to get this down,
3 this is very important, aside from population,
4 that satisfies the one-person, one-vote theory,
5 but there are some other practical effect that one
6 must look at.

7 Also you get to the question of your
8 VAP, your voting age population. Your voting age
9 population varies from as much 3, I guess, to 5%
10 from your total population. Which means if your
11 total population, let's say is, I'll just pull out
12 a figure, 60%, then you're voting age population,
13 let's pull out a figure, is 56%, maybe 4% less.
14 Then once you get to your voting age population,
15 then you've got to get your voter registration
16 figures, which are usually among Blacks less than
17 Whites. That may be as much, as high as a 3%
18 variation.

19 Then you get, not only your voter
20 registration population, then you've got to get
21 your voter turnout. Then even aside from your
22 voter turnout, when you take in the fact that many
23 Blacks have not yet, even this day and time, never
24 still because of education and what have you,
25 don't have all of the political skills that Whites

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1 counties divided.

2 Now, I have not counted all of the
3 counties to determine all of the plans to
4 determine how many counties are divided in each
5 plan. But I would say to you that the plan we
6 have does divide seven counties and it has one
7 district.

8 Now, I understand there's another plan
9 that the NAACP has floated about and I tip my hat
10 to the NAACP for what it has done over the years.
11 I have not yet been able to put that plan together
12 because it is not a plan in its totality. So in
13 order to judge a plan, one must see it in its
14 totality. You really can't take a plan and loop
15 some counties together or loop some census tracts
16 together or loop some districts together and say
17 this is a plan. You don't know where you're going
18 to go land when you finish.

19 So -- but I have not seen a plan yet
20 and I do not take the position under no
21 circumstances can a Black win a district that's
22 less than 65% Black. I don't take that position.

23 However, I do take the position -- I
24 have not seen a plan presented around here that
25 I'm willing for a Black to run in for a

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1 have had who have been operating government for
2 hundred and hundred of years, then that's another
3 factor.

4 Then you get into your factor, your
5 economic factor in a campaign, that's your raising
6 money. Most Black candidates can't raise money
7 among poor Black folks, they don't have any.
8 We're unemployed and you also get your
9 quasi-captive vote. What's the captive vote,
10 that's the quasi-captive, that's the vote that
11 White folks still control among Black folks,
12 that's the best way to put it.

13 We used to call it captive vote where
14 they use to load them up on the truck and take
15 them down and vote them. That had happened,
16 though, during a period of reconstruction. But
17 I'm talking about now where you've got a
18 quasi-captive vote where many Blacks are still
19 subjected to the influence of their employers and
20 so forth where they simply don't know.

21 So all these factors, we put all these
22 elements together, I have not seen a plan that put
23 these elements together that will give us hope of
24 electing two Black congressmen. I wish that I had
25 a plan that could do that.

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1 So, in a nutshell, based on what I
2 have, what I have seen and what I understand all
3 these plans to be, I have not seen one that would
4 give us that result.

5 Thank you, Mr. Chairman. I appreciate
6 y'all listening to me.

7 REPRESENTATIVE CAMPBELL: Thank you,
8 Mr. Reed. Does anybody have any questions of
9 Mr. Reed about his testimony?

10 SENATOR DIXON: Only a comment, Mr.
11 Chairman, is his definition of quasi-captive vote.
12 I think a proper definition, that's the vote that
13 Joe Reed doesn't control.

14 DOCTOR REED: Thank you, Larry.

15 SENATOR CORBETT: Have you two ever
16 agreed on anything?

17 REPRESENTATIVE CAMPBELL: I'd like to
18 hear now from Jerome Gray, also from the Alabama
19 Democratic Conference.

20 MR. GRAY: Good morning. Thank you,
21 Mr. Chairman. I'm Jerome Gray, State Field
22 Director for the Alabama Democratic Conference. I
23 too have reviewed all the plans that have been --
24 that have come before this committee and I've seen
25 a number of plans that I do feel would enable a

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1 in both those districts, the voting age population
2 falls under 55% in terms of Black voting age
3 population in those two districts.

4 And if you look at the counties that
5 make up the two districts, even though they rely
6 upon urban centers for picking up their
7 population, but they also combine a lot of rural
8 counties in their plan, their proposed plan.

9 And one thing I know that is, in trying
10 to turn out the Black vote in rural areas it's
11 more difficult because you have, you know, more
12 miles to cover, more folk, you know, longer
13 distance to go pick up folk and it's just more
14 difficult to turn out folks when you have more
15 counties involved and more rural areas making up
16 that proposed district.

17 The NAACP has used the argument that
18 there are districts around the nation where Blacks
19 have won in less than, say, 65%, that is true.
20 But if you look at the Black congressmen who have
21 won in districts that are less than 65% Black
22 they're virtually all in urban centers.

23 The only district, congressional
24 district that I know of, a nationwide Black
25 district where you have a Black congressman, is in

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1 Black candidate to be elected in a majority Black
2 district.

3 There has been some discussion
4 regarding whether two majority Black districts can
5 be created in the State of Alabama. And I have
6 seen the proposed NAACP proposal and have talked
7 with some of their attorneys about the plan that
8 they have floated around in this state. I've
9 looked at the plan and I have serious reservations
10 regarding whether Blacks can get elected in either
11 one of the districts under their proposed plan.

12 The plan proposes, it's a partial plan,
13 you don't see the whole plan, so that certainly
14 concerns me that you're looking at just a piece of
15 the puzzle. And they based the plan on precinct
16 data and you really don't have the whole plan in
17 front of you to analyze. And they do cut up a lot
18 of counties in drawing the two proposed majority
19 Black districts.

20 The one thing -- the one concern that I
21 have is Joe outlined the things we look at in
22 terms of whether we think a district will be able
23 to elect a Black candidate. And looking at those
24 two districts they're right on the borderline,
25 about 61%. Looking at the voting age population

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1 Mississippi where you have a district that's less
2 than 65% that's not in an urban area. You have --
3 Mike Epsley does have Jackson, and it goes out in
4 the Mississippi Delta, but that's the only other
5 place. Every other Black congressional district
6 is located almost totally within an urban center
7 where it's easier to turn out the vote and
8 mobilize your voting population.

9 But under these two districts that's
10 proposed by the NAACP, they rely upon a lot of
11 rural counties to make up that population base to
12 create those two districts. And I have serious
13 concerns about whether either one of those
14 districts could elect a Black.

15 The other thing that I don't know from
16 looking at their plan is whether any of the
17 incumbents, present incumbent congressmen are in
18 those two districts.

19 As Joe talked about the captive vote,
20 one thing that we know is that you do have Blacks,
21 who will for whatever reasons, support White
22 candidates in races. And particularly if you've
23 got a White incumbent in either one of those two
24 proposed districts, then you can see the problem
25 that might create where you have a White incumbent

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1 in one of those two, or in either one of those two
2 proposed districts. And we don't know whether
3 there is an incumbent congressman in one of those
4 districts.

5 I think in all the other plans that
6 have created a majority Black district, there is
7 not a White incumbent in the majority Black
8 district, maybe with the exception of, maybe, one
9 or two plans that I saw. But I think usually the
10 plans, most of the plans that came before this
11 committee tried to avoid putting an incumbent in
12 the majority Black district. But I can't say
13 whether that NAACP plan dodges putting a White
14 incumbent in those two districts. Thank you.

15 REPRESENTATIVE CAMPBELL: Anybody got
16 any questions of Mr. Gray. We also have with us
17 this morning, we have Ms. Lillian Jackson, who is,
18 I understand, is the chairman of the state NAACP;
19 is that correct?

20 Ms. Jackson, we'd like to hear from
21 you. We're glad to have you with us today.

22 MS. JACKSON: Good morning. I do
23 represent the Alabama State Conference of Branches
24 of the National Association for the Advancement of
25 Colored People. And I think first off I need to,

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1 perhaps, clarify something that has transpired
2 that may have caused some confusion. The NAACP
3 has not submitted a plan with two districts. I
4 think a suggestion came down from our national
5 office and inadvertently, perhaps, a copy was
6 submitted to this committee as well. And I think
7 there are some other persons, perhaps, who are
8 supporting that plan. But that is not the plan
9 that the NAACP in Alabama is supporting.

10 We have some very serious problems with
11 a two district plan. We believe that a plan that
12 only has 60% Black population is not what we would
13 consider a safe district. And it would have only
14 approximately a 56% voting age population. We
15 think that a plan would need to have, at least,
16 65% Blacks in a district with at least 61% voting
17 age population.

18 We see a number of other problems with
19 a two district plan as well. We do have a large
20 number of rural counties. And I don't want to go
21 into a lot of things, repeat what has already been
22 said, but it is a very strong concern of the
23 NAACP, and we are a nonpartisan organization, but
24 we are very concerned in political matters.

25 And in Alabama, in a Black district,

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1 regardless if it's one or two, it would have to
2 encompass a large number of rural areas. And
3 history has proven that we have more difficulty in
4 getting people registered to vote in rural areas;
5 more difficulty in getting them to the polls to
6 vote and, therefore, we would have very serious
7 problems with a plan that would only have about a
8 60% Black population.

9 Realistically it would lessen the
10 chances of getting a minority or a Black elected
11 to Congress. It would weaken our ability to raise
12 funds or the candidate's ability because the
13 resources would be greatly split.

14 So, at this point, we have looked at a
15 number of plans that have been submitted to this
16 committee. And the NAACP here in Alabama set up a
17 committee, we studied the ones that have been
18 submitted to you, and we have decided and taken a
19 vote that the plan that we see at this particular
20 point that we would most support would be the plan
21 that was drawn by Representative Buskey and some
22 others.

23 So I do want to clear the record. We
24 do not support a two district plan. Currently we
25 support the plan that Mr. Buskey worked on and I

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24

1 believe that is one that people are referring to
2 as the ADC Plan. Thank you.

3 REPRESENTATIVE CAMPBELL: Thank you,
4 Ms. Jackson. Anybody got any questions of
5 Ms. Jackson? We appreciate your coming today and
6 Jerome and Joe Reed we appreciate y'all being with
7 us today.

8 We went a long way yesterday under the
9 able guidance of Senator deGraffenried. I told
10 him I thought he ought to preside again and he
11 said no.

12 SENATOR WINDOM: Lightning doesn't
13 strike twice.

14 REPRESENTATIVE CAMPBELL: So the baton
15 has passed. And I guess now we'll open the floor
16 to committee members and see if we want to try to
17 go further than we went yesterday or what
18 procedure we want to take.

19 I recognize Representative Box.

20 REPRESENTATIVE BOX: Thank you, Mr.
21 Chairman. In looking at the five plans that are
22 remaining, there are three that are very similar,
23 so similar, in fact, that I think with
24 modifications within a matter of minutes they can
25 be converted from one to the other. That's the

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1 plan that I have remaining, the plan offered by
2 Senator Dixon, and the plan drafted by Senator
3 Mitchell.

4 My suggestion at this time is going to
5 be to eliminate two of those so that we will then
6 have three totally different approaches left on
7 the table. So with that thought in mind, I'm
8 going to move at this time to indefinitely
9 postpone my plan and to indefinitely postpone
10 Senator Mitchell's plan.

11 SENATOR CORBETT: Second that motion,
12 Mr. Chairman.

13 REPRESENTATIVE CAMPBELL: And that
14 would leave us with the ADC Plan, Dixon Plan and
15 the least acceptable of the remaining three.

16 SENATOR CORBETT: Mr. Chairman, if
17 you'd like to entertain a substitute motion, I
18 think probably you and I have some of the same
19 reasons there.

20 REPRESENTATIVE BOX: Let's take this
21 one at a time.

22 SENATOR CORBETT: Well, wait a minute.

23 SENATOR DEGRAFFENRIED: Let's don't get
24 carried away. I would like the Chair to entertain
25 a substitute motion to IPP the Box, Mitchell, and

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1 deGraffenried, ditto, Plan 25.

2 SENATOR DEGRAFFENRIED: I've got a
3 substitution motion to that. We report 25 out and
4 the Dixon Plan and the Reed Plan.

5 REPRESENTATIVE CAMPBELL: Do y'all want
6 to go through all these procedures. Let's go with
7 what Mike Box has proposed, which is to
8 indefinitely postpone his own plan and the --

9 SENATOR CORBETT: I second the motion.

10 REPRESENTATIVE CAMPBELL: -- Mitchell
11 Plan; is that right?

12 And there's a second by Senator
13 Corbett. Is there any discussion about this? All
14 right. All in favor of Representative Box's
15 motion say aye. Opposed no. Anybody want to be
16 on record as voting no?

17 Then the Box Plan E, Mitchell Plan 3
18 are now indefinitely postponed and what we have
19 remaining are three plans.

20 SENATOR DIXON: Mr. Chairman.

21 REPRESENTATIVE CAMPBELL: Senator
22 Dixon.

23 SENATOR DIXON: Representative Box has
24 done a tremendous amount of work on this and
25 obviously he has a tremendous interest and a lot

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1 of energy and I commend him on the motion he just
2 made. And I think it was done in an effort to
3 move this committee forward and to be able to
4 accomplish our responsibility as legislators and I
5 commend him for the work he has done and the
6 motion he has made.

7 REPRESENTATIVE CAMPBELL: We will issue
8 a certificate of commendation at the appropriate
9 time. And considering some of the plans that he
10 made, perhaps, y'all might want to make him an
11 honorary Republican.

12 Representative Ford. Then I'll get to
13 Senator Corbett.

14 REPRESENTATIVE FORD: We are down to
15 three plans and that's the only three we've got
16 before the Committee as I understand it.

17 REPRESENTATIVE CAMPBELL: That's
18 correct.

19 REPRESENTATIVE FORD: Would it be
20 proper to entertain a motion now to let this
21 committee take these three plans to the
22 Legislature now?

23 REPRESENTATIVE CAMPBELL: That's -- any
24 kind of motion like that would be in order. And
25 we, of course, we can do whatever we want to. I

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1 want to make sure that everybody understands that
2 once we get to the legislative process that all 25
3 plans, plus a few others, will probably be back on
4 the table.

5 SENATOR DEGRAFFENRIED: Mr. Chairman,
6 members of the Committee, with respect to the plan
7 that I offered yesterday, I've got a substitute
8 plan.

9 What it does, and I'd like to get,
10 John, if you would, whoever has got copies of
11 this, to please pass them out. It makes two
12 changes.

13 It accommodates Congressman Callahan as
14 far as Crenshaw and Monroe counties are concerned.
15 That's the only change that is made. And if we're
16 going to report three plans out, I would like for
17 this plan to be.

18 SENATOR DIXON: Move to adopt the
19 substitute.

20 REPRESENTATIVE CAMPBELL: So we now
21 have Plan 25-A.

22 Representative Buskey.

23 REPRESENTATIVE BUSKEY: I understand
24 what the Co-chairman is trying to do --

25 REPRESENTATIVE CAMPBELL: Y'all hold it

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1 down and let Representative Buskey have the floor.
 2 REPRESENTATIVE BUSKEY: I understand
 3 what Senator deGraffenried is trying to do with
 4 his plan. In looking at it in all fairness I
 5 think this is the most unrealistic plan I have
 6 seen. And there is no way that I can see that
 7 this plan would ever have much of a chance passing
 8 the Legislature.

9 The configuration of a Black district
 10 takes it from East Alabama, Macon, Bullock
 11 counties, Pike County to Mobile to Jefferson to
 12 Tuscaloosa and Greene. And I just don't see -- I
 13 think it's just too unrealistic. Like I say, I
 14 think I know what he is trying to do and it just
 15 does not cut it in trying to even provide any kind
 16 of compactness. And I -- well, I'll just wait to
 17 make any kind of motion.

18 REPRESENTATIVE CAMPBELL: We're going
 19 to give everybody the opportunity to speak.

20 Senator Corbett now.

21 SENATOR CORBETT: Mr. Chairman, I guess
 22 I basically concur with what Mr. Buskey has just
 23 said, probably in different reasons. We're down,
 24 you know, we've done a monumental job coming from
 25 25 down to 3 plans. And I, for one, I had always

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1 longed for this committee to report out one plan.
 2 And I have come to the conclusion that that's
 3 probably not possible simply because the remaining
 4 two plans that I think are acceptable are
 5 variations of so much else that we have had put
 6 before us. And as you so aptly stated earlier,
 7 when we go in session some version of these 25
 8 plans is going to surface anyway as modifications,
 9 amendments, substitutes or whatever.

10 The plan that Senator deGraffenried has
 11 in front of us, while it may accommodate Senator
 12 -- Congressman Callahan or others, it obviously
 13 skews some congressional districts around all over
 14 the state, acknowledging what Mr. Buskey has said
 15 about the obvious makeup of the purported
 16 Congressional District Two.

17 Congressional District Three skews all
 18 over the place and runs in what I consider an
 19 unacceptable fashion as being from that part of
 20 the state. I'm sure there are others in this
 21 room, that, for whatever reason, may find it that
 22 one of these other districts that I'm not so
 23 familiar with skews all over the place.

24 I think that we find ourselves in a
 25 posture of being in a situation where we can put

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1 out a purported quote, unquote, "Black Plan," one
 2 that appears to be fairly acceptable to this
 3 committee.

4 And I think through Senator Dixon's
 5 efforts, that we find ourselves in the posture in
 6 having a plan that we would call, quote, unquote,
 7 a "Republican Plan," that this committee could
 8 find some merits in.

9 And at the proper time I'm going to
 10 move or will vote with someone else, or if someone
 11 else makes a motion before I do, to indefinitely
 12 postpone Plan 25. And that's in all due deference
 13 to the pro tem, but simply I don't think we ought
 14 to put three plans out of this committee that are
 15 so radically different that it does not signal
 16 anything to anyone as far as some coming together
 17 of this committee.

18 As we presently sit, if we put out
 19 these three plans, they are so radically different
 20 that we are simply saying that this committee is
 21 so indecisive that it can't even come to some sort
 22 of conclusion and report something out.

23 I ask you to, at least, think about
 24 that when the proper time comes as far as getting
 25 to a vote.

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1 SENATOR DEGRAFFENRIED: I would like to
 2 respond to that. And I'm going to ask John Teague
 3 to speak also. But members of the Committee we're
 4 down to trying to come up with something to
 5 recommend to the Legislature. And one of the
 6 things that I think that we have always tried to
 7 keep in mind is that we would love to preserve the
 8 integrity of all the congressional districts, but
 9 it's just not humanly possible when we know that
 10 we've got the responsibility to create one Black
 11 district.

12 There have been some discussions
 13 between our current congressional delegation, and
 14 I'm going to let Mr. Teague address those, and,
 15 obviously, we can't satisfy everybody, and I
 16 understand. I talked with Congressman Browder
 17 this morning.

18 SENATOR CORBETT: I don't need to talk
 19 to him, I can just look at the map.

20 SENATOR DEGRAFFENRIED: I understand
 21 that. But that's where the -- and, again, it
 22 still preserves him as far as an incumbent and
 23 electability, it just may be inconvenient. But we
 24 may have to inconvenience somebody, but we can
 25 still pretty much design a district where they can

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1 be successful.

2 John, do you want to speak to that?

3 MR. TEAGUE: Thank you, Mr. Chairman,
4 Committee members. If I could just briefly
5 address this plan, and I will be brief, and also
6 give you some background on this, the reasonings
7 that went in behind this plan.

8 Originally I was contacted by
9 Congressman Erdreich's office and Congressman
10 Harris' office about representing them in the
11 redistricting proposal. And at that time I
12 thought that I would be representing the entire
13 congressional delegation. But what has transpired
14 is basically I'm representing Congressman Erdreich
15 because after a visit to Washington it became
16 apparent that everyone was interested, or most
17 everyone was interested in preserving their own
18 area and cared little about anything else.

19 In this plan I think that, other than
20 the numbers, that you also need to look at the
21 political considerations of members of this
22 Legislature. In this plan there is a 65% Black
23 district. It also has a 61.2% voting age Black
24 proportion in this Black district.

25 I think that an effort was made in the

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1 It's my understanding that with the
2 effort that was made by Congressman Callahan last
3 week, the last week of the session, and the
4 support that he had to preserve his district as
5 intact as possible, this was done within this
6 plan.

7 Congressman Harris is in support of
8 this plan.

9 Congressman Erdreich is in support of
10 this plan.

11 And I want to be extremely careful
12 about what I say about Congressman Beville, but
13 Congressman Beville said he can live with the Reed
14 Plan or this plan. He does support or endorse
15 either one.

16 Congressman Cramer says that since he
17 isn't effected, that he has no problems and he --
18 and I don't want to say support this plan, but
19 certainly does not oppose it.

20 The opposition, the basic opposition
21 comes from Congressman Browder, who is my
22 congressman and also a personal friend. And it
23 takes Talladega County out of his district and
24 goes down into Barbour, Henry and takes some
25 12,000 votes out of Houston County, which they are

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1 ADC Plan to take in a large segment of the Black
2 population out of Jefferson County and they
3 accomplished this. In meeting with the different,
4 various peoples that I met with we also wanted to
5 maintain a large segment of the Black population
6 in Jefferson County. And those people who have
7 expressed an interest in running for Congress in
8 the Black district are covered within this area.
9 There is some 117,000 voters I believe out of
10 Jefferson County.

11 You also have a consideration where you
12 have with the other group, organized group in the
13 state, the New South Coalition who were unhappy
14 with the Reed Plan and had expressed so to me.

15 At the same time Senator Figures, who
16 is a very influential and powerful senator,
17 Senator Sanders who is also influential and
18 powerful, do not support the other plans, but they
19 do support this plan. They said that this
20 encompasses what they desired, which is a portion
21 of Mobile, predominately a Black population out of
22 Mobile. And it also includes Perry, Hale and
23 Greene counties, which they wanted included within
24 this plan as well as taking in the Jefferson
25 County portion.

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1 Black, predominately Black votes.

2 I am convinced, myself, after looking,
3 because my interest is to try to preserve the
4 Democratic congressional districts. And to keep
5 those incumbents who have built years of seniority
6 in Washington because, unlike the state
7 legislature where a freshman can come in and
8 display talents, in Washington it is 99%
9 seniority, and the longer you're there, the more
10 powerful you become. So this was a real concern
11 of -- that went behind this plan.

12 Excluding Lee and Russell counties,
13 Congressman Browder still has approximately
14 300,000 population in counties north of Russell
15 and Lee County which he would consider his base.

16 The counties that are included are
17 Democratic counties with Henry and Barbour County
18 and the portion of Houston County is also
19 Democratic.

20 The congressman has received tremendous
21 support out of Lee and Russell counties the times
22 that he has run, even though he had a person who
23 resided in those counties that ran against him.

24 So I'm firmly convinced that
25 Congressman Browder's position is not jeopardized.

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1 I think it is a district that will remain
2 Democratic and I think that he will remain as a
3 congressman. If I were not convinced of that,
4 then I could not lend support, support simply this
5 for personal reasons.

6 And I would like to ask you, taking all
7 of these factors into consideration, and I can
8 assure you that if some of things that I've
9 addressed are not considered, if you just report
10 the two plans out, if they're not considered, then
11 there is going to be opposition and the threat of
12 the courts and the threat of a lot of other things
13 will probably come true.

14 And I think that if we had -- if you
15 had three workable plans that have logical reasons
16 too, and has support from various people within
17 the legislative process, then you'll come close to
18 having a consensus than if you were to just report
19 the two out because the entire Legislature then
20 could act on those.

21 I'll be happy to respond to any
22 questions.

23 REPRESENTATIVE CAMPBELL: First of all,
24 we're going to have Representative Thomas.

25 REPRESENTATIVE THOMAS: Mr. Chairman,

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1 totally different from those two plans. I think
2 we can use those two plans, merge them and have a
3 workable situation, where this tends to cloud
4 everything as far as the members of the
5 Legislature is concerned.

6 With that, Mr. Chair, I respectfully
7 and I reiterate, that I respectfully would request
8 that we would lay this plan on the table.

9 REPRESENTATIVE CAMPBELL: We're going
10 to get around to everybody. We'll go with Senator
11 Corbett and then Senator Dixon wants to be heard
12 and Representative Rogers and we're going to hear
13 everybody.

14 SENATOR CORBETT: I want to ask a
15 question of Mr. Teague. You indicated, if I heard
16 you right, that -- let me preface my question by
17 saying that as a member of the Committee I'm not
18 committed to try and save any congressman's seat,
19 I'm simply committed to trying to get a plan that
20 works and that the Feds will approve and that this
21 Legislature will approve.

22 But you made the remarks to a fact that
23 Henry and Houston counties, the portion of it that
24 you depicted in this map in your defense of
25 protecting Congressman Browder, along with the

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1 Co-Chair, I really have a great deal of problem
2 respectfully for this plan.

3 First of all, it encompasses some 20
4 counties, that's the first thing, and it extends
5 east to west to extreme south into Mobile.

6 I talked with the chairperson, or the
7 president of Alabama New South last evening.
8 Alabama New South really does not have a problem
9 with a district that does not encompass Mobile.
10 That was the position that was stated to me on
11 last evening. As a matter of fact, the president
12 indicated that she would be here today to speak to
13 that if necessary.

14 I think their concerns, more so than
15 anything, is that they want to keep the Black Belt
16 as contiguous as possible in that Choctaw, Sumter,
17 Greene and would Hale be a part of the Black Belt.
18 I think that can be accomplished with the Dixon
19 Plan and merging it with somehow the Reed Plan. I
20 think those two plans are the best plans, working
21 instrument going to the Legislature with.

22 And because of that, my idea is to
23 report these two plans out and let's see can we
24 come to some common ground in as much as they're
25 both somewhat similar. And this plan here is

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1 couple of congressmen, I assume, who are paying
2 for your services, that Henry and Houston counties
3 were Democrat.

4 Now, in the maps that I have looked at,
5 in both the '90 governor's race and the past
6 presidential race, those two counties were
7 decidedly Republican counties.

8 Are you telling me that those maps are
9 inaccurate? I realize that there are Democratic
10 legislators in terms of state legislators, but in
11 terms of congressional, presidential and
12 gubernatorial, those counties, which you have told
13 this committee are Democrat, are decidedly
14 Republican.

15 MR. TEAGUE: With all due respect,
16 Senator Corbett, the portion of Houston County
17 that is taken out and put in Congressman Browder's
18 district is 55% Black. It is not the Dothan area,
19 which is the bulk of the population which carries
20 Houston County Republican.

21 And I don't mean to --

22 SENATOR CORBETT: What about Henry?

23 MR. TEAGUE: In Henry County in the
24 congressional races have supported the democratic
25 nominees.

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1 SENATOR CORBETT: What about the
2 gubernatorial race and the presidential race?

3 MR. TEAGUE: Senator Corbett, I think
4 that you and I both know in the gubernatorial
5 race, and in the senatorial race, that they
6 probably, I don't know, but I'll take your word,
7 they went Republican. In the congressional race
8 it went Democrat.

9 SENATOR CORBETT: I'm operating off of
10 memory, but I've got a map in my office that
11 depicts some of this and I think I'm correct in
12 saying that Henry County has consistently gone
13 Republican.

14 MR. TEAGUE: Not in congressional races
15 and not in legislative races, state legislative
16 races.

17 And in the senatorial race, Henry
18 County went 73% for the democratic nominee.

19 SENATOR CORBETT: Well, let me finally
20 say that I'm going to echo what some other folks
21 have said and I'm going to hush.

22 The two plans that we have, other than
23 this one, have some workability, this plan for
24 those of us in the Third District, I think you
25 will see when the time comes to vote is

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1 unacceptable. Apparently, a goodly number of
2 Blacks on the Committee find it unacceptable
3 because of the gerrymandering effect that it does
4 all over the state to get the purported Second
5 District.

6 And I'm either going to make a motion
7 or concur with the motion at the proper time, that
8 we indefinitely postpone this plan and produce two
9 plans coming out of this committee that have, not
10 only a Black interest, but also have a nonpartisan
11 or Republican interest as the case may be, Senator
12 Dixon. And that, at least, we've got two workable
13 plans that are somewhat compatible, instead of
14 just saying that this committee is so indecisive
15 that we're going to throw three plans out there,
16 recommending absolutely nothing would be the
17 effect of. Thank you, Mr. Chairman.

18 REPRESENTATIVE CAMPBELL: Senator
19 Dixon.

20 SENATOR DIXON: Senator Teague, what is
21 the number of counties that are divided in this
22 plan?

23 MR. TEAGUE: Senator, I don't have that
24 number.

25 SENATOR DIXON: It looks to me like

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1 it's a higher number than some of the other plans.
2 Obviously, you know, this is adverse to
3 Congressman Dickinson.

4 MR. TEAGUE: Yes, sir.

5 SENATOR DIXON: And I must say, I
6 readily and wholeheartedly concur with your
7 explanation of how valuable many of the democratic
8 congressmen are in this state and how their
9 seniority has been instrumental in achieving great
10 gains for Alabama.

11 I would like to echo those comments to
12 include Congressman Dickinson who has been there
13 since 1964 and has been more than instrumental in
14 securing all of kinds government projects and
15 defense department projects for the entire State
16 of Alabama. And then because it does treat him so
17 adversely, I cannot support it either.

18 REPRESENTATIVE CAMPBELL: Let me ask a
19 question about this. I note that it, and, I guess
20 what's now the Third Congressional District, that
21 there is some 82,000 people in Montgomery County
22 that are put in this district. Does that also
23 include Congressman Dickinson's hometown or not,
24 address?

25 SENATOR DIXON: I can't tell.

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1 REPRESENTATIVE CAMPBELL: Or is
2 Congressman Dickinson and Congressman Browder
3 thrown against one another in this as they were in
4 another plan?

5 MR. TEAGUE: Yes, sir, they are.

6 REPRESENTATIVE CAMPBELL:
7 Representative Rogers.

8 REPRESENTATIVE ROGERS: Mr. Chairman, I
9 think this plan is viable, I think it's
10 reasonable, I think it's rationale and I also
11 think it's legal.

12 Now, every plan I have seen looks like
13 some Chinese puzzle, and true, this one is. And
14 I've heard a number of people mention, make a
15 projection of what they think the courts will do.
16 And it's an opinion from everybody I've heard that
17 that's where, whatever plan we pass, will wind up
18 in the court for the court to determine what is
19 proper. But it is my judgment and belief that
20 this one will stand because we're in a unique
21 situation due to the fact that we have got to, to
22 put it simple I would say, gerrymander to get a
23 Black district. That's what this whole thing is
24 all about really.

25 And to do that, we're going to have to

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1 run from one side of the state to the other. And
2 I think that the deGraffenried Plan meets all of
3 the requirements that have been stipulated to us
4 regarding preservation of districts, one-man,
5 one-vote and so on down the line. And I would
6 encourage you to let's put this plan out on the
7 floor also.

8 Thank you, Mr. Chairman.

9 REPRESENTATIVE CAMPBELL:
10 Representative Buskey.

11 REPRESENTATIVE BUSKEY: Mr. Chairman,
12 thank you. An additional comment I wanted to make
13 about this particular plan, and, of course, some
14 of the comments, you know, if our only objective
15 was to draw a Black district, then that may be one
16 thing, but there are some other considerations as
17 well you know about an overall plan.

18 Now, my biggest concern, of course, is
19 for the make-up of a Black district. And I think
20 there is some economic factors to be considered.
21 When you talk about the person or persons running
22 from the district, with this kind of
23 configuration, and the media outlets that he has
24 to serve these areas that he's going to have to
25 advertise on this kind of campaign in this

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1 I'll get Senator deGraffenried.

2 REPRESENTATIVE FLOWERS: Mr. Chairman,
3 I concur with my colleague, Mr. Buskey, that this
4 plan is one I think that it would be laughable if
5 it weren't for the deference of our committee
6 Co-chairman who's a good friend of my mine. I
7 think he's -- because of this deference we're
8 looking at it. This is the least homogeneous plan
9 I've ever seen presented to the Legislature. It
10 stretches the Black district like a snake all over
11 the state, it's kind of hard to imagine.

12 Furthermore, the one prevailing view
13 that we had in our public hearings in the
14 Southeast Alabama area of the state commonly known
15 as the Wiregrass, is the one thing we were united
16 on, all the members of the Legislature from that
17 area is that we keep our area known as the
18 Wiregrass intact. It splits it in half and uses
19 us kind of as a dumping ground for the rest of the
20 state, even to the point of coming in and getting
21 part of Houston County, you know, which I could
22 hardly imagine anybody in that area would be for
23 that.

24 There are certain programs that effect
25 the Wiregrass, especially the peanut program, that

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1 district is one factor.

2 I think there's no way that this
3 district can be called compact. And I think you
4 would be stretching it to say that it's
5 contiguous, even though the lines connect. I
6 think it's stretching it to say that it's
7 contiguous in that sense because stretching all
8 the way down really, with regard to what I'm
9 looking at here, all the way down into Mobile,
10 which is extreme south. And I guess the only
11 reason for going up to the center of the state is
12 to go up into Birmingham, around Shelby and up
13 into Birmingham in order to pick up any Blacks up
14 there. This would be an expensive campaign for
15 anybody, an expensive district for anybody to run
16 in.

17 And for those reasons and many others,
18 I guess, we haven't had a chance to break this
19 plan down, but I don't think it's a workable plan.
20 And it would be unfair to Blacks to even to be
21 forced to run in this district.

22 SENATOR DEGRAFFENRIED: Can I respond
23 to that?

24 REPRESENTATIVE CAMPBELL: Let me get --
25 I'm going to get Representative Flowers, and then

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1 a congressman could not represent this area and
2 work diligently on that program.

3 So I would say this, if it were not for
4 Senator deGraffenried, who is a good friend of
5 mine and member of this committee, this plan is
6 pretty laughable. So I urge us to indefinitely
7 postpone it.

8 REPRESENTATIVE CAMPBELL: I'm going to
9 let Senator deGraffenried respond to that and then
10 we'll get to Senator Horn.

11 Senator deGraffenried.

12 SENATOR DEGRAFFENRIED: I appreciate
13 all the political rhetoric, it's great play in
14 your hometown newspapers.

15 Representative Buskey, there is no
16 cheap congressional race in the State of Alabama.

17 REPRESENTATIVE BUSKEY: I agree.

18 SENATOR DEGRAFFENRIED: So you know
19 whoever is going to run it's going to be
20 expensive, whether they're Black or White.

21 Now, as far as this plan is concerned,
22 Representative Flowers, obviously, everybody is
23 not going to be happy. I'm not happy with the
24 Reed Plan, quite frankly. I don't like it any
25 more than you like mine, Representative Thomas.

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1 REPRESENTATIVE THOMAS: I can
2 appreciate that.

3 SENATOR DEGRAFFENRIED: But this is a
4 viable plan and I'm going to ask members of the
5 Committee to report this plan out at the proper
6 time.

7 REPRESENTATIVE CAMPBELL: Senator Horn.

8 SENATOR HORN: Yes, sir. In due time
9 and in deference to my chairman, I'm going to have
10 to ask him to go back and get him another plan for
11 a lot of reasons and some of them may I state.

12 And being one of the first ones on this
13 committee that traveled throughout these United
14 States at reapportionment hearings we heard and
15 digested a lot. And some of that we heard dealt
16 with that we must bring back a plan that met
17 certain criteria. And out of those, one-man,
18 one-vote; they must be contiguous counties,
19 districts; the preservation of county lines;
20 protecting the incumbents. Furthermore, thinking
21 in terms of more ways, institutionalized ways of
22 thought patterns of people that they think alike.
23 This plan here violates all of that.

24 First off, we have too many counties
25 involved, the splitting of too many counties.

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1 Long story short. Justice told us
2 whatever you do, do not bring back a plan that
3 looks like a salamander, do not bring back a plan
4 that looks like a salamander. Those were the
5 verbatim words. And here we have a plan, not only
6 looks like a salamander, but looks like a sick
7 amoeba.

8 Ryan, get you another one.

9 SENATOR DIXON: Mr. Chairman, I think
10 the Chair --

11 REPRESENTATIVE CAMPBELL: Senator
12 Smith. The long, silent Tennessee Valley will now
13 be heard.

14 SENATOR SMITH: Mr. Chairman, members
15 of the Committee, I am not really ecstatic about
16 Ryan's plan, but I wanted to say this for the
17 record.

18 This is obviously done to assist
19 Representative Harris. Representative Harris cast
20 one of the crucial votes in Congress to preserve
21 the space station which is really critical to my
22 district. And he did that at some personal
23 sacrifice potentially to his district visa-vis
24 that that money was going to be used for some
25 housing program. I talked to him and he delivered

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1 one of the critical votes and it was something
2 that took a lot of courage and I think it was
3 something that was essential for, not only for my
4 district, but for the security of the nation.

5 And for that reason, you know, I'm
6 committed to assist him in helping him in any way
7 that I can.

8 REPRESENTATIVE CAMPBELL:
9 Representative Box.

10 REPRESENTATIVE BOX: Thank you,
11 Mr. Chairman. In all fairness, I don't know how
12 many of the members of the Committee have looked
13 at congressional plans of other states, but if you
14 do, I think you'll see that the plan offered by
15 Senator deGraffenried is actually fairly compact
16 compared with what some other states have done.

17 In all fairness, we've got three very
18 different approaches and I don't particularly like
19 the plan offered by Senator deGraffenried, but
20 then I'm not overly fond of the plan offered by
21 Representative Buskey either. But if we're going
22 to submit more than one plan anyway, I see no
23 rationale for eliminating deGraffenried's plan and
24 not Reed's.

25 REPRESENTATIVE CAMPBELL:

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1 Representative Box.

2 REPRESENTATIVE THOMAS: Could I make
3 one comment as it relates to Congressman Harris?

4 REPRESENTATIVE CAMPBELL: Quick.

5 REPRESENTATIVE THOMAS: It will be
6 quick. I wish to state for the record that it is
7 certainly my hope and my desire that we can
8 accommodate the good congressman from West
9 Alabama. And I think that it can be done with the
10 Reed and the Dixon plan. It's my intent, my whole
11 intent to support that effort as it relates to
12 some of the other guys.

13 So I think that we can still accomplish
14 what I believe that you wish to accomplish with
15 the two plans. But the plan that you've submitted
16 here causes me all kind of grief and for that,
17 again, respectfully, I would like to lay it on the
18 table this plan at this point.

19 SENATOR CORBETT: Are you making a
20 motion?

21 REPRESENTATIVE THOMAS: Indefinitely
22 postpone.

23 SENATOR CORBETT: I'm going to second
24 Mr. Thomas' motion.

25 REPRESENTATIVE CAMPBELL: We're not

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going to cut off anybody.

REPRESENTATIVE THOMAS: I withdraw it.

REPRESENTATIVE CAMPBELL: No. You go and make a motion and second the motion.

SENATOR DEGRAFFENRIED: Let me do this. Rather than having to go through two votes, John, what I want to do is get this substitute adopted. And then if you want, instead of having --

SENATOR DIXON: There's a motion on the table, I made a motion and you seconded it.

REPRESENTATIVE CAMPBELL: That's true. We've got a motion to substitute his Plan 25-A for Plan 25, which I think just swapped two counties around.

SENATOR CORBETT: I think the proper motion would be, rather than split all the votes up, just substitute motion to indefinitely postpone the Plan 25 and appending substitute.

REPRESENTATIVE CAMPBELL: You can do it that way if you want to.

SENATOR DIXON: I'd speak to that motion.

REPRESENTATIVE CAMPBELL: Now, is that what you want to do?

Representative Thomas has moved that

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Senator deGraffenried's, all of his proposals, both the one that's already before the Committee and the one he has proposed to substitute be indefinitely postponed and Senator Corbett has seconded that. I'll recognize Senator Dixon.

SENATOR DIXON: It's been the tradition in the Legislature, the years that I have been here, when a sponsor of a resolution or a plan or a bill asks to substitute and have the substitute be considered as the new proposal, that it is a traditional responsibility that I feel to allow him that courtesy. And, therefore, I would urge you to table the substitute motion that would supersede my motion to adopt the substitute on the floor as a courtesy to Senator deGraffenried.

REPRESENTATIVE THOMAS: Let me simply withdraw my motion out of courtesy.

REPRESENTATIVE CAMPBELL: Without objection, we'll do that. Is there any further discussion about the substitution?

SENATOR CORBETT: This is a vote on adopting the substitution?

REPRESENTATIVE CAMPBELL: This is a vote on substituting the plan. And, Senator, you might want to one more time tell everybody what

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the difference is between the plan, as it's now before the Committee, and the one that you're proposing.

SENATOR DEGRAFFENRIED: The only difference is that it swaps, Crenshaw, is it, John?

MR. TEAGUE: Monroe and Crenshaw and Dale.

SENATOR CORBETT: That's all the questions.

REPRESENTATIVE CAMPBELL: The question then is to adopt the substitute. Is there anyone that wants a roll call vote on this? All in favor of adopting the substitute say aye. Opposed no. And we now have Plan 25-A.

Now, Representative Thomas.

REPRESENTATIVE THOMAS: I renew my motion now to move to indefinitely postpone.

SENATOR CORBETT: I second the motion.

SENATOR DEGRAFFENRIED: I'll ask for a voice vote.

REPRESENTATIVE CAMPBELL: There is a motion by Representative Thomas and seconded by Senator Corbett to indefinitely postpone Senator deGraffenried's plan. And the Senator has asked

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that the ayes and no's be called for. And the Secretary will call the roll.

SENATOR DEGRAFFENRIED: I urge you to vote no.

THE SECRETARY: Senator Barron. Representative Bowling.

REPRESENTATIVE BOWLING: Aye.

THE SECRETARY: Representative Box.

REPRESENTATIVE BOX: No.

THE SECRETARY: Representative Buskey.

REPRESENTATIVE BUSKEY: Aye.

THE SECRETARY: Representative Campbell.

REPRESENTATIVE CAMPBELL: Aye.

THE SECRETARY: Senator Campbell. Senator Corbett.

SENATOR CORBETT: Aye.

THE SECRETARY: Representative Curry

REPRESENTATIVE CURRY: Aye

THE SECRETARY: Senator deGraffenried.

SENATOR DEGRAFFENRIED: No.

THE SECRETARY: Senator Dixon.

SENATOR DIXON: Aye.

THE SECRETARY: Representative Flowers.

REPRESENTATIVE FLOWERS: Aye.

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1 THE SECRETARY: Representative Ford.
 2 REPRESENTATIVE FORD: Aye.
 3 THE SECRETARY: Senator Hale.
 4 Representative Hall.
 5 REPRESENTATIVE HALL: Aye.
 6 THE SECRETARY: Senator Horn.
 7 SENATOR HORN: Aye.
 8 THE SECRETARY: Senator Langford.
 9 SENATOR LANGFORD: Aye.
 10 THE SECRETARY: Senator Little.
 11 SENATOR LITTLE: Aye.
 12 THE SECRETARY: Representative Rogers.
 13 REPRESENTATIVE ROGERS: No.
 14 THE SECRETARY: Senator Smith.
 15 SENATOR SMITH: No.
 16 THE SECRETARY: Representative Thomas.
 17 REPRESENTATIVE THOMAS: Aye.
 18 THE SECRETARY: Senator Windom.
 19 SENATOR WINDOM: No.
 20 THE SECRETARY: 13 yeahs and five
 21 naves.
 22 REPRESENTATIVE CAMPBELL: The motion to
 23 indefinitely postpone prevails.
 24 SENATOR CORBETT: Mr. Chairman.
 25 REPRESENTATIVE CAMPBELL: I was

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1 seconded that the two plans, the Reed Plan and the
 2 Dixon Plan, be recommended to the Legislature by
 3 the Reapportionment Committee.
 4 SENATOR LITTLE: Mr. Chairman, can we
 5 have a division of the voting?
 6 REPRESENTATIVE CAMPBELL: Yes, sir. Is
 7 there any further discussion on this? The
 8 Secretary will call the roll.
 9 SENATOR CORBETT: Are you going to
 10 divide the question? I have no objection to that.
 11 REPRESENTATIVE CAMPBELL: We're going
 12 to go on and call, we're going to go on and have a
 13 roll call vote.
 14 SENATOR WINDOM: He meant on each plan.
 15 SENATOR CORBETT: Are you going to
 16 divide the question? He wants to be able to vote
 17 separately on the plans, I have no objection.
 18 REPRESENTATIVE CAMPBELL: Oh, two
 19 things. Fine. We'll first vote on the ADC-Reed
 20 Plan. Those in favor of recommending that as one
 21 of the two plans will vote aye and opposed no and
 22 the Secretary will call the roll.
 23 THE SECRETARY: Senator Barron.
 24 Representative Bowling.
 25 REPRESENTATIVE BOWLING: Aye.

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1 reminded of something in the first roll call, and
 2 I forgot it in the second roll call.
 3 All of the members of the Committee
 4 need to know that Representative Bobbie McDowell
 5 is having open-heart surgery today at UAB and
 6 that's the reason for her absence.
 7 SENATOR WINDOM: What is she having?
 8 REPRESENTATIVE CAMPBELL: She's going
 9 to have by-pass surgery.
 10 SENATOR DIXON: That's rather sudden;
 11 isn't it?
 12 REPRESENTATIVE CAMPBELL: Apparently
 13 she went to the doctor for a routine checkup last
 14 week and thought it was indigestion and turned out
 15 that she had about 80% blockage.
 16 SENATOR CORBETT: Mr. Chairman, I'm
 17 going to move at this time, I think the plans have
 18 been discussed and hashed and discussed and
 19 recussed and I'm going to move that this committee
 20 recommend the Reed and Dixon plans as the
 21 Committee's recommendations to be forwarded to the
 22 Legislature as our plans.
 23 REPRESENTATIVE BUSKEY: Seconded it.
 24 REPRESENTATIVE CAMPBELL: Senator
 25 Corbett has moved and Representative Buskey has

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1 THE SECRETARY: Representative Box.
 2 REPRESENTATIVE BOX: Aye.
 3 THE SECRETARY: Representative Buskey.
 4 REPRESENTATIVE BUSKEY: Aye.
 5 THE SECRETARY: Representative
 6 Campbell.
 7 REPRESENTATIVE CAMPBELL: Aye.
 8 THE SECRETARY: Senator Campbell.
 9 Senator Corbett.
 10 SENATOR CORBETT: Aye.
 11 THE SECRETARY: Representative Curry.
 12 REPRESENTATIVE CURRY: Abstain.
 13 THE SECRETARY: Senator deGraffenried.
 14 SENATOR DEGRAFFENRIED: No.
 15 THE SECRETARY: Senator Dixon.
 16 SENATOR DIXON: Abstain.
 17 THE SECRETARY: Representative Flowers.
 18 REPRESENTATIVE FLOWERS: Aye.
 19 THE SECRETARY: Representative Ford.
 20 REPRESENTATIVE FORD: Aye.
 21 THE SECRETARY: Senator Hale.
 22 Representative Hall.
 23 REPRESENTATIVE HALL: Aye.
 24 THE SECRETARY: Senator Horn.
 25 SENATOR HORN: Aye.

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1 THE SECRETARY: Senator Langford.
 2 SENATOR LANGFORD: Aye.
 3 THE SECRETARY: Senator Little.
 4 SENATOR LITTLE: No.
 5 THE SECRETARY: Representative Rogers.
 6 REPRESENTATIVE ROGERS: No.
 7 THE SECRETARY: Senator Smith.
 8 SENATOR SMITH: Aye.
 9 THE SECRETARY: Representative Thomas.
 10 REPRESENTATIVE THOMAS: Aye.
 11 THE SECRETARY: Senator Windom.
 12 SENATOR WINDOM: No.
 13 THE SECRETARY: I have 12 yeahs and 4
 14 nays.
 15 REPRESENTATIVE CAMPBELL: 12 ayes and 4
 16 nays.
 17 THE SECRETARY: And two abstentions.
 18 REPRESENTATIVE CAMPBELL: Two
 19 abstentions. The Reed Plan is recommended as one
 20 of the plans.
 21 Now, the question will be and we'll --
 22 Senator Corbett would move and Representative
 23 Buskey would second that we also report the Dixon
 24 Plans as the other plan to the Legislature.
 25 SENATOR HORN: Mr. Chairman, I might be

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1 THE SECRETARY: Representative Curry.
 2 REPRESENTATIVE CURRY: Aye.
 3 THE SECRETARY: Senator deGraffenried.
 4 SENATOR DEGRAFFENRIED: Aye.
 5 THE SECRETARY: Senator Dixon.
 6 SENATOR DIXON: Aye.
 7 THE SECRETARY: Representative Flowers.
 8 REPRESENTATIVE FLOWERS: Aye.
 9 THE SECRETARY: Representative Ford.
 10 REPRESENTATIVE FORD: Aye.
 11 THE SECRETARY: Senator Hale.
 12 Representative Hall.
 13 REPRESENTATIVE HALL: Aye.
 14 THE SECRETARY: Senator Horn.
 15 SENATOR HORN: I was out of order so I
 16 won't vote.
 17 THE SECRETARY: Senator Langford.
 18 SENATOR LANGFORD: Abstain.
 19 THE SECRETARY: Senator Little.
 20 SENATOR LITTLE: Aye.
 21 THE SECRETARY: Representative Rogers.
 22 REPRESENTATIVE ROGERS: No.
 23 THE SECRETARY: Senator Smith.
 24 SENATOR SMITH: Aye.
 25 THE SECRETARY: Representative Thomas.

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SOS007262

1 out of order if I would ask my colleagues not to
 2 abstain and not vote no on this motion.
 3 REPRESENTATIVE CAMPBELL: Do what, I'm
 4 sorry?
 5 SENATOR HORN: Would I be out of order
 6 if I were to ask my colleagues not to abstain or
 7 vote no on this motion?
 8 SENATOR CORBETT: I think if we
 9 followed Senator Dixon's lead on this one, he
 10 might not get his plan out, but I think we're
 11 bigger than that. So let's vote.
 12 REPRESENTATIVE CAMPBELL: Secretary
 13 call the roll.
 14 THE SECRETARY: Representative Bowling.
 15 REPRESENTATIVE BOWLING: Aye.
 16 THE SECRETARY: Representative Box.
 17 REPRESENTATIVE BOX: Aye.
 18 THE SECRETARY: Representative Buskey
 19 REPRESENTATIVE BUSKEY: Abstain.
 20 THE SECRETARY: Representative
 21 Campbell.
 22 REPRESENTATIVE CAMPBELL: Aye.
 23 THE SECRETARY: Senator Campbell.
 24 Senator Corbett.
 25 SENATOR CORBETT: Aye.

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1 REPRESENTATIVE THOMAS: Abstain.
 2 THE SECRETARY: Senator Windom.
 3 SENATOR WINDOM: Aye.
 4 THE SECRETARY: I have 13 yeas, 3
 5 abstentions and 1 nay.
 6 REPRESENTATIVE CAMPBELL: 13 yeas, 3
 7 abstentions and 1 nay and Senator Dixon's plan is
 8 also reported as a plan that's recommended by the
 9 Committee.
 10 Now, let's turn our thoughts to -- I
 11 personally think, and Senator deGraffenried thinks
 12 that what we ought to do is to send a letter to
 13 the Governor saying that we have gotten down two
 14 plans and ask him if we would now consider calling
 15 a special session on congressional
 16 reapportionment. And I'd like to have some
 17 discussion.
 18 SENATOR CORBETT: Before you make that
 19 motion, let's try one other thing.
 20 REPRESENTATIVE CAMPBELL: And I think
 21 that's something that we need to do.
 22 SENATOR CORBETT: In deference to
 23 Senator Dixon and to Buskey and others, you know,
 24 we've hashed this out and we've come down to two
 25 plans that are going to come out of this

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REPRESENTATIVE THOMAS: Abstain.

THE SECRETARY: Senator Windom.

SENATOR WINDOM: Aye.

THE SECRETARY: I have 13 yeas, 3
nays and 1 nay.

REPRESENTATIVE CAMPBELL: 13 yeas, 3
nays and 1 nay and Senator Dixon's plan is

also reported as a plan that's recommended by the
Committee.

Now, let's turn our thoughts to -- I
personally think, and Senator deGraffenried thinks
that what we ought to do is to send a letter to
the Governor saying that we have gotten down two
plans and ask him if we would now consider calling
a special session on congressional
reapportionment. And I'd like to have some
discussion.

SENATOR CORBETT: Before you make that
motion, let's try one other thing.

REPRESENTATIVE CAMPBELL: And I think
that's something that we need to do.

SENATOR CORBETT: In deference to
Senator Dixon and to Buskey and others, you know,
we've hashed this out and we've come down to two
plans that are going to come out of this

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committee. And y'all may shoot me down at this
point, and I realize that everybody doesn't take
the posture that it takes, but I'm going to make
one motion that these two plans are the
recommendation of this committee by acclamation
and let's put it out of here that way. I think
that's important.

REPRESENTATIVE FORD: I agree with
that. We've already had a vote, you know, I think
it would be to the benefit of trying to pass a
plan in the Legislature, that's a good move. We
should do this.

REPRESENTATIVE CAMPBELL: We've got a
motion and a second.

Representative Buskey.

REPRESENTATIVE BUSKEY: Mr. Chairman,
I'm against that motion, and I'll tell you why.

REPRESENTATIVE CAMPBELL: Well, so much
for that. Do you want to withdraw it now, Senator
Corbett?

SENATOR CORBETT: No. I'd like to hear
why.

REPRESENTATIVE BUSKEY: Any plan that's
passed by the Reapportionment Committee or passed
by this Legislature will go to Justice and I don't

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want to be in a position of having voting for a
plan that I am opposed to. But I would rather,
for the record, reflect that I'm against it. But
I have no problem, you know, with the Committee
passing it out, but I do want the record to
reflect that I'm against it. I would like my vote
to stand.

SENATOR DIXON: Had we not divided the
question, I would have voted aye on the original
motion. I feel like and I know Mr. Curry does
too, because we discussed this repeatedly, I feel
like for the record it was important for us to be
opposed to a plan we might have to testify against
later.

In the spirit of what Mr. Corbett is
proposing, I would not be adversely, and I don't
think Mr. Buskey would either knowing him as I do,
if we just had a nonrecorded voice vote by
acclamation majority we're sending these out as a
package. I could certainly support that.
Otherwise, I couldn't go back on --

SENATOR CORBETT: Why don't I modify my
motion, Mr. Chairman, make it a voice vote only
for the purposes of, I guess, committee
togetherness at this point.

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In respect to both of your positions
that you may feel that at some point you may need
to go to court, I then modify my motion that we
have a voice vote of committee acclamation on
these two plans.

REPRESENTATIVE CAMPBELL: Senator
Little.

SENATOR LITTLE: Mr. Chairman, I, in
all due respect to what apparently we're trying to
do, I know of no committee in the Alabama
Legislature that operates with such nonsense.
We've never gone down to the extreme of trying to
decide how we're going to bring a bill out with a
total consensus and I'm totally opposed to it.

REPRESENTATIVE HALL: Both bills are
out.

SENATOR LITTLE: I know that, but not
by unanimous.

SENATOR DEGRAFFENRIED: You know, all
this -- with all due respect, Senator Corbett, it
sounds nice, but when the record is sitting over
there reflecting Representative Buskey and others
are opposed to it, a voice vote ain't going to
show any kind of unanimity.

REPRESENTATIVE CAMPBELL: Do you

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Attorney Work Product

gentlemen want to withdraw the motion and let's get on with other matters.

Representative Box.

REPRESENTATIVE BOX:

want to move that the co-chairs, along with a delegation, I would suggest the same as the one that met with the Governor -- I move that the Chair inform the Governor and the presiding officers of the two Houses of the decision made by the Reapportionment Committee to encourage the Governor to call a special session for the purpose of passing an act.

SENATOR WINDOM: Second.

REPRESENTATIVE CAMPBELL: It's moved by Representative Box and seconded by Senator Windom that the Co-chairman inform the Governor's office and the presiding officer of the two Houses in writing of the Committee's decision that we urge the Governor to call a special session to address congressional reapportionment.

REPRESENTATIVE FORD: You know, I'm a little bit concerned about this last vote and here's why. I voted out of the spirit of cooperation of this committee to report two plans out.

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Now, Larry made a statement in case he has to go to court to go against one of these plans. Well, you know, this committee voted, just a technicality, this committee voted more for the Republican plan than they did the Democratic plan.

So I think Danny made a real good move to kind of clear everybody, you know, make it, you know, sound even. But if we're going to get down to technicalities of going to court --

REPRESENTATIVE HALL: I don't think that will make no difference, Joe.

REPRESENTATIVE FORD: I think it may make a difference and I don't want to be the one to hang out, you know. I'm not sure we shouldn't have a re-vote on these things.

REPRESENTATIVE CAMPBELL: We've got another motion before us and then we'll go back to addressing that just as soon as we get through with that.

Is there any discussion on the method by which we inform the Governor and the presiding officers of both Houses?

All in favor of Representative Box's motion say aye. Opposed no. And that motion is adopted by acclamation.

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gentlemen want to withdraw the motion now and let's get on with other matters.

Representative Box.

REPRESENTATIVE BOX: Mr. Chairman, I

want to move that the co-chairs, along with a delegation, I would suggest the same as the one that met with the Governor -- I move that the Chair inform the Governor and the presiding officers of the two Houses of the decision made by the Reapportionment Committee to encourage the Governor to call a special session for the purpose of passing an act.

SENATOR WINDOM: Second.

REPRESENTATIVE CAMPBELL: It's moved by Representative Box and seconded by Senator Windom that the Co-chairman inform the Governor's office and the presiding officer of the two Houses in writing of the Committee's decision that we urge the Governor to call a special session to address congressional reapportionment.

REPRESENTATIVE FORD: You know, I'm a little bit concerned about this last vote and here's why. I voted out of the spirit of cooperation of this committee to report two plans out.

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Now, does anybody want to readdress the matter that Representative Ford brought up?

Representative Hall.

REPRESENTATIVE HALL: We've done got our plans out, I just move we adjourn.

REPRESENTATIVE BOX: I second.

REPRESENTATIVE CAMPBELL: All in favor of adjournment say aye. Opposed no.

We're adjourned.

END OF HEARING

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SOS007271

C E R T I F I C A T E

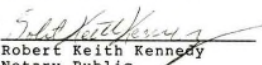
STATE OF ALABAMA)

JEFFERSON COUNTY)

I, ROBERT KEITH KENNEDY, Notary Public
for the State of Alabama at Large, hereby certify
that I am the Court Reporter who made machine
shorthand notes of the foregoing proceedings at
the time and place stated in the Caption thereof;
that I later reduced my shorthand notes into
typewriting; that the foregoing pages numbered
four through seventy, both inclusive, contain a
full, true, and correct transcript of proceedings
had on said occasion.

I further certify that I am in no way
related to nor employed by any of the parties, the
witness or counsel, and that I have no interest in
the outcome of this matter.

Given under my hand and seal this the
11th day of November, 1991.


Robert Keith Kennedy
Notary Public

My Commission Expires
September 5, 1994

SHORES REPORTING SERVICES, INC.



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

March 27, 1992

Honorable Jimmy Evans
Attorney General
Alabama State House
11 South Union Street
Montgomery, Alabama 36130

Dear Mr. Attorney General:

This refers to Act No. 92-63 (1992), which provides the redistricting plan for Congressional districts and Act No. 92-152 (1992), which provides for a change in the qualifying deadline for the June 2, 1992, primary election for members of Congress for the State of Alabama, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c. We received the Congressional redistricting submission on March 11, 1992; supplemental information was received on March 12, 17, 18, 23, 24, 25, and 26, 1992. The submission of the change in qualifying deadline was received on March 26, 1992.

With respect to the change in qualifying deadline, the Attorney General does not interpose any objection to the change. However, we note that the failure of the Attorney General to object does not bar subsequent litigation to enjoin enforcement of the change. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See the Procedures for the Administration of Section 5, 28 C.F.R. 51.41 and 51.43.

With respect to the far more complex Congressional redistricting, we note at the outset the extreme time constraints imposed by the order of the Court in Wesch v. Hunt, No. 91-0787 (S.D. Ala. March 9, 1992), which allowed the state until noon today to obtain preclearance of its proposed plan under Section 5. For that reason, our review to date necessarily has been limited, and similarly, the short time available has limited the state's ability to meet its burden under Section 5. To the extent possible, however, we have given careful consideration to the materials and information you have so diligently made available to us.

As you are aware, a concern has been raised 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. The proposed

- 2 -

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. In light of the prevailing pattern of racially polarized voting throughout the state, it does not appear that black voters are likely to have a realistic opportunity to elect a candidate of their choice in any of the districts.

Our analysis further indicates that the fragmentation of black population concentrations outside of the one district with a black voting age population majority was unnecessary. Indeed, it is clear that at least the outlines of alternative plans that avoided such fragmentation were available or readily discernable by state officials and that such alternatives would provide for two Congressional districts with black voting age population majorities. These included plans with one district based on the black communities of Montgomery and Mobile Counties and the intervening and adjacent black-populated areas, and the other based upon the black population of Jefferson County and southern Tuscaloosa County, together with black-populated areas to the south and west. Moreover, it appears that the elimination of this identified fragmentation would enhance the ability of black voters to elect representatives of their choice.

The fragmentation of black population in areas of the state outside of the proposed black majority district, under these circumstances, has not been adequately explained. The reasons for this fragmentation appear to be related to the desire to protect incumbent members or to serve parochial political interests. While such considerations in themselves are not inappropriate, they may not be accomplished at the expense of the rights of black voters. Garza v. City of Los Angeles, 918 F.2d 763 (9th Cir. 1990); Ketchum v. Byrne, 740 F.2d 1398, 1408-09 (7th Cir. 1984), cert. denied, 471 U.S. 1135 (1985).

Under Section 5, as noted above, the state has the burden of demonstrating that a proposed change was not adopted with a racially discriminatory purpose and that it will not have a racially discriminatory effect. In addition, a redistricting plan may not be precleared if the plan clearly violates Section 2 of the Act, 42 U.S.C. 1973. See the Section 5 Procedures, 28 C.F.R. 51.55(b)(2).

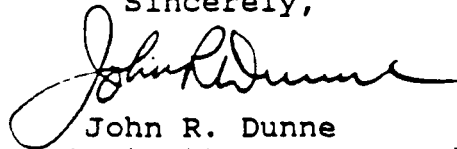
Under the circumstances discussed above, and particularly in light of the time constraints which the legislative and court schedules have imposed, I cannot conclude, as I must under the Voting Rights Act, that the proposed districts are entitled to Section 5 preclearance. Accordingly, I must, on behalf of the Attorney General, interpose an objection to the proposed redistricting plan for Congressional districts for the State of Alabama.

- 3 -

Of course, as provided by Section 5 of the Voting Rights Act, you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed Alabama Congressional redistricting plan has neither the purpose nor will have the effect of denying or abridging the right to vote on account of race or color. In addition, Section 51.45 of the guidelines permits you to request that the Attorney General reconsider the objection. However, until the objection is withdrawn or a judgment from the District of Columbia Court is obtained, the proposed Alabama Congressional redistricting plan continues to be legally unenforceable. Clark v. Roemer, 59 U.S.L.W. 4583 (U.S. June 3, 1991); 28 C.F.R. 51.10 and 51.45.

If you have any questions, feel free to call Voting Section attorney John Tanner (202-307-2897), who has been assigned to handle this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Dunne", written in a cursive style.

John R. Dunne
Assistant Attorney General
Civil Rights Division

OFFICE OF THE ATTORNEY GENERAL

2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA

JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 242-7300

April 15, 1992

Honorable John Tanner
Voting Section
Civil Rights Division
U. S. Department of Justice
HOLC Building -- Room 716
320 1st Street, N.W.
Washington, D.C. 20001

Re: **March 27, 1992 Objection to State of Alabama
Redistricting Plan (Act No. 92-63);
Wesch v. Hunt, No. 91-0787 (S.D. Ala. March 9, 1992)**

Dear Mr. Tanner:

This is in reference to the March 27, 1992 objection interposed by the U. S. Department of Justice to the State of Alabama's congressional redistricting plan (Act No. 92-63) and its effect on the redistricting plan adopted by the Court in Wesch v. Hunt (No. 91-0787, S.D. Ala. March 9, 1992).

In the Justice Department's letter of objection, Assistant Attorney General John R. Dunne indicates that the State of Alabama's plan failed Section 5 review due to what the letter terms the "unnecessary fragmentation" of Alabama's black population outside the majority black congressional district. The letter, however, is unclear as to exactly what steps should be taken to remedy this fragmentation. The letter indicates that Alabama's black population outside the majority black congressional district should be placed in a second district, but it is unclear as to whether this is to create a minority influence district or a second majority black district, and, if the Justice Department requires the creation of a second majority black district, what percentage black populations would be acceptable in both the first and the second black

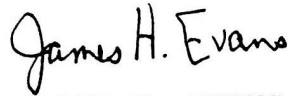
Honorable John Tanner
Page Two
April 15, 1992

districts. In the letter, Mr. Dunne only refers to African-Americans constituting a majority of the voting age population. Please clarify the Justice Department's requirements in this respect.

Secondly, the plan adopted by the Court in Wesch v. Hunt (No. 91-0787, S.D. Ala. March 9, 1992), "The 1992 Alabama Redistricting Plan," creates a single majority black congressional district, in which blacks constitute 67.53% of the total population, and disperses the remaining black population of the state among the six other districts. In none of these other districts does the minority population exceed 30% of the total population. Therefore, the Court-ordered plan in Wesch v. Hunt suffers from precisely the same deficiencies as were cited by the Justice Department in its objection to the State of Alabama's congressional redistricting plan in terms of its fragmentation of black population outside the majority black congressional district and in its failure to create a second black majority or influence district. Given the fact that the Court-ordered plan contains these deficiencies, does the Justice Department intend to undertake post-judgement intervention or otherwise seek to modify the judgement in Wesch v. Hunt? Please advise us on the course of action you plan to pursue.

If you have any questions regarding the above, please do not hesitate to contact this office.

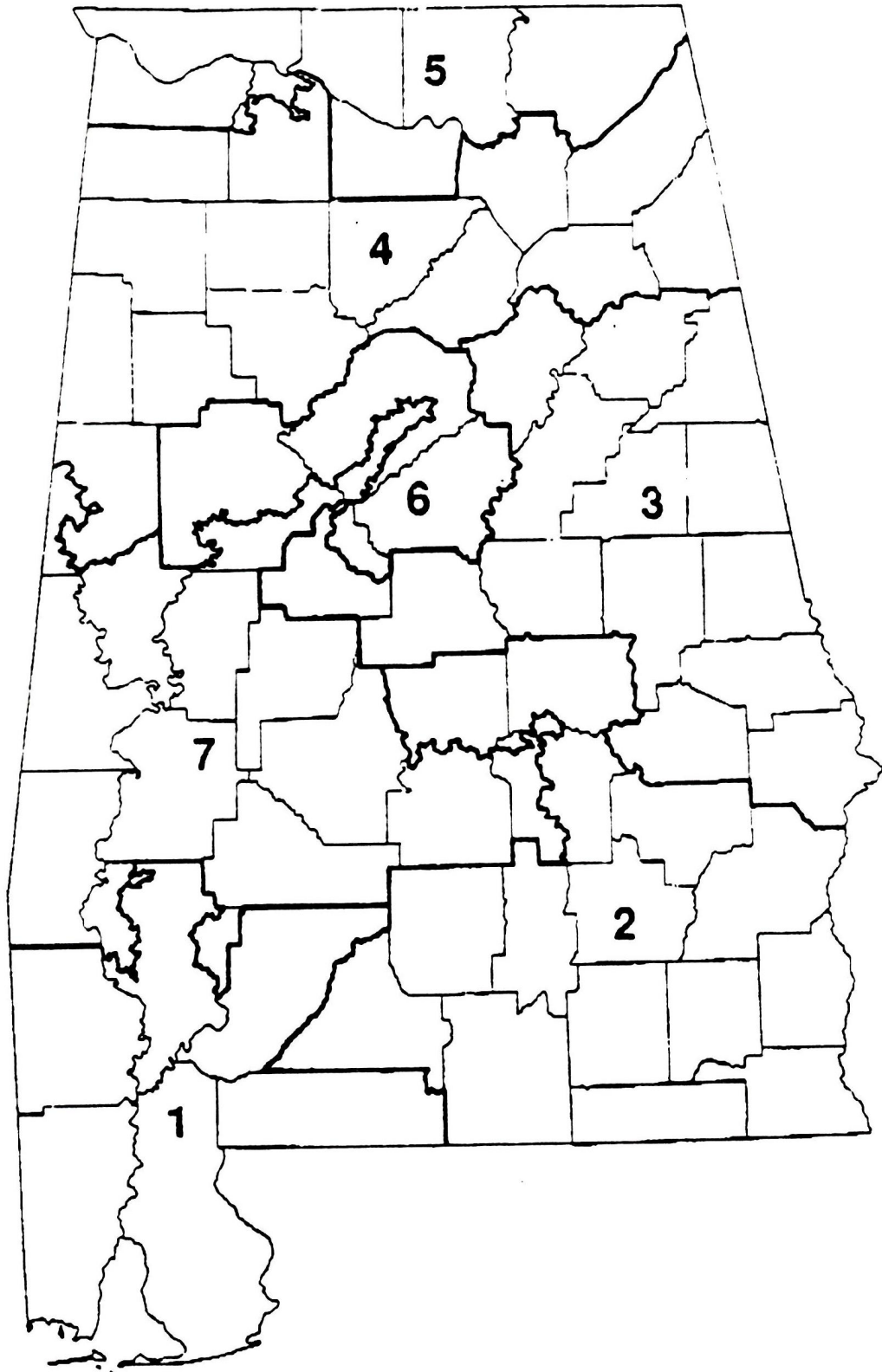
Sincerely,



JAMES H. EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

JHE/MPA/vec

Encl: Map of "1992 Alabama Redistricting Plan"
Statistical Summary of Plan
1313A



DB: ALABAMA

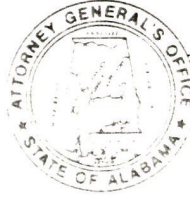
District Summary
Total Populations, All Ages
Plan: 1992 Alabama Redistricting Plan

Date: 1/27/92
Time: 11:32 a.m.
Page: 1

Plan type: CONGRESSIONAL DISTRICTS

	<u>District Name</u>	<u>Total Pop.</u>	<u>Total White</u>	<u>Total Black</u>	<u>Total Am. Ind.</u>	<u>Total Asian/PI</u>	<u>Total Other</u>
District 1		577,226 100.00%	403,193 69.85%	164,448 28.49%	4,944 0.86%	3,776 0.65%	865 0.15%
District 2		577,227 100.00%	431,639 74.78%	139,265 24.13%	1,692 0.29%	3,362 0.58%	1,269 0.22%
District 3		577,227 100.00%	422,187 73.14%	149,922 25.97%	1,136 0.20%	3,008 0.52%	974 0.17%
District 4		577,227 100.00%	534,038 92.52%	38,020 6.59%	3,541 0.61%	1,053 0.18%	575 0.10%
District 5		577,227 100.00%	481,509 83.42%	85,945 14.89%	3,540 0.61%	5,145 0.89%	1,088 0.19%
District 6		577,226 100.00%	517,777 89.70%	53,309 9.24%	1,054 0.18%	4,408 0.76%	678 0.12%
District 7		577,227 100.00%	185,454 32.13%	389,796 67.53%	599 0.10%	1,045 0.18%	333 0.06%
Total		4,040,587 100.00%	2,975,797 73.65%	1,020,705 25.26%	16,506 0.41%	21,797 0.54%	5,782 0.14%

OFFICE OF THE ATTORNEY GENERAL



JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

March 10, 1992

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 242-7300

Chief, Voting Section
Civil Rights Division
United States Department of Justice
HOLC Bldg., Room 617
320 First Street, NW
Washington, D.C. 20001

Re: Section 5 Submission by State of Alabama
Congressional Redistricting Plan

Dear Sir:

The State of Alabama submits for review, pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. §1973c, Act No. 92-63, its congressional redistricting plan based on the 1990 decennial census. For reasons discussed below, the Attorney General is requested to give **EXPEDITED CONSIDERATION** to this submission.

I

Introduction and Overview

Alabama currently has seven (7) congressional districts, a number unaffected by the 1990 census. As expected, a review of the 1990 populations of the existing districts, which are set out in Exhibit 1, confirmed that adjustments to the existing districts would be necessary for one person, one vote reasons; and, moreover, substantial, broad-based sentiment had developed during the 1980s for the creation -- for the first time in modern history -- of a predominantly black congressional district. The plan submitted today addresses both goals.

Alabama's redistricting effort -- later to be sidetracked by a dispute between the Legislature and the Governor -- began in earnest in 1987 with the creation and organization

of a Task Force on Reapportionment.¹ This six-member legislative group, including Senator Fred Horn, who is black, did the basic preparation for the redistricting process by creating and training a staff, securing necessary equipment and expertise, conducting preliminary public hearings and educational workshops relating to the forthcoming effort, and preparing (after opportunity for public comment) proposed redistricting guidelines.² Its work complete, the Task Force delivered its final report to the legislative leadership on November 6, 1990 (Exhibit 6).

Responsibility for the redistricting effort has since that time been vested in the Permanent Legislative Committee on Reapportionment. Created by Act No. 90-388 (Exhibit 7), this bi-racial committee met for the first time in March of 1991.³ Following up on the work of the Task Force, the Permanent Committee reviewed and adopted guidelines for congressional redistricting and legislative reapportionment, secured additional needed equipment, established rules for legislative and public access to the Reapportionment Office's facilities and expertise, and, among other activities, established a schedule for public hearings across the state on congressional redistricting issues.⁴

As explained in the affidavit of Reapportionment Office Director Marilyn Akers Terry (Exhibit 11), the Permanent Committee intended from the outset to have the Legislature deal with congressional redistricting in a special session in the fall of 1991.⁵

¹ The Task Force was created by Act No. 87-356, Exhibit 2.

² A summary of the activities of the Task Force is found in Exhibit 3. Copies of the public notice inviting comments on the proposed guidelines, comments received, and notes of changes made as a result of the comments are labeled collectively as Exhibit 4. The final guidelines are included as Exhibit 5.

³ Membership of the Permanent Committee, by race, is shown on Exhibit 8. The Committee was expanded in size by Act No. 91-347 (Exhibit 9), and two Republican legislators thereafter became members.

⁴ A summary of the Permanent Committee's activities through October of 1991, including educational activities conducted by Task Force members, Committee members, and staff, is found in Exhibit 10.

⁵ The 1991 regular legislative session was required by law to conclude no later than July 30, 1991, and in fact ended on that date. The Committee early on concluded that all the work necessary to adopt a congressional plan could not be completed in time for the Legislature to act on a plan in the 1991 regular session, especially since the Committee wanted to await the Secretary of Commerce's July 15, 1991 decision on the census adjustment (see Exhibit 12). The 1992 regular session would not commence until February 4, 1992.

Congressional redistricting would be tackled before legislative reapportionment because Alabama's next legislative elections will not be held until 1994.

With a fall 1991 legislative session in mind, the Permanent Committee established a public hearing and committee work schedule stretching through the summer. During May and June, over 2000 public hearing notices were mailed to local government officials, legislators, major political and racial minority organizations, all newspapers, radio and television stations in the State, and contacts on the Reapportionment Office's mailing list.⁶ Public hearings were conducted in 16 separate locations across the State during May and June.⁷

After the Secretary of Commerce announced on July 15, 1991 that there would be no adjustment to the previously released 1990 census numbers, the Permanent Committee on July 30, 1991 decided to hold a series of public work sessions to consider proposed congressional redistricting plans.⁸ While setting a deadline of September 4, 1991 for the submission by legislators and members of the public of proposed district plans, the Permanent Committee also established dates for its own work sessions. Public notice of the submission deadline and the work sessions was sent to the groups and individuals on the Reapportionment Office's main mailing list, which included all principal minority contacts. (Exhibit 15).

In a series of public meetings conducted during September and early October, the Permanent Committee reviewed and heard presentations on approximately 25 congressional redistricting plans.⁹ Plans were submitted by a broad range of citizens with diverse interests, including persons affiliated with the State Republican Party, the State Democratic Party, the Alabama Democratic Conference ("ADC", Alabama's oldest and largest predominantly black political organization), and the Alabama New South Coalition ("ANSC", another

⁶ An example notice is included as Exhibit 13. A list of those receiving notice is also being furnished. See note 7, *infra*.

⁷ A summary of the comments from the public hearings is included as Exhibit 14. Transcripts of the proceedings in each of these public hearings are also being provided as part of this submission. They are located in a separate box clearly marked as to content. Also included in this box is a list of the persons and organizations to which notice of the public hearings was sent.

⁸ The preliminary census numbers were received by the Reapportionment Office on February 7, 1991, and were over the ensuing weeks loaded on the computer system and used to create numerous preliminary reports.

⁹ All these plans are included in a notebook which is being provided as part of this submission. This notebook was given to all Committee members for their use in the work sessions.

influential predominantly black political organization). Any individual supporting a plan was given an opportunity to present the plan before the Committee, argue its merits, and field questions from Committee members and other attendees.

It was during the September sessions that the Committee became aware that Governor Guy Hunt was reconsidering his commitment to call the Legislature into a fall special session to deal with congressional redistricting. Committee leaders engaged in hopeful negotiations with the Governor, pointing out that they had relied on the Governor's willingness to call a fall session as the cornerstone for their scheduling of redistricting activities. Despite the Governor's refusal to take a final position on a special session, the Committee pushed forward with its work.

On about September 25, 1991, legislative leaders learned that two days earlier a suit had been filed in the United States District Court for the Southern District of Alabama requesting that a three-judge court be convened to order into effect a congressional redistricting plan for the 1992 elections. The complaint, filed by a Mobile Republican Party official, alleged that the Legislature had failed to act in a timely manner and that court intervention was necessary.¹⁰

The Committee authorized counsel to attempt to intervene in the federal lawsuit in order that its position could be made known to the court, but the Committee also pushed forward with its work. Virtually all the plans brought to the Committee included a solid majority black district, in recognition of the substantial sentiment which had developed for that approach. At its meeting on October 1, 1991, the Committee made it clear that it would not give serious consideration to any proposal that did not include a solid black district. On October 1 and October 2, the Committee narrowed the proposed plans to five, and finally to two, which would be recommended to the full Legislature for its consideration once the Legislature was in session. These two plans, commonly known as the "Reed Plan" (for its chief proponent Joe L. Reed, chair of the ADC) and the "Dixon Plan" (for its sponsor, Republican Senator Larry Dixon of Montgomery), both featured a predominantly black district, but differed dramatically in their treatment of partisan political issues such as preservation of incumbents.¹¹

The Governor refused to call a special session and a trial of the Wesch case in federal court was held on January 3-4, 1992. Having been denied intervention, the Permanent Committee appeared as amicus curiae urging the three-judge court to defer to

¹⁰ The complaint in Wesch v. Hunt, Civil Action No. 91-0787, is included as part of Exhibit 16, along with other key pleadings and papers, including the January 27, 1992 interim decision of the three-judge court.

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the Alabama Legislature. With the exception of Governor Hunt, the other state defendants, along with a group of black intervenors, urged the court to adopt an approach that would allow the Legislature an opportunity to fashion a plan. Attorneys for plaintiff Wesch, on the other hand, urged the court to order into effect the so-called "Sam Pierce Zero Plan", one of the plans considered by the Permanent Committee which was almost identical to the "Dixon Plan."¹²

On January 27, 1992, the three-judge court ordered that unless the Legislature were to adopt and have precleared its own plan in time for the 1992 elections, those elections would be held under a court-ordered plan that is a slightly modified version of the plaintiffs' proposal.¹³ See Exhibit 20. The court's interim plan includes a majority black district with a black total population of 67.53% and a black VAP of 63.51%.

The Alabama Legislature convened in its 1992 regular session on February 4, 1992. As explained in more detail below, interested legislators almost immediately began an effort to forge a legislative consensus on a plan which could be used in the 1992 elections instead of the court-ordered interim plan. As later explained, consensus developed in favor of a plan which had never formally been submitted to the Committee, but which largely satisfied the congressional delegation and, more importantly, created a solid majority black district and equalized population among the districts. It should be noted that, unlike the court-ordered plan, the legislative plan places white Democrat incumbents Erdreich and Harris together in district 6; and has no incumbent in proposed majority black district 7.

On February 27, 1992, the Alabama Legislature approved Senate Bill 73, the bill which is the subject of this submission. The bill was vetoed by the Governor on March 5, 1992, but the Legislature overrode the veto that same day and the bill therefore became law. The redistricting bill was thereafter entitled Act No. 92-63.

It was recognized by the proponents of the legislative plan that it would be desirable also to extend the qualifying deadline for the party primaries in order to allow more time for candidates to qualify based on the new legislatively approved districts (legislation extending the qualifying deadline will be the subject of a separate submission). Alabama's 1992 party primaries are scheduled for June 2, 1992. Many pre-election deadlines, described in a publication of the Secretary of State (Exhibit 21), must be met by state and local election officials as well as candidates. It is therefore essential that the Attorney General give **EXPEDITED CONSIDERATION** to this submission.

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¹³ The principal change was to place white Democrat incumbent Claude Harris in the new predominantly black district instead of in a district with white Democrat incumbent Ben Erdreich, as the "Sam Pierce Zero Plan" proposed by the plaintiff did. See Exhibit 20.

II

The Proposed Congressional Plan

The proposed congressional redistricting plan is highlighted by a zero population deviation and the inclusion of a strong predominantly black district. As shown in more detail in Exhibit 22, the proposed districts would have the following populations, by race:

<u>District</u>	<u>Total Pop.</u>	<u>Black Pop. (%)</u>	<u>% Black VAP</u>
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Consistent with the redistricting guidelines, the proposed plan violates few county lines¹⁴ and builds to a large extent on county precincts established pursuant to Act No. 89-952.¹⁵ To the extent consistent with other overriding considerations (including particularly the need to create a predominantly black district), the proposed plan also attempts to preserve the cores of existing congressional districts. A discussion of the events leading up to the Legislature's passage of the plan follows.

The legislature never had an opportunity, of course, to consider in a special session the two plans recommended by the Committee, because the Governor failed to call the session. Prior to the convening of the regular session on February 4, 1992, the United States District Court for the Southern District of Alabama issued a preliminary order, dated January 27, 1992, in Wesch v. Hunt. In its order, the court stated that it intended to order an interim congressional redistricting plan in the event that the Alabama Legislature failed

¹⁴ Only seven counties are split by the proposed plan. The only county which the proposed plan splits which would not otherwise have to be split to attain zero population deviation in the plan is Pickens County, which is split between districts 4 and 6. At the request of long-time Representative Tom Bevill, who represents all of Pickens in the existing plan but will lose most of Pickens in the proposed plan, a small part of Pickens on the Tennessee-Tombigbee Waterway is kept in Mr. Bevill's district because the Tom Bevill Welcome Center is located on the Waterway in that part of Pickens County.

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to adopt a redistricting plan and have it precleared in time for the election cycle "under the timetables presently provided for by Alabama law."¹⁶

The court's plan, which was an adaptation of the Sam Pierce Zero Plan, protected Alabama's two incumbent Republican Congressmen and created a district in Jefferson-Shelby-Bibb-Tuscaloosa that appeared favorable to a Republican candidate. Therefore, Republican legislators were generally satisfied with the court-ordered plan. However, minority groups and their representatives had expressed considerable dissatisfaction with the Sam Pierce Plan, from which the court plan was derived, because they had had no input into its formulation.¹⁷

As the regular session began, state legislators interested in forging a consensus spent many hours trying to get the congressional delegation to agree on a plan. It was understood, of course, that one incumbent was likely to be eliminated because of the virtual certainty that a black candidate would be elected in the new predominantly black district which everyone agreed should be created.

A group of legislators believed strongly that the Legislature should make every effort to enact its own plan, rather than deferring to any non-legislative plan. Some Democrat legislators were anxious, moreover, to protect against a Republican district in the Jefferson County area. There was thus renewed an effort to pass a legislative plan. Obvious to be considered were the two plans which the Reapportionment Committee had recommended, the Dixon Plan and the Reed Plan.

The Dixon Plan was not acceptable to a number of Democrat legislators, because in addition to protecting the two Republican incumbents, it would create a Jefferson-Shelby-Bibb-Tuscaloosa district that would be heavily white, probably Republican, and would pit Democratic incumbents Harris and Erdreich against one another. In addition, similar to the court-ordered plan, the Dixon Plan was derived from an earlier version of the Sam Pierce Zero Plan, known as the Pierce Plan, and thus minorities had not been involved in its formulation.

¹⁶ January 27, 1992 order in Wesch v. Hunt, CV 91-00787 (Exhibit 16).

¹⁷ Sam Pierce, the designer of the Sam Pierce Zero Plan, did not consult with or receive input from any black persons in drafting his plan. Exhibit 25, Pierce deposition at 107, 108. At the Wesch v. Hunt trial, several prominent black political leaders testified as to their concerns regarding the Sam Pierce Zero Plan. Exhibit 26, testimony of State Senator Michael Figures, Past President of Alabama New South Coalition (a predominantly black political organization) in the Wesch trial transcript at 125; Exhibit 27, testimony of Carol P. Zippert, President of the New South Coalition in Wesch trial transcript at 216.

The Reed Plan, in contrast, was backed by Dr. Joe Reed, a black, and leader of the Alabama Democratic Conference, Alabama's largest predominantly black political organization. Like the Dixon Plan and the court-ordered plan, the Reed Plan created a majority black congressional district. However, the Reed Plan substantially altered the configuration of the districts of Republican Congressmen Dickinson and Callahan, and thus was objectionable to them, to Republican state legislators, and even to some Democrat legislators who disliked the massive realignment of counties called for by the Reed Plan.

Legislators interested in passing a legislative plan soon recognized that neither the Reed Plan nor the Dixon Plan could pass without significant modification, and that it would accordingly be necessary to develop a plan which could be broadly supported. Legislators interested in forging a consensus spent many hours trying to get the congressional delegation to agree on a plan they could all live with, even if some aspects of it were objectionable. It was understood, of course, that one incumbent was likely to be eliminated because of the virtual certainty that a black candidate would be elected in the new predominantly black district which everyone agreed should be created.

The most likely incumbents to be eliminated were Representative Harris from Tuscaloosa County (existing district 7) and Representative Erdreich of Jefferson County (existing district 6). To the extent possible, the Democratic legislators working toward a consensus plan wanted to give both Harris and Erdreich an opportunity to compete in 1992 in a district in which a Democrat could possibly win. The court-ordered plan, of course, put Erdreich in the Jefferson-Shelby-Bibb-Tuscaloosa district which might well go Republican, and put Harris in the predominantly black district.

Conscious of the need to get as much legislative support as possible, the proponents also sought to fashion a plan that was acceptable to the Republican incumbents, Dickinson and Callahan. Congressman Dickinson wanted as much of the existing second district to remain intact as possible, and Congressman Callahan wanted essentially the same thing for the first district. Congressman Browder was willing to make some concessions in the third district but was not agreeable to wholesale changes. Congressman Bevill and Cramer in north Alabama were largely insulated from drastic changes, but were watching carefully -- as evidenced by Mr. Bevill's late request that the part of Pickens County in which the Tom Bevill Welcome Center is located be included in his district. Central to the entire effort was the acknowledged need to fashion the predominantly white districts around a fair, solid majority black district.

Eventually a consensus was reached, with all the incumbent congressmen acknowledging at least moderate satisfaction with the outcome. The consensus plan drew from both the Reed Plan -- particularly with respect to the configuration of the predominantly black district -- and the Dixon Plan -- with regard particularly to protecting the districts of the two Republican Congressmen. Callahan and Dickinson would remain alone in their respective districts, with the cores of those districts intact. Browder's district would change somewhat (principally to take in Shelby County while giving up most of his

OFFICE OF THE ATTORNEY GENERAL

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U.S. DISTRICT COURT
N.D. OF ALABAMA

JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

ALABAMA STATE HOUSE
11 SOUTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 242-7300

March 10, 1992

Chief, Voting Section
Civil Rights Division
United States Department of Justice
HOLC Building, Room 617
320 First Street, N.W.
Washington, DC 20001

RE: Request for Expedited Consideration
of Section 5 Submission by State of Alabama
Congressional Redistricting Plan

Dear Sir:

I am enclosing along with this letter a copy of the final judgment of the three-judge Court in Wesch v. Hunt, Civil Action No. 91-0787. In paragraph 2b of the final judgment, the three-judge Court has given the State of Alabama until 12:00 noon, Central Time, March 27, 1992, to have the State of Alabama's congressional redistricting plan precleared.

In light of the Court's order, the State of Alabama respectfully requests that the Attorney General give Expedited Consideration to this submission.

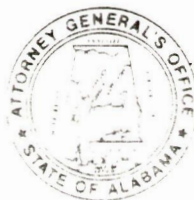
Sincerely,

A handwritten signature in black ink that reads "James H. Evans".

JAMES H. EVANS
ATTORNEY GENERAL

JHE/MG/sdc
0006E
Enclosure

OFFICE OF THE ATTORNEY GENERAL



JIMMY EVANS
ATTORNEY GENERAL
STATE OF ALABAMA

March 10, 1992

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United States Department of Justice
HOLC Bldg., Room 617
320 First Street, NW
Washington, D.C. 20001

Re: Section 5 Submission by State of Alabama
Congressional Redistricting Plan

Dear Sir:

The State of Alabama submits for review, pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. §1973c, Act No. 92-63, its congressional redistricting plan based on the 1990 decennial census. For reasons discussed below, the Attorney General is requested to give **EXPEDITED CONSIDERATION** to this submission.

I

Introduction and Overview

Alabama currently has seven (7) congressional districts, a number unaffected by the 1990 census. As expected, a review of the 1990 populations of the existing districts, which are set out in Exhibit 1, confirmed that adjustments to the existing districts would be necessary for one person, one vote reasons; and, moreover, substantial, broad-based sentiment had developed during the 1980s for the creation -- for the first time in modern history -- of a predominantly black congressional district. The plan submitted today addresses both goals.

Alabama's redistricting effort -- later to be sidetracked by a dispute between the Legislature and the Governor -- began in earnest in 1987 with the creation and organization

of a Task Force on Reapportionment.¹ This six-member legislative group, including Senator Fred Horn, who is black, did the basic preparation for the redistricting process by creating and training a staff, securing necessary equipment and expertise, conducting preliminary public hearings and educational workshops relating to the forthcoming effort, and preparing (after opportunity for public comment) proposed redistricting guidelines.² Its work complete, the Task Force delivered its final report to the legislative leadership on November 6, 1990 (Exhibit 6).

Responsibility for the redistricting effort has since that time been vested in the Permanent Legislative Committee on Reapportionment. Created by Act No. 90-388 (Exhibit 7), this bi-racial committee met for the first time in March of 1991.³ Following up on the work of the Task Force, the Permanent Committee reviewed and adopted guidelines for congressional redistricting and legislative reapportionment, secured additional needed equipment, established rules for legislative and public access to the Reapportionment Office's facilities and expertise, and, among other activities, established a schedule for public hearings across the state on congressional redistricting issues.⁴

As explained in the affidavit of Reapportionment Office Director Marilyn Akers Terry (Exhibit 11), the Permanent Committee intended from the outset to have the Legislature deal with congressional redistricting in a special session in the fall of 1991.⁵

¹ The Task Force was created by Act No. 87-356, Exhibit 2.

² A summary of the activities of the Task Force is found in Exhibit 3. Copies of the public notice inviting comments on the proposed guidelines, comments received, and notes of changes made as a result of the comments are labeled collectively as Exhibit 4. The final guidelines are included as Exhibit 5.

³ Membership of the Permanent Committee, by race, is shown on Exhibit 8. The Committee was expanded in size by Act No. 91-347 (Exhibit 9), and two Republican legislators thereafter became members.

⁴ A summary of the Permanent Committee's activities through October of 1991, including educational activities conducted by Task Force members, Committee members, and staff, is found in Exhibit 10.

⁵ The 1991 regular legislative session was required by law to conclude no later than July 30, 1991, and in fact ended on that date. The Committee early on concluded that all the work necessary to adopt a congressional plan could not be completed in time for the Legislature to act on a plan in the 1991 regular session, especially since the Committee wanted to await the Secretary of Commerce's July 15, 1991 decision on the census adjustment (see Exhibit 12). The 1992 regular session would not commence until February 4, 1992.

Congressional redistricting would be tackled before legislative reapportionment because Alabama's next legislative elections will not be held until 1994.

With a fall 1991 legislative session in mind, the Permanent Committee established a public hearing and committee work schedule stretching through the summer. During May and June, over 2000 public hearing notices were mailed to local government officials, legislators, major political and racial minority organizations, all newspapers, radio and television stations in the State, and contacts on the Reapportionment Office's mailing list.⁶ Public hearings were conducted in 16 separate locations across the State during May and June.⁷

After the Secretary of Commerce announced on July 15, 1991 that there would be no adjustment to the previously released 1990 census numbers, the Permanent Committee on July 30, 1991 decided to hold a series of public work sessions to consider proposed congressional redistricting plans.⁸ While setting a deadline of September 4, 1991 for the submission by legislators and members of the public of proposed district plans, the Permanent Committee also established dates for its own work sessions. Public notice of the submission deadline and the work sessions was sent to the groups and individuals on the Reapportionment Office's main mailing list, which included all principal minority contacts. (Exhibit 15).

In a series of public meetings conducted during September and early October, the Permanent Committee reviewed and heard presentations on approximately 25 congressional redistricting plans.⁹ Plans were submitted by a broad range of citizens with diverse interests, including persons affiliated with the State Republican Party, the State Democratic Party, the Alabama Democratic Conference ("ADC", Alabama's oldest and largest predominantly black political organization), and the Alabama New South Coalition ("ANSC", another

⁶ An example notice is included as Exhibit 13. A list of those receiving notice is also being furnished. See note 7, infra.

⁷ A summary of the comments from the public hearings is included as Exhibit 14. Transcripts of the proceedings in each of these public hearings are also being provided as part of this submission. They are located in a separate box clearly marked as to content. Also included in this box is a list of the persons and organizations to which notice of the public hearings was sent.

⁸ The preliminary census numbers were received by the Reapportionment Office on February 7, 1991, and were over the ensuing weeks loaded on the computer system and used to create numerous preliminary reports.

⁹ All these plans are included in a notebook which is being provided as part of this submission. This notebook was given to all Committee members for their use in the work sessions.

influential predominantly black political organization). Any individual supporting a plan was given an opportunity to present the plan before the Committee, argue its merits, and field questions from Committee members and other attendees.

It was during the September sessions that the Committee became aware that Governor Guy Hunt was reconsidering his commitment to call the Legislature into a fall special session to deal with congressional redistricting. Committee leaders engaged in hopeful negotiations with the Governor, pointing out that they had relied on the Governor's willingness to call a fall session as the cornerstone for their scheduling of redistricting activities. Despite the Governor's refusal to take a final position on a special session, the Committee pushed forward with its work.

On about September 25, 1991, legislative leaders learned that two days earlier a suit had been filed in the United States District Court for the Southern District of Alabama requesting that a three-judge court be convened to order into effect a congressional redistricting plan for the 1992 elections. The complaint, filed by a Mobile Republican Party official, alleged that the Legislature had failed to act in a timely manner and that court intervention was necessary.¹⁰

The Committee authorized counsel to attempt to intervene in the federal lawsuit in order that its position could be made known to the court, but the Committee also pushed forward with its work. Virtually all the plans brought to the Committee included a solid majority black district, in recognition of the substantial sentiment which had developed for that approach. At its meeting on October 1, 1991, the Committee made it clear that it would not give serious consideration to any proposal that did not include a solid black district. On October 1 and October 2, the Committee narrowed the proposed plans to five, and finally to two, which would be recommended to the full Legislature for its consideration once the Legislature was in session. These two plans, commonly known as the "Reed Plan" (for its chief proponent Joe L. Reed, chair of the ADC) and the "Dixon Plan" (for its sponsor, Republican Senator Larry Dixon of Montgomery), both featured a predominantly black district, but differed dramatically in their treatment of partisan political issues such as preservation of incumbents.¹¹

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II

The Proposed Congressional Plan

The proposed congressional redistricting plan is highlighted by a zero population deviation and the inclusion of a strong predominantly black district. As shown in more detail in Exhibit 22, the proposed districts would have the following populations, by race:

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Consistent with the redistricting guidelines, the proposed plan violates few county lines¹⁴ and builds to a large extent on county precincts established pursuant to Act No. 89-952.¹⁵ To the extent consistent with other overriding considerations (including particularly the need to create a predominantly black district), the proposed plan also attempts to preserve the cores of existing congressional districts. A discussion of the events leading up to the Legislature's passage of the plan follows.

The legislature never had an opportunity, of course, to consider in a special session the two plans recommended by the Committee, because the Governor failed to call the session. Prior to the convening of the regular session on February 4, 1992, the United States District Court for the Southern District of Alabama issued a preliminary order, dated January 27, 1992, in Wesch v. Hunt. In its order, the court stated that it intended to order an interim congressional redistricting plan in the event that the Alabama Legislature failed

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Eventually a consensus was reached, with all the incumbent congressmen acknowledging at least moderate satisfaction with the outcome. The consensus plan drew from both the Reed Plan -- particularly with respect to the configuration of the predominantly black district -- and the Dixon Plan -- with regard particularly to protecting the districts of the two Republican Congressmen. Callahan and Dickinson would remain alone in their respective districts, with the cores of those districts intact. Browder's district would change somewhat (principally to take in Shelby County while giving up most of his

southern tier of counties), and both Bevill and Cramer would be essentially unaffected. Erdreich and Harris would be placed together in a district including about 350,000 people from Jefferson County, Erdreich's home, 150,000 from Tuscaloosa, Harris' home, and the remainder from the west Alabama counties of Choctaw, Hale, Marengo, Pickens, and Sumter. This district was designed to achieve a rough balance, and thus fairness, between Erdreich's home territory and Harris' home territory and was thought to be a district in which a Democrat could have a chance of winning the general election. All this was to be accomplished while simultaneously creating a solid majority-black district with a 66.66% (62.48% VAP) black population.

The only other plan that was actually considered in the regular session was a plan introduced in the Senate as Senate Bill 73 by Doug Ghee of Calhoun County (Exhibit 28). This plan was acceptable to the Democrat incumbents in Congress, but was viewed by legislative leaders principally as a vehicle to advance the legislative process. On the Senate floor, the eventual legislative plan -- in a slightly earlier version -- was substituted for the Ghee Plan, was passed, and sent to the House. Slight modifications were made at the request of Congressman Bevill in Committee (the Welcome Center change) and on the floor at the request of Congressman Dickinson (to swap one white area for another). This revised plan passed the House, passed the Senate and eventually became Act No. 92-63 -- the subject of this submission.

The Permanent Committee examined the possibility of creating a plan with two predominantly black districts. However, knowledgeable black political leaders -- including Joe Reed, chair of the ADC; Jerome Gray, ADC's Field Director; Albert Turner, a west Alabama political veteran affiliated with the ANSC; and Lillian Jackson, President of the Alabama NAACP -- not only advocated the adoption of a plan with a single predominantly black district, but also testified before the Committee that it would be adverse to the interests of black voters in Alabama to attempt to create two predominantly black districts.¹⁸ Excerpts from the testimony of these individuals are very illuminating. For example, Mr. Reed testified as follows:

So -- but I have not seen a plan yet and I do not take the position under no circumstances can a Black win a district that's less than 65% black. I don't take that position.

However, I do take the position -- I have not seen a [two black district] plan presented around here that I'm willing for a black to run in for a congressional seat because there are several

¹⁸ The entire testimony of Mr. Reed, Mr. Gray, and Ms. Jackson are found in Exhibit 29. The quoted portions are found on pp. 14-16 (Reed); 18-20 (Gray); and 21-24 (Jackson). Mr. Turner's testimony is in Exhibit 30, with the quoted portion found at pages 24-25.

factors, and I think you have to get this down, this is very important, aside from population, that satisfies the one-person, one-vote theory, but there are some other practical effect that one must look at.

Also you get to the question of your VAP, your voting age population. Your voting age population varies from as much 3, I guess, to 5% from your total population. Which means if your total population, let's say is, I'll just pull out a figure, 60%, then you're voting age population, let's pull out a figure, is 56%, maybe 4% less. Then once you get to your voting age population, then you've got to get your voter registration figures, which are usually among blacks less than whites. That may be as much, as high as a 3% variation.

Then you get, not only your voter registration population, then you've got to get your voter turnout. Then even aside from your voter turnout, when you take in the fact that many blacks have not yet, even this day and time, never still because of education and what have you, don't have all of the political skills that whites have had who have been operating government for hundred and hundred of years, then that's another factor.

Then you get into your factor, your economic factor in a campaign, that's your raising money. Most black candidates can't raise money among poor black folks, they don't have any. We're unemployed and you also get your quasi-captive vote. What's the captive vote, that's the quasi-captive, that's the vote that white folks still control among black folks, that's the best way to put it.

We used to call it captive vote where they use to load them up on the truck and take them down and vote them. That had happened, though, during a period of reconstruction. But I'm talking about now where you've got a quasi-captive vote where many blacks are still subjected to the influence of their employers and so forth where they simply don't know.

So all these factors, we put all these elements together, I have not seen a plan that put these elements together that will give us hope of electing two black congressmen. I wish that I had a plan that could to that.

Mr. Gray, one of the state's most effective and knowledgeable political organizers and the person chiefly responsible for ADC's field operations, shared Mr. Reed's view:

- There has been some discussion regarding whether two majority black districts can be created in the State of Alabama. And I have seen the proposed NAACP proposal and have talked with some of their attorneys about the plan that they have floated around in this state. **I've looked at the plan and I have serious reservations regarding whether blacks can get elected in either one of the districts under their proposed plan.**

The plan proposes, it's a partial plan, you don't see the whole plan, so that certainly concerns me that you're looking at just a piece of the puzzle. And they based the plan on precinct data and you really don't have the whole plan in front of you to analyze. And they do cut up a lot of counties in drawing the two proposed majority black districts.

The one thing -- the one concern that I have is Joe outlined the things we look at in terms of whether we think a district will be able to elect a black candidate. And looking at those two districts they're right on the borderline, about 61%. Looking at the voting age population in both those districts, the voting age population falls under 55% in terms of black voting age population in those two districts.

And if you look at the counties that make up the two districts, even though they rely upon urban centers for picking up their population, but they also combine a lot of rural counties in their plan, their proposed plan.

And one thing I know that is, in trying to turn out the black vote in rural areas it's more difficult because you have, you know, more miles to cover, more folk, you know, longer distance to go pick up folk and it's just more difficult to turn out folks when you have more counties involved and more rural areas making up that proposed district.

The NAACP has used the argument that there are districts around the nation where blacks have won in less than, say, 65%, that is true. But if you look at the black congressmen who have won in districts that are less than 65% black they're virtually all in urban centers.

The only district, congressional district that I know of, a nationwide black district where you have a black congressman, is in Mississippi where you have a district that's less than 65% that's not in an urban area. You have -- Mike Epsey does have Jackson, and it goes out in the Mississippi Delta, but that's the only other place. Every other black congressional district is located almost totally within an urban center where it's easier to turn out the vote and mobilize your voting population.

But under these two districts that's proposed by the NAACP, they rely upon a lot of rural counties to make up that population base to create those two districts. **And I have serious concerns about whether either one of those districts could elect a black.**

Albert Turner of Perry County voiced a similar view at a public hearing on August 21, 1991:

In my philosophizing of this plan, I had been told from the black community that it was various black people who had an interest in running for the congressional seat. And by the way, I want to dispel all theory, I have no intention at all of trying to support a two black congressional seats in Alabama. I think it's ludicrous, to be honest with you. **I don't see no possibility of having two seats that black folks can win in Alabama.** In fact, I have a problem in trying to get one that they can win knowing the black belt of Alabama and the State of Alabama, and I intend to take that position with Justice and anybody else. I'm not interested in trying to take a fold of the population of Alabama and try to make two black seats out of it. I do not buy that theory that a 50% black seat or a 55% black seat is electable.

So, my sole interest was to develop a plan that was as fair as possible and as close as possible to a 65% black. My theory is that we would like to have one seat in congress that we can say we sent somebody to. I feel very strongly that if it's 50% or 55% whoever wins that plan will win as a result of whatever the whites in that district does. And I'm interested in trying to have at least one out of seven. I would like for the record to show that and I intend to take that position all the way.

Ms. Jackson of the NAACP made it clear that her organization does not endorse any effort to create two majority black districts, explaining as follows:

Good morning. I do represent the Alabama State Conference of Branches of the National Association for the Advancement of Colored People. And I think first off I need to, perhaps clarify something that has transpired that may have caused some confusion. The NAACP has not submitted a plan with two districts. I think a suggestion came down from our national office and inadvertently, perhaps, a copy was submitted to this committee as well. And I think there are some other persons, perhaps, who are supporting that plan. But that is not the plan that the NAACP in Alabama is supporting.

We have some very serious problems with a two district plan. We believe that a plan that only has 60% black population is not what we would consider a safe district. And it would have only approximately a 56% voting age population. We think that a plan would need to have, at least, 65% blacks in a district with at least 61% voting age population.

We see a number of other problems with a two district plan as well. We do have a large number of rural counties. And I don't want to go into a lot of things, repeat what has already been said, but it is a very strong concern of the NAACP, and we are a nonpartisan organization, but we are very concerned in political matters.

And in Alabama, in a black district, regardless if it's one or two, it would have to encompass a large number of rural areas. And history has proven that we have more difficulty in getting people registered to vote in rural areas; more difficulty in getting them to the polls to vote and, therefore, we would have very serious problems with a plan that would only have about a 60% black population.

Realistically it would lessen the chances of getting a minority or a black elected to congress. It would weaken our ability to raise funds or the candidate's ability because the resources would be greatly split.

So, at this point, we have looked at a number of plans that have been submitted to this committee. And the NAACP here in Alabama set up a committee, we studied the ones that have

been submitted to you, and we have decided and taken a vote that the plan that we see at this particular point that we would most support would be the plan that was drawn by Representative Buskey and some others.

So I do want to clear the record. We do not support a two district plan. Currently we support the plan that Mr. Buskey worked on and I believe that is one that people are referring to as the ADC plan. Thank you.

These black leaders pointed out that any predominantly black district would necessarily have to include substantial rural areas, and voiced concern that unless a district had a substantial black majority (about 65%), there would be a real threat of black voters being unable to elect a candidate of their choice in that district. An attempt to create two majority black districts, they observed, would likely lead to black voters being unsuccessful in both districts. While clear in their view that two black districts were preferable if such districts were really feasible, these leaders pointed out that neither through their own analyses or those of others had they discovered any reasonable way to fashion two sound black districts.

As noted in the testimony highlighted above, there were efforts to draw a district plan with two predominantly black districts. No such plan was ever submitted to the Committee nor introduced in the Legislature.¹⁹ But enough study was done to clearly support the conclusion of the black leaders described above that a sensible and racially fair plan should not feature two marginal black districts, but rather should contain a single district with a solid black majority.

The first contact with the Reapportionment Office regarding a potential plan with two black districts came in the form of a telephone call from Mr. Clifford Collins of the NAACP's Voter Participation Project. Mr. Collins advised the staff that his organization might submit a plan containing two predominantly black districts. On September 4, 1991, the Reapportionment Office received a facsimile transmission from Sam Walters, Assistant General Counsel of the NAACP in Baltimore (Exhibit 31). Mr. Walters provided a rough description of two majority black districts, but not a complete plan as required by the Redistricting Guidelines. The Committee met that same day, and Representative John Buskey of Montgomery -- a Committee member and chair of the state NAACP's redistricting committee -- advised the Reapportionment Office and the Committee leadership that the

¹⁹ Except by Republican Representative Johnny Curry as a delaying tactic, as more fully explained hereinafter.

state NAACP did not support a two-district plan.²⁰ In any case, the NAACP proposal was not distributed because it was not a complete plan and had not been verified.

On September 20, 1991, Senator Earl Hilliard of Jefferson County sent the Reapportionment Office a computer diskette said to contain the data which had been faxed on September 4, 1991. Senator Hilliard, who is black, requested the staff to use the information from the fax and the diskette to try to build a plan with two majority black districts. The diskette was not formatted to be compatible with the Reapportionment Office's computer system, and despite the staff's efforts -- including calling in their computer consultant -- the diskette's information could not be loaded. Consequently, the staff took the written information in the fax as its starting point.

First, the staff built a plan around the two proposed black districts, which were determined to have black populations of 59.74% (55.47% VAP) and 59.70% (55.41% VAP), respectively. The overall plan split 29 counties (out of 67) and did not have an acceptable population deviation. See Exhibit 32. This plan, along with the refined version described below, were given to Senator Hilliard.

To meet Senator Hilliard's request, the staff modified the two-district plan in an effort to increase the black population percentages and get the deviation to zero. The resulting black districts were 60.07% (55.79% VAP) black and 61.18% (56.92% VAP) black. This version also split 29 counties. See Exhibit 33. This plan, too, was provided to Senator Hilliard, with the understanding that some fine-tuning was needed, but would be done only if he decided to pursue the plan.²¹

On December 10, 1991 -- while preparation for the trial of the federal lawsuit was going strong -- Senator Hilliard requested the staff to create a plan including a 65% black district in the south and a 55% black district in the north. The staff was able to draw a 59.33% (55.06% VAP) black district along with a 61.98% (57.75% VAP) black district. See Exhibit 34. This plan did not have a zero deviation and split 31 counties. It was this version of the Hilliard plan that was submitted to the three-judge court in Mobile as one of the alternatives suggested by the black plaintiffs-intervenors.

In January of 1992, while the three-judge court was considering the evidence presented at trial, the staff, at Senator Hilliard's request, furnished him with a refined version of the plan, having a zero population deviation and the following predominantly black districts: 59.41% (55.14% VAP) and 61.91% (57.68% VAP). See Exhibit 35. The

²⁰ This position is explained in the testimony of state NAACP leader Lillian Jackson which is quoted above.

²¹ These events occurred around mid-October of 1991 when it was still hoped that Governor Hunt would call a special session.

plan split 29 counties. Despite their best efforts, the staff was unable to meet Senator Hilliard's 55%-65% request.

Between January 9 and January 17, 1992, Mr. Selwyn Carter of the Southern Regional Council in Atlanta came to the Reapportionment Office and spent considerable time in an effort to build a plan with two predominantly black districts. Mr. Carter concentrated on trying to achieve a 65% district and a 55% district, consistent with Senator Hilliard's earlier request. While Mr. Carter was working on that approach, a software problem developed which made it impossible to display a map of the plan on which he was working, and thus Mr. Carter never finished his effort. While a written report of the status of Mr. Carter's work is available (Exhibit 36), no map can be produced.²² The staff cannot verify Mr. Carter's work, but believes that changes would have to be made to complete it, and that it is uncertain how those changes would affect the overall plan. As currently drawn, the plan splits 33 counties.

Mr. Albert Turner of Perry County, who is on record opposing any effort to create two black districts, also spent time in the Reapportionment Office in January studying once again -- particularly in light of Senator Hilliard's efforts -- whether a two-district plan could be drawn. After substantial efforts, Mr. Turner abandoned his effort, concluding that his original assessment was accurate.

At no time did any black legislator, political leader or other citizen present to the Reapportionment Committee or the Legislature a proposal containing two black districts; nor has such an approach ever been publicly advocated before the Committee or the Legislature. Indeed, the only time such a plan was brought forward at all was when Republican Representative Johnny Curry, apparently believing that by introducing a number of bills that might have to be read at length he could delay the House's vote on the plan which eventually passed, introduced several plans, including the Reed Plan, the Dixon Plan, the Court Plan, an earlier version of the plan adopted by the Legislature, and the Hilliard two-district plan. Mr. Curry's effort to delay was not successful.

III

Other Relevant Information

To the extent it is not fully provided in the preceding sections of this letter, the information required by 28 C.F.R. §51.27 is set out below.

- (a) A certified copy of Act No. 92-63 is included as Exhibit 37.

²² The Reapportionment Office's software vendor, Public Systems Associates, has been working to remedy the problem, which it also experienced in Louisiana.

(b) *Ala. Code* §17-20-1 (included as Exhibit 38) describes the existing congressional districts. For an analysis of the population, by race, of the existing districts under the 1980 census, see Exhibit 39. For a comparable analysis under the 1990 census, see Exhibit 1.

(c) See Sections I and II.

(d) This submission is being made by James H. Evans, Attorney General of the State of Alabama (205-242-7300); and David R. Boyd, Counsel to the Permanent Committee (205-834-6500).

(e) The Alabama Legislature is the branch of state government responsible for the proposed change in congressional districts; the State of Alabama is the submitting authority.

(f) Not applicable.

(g) The Alabama Legislature is responsible for making the change by way of a legislative act.

(h) The Legislature is authorized by the United States Constitution art. I, §2, cl.3 and art. I, §4, and the Constitution of Alabama (1901) art. IV, §44 to make the proposed change. The required procedures are described in Section I.

(i) Act No. 92-63 was passed by the Legislature on February 27, 1992 and became law on March 5, 1992.

(j) The new congressional districts would take effect with party primaries on June 2, 1992, subject to the approval of the three-judge federal district court discussed in Section I. If for any reason the proposed plan cannot be used for the 1992 elections, and the court's plan is used instead, the State intends for the proposed plan to be used in 1994 and thereafter.

(k) The proposed districts have not yet been used.

(l) Not applicable.

(m) See Section I.

(n) The proposed congressional districts will likely result in the election for the first time since Reconstruction of a black member of Congress from Alabama. No adverse effect on black voters is anticipated; indeed, the proposed plan is racially fair in all respects.

(o) See Section I for discussion of the proceedings before the three-judge court in the Southern District of Alabama. There have been three other legal proceedings filed

over the general subject of congressional redistricting. On October 29, 1991, two black residents of Tuscaloosa County and Greene County, respectively, filed suit against Governor Guy Hunt and various other state officials, including legislative leaders, in the United States District Court for the Northern District of Alabama, Western Division. This suit, filed after the Wesch case, alleged that the existing congressional districts violated federal law and requested a three-judge court be convened to declare the existing districts unlawful and to order the Governor to call a special session to give the Legislature an opportunity to enact a new district plan, failing in which the court would order a plan implemented. See Exhibit 40. Other pleadings related to this action are also included as part of Exhibit 40. On December 4, 1991, United States District Judge Sam C. Pointer, Jr., for the three-judge court, ordered the case to be stayed pending the outcome of the Wesch case, and invited the plaintiffs to seek intervention in the case pending in Mobile. See Exhibit 40.

On about December 9, 1991, two residents of Barbour County, Alabama, filed suit in the circuit court of Barbour County against Governor Hunt and various other state officials requesting the circuit court to order Governor Hunt to call a special session of the Alabama Legislature to deal with the issue of congressional redistricting. See Exhibit 41. After pleadings and evidentiary proceedings, the circuit court issued a final order requiring Governor Hunt to call a special session of the Legislature on or before January 8, 1992, failing in which the court would itself fashion an appropriate remedy. Governor Hunt appealed and sought a stay of the circuit court's order. On January 7, 1992, the Alabama Supreme Court, in a unanimous decision highlighted by Justice Gorman Houston's special concurring opinion, granted the stay of the circuit court order, and that stay remains in effect. See Exhibit 41.

On about January 14, 1992, the Lieutenant Governor, the Speaker of the House, and a number of Alabama Legislators filed an original petition in the Supreme Court of Alabama requesting that the Supreme Court enter an order establishing interim congressional districts until the Legislature had an opportunity to adopt such districts. See Exhibit 42. The Supreme Court has taken no such action on the petition and, of course, the Legislature has now adopted the plan being submitted herewith.

(p) The existing congressional district plan, to be replaced by the proposed plan, was precleared by the Attorney General on February 26, 1982. See Exhibit 43.

(q) Reports showing 1990 total and voting age populations of counties, the existing congressional districts, and the proposed congressional districts are included as Exhibits 44, 1 and 22, respectively. As explained in the next section, we also presently intend to furnish information about the proposed district plan, the court-ordered plan, the Reed Plan, and perhaps other alternatives, on magnetic tape pursuant to 28 C.F.R. §51.20, as amended. Maps of the existing and proposed districts are included in Exhibits 1 and 22 and are appropriately labeled.

As suggested by the Section 5 regulations, the State is providing the following additional information: (1) the number of registered voters, by race, at the county level as of January, 1992 (Exhibit 45); (2) a map showing the location of black citizens in Alabama (Exhibit 46); (3) the names and addresses of a number of black citizens interested in the redistricting process (minorities highlighted in Exhibit 47); (4) numerous items identified in Section I demonstrating the publicity of redistricting activities and the extent of opportunity for minority participation; and (5) newspaper clippings covering essentially the entire redistricting process (located in separate box).

As suggested by 28 C.F.R. §51.28(g), notice of the availability at the Reapportionment Office of a copy of this submission and all exhibits thereto will be sent to all the persons and organizations on the Reapportionment Office mailing list.

IV

Provision of Data on Magnetic Tape

Supplemental to the written materials submitted herewith and in accordance with 28 C.F.R. §51.20, as amended, the State of Alabama presently intends to submit descriptive data of its proposed congressional redistricting plan, as well as the court-ordered plan, the Reed Plan, and perhaps other alternatives, on magnetic tape. These materials will be provided through a supplement to this submission.

V

Request for Expedited Consideration

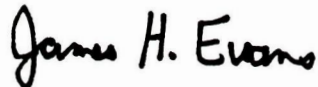
Pursuant to 28 C.F.R. §51.34 and for the reasons described herein, the Attorney General is requested to give this submission **EXPEDITED CONSIDERATION**. Assuming the legislation extending candidate qualifying to May 3, 1992 is precleared, preclearance of the proposed congressional districts is needed as far in advance of that date as possible. The very earliest consideration is requested in order to give candidates, voters and election officials as much time as possible to prepare for the June 2, 1992 primary elections.

VI

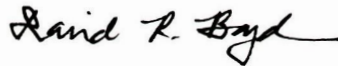
Conclusion

For the reasons explained above, and supported by the accompanying materials, the State of Alabama urges the Attorney General to give **EXPEDITED CONSIDERATION** to this submission and to act upon it favorably.

Respectfully submitted,



James H. Evans
Attorney General



David R. Boyd
Counsel to Permanent Legislative Committee
on Reapportionment

DRB:tak

Enclosures

2021 Dec-27 AM 11:06
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March 25, 1992

VIA FAX AND UNITED STATES MAIL

John Tanner
United States Department of Justice
Civil Rights Division - Voting Section
P.O. Box 66128
Washington DC 20035

Re: Alabama Congressional Reapportionment
COMMENT UNDER SECTION 5

Dear Mr. Tanner:

As you know, the Southern Regional Office of the ACLU has a long history of supporting the rights of black citizens to racially fair apportionment plans, as required by the Voting Rights Act, and has an ongoing interest in and support of those efforts throughout the country. In that capacity, I submit the following comments in support of the position of attorney John England and the group of black citizens in the State of Alabama, and join in asking that the Department of Justice enter an immediate objection to the State's congressional reapportionment plan.

As you are no doubt aware, it is possible to create two majority black Congressional districts in the State of Alabama. At least two alternative configurations have been drawn which do so. One plan, drawn by Selwyn Carter of the Southern Regional Council (SRC) on the State's computer system in January of this year, had one district at 65.01% black population (60.66% BVAP) and a second at 55.86% BPOP/51.85% BVAP.¹ Another plan, known as the "Hilliard Plan Zero," drew two districts at 59.51% BPOP/ 55.14% BVAP and 61.91% BPOP/57.68% BVAP. This second plan was introduced at the time

¹ Since the State's computer "froze" on that plan, a final map with "zero deviation" was never generated. However, it is my understanding that Mr. Carter has now redrawn that plan, within zero deviation, and that the same will be FAX'd to you either tonight or tomorrow morning.

John Tanner
March 25, 1992
Page Two

of the court proceedings in Wesch, et al. v. Hunt, et al., Civil Action No. 91-0787-BH (1992), and was known to the State at the time the plan now pending before you was adopted. It is my understanding that these alternatives are not materially stranger than the districts adopted by the State in the plan now before you.

The State, however, refused to adopt a plan creating two majority black districts. The comment letter submitted to you by the Alabama New South Coalition recites first hand evidence of a racial motivation on the part of the Lt. Governor and the President Pro Tem of the Alabama State Senate. Under the circumstances, the State cannot carry its burden of proving that the plans are free from racially discriminatory purpose.


Further, as the Department is well-aware from its recent involvement in the Alabama judicial case, voting in the State is severely racially polarized and the black community is politically cohesive. Under those circumstances, the failure of the State to draw two majority black districts results in a clear violation of Section 2 of the Voting Rights Act.

The timing in this case is particularly critical. The three-judge court in Wesch v. Hunt entered an interim remedial plan which will go into effect at noon on March 27, 1992. That plan, like the State's, has only one majority black district and thus results in serious dilution. Unless the Department enters an objection before that time, requiring the State to create a second majority black Congressional district, it will be virtually impossible to prevent the 1992 elections from being held under a racially discriminatory plan.

We therefore join the black intervenors in strongly urging you to interpose an immediate objection to the pending submission.

Please feel free to contact me if I can be of any assistance in this matter.

Yours sincerely,


Kathleen L. Wilde

cc: John England
Mark Packman

2021 Dec-27 AM 11:06

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September 20, 2011

VIA FEDERAL EXPRESS

Chief, Voting Section
Civil Rights Division
United States Department of Justice
Room 7254-NWB
1800 G Street NW
Washington, DC 20006

**Re: Preclearance Submission of Alabama Act No. 2011-518
(Congressional Redistricting)**

Dear Sir:

Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c (2006), requires that, before an Alabama statute that affects voting can be enforced, it must be precleared and that such a statute can be precleared either judicially by the United States District Court for the District of Columbia, sitting as a three-judge court, or administratively by the Attorney General, who has delegated this review to the Voting Section in the Civil Rights Division. As you are aware, Alabama has filed an action in the United States District Court for the District of Columbia seeking judicial preclearance of Act No. 2011-518. *Alabama v. Holder*, No. 1:11-cv-1628-TFH (D.D.C. filed Sept. 9, 2011), which provides for the redistricting of Alabama's seven seats in the United States House of Representatives. Alabama understands that the Department of Justice prefers the administrative process and takes the position that timely administrative preclearance moots any pending unresolved lawsuit seeking judicial preclearance of the change involved. At your request, we are furnishing all of the materials that must be included in an administrative submission to you to allow you to review them. We encourage you to undertake that review and preclear Act No. 2011-518 administratively before a response to the lawsuit is due.

Act No. 2011-518 was enacted in the 2011 Regular Session of the Alabama Legislature which began on March 1, 2011, and ended on June 9, 2011. Act 2011-518 originated as Senate Bill 484 and was the subject of substantial legislative action. Ultimately, the Senate and House passed different versions that were reconciled in conference committee. The vote on the conference committee version was 16 to 15 in favor in the Senate with 3 members passing and 1 abstention, and 57-45 in favor in the House with 3 members passing.

Chief, Voting Section
September 20, 2011
Page 2

As you are also aware, the Republican Party gained control over both houses of the Alabama Legislature in the 2010 elections. Notwithstanding the party's leadership position, the votes on the conference committee version of SB484, while largely along party lines, show some significant deviations on both party and racial lines. In the Senate, 4 white Republicans (Bussman, Sanford, Scofield, and Williams) joined the 7 African-American Democrats (Coleman, Dunn, Figures, Ross, Sanders, Singleton, and Smitherman) and 4 white Democrats (Bedford, Fielding, Irons, and Keahey) in voting against the plan. See Exhibit A-5. In the House, 4 African-American Democrats (Coleman, Givan, McAdory, and Newton) voted for the plan, and 12 white Republicans (Brown, Buttram, Farley, Galliher, Greer, Greeson, Millican, Nordgren, Oden, Roberts, Thomas, and Wren) voted against it. See Exhibit A-6.

As in previous years, The Legislature's preparation for redistricting was coordinated by its Permanent Joint Legislative Committee on Reapportionment. That Committee has 22 members and includes members from both Houses and both political parties. It also includes four minority African-American members (Senator Linda Coleman, Senator Vivian Figures, Representative Barbara Boyd, and Representative George Bandy). A list of the Committee's members is attached as Exhibit E.

The Committee directs the work of the Legislative Reapportionment Office. That Office has a staff of six full-time employees and one part-time employee. As in previous years, it has been working with the Census Bureau on a continuing basis for some time, gathering and reconciling information and installing new computer hardware and software.

The Committee began the work on redistricting by adopting Guidelines. It solicited comments on the old Guidelines and considered those received. A copy of the Guidelines is attached as Exhibit F.

After the regular session began, the Committee conducted seven public hearings at various locations in the State. A copy of the Committee's Notices, which contain a listing of the dates, times, and locations of those seven hearings is attached as Exhibit H-1. The hearings were transcribed and a copy of the transcript for each of those hearings is included as Exhibits H-2 through H-8.

Furthermore, we include minutes of the meetings of the Permanent Committee on Reapportionment as Exhibits G-1 through G-6, and press releases and news articles as Exhibit I.

In accordance with 28 C.F.R. § 51.27 (2011), we submit the following information to the Attorney General:

- (a) **New Act:** A copy of Act No. 2011-518 is attached as exhibit A-1. A map of the congressional redistricting plan adopted in Act No. 2011-518 is attached as Exhibit A-2. A printout of demographic data for each of the districts adopted in Act No. 2011-518, using both total population and voting age population, is attached as Exhibit A-3. A printout of compactness and contiguity scores is attached as Exhibit A-4.

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- (b) **Prior Act:** The seven Alabama congressional districts used in elections in 2002, 2004, 2006, 2008, and 2010 were adopted as the result of the enactment of Alabama Act No. 2002-57 in the 2002 Regular Session of the Alabama Legislature. The plan adopted as the result of that enactment was administratively precleared by letter dated March 4, 2002. Submission No. 2002-0470. The submission relating to Act No. 2002-57 included a copy of the Act, a map of the plan adopted, and the demographic data for the plan and for the previous plan with the 2000 Census loaded into it. We hereby incorporate those materials by reference. *See* 28 C.F.R. § 51.26(e)(2011). Of course, if you require a copy of these materials, we will be happy to provide one.
- We attach a printout of 2010 Census demographic data for the plan adopted in Alabama Act No. 2002-57 as Exhibit B.
- (c) **Statement Identifying Change:** Act No. 2011-518 provides for the congressional redistricting of the entire State of Alabama.
- (d) **Persons making the submission:** John J. Park, Jr., Deputy Attorney General, Strickland Brockington Lewis LLP, 1170 Peachtree Street NE, Suite 2200, Atlanta, GA 30309, 678-347-2208; Misty S. Fairbanks, Assistant Attorney General, Office of the Attorney General, 501 Washington Avenue, Post Office Box 300152, Montgomery, AL 36130-0152, 334-353-8674.
- (e) **Submitting Authority & Jurisdiction Responsible for Change:** State of Alabama.
- (f) **Location of Submitting Authority if not State or County:** Not applicable.
- (g) **Body Responsible for Change & Mode of Change:** Act of Alabama Legislature.
- (h) **Authority for Change:** Act No. 2011-518 was adopted pursuant to U.S. Const. art. I, § 4, cl. 1, the Legislature's state constitutional authority to enact laws, Ala. Const. art. IV, and the Governor's state constitutional authority to approve laws passed by the Legislature, Ala. Const. art. V, § 125.
- (i) **Date Adopted:** Act No. 2011-518 was adopted on June 8, 2011.
- (j) **Effective Date:** Act No. 2011-518 became effective upon passage and approval by the Governor which occurred on June 8, 2011. Act No. 2011-518 cannot, however, be enforced until precleared pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c.
- (k) **Enforcement Statement:** The redistricting plan adopted in Act No. 2011-518 has not been enforced. The State of Alabama intends to use the districts established in Act No. 2011-518 for

Chief, Voting Section
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the congressional elections in 2012. As the result of Act No. 2011-566, which has been precleared (see Submission No. 2011-2500), the primary elections for that cycle will be in March 2012.

- (l) **Statement of Scope if Less than Entire Jurisdiction:** Not applicable. Act No. 2011-518 affects the entire State of Alabama.
- (m) **Reason for change:** Act No 2011-518 was adopted because the results of the 2010 Census indicate that the congressional districts adopted in Act No. 2002-57 are malapportioned and can no longer be used. See Exhibit B.
- (n) **Anticipated Effect on Minority Groups:** A comparison of the demographic data attached in Exhibit A-3 for the plan adopted in Act No. 2011-518 with the demographic data attached in Exhibit B with respect to the plan in Act No. 2002-57 will show that the redistricting plan adopted in Act No. 2011-518 does not have a discriminatory or retrogressive purpose or effect with respect to minority voting strength.

As with the 1992 Wesch plan and the plan in Act No. 2002-57, the new plan has one African-American majority district, District 7, which is located in the west central part of the state. The table below shows the total and voting age population for the district under the new plan, which preserves the voting strength of the African-American community:

	2011 Plan		2002 Plan with 2010 Data		2002 Plan with 2000 Data	
District	Total %	VAP %	Total %	VAP %	Total %	VAP %
7	63.57%	60.55%	62.83%	59.75%	62.389%	58.327%

This table demonstrates that the percentage of total black and black voting age population in the new plan increased from the benchmark figures. That increase plainly cannot be regarded as retrogressive. *Cf. Beer v. United States*, 425 U.S. 130, 141 (1976) ("It is thus apparent that a legislative apportionment that enhances the position of racial minorities with respect to the effective exercise of the electoral franchise can hardly have the 'effect' of diluting or abridging the right to vote within the meaning of § 5.").

The voting in the Legislature is another indicator of the absence of a retrogressive or invidious purpose or effect. While all of the African-American members of the Senate voted against the

Chief, Voting Section
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plan, they were joined by a number of white Republicans. That suggests that dissatisfaction with the plan was not race-based. In the House, four African-American members voted for the plan, and 12 white Republicans voted against it. Again, that suggests that opposition was not race-based.

- (o) **Past or pending litigation:** With the exception of *Alabama v. Holder*, the previously mentioned Section 5 declaratory judgment action pending in the United States District Court for the District of Columbia, the State is not aware of any pending litigation over Act No. 2011-518. The plan adopted in Act No. 2002-57 was not the subject of any litigation.
- (p) **Preclearance of Prior Practice:** Act No. 2002-57 was administratively precleared by letter dated March 4, 2002 (Submission No. 2002-0470).
- (q) **Additional information for Redistricting:** The block assignment file for Act 2011-518, *see* 28 C.F.R. § 51.28(a)(5)(2011), is enclosed as Exhibit D. The block assignment file for Act No. 2002-57 is available in Exhibit C of Submission No. 2002-0470, dated February 1, 2002. *See* 28 C.F.R. § 51.26(e).

As requested in 28 C.F.R. § 51.28(h)(2011), we identify the following minority group contacts “who can be expected to be familiar with the proposed change or who have been active in the political process.” *Id.*

(1) *Minority Senators*

Sen. Linda Coleman, 926 Chinchona Dr., Birmingham, AL 35214, 205-798-1045;
 Sen. Priscilla Dunn, 460 Carriage Hill Dr., Birmingham, AL 35022, 205-426-3795;
 Sen. Vivian Davis Figures, 104 S. Lawrence St., Mobile, AL 36602, 251-208-5480;
 Sen. Quinton Ross, 3778 Rosswood Rd., Montgomery, AL 36116, 334-280-2963;
 Sen. Hank Sanders, 1405 Jeff Davis Ave., Selma, AL 36702, 334-875-9264;
 Sen. Bobby Singleton, 11 South Union Street, Room 735, Montgomery, AL 36130, 334-242-7935;
 Sen. Rodger Smitherman, 2029 2nd Ave. N, Birmingham, AL 35203, 205-322-0012

(2) *Minority Representatives*

Rep. George Bandy, 1307-A Glenn Circle, Opelika, AL 36801, 334-749-0051;
 Rep. Barbara B. Boyd, 2222 McDaniel Avenue, Anniston AL 36202, 256-236-7423;
 Rep. Napoleon Bracy, Jr., 238 Montgomery Street, Prichard, AL 36610, 251-622-8118;
 Rep. James E. Buskey, 2207 Barretts Lane, Mobile, AL 36617, 251-457-7928;
 Rep. Merika Coleman, P.O. Box 288888, Birmingham, AL 35228, 205-325-5308;
 Rep. David Colston, P.O. Box 996, Hayneville, AL 36040, 334-874-2569;

Chief, Voting Section
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Rep. Christopher John England, P.O. Box 2089, Tuscaloosa, AL 35403-2089, 205-248-5140;
Rep. Juandalynn Givan, 63 Greenleaf Dr., Birmingham, AL 3514, 205-798-8310;
Rep. Dexter Grimsley, 168 Res Dr., Newville, AL 36353, 334-889-0602;
Rep. Laura Hall, P.O. Box 3367, Huntsville, AL 35810, 256-859-2234;
Rep. Alvin Holmes, P.O. Box 6064, Montgomery, AL 36106, 334-264-7807;
Rep. Thomas E. Jackson, P.O. Box 656, Thomasville, AL 36784-0656, 334-246-3597;
Rep. Yvonne Kennedy, 1205 Glennon Ave., Mobile, AL 36603, 251-438-9509;
Rep. John F. Knight, Jr., P.O. Box 6300, Montgomery, AL 36106, 334-229-4286;
Rep. Lawrence McAdory, 1000 Barclay Dr., Bessemer, AL 35022, 205-428-1156;
Rep. Thad McClammy, 3035 Rosa Parks Ave., Montgomery, AL 36105, 334-264-6767;
Rep. Darrio Melton, P.O. Box 371, Selma, AL 36702, 334-874-2569;
Rep. Joseph C. Mitchell, 465 Dexter Avenue, Mobile, AL 36604, 251-473-5020;
Rep. Mary Moore, 1622 36th Ave. N., Birmingham, AL 35207, 205-322-0254;
Rep. Demetrius C. Newton, 1820 7th Ave. N., Birmingham, AL 35202, 205-252-9203;
Rep. Oliver Robinson, 9640 Eastpoint Cir., Birmingham, AL 35217, 205-849-6765;
Rep. John W. Rogers, Jr., 1424 18th St. SW, Birmingham, AL 35211, 205-934-0364;
Rep. Roderick Hampton Scott, 657 Maple St., Fairfield, AL 35064, 205-781-1322;
Rep. Pebblin W. Warren, One Technology Court, Montgomery, AL 36116, 334-280-4469

(3) *Other Minority Contacts*

Dr. Joe Reed, Alabama Education Association, 422 Dexter Ave., Montgomery, AL 36104, 334-834-9790;
Hon. Terry Sewell, U.S. House of Representatives, 1133 Longworth House Office Building, Washington, D.C. 20515; and

(r) **Other Information:**

The overall population deviation is 0.00%, which comports with constitutional standards.

All districts are contiguous. See Exhibit A-4.

The compactness scores for the districts established in Act No. 2011-518 are satisfactory.

While the plan splits some counties, some splitting is inevitable given the constitutional requirement of absolute population equality. The plan splits six counties, four of which have been split in previous plans.

A complete demographic picture of the State of Alabama, its counties and its cities is available at the U.S. Census Bureau website, www.census.gov.

Chief, Voting Section
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Alternative plans: A number of alternative plans were submitted in the Legislature. The block assignment files for these 14 plans have not been created by the Reapportionment Office and are not presently available for that reason. They can be provided on request.

In dealing with alternative plans, we note that a number of such plans or portions thereof may have been delivered to the Alabama Legislature's Reapportionment Office. We will be delivering only those plans that were introduced in and considered by the Legislature.

For additional information, please contact Jack Park by telephone at 678-347-2208 or by electronic mail at jjp@sblaw.net or Misty S. Fairbanks by telephone at 334-353-8674 or by electronic mail at mfairbanks@ago.state.al.us.

Respectfully submitted,

LUTHER STRANGE
Attorney General of Alabama
By:


Deputy Attorney General

Enclosures

cc: Misty S. Fairbanks, Esq.

EXHIBITS TO CONGRESSIONAL SUBMISSION

- A Act No. 2011-518
 - A-1 Copy of Act No. 2011-518
 - A-2 Map of plan adopted in Act No. 2011-518
 - A-3 Demographic data for plan adopted in Act No. 2011-518 showing both total and voting age population for each district
 - A-4 Compactness and contiguity scores for plan adopted in Act No. 2011-518
 - A-5 Vote on Final Version of SB484 (Act No. 2011-518) in Alabama Senate
 - A-6 Vote on Final Version of SB484 (Act No. 2011-518) in Alabama House of Representatives
- B 2010 Census demographic data for Act No. 2002-57 districts
- C Packages for 14 alternate congressional plans, containing map, demographic data showing both total population and voting age population, and compactness and contiguity scores
 - C-1 2010 Allen Congressional Plan 4
 - C-2 2010 Allen Congressional Plan 6
 - C-3 2010 Beason Congressional Plan
 - C-4 2010 Hammon Congressional Plan
 - C-5 2010 McClendon Congressional Plan 1
 - C-6 2010 Poole Congressional Plan 4
 - C-7 Buskey Congressional Plan
 - C-8 Congressional Plan – Allen
 - C-9 Greer Congressional 2
 - C-10 McClammy 2010 US Congressional Plan
 - C-11 McClammy Congress 2M

C-12 McClammy Congress PPB

C-13 Poole–Hubbard Congressional

C-14 State Congressional 1

D Block Assignment Files for Act No. 2011-518

E Membership of Permanent Joint Legislative Committee on Reapportionment for 2011-2014 quadrennium

F State of Alabama Reapportionment Committee Guidelines for Congressional, Legislative, and State Board of Education Redistricting

G Minutes of Committee Meetings

G-1 Minutes of Committee Meeting on March 23, 2011

G-2 Minutes of Committee Meeting on March 30, 2011

G-3 Minutes of Committee Meeting on May 3, 2011

G-4 Minutes of Committee Meeting on May 4, 2011

G-5 Minutes of Committee Meeting on May 18, 2011

G-6 Minutes of Committee Meeting on May 19, 2011

H Public Hearings

H-1 Notice Package for Public Hearings

H-2 Transcript of Public Hearing on May 9, 2011, in Huntsville, AL

H-3 Transcript of Public Hearing on May 10, 2011, in Birmingham, AL

H-4 Transcript of Public Hearing on May 11, 2011, in Mobile, AL

H-5 Transcript of Public Hearing on May 12, 2011, in Montgomery, AL

H-6 Transcript of Public Hearing on May 13, 2011, in Selma, AL

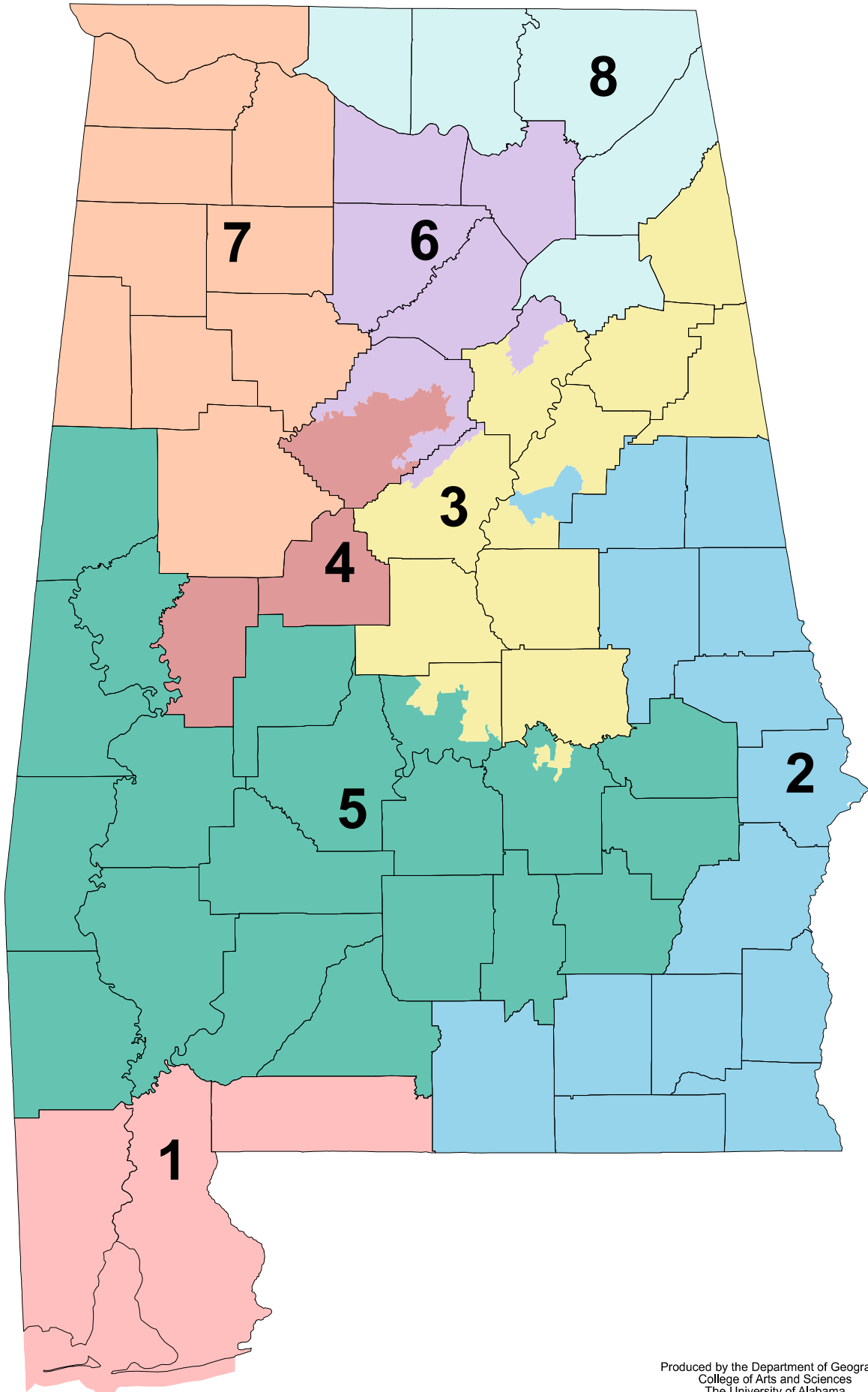
H-7 Transcript of Public Hearing on May 18, 2011, in Montgomery, AL

H-8 Transcript of Public Hearing on April 1, 2011, in Troy, AL

I Press releases and news clippings

2001 Alabama State Board of Education Districts

2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STATE OF ALABAMA,
Office of the Attorney General
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152

Plaintiff,

v.

ERIC H. HOLDER, JR., in his official
capacity as the Attorney General of the
United States,
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Defendant.

CIVIL ACTION NO. _____

COMPLAINT

The State of Alabama respectfully files this complaint seeking a declaratory judgment pursuant to Section 5 of the Voting Rights Act (VRA) of 1965, 42 U.S.C. § 1973c (2006), and 28 U.S.C. § 2201 (2006), that Alabama Act Nos. 2011-518 and 2011-677, providing for, respectively, the redistricting of Alabama's seven congressional districts and its eight State Board of Education districts based on the 2010 Census, "neither ha[ve] the purpose nor will have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2)" of the Voting Rights Act of 1965. VRA § 5(a), 42 U.S.C. § 1973c(a).

PARTIES

1. Plaintiff State of Alabama is one of the 50 United States of America and brings this action on behalf of itself and its citizens.

2. Defendant Eric H. Holder, Jr., is the Attorney General of the United States and is named in his official capacity. Defendant Holder is charged with certain responsibilities under Section 5 of the Voting Rights Act, including the defense of a Section 5 declaratory judgment action in this Court. Defendant Holder, in his official capacity as Attorney General of the United States, resides in the District of Columbia.

JURISDICTION

3. This action arises under Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c. This Court has jurisdiction pursuant to Section 14(b) of the Voting Rights Act, 42 U.S.C. § 1973l(b) (2006), and 28 U.S.C. § 1331 (2006).

VENUE

4. Venue is proper in the District of Columbia pursuant to Sections 5(a) and 14(b) of the Voting Rights Act, 42 U.S.C. §§ 1973c(a) & 1973l(b), and 28 U.S.C. § 1391(e)(1) (2006).

THREE-JUDGE COURT

5. Plaintiff requests that a district court of three judges be convened to hear and determine this action pursuant to the last sentence of Section 5(a) of the Voting Rights Act, 42 U.S.C. § 1973c(a), and 28 U.S.C. § 2284 (2006). In accordance

with LCvR 9.1, a separate “Application for Three-Judge Court” accompanies this Complaint.

FACTUAL BACKGROUND

6. The State of Alabama is a “covered jurisdiction” based upon determinations made under the first sentence of Section 4(b) of the Voting Rights Act of 1965, 42 U.S.C. § 1973b(b) (2006). *See* 30 Fed. Reg. 9897 (Aug. 7, 1965); 28 C.F.R. pt. 51 app. (2011). The State of Alabama is thus subject to the preclearance requirements of Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c.

7. In 2002, after receiving the results of the 2000 Census, the Alabama Legislature enacted and then-Governor Bob Riley signed Act No. 2002-57, establishing a congressional redistricting plan. That plan contained one majority-minority district (District 7) in which the total population was 62.389% African-American and 35.997% white, and the voting age population was 58.327% African-American and 40.006% white.

8. In 2002, the Alabama Legislature also enacted and then-Governor Riley signed Act No. 2002-73, establishing a new districting plan for the eight-member State Board of Education (SBOE). That plan contained two districts in which African-Americans were in the majority for total population. In SBOE District 4, the total population was 51.385% African-American and 46.403% white, and the voting age population was 47.613% African-American and 50.191% white. In SBOE District 5, the total population was 55.501% African-American and

43.010% white, and the voting age population was 51.975% African-American and 46.582% white.

9. Pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c, the State of Alabama submitted Act Nos. 2002-57 and 2002-73 to the United States Department of Justice for preclearance. The Department of Justice did not interpose an objection to either plan, and both were put into effect.

10. Although the State of Alabama seeks preclearance by this Court, it has compiled information in the nature of a preclearance submission to the Department of Justice for each of Act Nos. 2011-518 and 2011-677, which will be provided to the Department of Justice upon request.

Congressional Redistricting

11. On or about February 24, 2011, the State of Alabama received the results of the 2010 Census. When the 2010 Census results were loaded into the plan adopted in Act No. 2002-57, it was clear that the districts were unconstitutionally malapportioned, with an overall population deviation of more than 22%. More specifically, loading the 2010 results into the 2002 congressional plan showed:

2002 Congressional Plan Malapportionment				
District	Ideal Pop.	Total Pop.	Deviation	Deviation %
1	682,819	687,841	+5,022	+0.74%
2	682,819	673,877	-8,942	-1.31%
3	682,819	681,298	-1,521	-0.22%
4	682,819	660,162	-22,657	-3.32%
5	682,819	718,724	+35,905	+5.26%
6	682,819	754,482	+71,663	+10.50%
7	682,819	603,352	-79,467	-11.64%

12. On June 2, 2011, the Alabama Legislature passed SB484, which establishes new district lines for the State's congressional delegation.

13. On June 8, 2011, Governor Bentley signed SB484, and that bill has been enrolled as Act No. 2011-518. A copy of Act No. 2011-518 is attached to this Complaint as Exhibit 1. Notwithstanding its adoption, Act No. 2011-518 has not been enforced.

14. As with the 2002 plan, the plan established by Act No. 2011-518 contains one majority-minority district (District 7).

15. The plan established by Act No. 2011-518 satisfies the applicable constitutional one-person, one-vote standards.

16. The demographics of the plan established by Act No. 2011-518 are as follows:

2011 Congressional Plan Demographics			
District	Total Pop.	Total White %	Total Black %
1	682,820	67.18%	27.66%
2	682,820	65.45%	29.49%
3	682,819	70.65%	25.16%
4	682,819	86.61%	6.83%
5	682,819	75.93%	16.99%
6	682,819	80.82%	13.56%
7	682,820	33.04%	63.57%

State Board of Education Redistricting

17. As noted above, on or about February 24, 2011, the State of Alabama received the results of the 2010 Census. When those results were loaded into the plan adopted in Act No. 2002-73, it was clear that the districts were constitutionally

malapportioned, with an overall population deviation of more than 28%. More specifically, loading the 2010 Census data into the 2002 SBOE plan showed:

2002 SBOE Plan Malapportionment				
District	Ideal Pop.	Total Pop.	Deviation	Deviation %
1	597,467	633,576	+36,109	+6.04%
2	597,467	629,567	+32,100	+5.37%
3	597,467	662,699	+85,232	+14.27%
4	597,467	510,539	-86,928	-14.55%
5	597,467	514,983	-82,484	-13.81%
6	597,467	600,027	+2,560	+0.43%
7	597,467	561,986	-35,481	-5.94%
8	597,467	646,359	+48,892	+8.18%

18. In May 2011, as part of its process for enacting new redistricting plans, the Alabama Legislature's Permanent Joint Committee on Reapportionment adopted Guidelines for Legislative, State Board of Education, and Congressional Redistricting. In pertinent part, those Guidelines state that any plan that the Committee is to consider must satisfy constitutional one-person, one vote standards, including, among other things, the standard as set forth in *Larios v. Cox*, 300 F. Supp. 2d 1320 (N.D. Ga. 2004) (three-judge court), *aff'd mem.*, 542 U.S. 947 (2004). The Guidelines further state, "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 every redistricting plan submitted to the Reapportionment Committee, individual district populations should not exceed a 2% overall range of population deviation."

19. On June 9, 2011, the Alabama Legislature passed HB621, which establishes new district lines for the State Board of Education.

20. On June 15, 2011, Governor Bentley signed HB621, and that bill has been enrolled as Act No. 2011-677. A copy of Act No. 2011-677 is attached to this Complaint as Exhibit 2. Notwithstanding its adoption, Act No. 2011-677 has not been enforced.

21. As with the 2002 SBOE plan, the plan established by Act No. 2011-677 has two majority-minority districts (Districts 4 and 5).

22. Consistent with the portion of the Guidelines referred to in paragraph 18 above, the plan established in Act No. 2011-677 not only satisfies constitutional one-person, one-vote standards, it also has an overall population deviation of less than 2%. The demographics of the plan established by Act No. 2011-677 are as follows:

2011 SBOE Plan Demographics					
District	Total Pop.	Deviation	Deviation %	Total White %	Total Black %
1	597,597	+130	+0.02%	77.22%	17.65%
2	597,172	-295	-0.05%	69.60%	25.44%
3	597,860	+393	+0.07%	77.41%	16.77%
4	597,468	+1	0.00%	41.91%	54.09%
5	596,715	-752	-0.13%	36.83%	59.25%
6	598,009	+542	+0.09%	84.95%	8.50%
7	596,641	-826	-0.14%	85.47%	10.01%
8	598,274	+807	+0.14%	74.79%	17.77%

CLAIM 1: DECLARATORY JUDGMENT FOR 2011 CONGRESSIONAL PLAN

23. The allegations in paragraphs 1 through 16 are incorporated herein by reference as if fully set forth.

24. The congressional plan enacted in Act No. 2011-518, when compared to the benchmark plan adopted in Act No. 2002-57, does not lead to retrogression in

the position of minority voters in Alabama with respect to the effective exercise of their electoral franchise.

25. The congressional plan enacted in Act No. 2011-518 does not have the purpose and will not have the effect of denying or abridging the right of minority voters to vote.

**CLAIM TWO: DECLARATORY JUDGMENT
FOR 2011 STATE BOARD OF EDUCATION PLAN**

26. The allegations set forth in paragraphs 1 through 10 and paragraphs 16 through 22 above are hereby incorporated by reference as if fully set forth.

27. The SBOE plan adopted in Act No. 2011-677, when compared to the benchmark plan adopted in Act No. 2002-73, does not lead to retrogression in the position of minority voters in Alabama with respect to the effective exercise of their electoral franchise.

28. The SBOE plan adopted in Act No. 2011-677 does not have the purpose and will not have the effect of denying or abridging the right of minority voters to vote.


DEMAND FOR JUDGMENT

Therefore, Plaintiff State of Alabama respectfully demands that the Court enter a declaratory judgment that Alabama Act Nos. 2011-518 and 2011-677 “neither ha[ve] the purpose nor will have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2)” of the Voting Rights Act of 1965.

Date September 6, 2011

Respectfully submitted,

LUTHER STRANGE
Attorney General of Alabama
By:



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Deputy Attorney General
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All Appearing pursuant to LCvR 83.2(f)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STATE OF ALABAMA,

Plaintiff,

v.

**ERIC H. HOLDER, JR., in his official
capacity as Attorney General of the
United States,**

Defendant.

CIVIL ACTION FILE

NO. 1:11-CV-1628

**THREE JUDGE PANEL
(THF, KLH, ABJ)**

NOTICE OF DISMISSAL

The State of Alabama, plaintiff in this action, by and through its counsel,
hereby dismisses its claims in this case pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

For the Court's information, the State of Alabama obtained administrative
preclearance from the Department of Justice for the voting changes at issue in this
litigation. A copy of the preclearance letter is attached as Exhibit A.

Respectfully submitted,

Date November 21, 2011

LUTHER STRANGE
Attorney General of Alabama
By:

/s/ John J. Park, Jr.
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Deputy Attorney General
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/s/ Misty Fairbanks
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Facsimile: 334-353-8440

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

STATE OF ALABAMA,

Plaintiff,

v.

**ERIC H. HOLDER, JR., in his official
capacity as Attorney General of the
United States,**

Defendant.

CIVIL ACTION FILE

NO. 1:11-CV-1628

**THREE JUDGE PANEL
(THF, KLH, ABJ)**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I served the within and foregoing NOTICE OF DISMISSAL with the Clerk of Court using the Court's CM/ECF system which will automatically send e-mail notification of the filing to counsel of record for the parties in this matter.

This 21st day of November, 2011.

/s/ John J. Park, Jr.

John J. Park, Jr.

Alabama State Bar ID ASB 8382-P62J



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

NOV 21 2011

Mr. John J. Park, Jr., Esq.
Strickland Brockington Lewis
1170 Peachtree Street, NE, Suite 2200
Atlanta, Georgia 30309-7200

Dear Mr. Park:

The refers to Act No. 2011-518 (S.B. 484) (2011), which provides the 2011 redistricting plan for Alabama's congressional districts; and Act No. 2011-677 (H.B. 621) (2011), which provides the 2011 redistricting plan for the Alabama State Board of Education, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on September 21, 2011; additional information was received through October 25, 2011.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41.

Sincerely,

A handwritten signature in black ink, appearing to read "T. E. Perez", is written over the typed name.

Thomas E. Perez
Assistant Attorney General

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

STATE OF ALABAMA,

Plaintiff,

v.

ERIC H. HOLDER, JR., in his official
capacity as the Attorney General of
the United States,

Defendant.

Civil Action No. 11-1628 (TFH)

ERRATA TO COMPLAINT

Plaintiff State of Alabama files this errata to its Complaint (Doc. 1, filed Sept. 9, 2011) to correct two errors in paragraphs 7 and 8 of the Complaint neither of which is material:

- In paragraph 7, the words "Bob Riley" are stricken and corrected to read "Don Siegelman."
- In paragraph 8, the word "Riley" is stricken and corrected to read "Siegelman."

Respectfully submitted,

Date October 3, 2011

LUTHER STRANGE
Attorney General of Alabama
By:

/s/ John J. Park, Jr.
John J. Park, Jr.
Deputy Attorney General
Alabama State Bar ID ASB-8382-P62J
E-mail: jjp@sbllaw.net

Strickland Brockington Lewis LLP
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Telephone: 678.347.2200
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/s/ James W. Davis
Assistant Attorney General
Alabama State Bar ID ASB-4063-I58J
E-mail: jimdavis@ago.state.al.us

/s/ Misty Fairbanks
Assistant Attorney General
Alabama State Bar ID ASB-1813-T71F
E-mail: mfairbanks@ago.state.al.us

Office of the Attorney General
State of Alabama
501 Washington Avenue
P.O. Box 300152
Montgomery, Alabama 36130-0152
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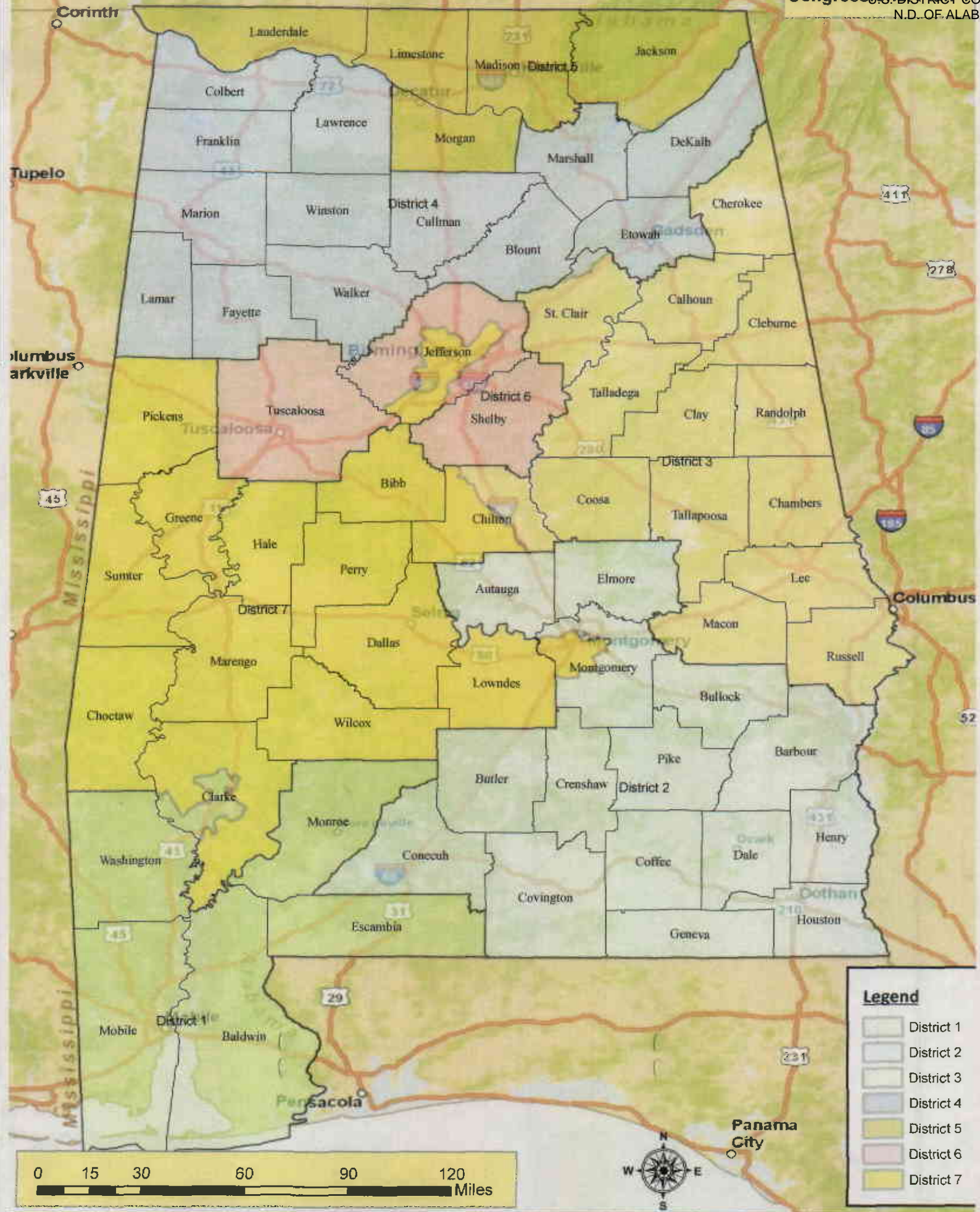
Certificate of Service

I certify that the forgoing Errata to Complaint has been served by depositing a copy in the United States mail, properly addressed and postage prepaid to the following, on this 3rd day of October, 2011:

Eric H. Holder, Jr., in his official capacity as the
Attorney General of the United States
Office of the Attorney General
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530-0001

The United States of America
c/o Ronald C. Machen, Jr., Esq.
United States Attorney for the District of Columbia
501 Third Street NW, Fourth Floor
Washington, DC 20001

/s/ John J. Park, Jr.
Of Counsel



User: bpshtan3501

Plan: Allen Congressional Plan 4

Date: Mon Jun 20 13:29:36 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
2	682,819	0	0.00	22,961	459,350	189,493	3,385	8,376	484	10,734	10,997
3	682,819	0	0.00	18,808	488,774	166,562	2,401	6,274	450	8,440	9,918
4	682,819	0	0.00	41,882	594,056	42,770	5,881	2,502	593	25,988	11,029
5	682,819	0	0.00	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
6	682,820	1	0.00	29,719	532,695	112,853	1,955	11,954	297	14,842	8,224
7	682,820	1	0.00	20,583	223,350	434,748	1,519	4,634	311	11,881	6,377

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: bpshan3501

Plan: Allen Congressional Plan 4

Date: Mon Jun 20 13:31:05 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.66%)	7,889 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,819	0	0.00	22,961 (3.36%)	459,350 (67.27%)	189,493 (27.75%)	3,385 (0.50%)	8,376 (1.23%)	484 (0.07%)	10,734 (1.57%)	10,997 (1.61%)
3	682,819	0	0.00	18,808 (2.75%)	488,774 (71.58%)	166,562 (24.39%)	2,401 (0.35%)	6,274 (0.92%)	450 (0.07%)	8,440 (1.24%)	9,918 (1.45%)
4	682,819	0	0.00	41,882 (6.13%)	594,056 (87.00%)	42,770 (6.26%)	5,881 (0.86%)	2,502 (0.37%)	593 (0.09%)	25,988 (3.81%)	11,029 (1.62%)
5	682,819	0	0.00	32,562 (4.77%)	518,464 (75.93%)	116,026 (16.99%)	5,188 (0.76%)	10,749 (1.57%)	596 (0.09%)	17,026 (2.49%)	14,770 (2.16%)
6	682,820	1	0.00	29,719 (4.35%)	532,695 (78.01%)	112,853 (16.53%)	1,955 (0.29%)	11,954 (1.75%)	297 (0.04%)	14,842 (2.17%)	8,224 (1.20%)
7	682,820	1	0.00	20,583 (3.01%)	223,350 (32.71%)	434,748 (63.67%)	1,519 (0.22%)	4,634 (0.68%)	311 (0.05%)	11,881 (1.74%)	6,377 (0.93%)

User: bpshan3501
Plan: Allen Congressional Plan 4

Date: Mon Jun 20 13:30:26 GMT-0500 2011

All Districts Population Report

District No.	1							
Total Population	682,820							
Total Population 18+	0							
Deviation	1							
Dev. %	0.00							
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
Total %	2.80	67.18	27.66	1.16	1.33	0.05	1.17	1.46
Total 18+	0	0	0	0	0	0	0	0
Total 18+ %	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
District No.	2							
Total Population	682,819							
Total Population 18+	0							
Deviation	0							
Dev. %	0.00							
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	22,961	459,350	189,493	3,385	8,376	484	10,734	10,987
Total %	3.36	67.27	27.75	0.50	1.23	0.07	1.57	1.61
Total 18+	0	0	0	0	0	0	0	0
Total 18+ %	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No. 3
 Total Population 682,819
 Total Population 18+ 0
 Deviation 0

Dev. % 0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	18,808	488,774	166,562	2,401	6,274	450	8,440	9,918
Total%	2.75	71.58	24.39	0.35	0.92	0.07	1.24	1.45
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

Total Population

Total Population 18+

Deviation

Dev. % 0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	41,882	594,056	42,770	5,881	2,502	593	25,988	11,029
Total%	6.13	87.00	6.26	0.86	0.37	0.09	3.81	1.62
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

Total Population

Total Population 18+

Deviation

Dev. % 0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
Total%	4.77	75.83	16.99	0.76	1.57	0.09	2.49	2.16
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.	6									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	29,719	532,695	112,853	1,955	11,954	297	14,842	8,224		
Total%	4.35	78.01	16.53	0.29	1.75	0.04	2.17	1.20		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
<hr/>										
District No.	7									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	20,583	223,350	434,748	1,519	4,634	311	11,881	6,377		
Total%	3.01	32.71	63.67	0.22	0.68	0.05	1.74	0.93		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

User: bpsnan3501
Plan: Allen Congressional Plan 4

Date: Mon Jun 20 13:33:32 GMT-0500 2011

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	8,595	70	5,895	2,548	33	18	0	31	70
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207
District 1 Total	682,820	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
	100%	2.8%	67.18%	27.66%	1.16%	1.33%	0.05%	1.17%	1.46%
District 2									
Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
De Kalb County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938	1,144
Geneva County	26,790	920	23,127	2,539	224	67	8	409	416
Henry County	17,302	389	11,865	4,942	57	54	2	206	176
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244	1,759
* Montgomery County	145,991	5,284	80,292	56,446	421	3,946	73	2,783	2,030
Pike County	32,899	730	19,144	12,054	192	654	24	341	490
District 2 Total	682,819	22,961	459,350	189,493	3,385	8,376	484	10,734	10,997
	100%	3.36%	67.27%	27.75%	0.5%	1.23%	0.07%	1.57%	1.61%
District 3									
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894	1,975
Chambers County	34,215	536	20,112	13,257	69	168	10	214	385
Cherokee County	25,989	320	24,081	1,208	135	54	1	123	387
* Chilton County	20,315	1,374	18,418	919	76	69	33	567	233
Clay County	13,932	399	11,380	2,066	55	24	0	172	235
Cleburne County	14,972	307	14,079	498	51	23	10	151	160
Coosa County	11,539	230	7,648	3,582	40	16	15	135	103
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873	2,259
Macon County	21,452	232	3,319	17,729	29	76	2	69	228
Randolph County	22,913	649	17,532	4,607	84	55	5	369	261
Russell County	52,947	1,946	28,449	22,135	219	236	113	691	1,104
* St Clair County	81,819	1,638	72,084	7,140	273	514	46	682	1,080
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787	1,101

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713	407
District 3 Total	682,819	18,808	488,774	166,562	2,401	6,274	450	8,440	9,918
	100%	2.75%	71.58%	24.39%	0.35%	0.92%	0.07%	1.24%	1.45%
District 4									
Blount County	57,322	4,626	53,068	761	307	117	38	2,347	684
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510	845
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759	889
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051	1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975	1,545
Fayette County	17,241	204	14,910	1,969	52	37	0	102	171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338	530
* Jackson County	200	10	186	2	9	1	0	1	1
Lamar County	14,564	180	12,626	1,643	24	4	2	82	183
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275	1,478
Macon County	30,776	632	28,791	1,184	101	54	14	291	341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210	1,564
* St Clair County	1,774	78	1,657	10	8	4	0	52	43
Walker County	67,023	1,307	61,146	3,928	251	195	36	639	828
Winston County	24,484	639	23,409	115	163	60	28	356	353
District 4 Total	682,819	41,882	594,056	42,770	5,881	2,502	593	25,988	11,029
	100%	6.13%	87%	6.26%	0.86%	0.37%	0.09%	3.81%	1.62%
District 5									
* Jackson County	53,027	1,329	48,162	1,779	710	184	48	767	1,377

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697
District 5 Total	682,819	32,562	518,464	116,026	5,188	10,749	596	17,026
	100%	4.77%	75.93%	16.99%	0.76%	1.57%	0.09%	2.49%
District 6								
* Jefferson County	293,079	12,203	241,748	34,510	876	5,922	106	6,476
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
Tuscaloosa County	194,656	5,949	129,004	57,611	526	2,306	117	2,993
District 6 Total	682,820	29,719	532,695	112,863	1,955	11,954	297	14,842
	100%	4.35%	78.01%	16.53%	0.29%	1.75%	0.04%	2.17%
District 7								
Bibb County	22,915	406	17,381	5,047	64	22	13	185
* Chilton County	23,328	2,046	18,295	3,311	79	61	22	1,287
Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	17,238	201	8,175	8,788	70	59	4	36
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
* Jefferson County	365,387	13,285	107,418	242,015	864	3,236	138	7,882
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
								60

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Marengo County	21,027	352	9,751	10,872	34	53	13	140	164
* Montgomery County	83,372	3,030	10,364	69,031	168	875	98	1,960	876
Perry County	10,591	114	3,204	7,276	17	30	5	16	43
Pickens County	19,746	313	11,110	8,211	28	36	1	128	232
Sumter County	13,763	86	3,326	10,316	11	33	4	26	47
Wilcox County	11,670	72	3,126	8,465	14	4	1	9	51
District 7 Total	682,820	20,583	223,350	434,748	1,519	4,634	311	11,881	6,377
	100%	3.01%	32.71%	63.67%	0.22%	0.68%	0.05%	1.74%	0.93%

* indicates split

User: bpsrhan3501

Plan: Allen Congressional Plan 4

Date: Mon Jun 20 14:03:28 GMT-0500 2011

VAP Summary Report

District No.	Total	Total Hispanic ¹⁸	White ¹⁸	Black ¹⁸	American Indian ¹⁸ /Alaskan Native ¹⁸	Asian ¹⁸	Hawaiian or Other Pacific Islander ¹⁸	Other ¹⁸	All individuals over 18 who chose two or more races
1	682,820	0	359,599	133,191	5,702	6,782	243	5,383	5,346
2	682,819	0	362,008	137,575	2,588	6,336	358	7,038	5,572
3	682,819	0	385,373	122,343	1,888	4,867	327	5,580	5,162
4	682,819	0	462,282	31,772	4,271	1,874	354	15,304	6,204
5	682,819	0	406,038	85,841	3,885	8,167	400	10,698	7,883
6	682,820	0	417,289	80,438	1,502	8,929	206	9,737	4,403
7	682,820	0	184,324	315,618	1,200	3,726	237	7,731	3,703
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpshan3501

Plan: Allen Congressional Plan 4

Date: Mon Jun 20 13:32:18 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsby Popper	Holes
1	9486.61	1382371.92	0.4	0.71	8.82	2.49	0.16	0
2	14375.34	1346389.84	0.38	0.75	6.97	1.97	0.26	0
3	12200.06	1285136.45	0.29	0.75	7.23	2.04	0.24	0
4	12904.53	1275464.62	0.33	0.7	6.98	1.97	0.26	0
5	5727	822102.11	0.2	0.78	6.75	1.9	0.28	0
6	4240.95	901404.21	0.36	0.73	8.6	2.43	0.17	0
7	15440.37	1830205.36	0.39	0.65	9.15	2.58	0.15	0

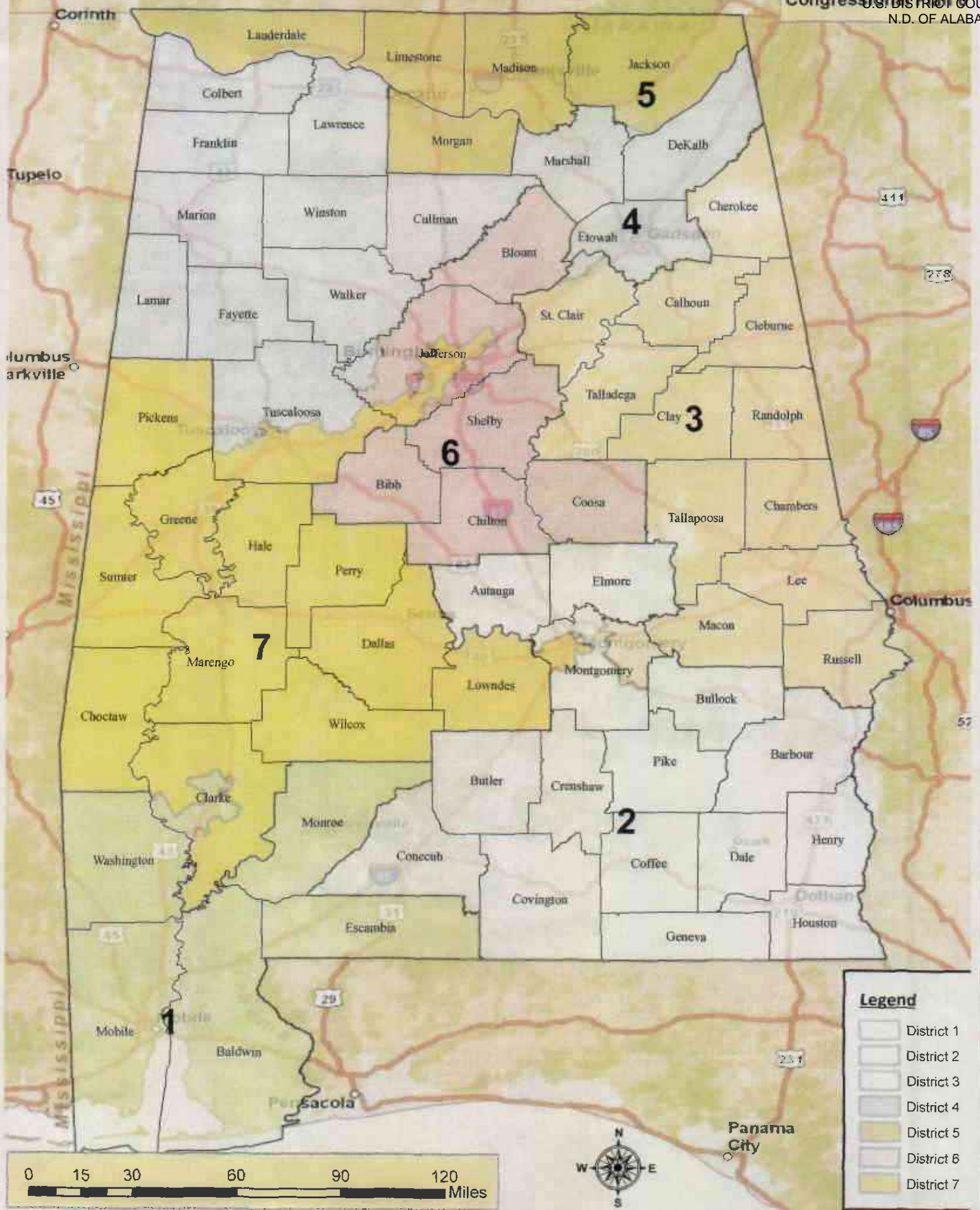
User: bpsheh3501
Plan: Allen Congressional Plan 4

Date: Mon Jun 20 13:31:53 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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2010 Allen
Congressional Plan 6
2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA



User: dshan1426

Plan: allan congressional plan 6

Date: Wed May 25 11:28:48 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
2	682,820	1	0.00	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
3	682,819	0	0.00	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
4	682,819	0	0.00	38,650	590,446	47,793	5,726	3,074	571	24,321	10,888
5	682,819	0	0.00	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
6	682,819	0	0.00	33,717	552,770	91,424	2,142	10,851	307	16,916	8,409
7	682,820	1	0.00	19,089	228,620	434,095	1,521	4,447	331	10,568	6,238
Total Population:											
					4,779,736						
Ideal Population:					682,819						
Mean Deviation:					0						
Mean Percent Deviation:					0.01						
Largest Positive Deviation:					1						
Largest Negative Deviation:					0						
Overall Range in Deviation:					1						
Overall Range in Deviation Percentage:					0.00						

User: dshan1426

Plan: allan congressional plan 6

Date: Wed May 25 11:29:40 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.66%)	7,389 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,860 (65.45%)	201,339 (29.49%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	17,885 (2.62%)	482,509 (70.66%)	171,775 (25.16%)	2,354 (0.34%)	7,837 (1.15%)	410 (0.06%)	7,977 (1.17%)	9,957 (1.46%)
4	682,819	0	0.00	38,650 (5.66%)	590,446 (86.47%)	47,793 (7.00%)	5,726 (0.84%)	3,074 (0.45%)	571 (0.08%)	24,321 (3.56%)	10,888 (1.59%)
5	682,819	0	0.00	32,562 (4.77%)	518,464 (75.93%)	116,026 (16.99%)	5,188 (0.76%)	10,749 (1.57%)	596 (0.09%)	17,026 (2.49%)	14,770 (2.16%)
6	682,819	0	0.00	33,717 (4.94%)	552,770 (80.95%)	91,424 (13.39%)	2,142 (0.31%)	10,851 (1.59%)	307 (0.04%)	16,916 (2.46%)	8,409 (1.23%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

User: bpsan3501
Plan: allan congressional plan 6

Date: Thu Jun 23 10:12:01 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,067	458,705	188,859	7,889	9,106	326	7,999	9,936		
Total%	2.80	67.18	27.66	1.16	1.33	0.05	1.17	1.46		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053		
Total%	3.60	65.45	29.49	0.50	1.10	0.08	1.77	1.62		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

662,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
Total%	2.62	70.66	25.16	0.34	1.15	0.06	1.17	1.46
Total18+	0	0	0	0	0	0	0	0
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

662,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	38,650	590,446	47,793	5,726	3,074	571	24,321	10,888
Total%	5.66	86.47	7.00	0.84	0.45	0.08	3.56	1.59
Total18+	0	0	0	0	0	0	0	0
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

662,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
Total%	4.77	75.93	16.99	0.76	1.57	0.09	2.49	2.16
Total18+	0	0	0	0	0	0	0	0
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

6

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	33,717	552,770	91,424	2,142	10,851	307	16,916	8,409
Total%	4.94	80.95	13.39	0.31	1.59	0.04	2.48	1.23
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

7

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,089	225,620	434,095	1,524	4,447	331	10,568	6,238
Total%	2.80	33.04	63.57	0.22	0.65	0.05	1.55	0.91
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Plan: allan congressional plan 6

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	8,595	70	5,895	2,548	33	18	0	31	70
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207
District 1 Total	682,820	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
	100%	2.8%	67.18%	27.66%	1.16%	1.33%	0.05%	1.17%	1.48%

District 2

Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Dale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
* Montgomery County	145,992	6,935	67,822	68,292	434	3,101	105	4,152
Pike County	32,899	730	19,144	12,054	192	654	24	341
District 2 Total	682,820	24,612	446,880	201,339	3,398	7,531	516	12,103
	100%	3.6%	65.45%	29.49%	0.5%	1.1%	0.08%	1.77%
District 3								1.62%
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
Cherokee County	25,989	320	24,081	1,208	135	54	1	123
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873
Macon County	21,452	232	3,319	17,729	29	76	2	69
* Montgomery County	31,854	681	19,801	9,714	69	1,648	8	239
Randolph County	22,913	649	17,532	4,807	84	55	5	369
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
* St Clair County	81,819	1,638	72,084	7,140	273	514	46	682
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787
								1,101

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713
District 3 Total	682,819	17,885	482,509	171,775	2,354	7,837	410	7,977
	100%	2.62%	70.66%	25.16%	0.34%	1.15%	0.06%	1.17%
District 4								
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975
Fayette County	17,241	204	14,910	1,969	52	37	0	102
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338
* Jackson County	200	10	186	2	9	1	0	1
* Jefferson County	4,892	26	3,688	1,173	10	5	1	4
Lamar County	14,564	180	12,626	1,643	24	4	2	82
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
Marion County	30,776	632	28,791	1,184	101	54	14	291
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210
* St Clair County	1,774	78	1,657	10	8	4	0	52
* Tuscaloosa County	52,430	1,368	45,790	4,611	142	684	15	676
Walker County	67,023	1,307	61,146	3,928	251	195	36	639
Wilkinson County	24,484	639	23,409	115	163	60	28	356
District 4 Total	682,819	38,650	590,446	47,793	5,726	3,074	571	24,321
	100%	5.66%	86.47%	7%	0.84%	0.45%	0.08%	3.56%
								10,888
								1.59%

* indicates split

District 5

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jackson County	53,027	1,329	48,162	1,779	710	184	48	767
Lauderdale County	92,709	2,082	80,112	9,267	338	685	34	977
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
Morgan County	119,480	9,156	95,404	14,185	1,042	691	107	5,697
District 5 Total	682,819	32,562	518,464	116,026	5,188	10,749	596	17,026
	100%	4.77%	75.93%	16.99%	0.76%	1.57%	0.09%	2.49%
								2.16%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
Blount County	57,322	4,626	53,068	761	307	117	38	2,347
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Jefferson County	352,315	13,468	276,017	57,072	1,023	6,840	112	7,022
Shelby County	195,085	11,567	161,943	20,732	553	3,728	74	5,373
* Tuscaloosa County	0	0	0	0	0	0	0	0
District 6 Total	682,819	33,717	552,770	91,424	2,142	10,861	307	16,916
	100%	4.94%	80.95%	13.39%	0.31%	1.59%	0.04%	2.48%
								1.23%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	17,238	201	8,175	8,788	70	59	4	36
								106

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
* Jefferson County	301,259	11,994	69,481	218,280	707	2,313	131	7,332
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Marengo County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	51,517	698	3,033	47,471	86	72	58	352
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	142,226	4,581	83,214	53,000	384	1,622	102	2,317
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	19,089	225,620	434,095	1,521	4,447	331	10,568
	100%	2.8%	33.04%	63.57%	0.22%	0.65%	0.05%	1.55%
								6,238
								0.91%

* indicates split

User: bpsphan3501

Date: Thu Jun 23 10:28:24 GMT-0500 2011

Plan: Allen Congressional Plan 6

VAP Summary Report

District No.	Total	Total Hispanic ¹⁸	White ¹⁸	Black ¹⁸	American Indian ¹⁸ /Alaskan Native ¹⁸	Asian ¹⁸	Hawaiian or Other Pacific Islander ¹⁸	Other ¹⁸	All individuals over 18 who chose two or more races
1	682,820	0	359,599	133,191	5,702	6,782	243	5,383	5,346
2	682,820	0	352,940	145,232	2,592	5,785	383	7,886	5,635
3	682,819	0	380,257	126,210	1,861	5,926	299	5,271	5,153
4	682,819	0	459,916	35,537	4,168	2,278	342	14,329	6,068
5	682,819	0	406,038	85,841	3,885	8,167	400	10,698	7,883
6	682,819	0	428,064	64,345	1,610	7,960	220	10,788	4,490
7	682,820	0	190,099	316,422	1,218	3,783	238	7,116	3,698
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpslan3501

Plan: allan congressional plan 6

Date: Thu Jun 23 10:14:07 GMT-0500 2014

District Compactness Report

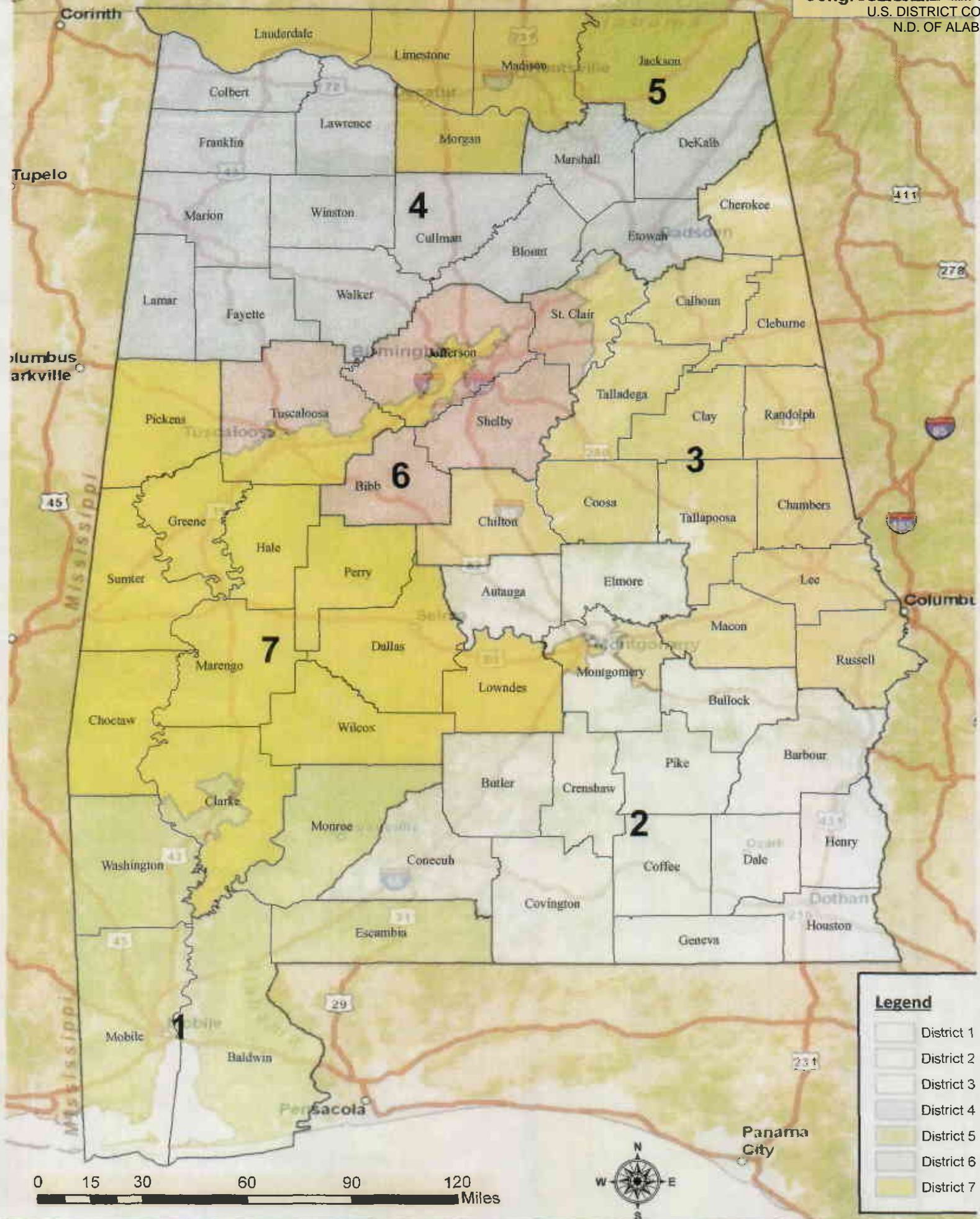
District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polby Popper	Holes
1	9486.26	1382348.26	0.4	0.71	8.82	2.49	0.16	0
2	14220.24	1440758.23	0.37	0.74	7.51	2.12	0.22	0
3	11101.91	1289143.48	0.28	0.72	7.6	2.14	0.22	0
4	13279.95	1564687.41	0.32	0.63	8.44	2.38	0.18	0
5	5727	822102.11	0.2	0.78	6.75	1.9	0.28	0
6	6077.12	1207274.63	0.33	0.69	9.62	2.71	0.14	0
7	14482.39	1896077.43	0.36	0.62	9.79	2.76	0.13	0

User: bpstan3501
Plan: allan congressional plan 6

Date: Thu Jun 23 10:13:28 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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Legend

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7

User: fafa4178

Plan: Beason Congressional Plan

Date: Fri May 27 11:33:47 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
2	682,820	1	0.00	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
3	682,819	0	0.00	20,481	478,663	174,349	2,362	7,603	448	9,550	9,844
4	682,819	0	0.00	41,882	594,056	42,770	5,881	2,502	593	25,988	11,029
5	682,819	0	0.00	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
6	682,819	0	0.00	27,889	553,006	93,873	1,979	11,657	247	13,676	8,381
7	682,820	1	0.00	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: fafa4178

Plan: Beason Congressional Plan

Date: Fri May 27 11:35:23 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.66%)	7,869 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,880 (65.45%)	201,339 (29.49%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	20,481 (3.00%)	478,663 (70.10%)	174,349 (25.53%)	2,362 (0.35%)	7,603 (1.11%)	448 (0.07%)	9,550 (1.40%)	9,844 (1.44%)
4	682,819	0	0.00	41,882 (6.13%)	594,056 (87.00%)	42,770 (6.26%)	5,881 (0.86%)	2,502 (0.37%)	593 (0.09%)	25,988 (3.81%)	11,029 (1.62%)
5	682,819	0	0.00	32,562 (4.77%)	518,464 (75.93%)	116,026 (16.99%)	5,188 (0.76%)	10,749 (1.57%)	596 (0.09%)	17,026 (2.49%)	14,770 (2.16%)
6	682,819	0	0.00	27,889 (4.08%)	553,006 (80.99%)	93,873 (13.75%)	1,979 (0.29%)	11,657 (1.71%)	247 (0.04%)	13,676 (2.00%)	8,381 (1.23%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

User: f6fa4178
Plan: Beason Congressional Plan

Date: Fri May 27 11:34:44 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936		
Total%	2.80	67.18	27.66	1.16	1.33	0.05	1.17	1.46		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053		
Total%	3.60	65.45	29.49	0.50	1.10	0.08	1.77	1.62		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	20,481	478,663	174,349	2,362	7,603	448	9,550	9,844
Total%	3.00	70.10	25.53	0.35	1.11	0.07	1.40	1.44
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	41,882	594,056	42,770	5,881	2,502	593	25,968	11,029
Total%	6.13	87.00	6.26	0.86	0.37	0.09	3.81	1.62
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,562	618,464	116,026	5,188	10,749	596	17,026	14,770
Total%	4.77	75.93	16.99	0.76	1.57	0.09	2.49	2.16
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No. 6

Total Population 682,819

Total Population 18+ 0

Deviation 0

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	27,889	553,006	93,873	1,979	11,657	247	13,676	8,381
Total%	4.08	80.99	13.75	0.29	1.71	0.04	2.00	1.23
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

7

Total Population 682,820

Total Population 18+ 0

Deviation 1

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238
Total%	2.80	33.04	63.57	0.22	0.65	0.05	1.55	0.91
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

User: taf4178
Plan: Beason Sub

Date: Thu May 26 17:39:06 GMT-0500 2011

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	8,585	70	5,895	2,548	33	18	0	31	70
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207

District 2

Autauga County	54,571	1,310	42,855	9,643	232	474	32	468	869
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,087	3,254	57	189	8	99	202
Date County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938	1,144
Geneva County	26,790	920	23,127	2,539	224	67	8	409	416
Henry County	17,302	389	11,865	4,942	57	54	2	206	176
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244	1,759
* Montgomery County	145,992	6,935	67,822	68,292	434	3,101	105	4,152	2,086
Pike County	32,899	730	19,144	12,054	192	654	24	341	490
District 2 Total	682,820	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
	100%	3.6%	65.45%	29.49%	0.5%	1.1%	0.08%	1.77%	1.62%
District 3									
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894	1,975
Chambers County	34,215	536	20,112	13,257	69	168	10	214	385
Cherokee County	25,989	320	24,081	1,208	135	54	1	123	387
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854	506
Clay County	13,932	399	11,380	2,066	55	24	0	172	235
Cleburne County	14,972	307	14,079	498	51	23	10	151	160
Coosa County	11,539	230	7,648	3,582	40	16	15	135	103
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873	2,259
Macon County	21,452	232	3,319	17,729	29	76	2	69	228
* Montgomery County	31,854	681	19,801	9,714	69	1,648	8	239	375
Randolph County	22,913	648	17,532	4,607	84	55	5	369	261
Russell County	52,947	1,946	28,449	22,135	219	236	113	691	1,104
* St Clair County	26,637	584	23,877	1,902	86	134	14	268	358

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713
District 3 Total	682,819	20,481	478,663	174,349	2,362	7,603	448	9,550
	100%	3%	70.1%	25.53%	0.35%	1.11%	0.07%	1.4%

District 4

Blount County	57,322	4,626	53,068	761	307	117	38	2,347
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759
De Kalb County	71,109	9,890	60,087	1,078	969	203	147	7,051
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975
Fayette County	17,241	204	14,910	1,968	52	37	0	102
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338
* Jackson County	200	10	186	2	9	1	0	1
Lamar County	14,564	180	12,626	1,643	24	4	2	82
Lawrence County	34,338	574	26,647	3,938	1,953	42	6	275
Marion County	30,776	632	28,791	1,184	101	54	14	291
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210
* St Clair County	1,774	78	1,657	10	8	4	0	52
Walker County	67,023	1,307	61,146	3,928	251	195	36	639
Wilston County	24,484	639	23,409	115	163	80	28	356
District 4 Total	682,819	41,882	594,056	42,770	5,861	2,502	593	25,988
	100%	6.13%	87%	6.26%	0.86%	0.37%	0.09%	3.81%

District 5

District 5 Total	682,819	41,882	594,056	42,770	5,861	2,502	593	25,988
	100%	6.13%	87%	6.26%	0.86%	0.37%	0.09%	3.81%

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jackson County	53,027	1,329	48,162	1,779	710	184	48	767
Lauderdale County	92,709	2,062	80,112	9,257	338	685	34	977
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697
District 5 Total	682,819	32,562	518,464	116,026	5,188	10,749	596	17,028
	100%	4.77%	75.93%	16.99%	0.76%	1.57%	0.09%	2.49%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
* Jefferson County	357,207	13,494	279,685	58,245	1,033	6,845	113	7,026
* St. Clair County	55,182	1,054	48,207	5,238	187	380	32	416
Shelby County	195,085	11,567	161,943	20,732	563	3,726	74	5,373
* Tuscaloosa County	52,430	1,368	45,790	4,611	142	684	15	676
District 6 Total	682,819	27,869	553,008	93,873	1,979	11,657	247	13,676
	100%	4.08%	80.99%	13.75%	0.29%	1.71%	0.04%	2%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	17,238	201	8,175	8,788	70	59	4	36
Dallas County	43,820	308	12,769	30,423	65	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
District 7 Total	130,722	901	55,515	82,833	295	360	16	197
	100%	0.69%	42.84%	63.42%	0.23%	0.27%	0.01%	0.15%

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jefferson County	301,259	11,994	69,481	218,280	707	2,313	131	7,332
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Marion County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	51,517	698	3,033	47,471	86	72	58	352
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	26	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	142,226	4,581	83,214	53,000	384	1,622	102	2,317
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,620	19,089	225,620	434,095	1,521	4,447	331	10,566
	100%	2.8%	33.04%	63.57%	0.22%	0.65%	0.05%	1.55%
								0.91%

* indicates split

User: bpsphan3501
Plan: (Untitled)

Date: Thu Jun 23 10:50:48 GMT-0500 2011

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	682,820	0	359,599	133,191	5,702	6,782	243	5,383	5,346
2	682,820	0	352,940	145,232	2,592	5,785	383	7,886	5,635
3	682,819	0	377,745	127,917	1,866	5,752	327	6,272	5,096
4	682,819	0	462,282	31,772	4,271	1,874	354	15,304	6,204
5	682,819	0	406,038	86,841	3,885	8,167	400	10,698	7,883
6	682,819	0	428,210	66,403	1,502	8,538	180	8,812	4,411
7	682,820	0	190,099	316,422	1,218	3,783	238	7,116	3,698
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpshan3501

Plan: (Untitled)

Date: Thu Jun 23 10:51:22 GMT-0500 2014

District Compactness Report

District	Polygon Area (sq. m)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsby Popper	Holes
1	9486.26	1382348.26	0.4	0.71	8.82	2.49	0.16	0
2	14220.24	1440758.23	0.37	0.74	7.51	2.12	0.22	0
3	12599.78	1424228.79	0.28	0.7	7.88	2.22	0.2	0
4	12904.53	1275536.08	0.33	0.7	6.98	1.97	0.26	0
5	5727	822102.11	0.2	0.78	6.75	1.9	0.28	0
6	4954.67	1156802.49	0.39	0.71	10.21	2.88	0.12	0
7	14482.39	1896077.43	0.36	0.62	9.79	2.76	0.13	0

User: bpsban3501
Plan: (Untitled)

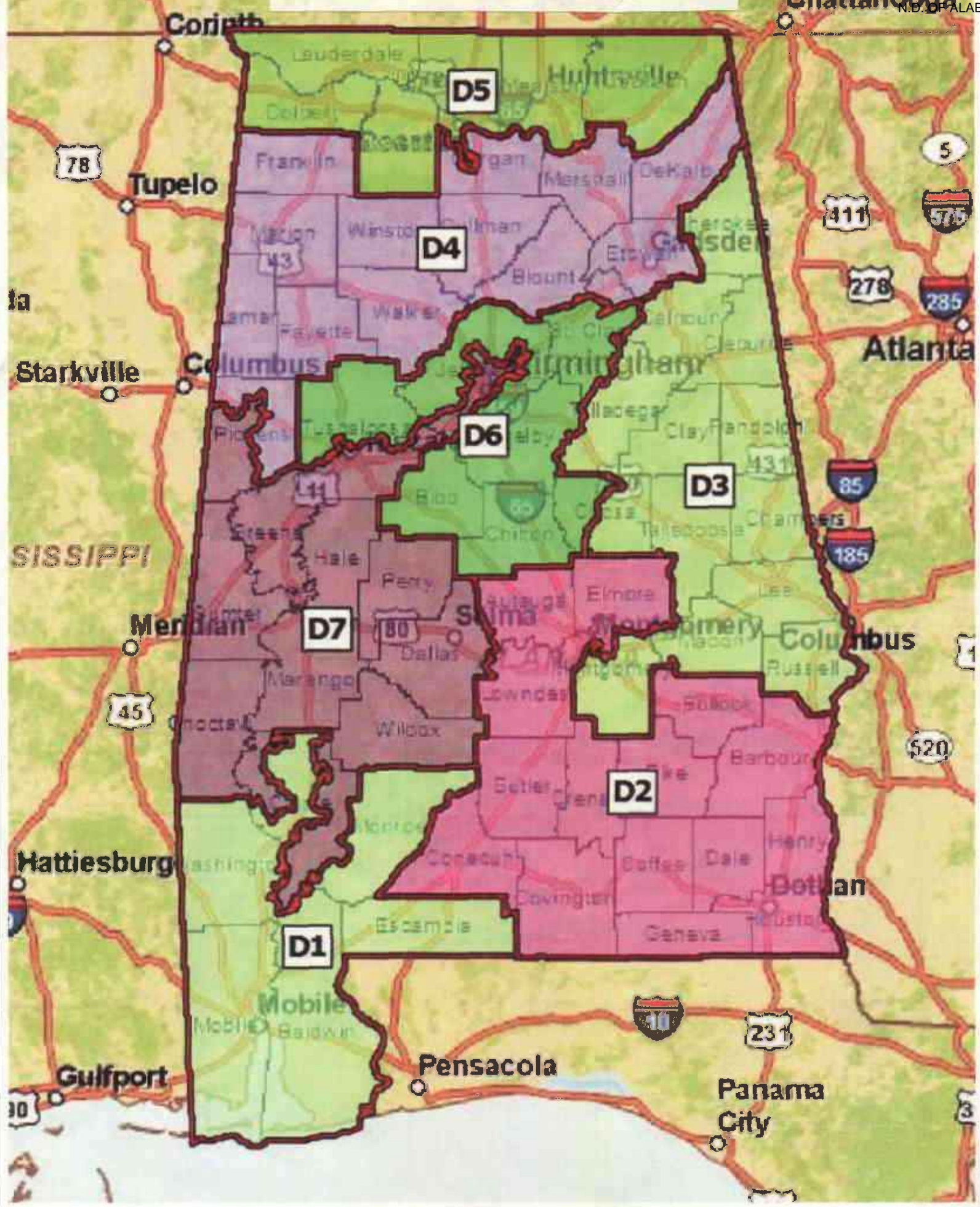
Date: Thu Jun 23 10:52:11 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	All individuals who chose two or more races (%)
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2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA

EXISTING CONGRESSIONAL--2000



User: bpshan3501

Date: Tue Jun 28 14:12:33 GMT-0500 2011

Plan: Existing Congressional with 2010 Geography using Census

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	687,841	5,022	0.74	19,178	461,846	190,641	7,919	9,129	326	8,016	9,964
2	673,877	-8,942	-1.31	22,651	434,236	208,369	3,300	5,907	496	10,783	10,786
3	681,298	-1,521	-0.22	19,203	433,743	216,886	2,315	9,047	457	9,126	9,724
4	660,162	-22,657	-3.32	41,969	583,895	33,172	4,208	2,459	582	26,039	9,807
5	718,724	35,905	5.26	32,748	539,582	127,550	6,893	10,837	610	17,079	16,173
6	754,482	71,663	10.50	32,031	619,105	95,610	2,249	12,064	348	15,872	9,234
7	603,352	-79,467	-11.64	17,822	202,987	379,083	1,334	4,152	238	9,995	5,563

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

32,168

Mean Percent Deviation:

4.71

Largest Positive Deviation:

71,663

Largest Negative Deviation:

-79,467

Overall Range in Deviation:

151,130

Overall Range in Deviation Percentage:

22.13

User: bpsban3501

Date: Tue Jun 28 14:13:08 GMT-0500 2011

Plan: Existing Congressional with 2010 Geography using Census

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	687,841	5,022	0.74	19,178 (2.79%)	461,846 (67.14%)	190,641 (27.72%)	7,919 (1.15%)	9,129 (1.33%)	326 (0.05%)	8,016 (1.17%)	9,964 (1.45%)
2	673,877	-8,942	-1.31	22,651 (3.36%)	434,236 (64.44%)	208,369 (30.92%)	3,300 (0.49%)	5,907 (0.88%)	496 (0.07%)	10,783 (1.60%)	10,786 (1.60%)
3	681,298	-1,521	-0.22	19,203 (2.82%)	433,743 (63.66%)	216,886 (31.83%)	2,315 (0.34%)	9,047 (1.33%)	457 (0.07%)	9,126 (1.34%)	9,724 (1.43%)
4	660,162	-22,657	-3.32	41,969 (6.36%)	583,895 (88.45%)	33,172 (5.02%)	4,208 (0.64%)	2,459 (0.37%)	582 (0.09%)	26,039 (3.94%)	9,807 (1.49%)
5	718,724	35,905	5.26	32,748 (4.56%)	539,582 (75.07%)	127,550 (17.75%)	6,893 (0.96%)	10,837 (1.51%)	610 (0.08%)	17,079 (2.38%)	16,173 (2.25%)
6	754,482	71,663	10.50	32,031 (4.25%)	619,105 (82.06%)	95,610 (12.67%)	2,249 (0.30%)	12,064 (1.60%)	348 (0.05%)	15,872 (2.10%)	9,234 (1.22%)
7	603,352	-79,467	-11.64	17,822 (2.95%)	202,987 (33.64%)	379,083 (62.83%)	1,334 (0.22%)	4,152 (0.69%)	238 (0.04%)	9,995 (1.66%)	5,563 (0.92%)

User: bpshan3501

Date: Tue Jun 28 14:13:51 GMT-0500 2011

Plan: Existing Congressional with 2010 Geography using Census

All Districts Population Report

District No.	1									
Total Population	687,841									
Total Population 18+	0									
Deviation	5.0222									
Dev. %	0.74									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	19,178	461,846	190,641	7,919	9,129	326	8,016	9,964		
Total%	2.79	67.14	27.72	1.15	1.33	0.05	1.17	1.45		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	673,877									
Total Population 18+	0									
Deviation	-8,942									
Dev. %	-1.31									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	22,651	434,236	208,369	3,300	5,907	496	10,783	10,786		
Total%	3.36	64.44	30.92	0.49	0.88	0.07	1.60	1.60		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

681,298

Total Population 18+

0

Deviation

-1,521

Dev. %

-0.22

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,203	433,743	216,886	2,315	9,047	457	9,126	9,724
Total%	2.82	63.66	31.83	0.34	1.33	0.07	1.34	1.43
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

660,162

Total Population 18+

0

Deviation

-22,657

Dev. %

-3.32

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	41,969	583,695	33,172	4,208	2,459	582	26,039	9,807
Total%	6.36	88.45	5.02	0.64	0.37	0.09	3.94	1.49
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

718,724

Total Population 18+

0

Deviation

35,905

Dev. %

5.26

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,748	539,582	127,550	6,893	10,837	610	17,079	16,173
Total%	4.56	75.07	17.75	0.96	1.51	0.08	2.38	2.25
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

6

Total Population

754,482

Total Population 18+

0

Deviation

71,663

Dev. %

10.50

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,031	619,105	95,610	2,249	12,064	348	15,872	9,234
Total%	4.25	82.06	12.67	0.30	1.60	0.05	2.10	1.22
Total 18+	0	0	0	0	0	0	0	0
Total 18+ %	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

7

Total Population

603,352

Total Population 18+

0

Deviation

-79,467

Dev. %

-11.64

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	17,822	202,987	379,083	1,334	4,152	238	9,995	5,563
Total%	2.95	33.64	62.83	0.22	0.69	0.04	1.66	0.92
Total 18+	0	0	0	0	0	0	0	0
Total 18+ %	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
* Montgomery County	125,750	4,887	52,319	67,012	311	1,463	85	2,801
Pike County	32,899	730	19,144	12,054	192	654	24	341
District 2 Total	673,877	22,651	434,236	208,369	3,300	5,907	496	10,783
	100%	3.36%	64.44%	30.92%	0.49%	0.88%	0.07%	1.6%
District 3								
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
Cherokee County	25,989	320	24,081	1,208	135	54	1	123
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
* Coosa County	8,539	210	4,782	3,500	25	14	15	128
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873
Macon County	21,452	232	3,319	17,729	29	76	2	69
* Montgomery County	103,613	3,427	38,337	58,465	278	3,358	86	1,942
Randolph County	22,913	649	17,532	4,607	84	55	5	369
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713	407
District 3 Total	681,298	19,203	433,743	216,886	2,315	9,047	457	9,126	9,724
	100%	2.82%	63.66%	31.83%	0.34%	1.33%	0.07%	1.34%	1.43%
District 4									
Blount County	57,322	4,626	53,068	761	307	117	38	2,347	684
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759	889
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051	1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975	1,545
Fayette County	17,241	204	14,910	1,969	52	37	0	102	171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338	530
Lamar County	14,564	180	12,626	1,643	24	4	2	82	183
Marion County	30,776	632	28,791	1,184	101	54	14	291	341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210	1,564
* Morgan County	53,062	1,491	49,504	1,184	524	184	12	733	921
* Pickens County	9,594	136	7,557	1,818	21	27	1	44	126
* St. Clair County	5,428	215	5,057	118	19	22	2	112	98
Walker County	67,023	1,307	61,146	3,928	251	195	36	639	828
Wilston County	24,484	639	23,409	115	163	60	28	356	353
District 4 Total	660,162	41,969	583,895	33,172	4,208	2,459	582	26,039	9,807
	100%	6.36%	88.45%	5.02%	0.64%	0.37%	0.09%	3.94%	1.49%
District 5									
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510	845
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768	1,378
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977	1,306

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
* Morgan County	66,428	7,665	45,900	13,001	518	507	95	4,964
District 5 Total	718,724	32,748	539,582	127,550	6,893	10,837	610	17,079
	100%	4.56%	75.07%	17.75%	0.96%	1.51%	0.08%	2.38%
								2.25%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
* Coosa County	3,000	20	2,866	82	15	2	0	7
* Jefferson County	360,034	13,764	285,917	54,453	1,059	7,012	147	7,165
* St Clair County	78,165	1,501	68,684	7,032	262	496	44	622
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
* Tuscaloosa County	51,640	1,353	45,601	4,034	141	676	15	666
District 6 Total	754,482	32,031	619,105	95,610	2,249	12,064	348	15,872
	100%	4.25%	82.06%	12.67%	0.3%	1.6%	0.05%	2.1%
								1.22%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	12,217	110	5,034	7,006	40	36	4	19
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
								88

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jefferson County	298,432	11,724	63,249	222,072	681	2,146	97	7,193
Marengo County	21,027	352	9,751	10,872	34	53	13	140
Perry County	10,591	114	3,204	7,276	17	30	5	16
* Pickens County	10,152	177	3,553	6,393	7	9	0	84
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	143,016	4,596	83,403	53,577	385	1,630	102	2,327
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	603,352	17,822	202,987	379,083	1,334	4,152	238	9,995
	100%	2.95%	33.64%	62.83%	0.22%	0.69%	0.04%	1.66%
								0.92%

* indicates split

User: bpshtan3501

Date: Tue Jun 28 14:17:33 GMT -0500 2011

Plan: Existing Congressional with 2010 Geography using Census

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	13,616	161	9,036	4,330	63	41	0	48	98
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207
District 1 Total	687,841	19,178	461,846	190,641	7,919	9,129	326	8,016	9,964
	100%	2.79%	67.14%	27.72%	1.15%	1.33%	0.05%	1.17%	1.45%

District 2

Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Dale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
* Montgomery County	125,750	4,887	52,319	67,012	311	1,463	85	2,801
Pike County	32,899	730	19,144	12,054	192	654	24	341
District 2 Total	673,877	22,651	434,236	208,369	3,300	5,907	496	10,783
	100%	3.36%	64.44%	30.92%	0.49%	0.88%	0.07%	1.6%
District 3								
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
Cherokee County	25,989	320	24,081	1,208	135	54	1	123
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
* Coosa County	8,539	210	4,782	3,500	25	14	15	128
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873
Macon County	21,452	232	3,319	17,729	29	76	2	69
* Montgomery County	103,613	3,427	38,337	58,465	278	3,358	86	1,942
Randolph County	22,913	649	17,532	4,607	84	55	5	369
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713	407
District 3 Total	681,298	19,203	433,743	216,886	2,315	9,047	457	9,126	9,724
	100%	2.82%	63.65%	31.83%	0.34%	1.33%	0.07%	1.34%	1.43%
District 4									
Blount County	57,322	4,626	53,068	761	307	117	38	2,347	684
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759	889
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051	1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975	1,545
Fayette County	17,241	204	14,910	1,969	52	37	0	102	171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338	530
Lamar County	14,564	180	12,626	1,643	24	4	2	82	183
Marion County	30,776	632	28,791	1,184	101	54	14	291	341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210	1,564
* Morgan County	53,062	1,491	49,504	1,184	524	184	12	733	921
* Pickens County	9,594	136	7,557	1,818	21	27	1	44	126
* St Clair County	5,428	215	5,057	118	19	22	2	112	98
Walker County	67,023	1,307	61,146	3,928	251	195	36	639	828
Winston County	24,484	639	23,409	115	163	60	28	356	353
District 4 Total	660,162	41,969	583,895	33,172	4,208	2,459	582	26,039	9,807
	100%	6.36%	88.45%	5.02%	0.64%	0.37%	0.09%	3.94%	1.49%
District 5									
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510	845
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768	1,378
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977	1,306

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
* Morgan County	66,428	7,665	45,900	13,001	518	507	95	4,964
District 5 Total	718,724	32,748	539,582	127,550	6,893	10,837	610	17,079
	100%	4.56%	75.07%	17.75%	0.96%	1.51%	0.08%	2.38%
								16,173
								2.25%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
* Coosa County	3,000	20	2,866	82	15	2	0	7
* Jefferson County	360,034	13,764	285,917	54,453	1,059	7,012	147	7,165
* St Clair County	78,165	1,501	68,684	7,032	262	496	44	622
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
* Tuscaloosa County	51,640	1,353	45,601	4,034	141	676	15	666
District 6 Total	754,482	32,031	619,105	95,610	2,249	12,064	348	15,872
	100%	4.25%	82.06%	12.67%	0.3%	1.6%	0.05%	2.1%
								9,234
								1.22%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	12,217	110	5,034	7,006	40	36	4	19
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
								88

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
* Jefferson County	298,432	11,724	63,249	222,072	681	2,146	97	7,193	2,994
Marengo County	21,027	352	9,751	10,872	34	53	13	140	164
Perry County	10,591	114	3,204	7,276	17	30	5	16	43
* Pickens County	10,152	177	3,553	6,393	7	9	0	84	106
Sumter County	13,763	86	3,326	10,316	11	33	4	26	47
* Tuscaloosa County	143,016	4,596	83,403	53,577	385	1,630	102	2,327	1,592
Wilcox County	11,670	72	3,126	8,465	14	4	1	9	51
District 7 Total	603,352	17,822	202,987	379,083	1,334	4,152	238	9,995	5,563
	100%	2.95%	33.64%	62.83%	0.22%	0.69%	0.04%	1.66%	0.92%

* indicates split

User: bpshan3501

Plan: Existing Congressional with 2010 Geography using Census

Date: Tue Jun 28 14:14:29 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsby Popper	Holes
1	9816.53	1547235.99	0.37	0.69	9.7	2.74	0.13	0
2	14707.29	1361873.19	0.38	0.77	6.98	1.97	0.26	0
3	11402.4	1380097.78	0.28	0.74	8.03	2.27	0.19	0
4	12454.6	1564308.91	0.28	0.67	8.71	2.46	0.17	0
5	6960.93	975401.31	0.24	0.82	7.26	2.05	0.24	0
6	6670.12	1412311.57	0.36	0.7	10.75	3.03	0.11	0
7	12363	1986431.36	0.28	0.65	11.1	3.13	0.1	0

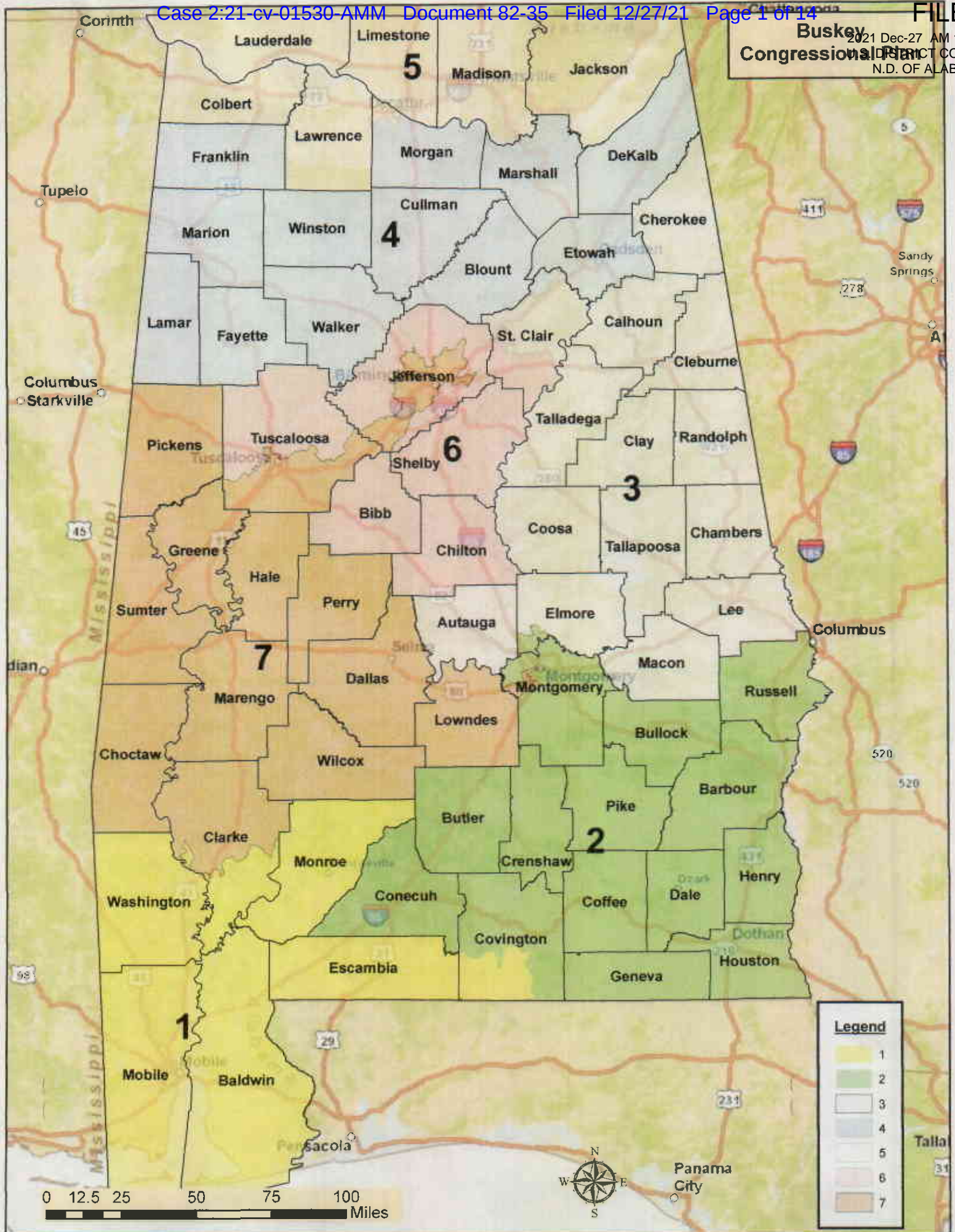
User: bpshan3501
Plan: Existing Congressional with 2010 Geography using Census

Date: Tue Jun 28 14:15:24 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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2021 Dec-27 AM 11:06
U.S. DISTRICT COURT
N.D. OF ALABAMA



User: bpshah3501
Plan: Buskey Congressional Plan

Date: Mon May 23 15:52:14 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,107	456,744	190,855	7,904	9,097	327	7,973	9,920
2	682,818	-1	-0.00	24,831	397,621	249,557	3,263	8,579	612	12,173	11,013
3	682,819	0	0.00	17,363	494,353	161,637	2,407	6,472	350	7,863	9,737
4	682,820	1	0.00	43,368	602,331	35,490	4,447	2,791	590	26,884	10,287
5	682,819	0	0.00	31,071	510,192	123,308	6,622	10,460	599	16,125	15,513
6	682,820	1	0.00	28,506	569,020	77,495	1,958	11,772	269	13,945	8,361
7	682,820	1	0.00	21,256	245,133	412,969	1,617	4,424	310	11,947	6,420

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

1

Mean Percent Deviation:

0.00

Largest Positive Deviation:

1

Largest Negative Deviation:

-1

Overall Range in Deviation:

2

Overall Range in Deviation Percentage:

0.00

User: bpshan3501

Plan: Buskey Congressional Plan

Date: Mon May 23 15:54:21 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,107 (2.80%)	456,744 (66.89%)	190,855 (27.95%)	7,904 (1.16%)	9,097 (1.33%)	327 (0.05%)	7,973 (1.17%)	9,920 (1.45%)
2	682,818	-1	-0.00	24,831 (3.64%)	397,621 (58.23%)	249,557 (36.55%)	3,263 (0.48%)	8,579 (1.26%)	612 (0.09%)	12,173 (1.78%)	11,013 (1.61%)
3	682,819	0	0.00	17,363 (2.54%)	494,353 (72.40%)	161,637 (23.67%)	2,407 (0.35%)	6,472 (0.95%)	350 (0.05%)	7,863 (1.15%)	9,737 (1.43%)
4	682,820	1	0.00	43,368 (6.35%)	602,331 (88.21%)	35,490 (5.20%)	4,447 (0.65%)	2,791 (0.41%)	590 (0.09%)	26,884 (3.94%)	10,287 (1.51%)
5	682,819	0	0.00	31,071 (4.55%)	510,192 (74.72%)	123,308 (18.06%)	6,622 (0.97%)	10,460 (1.53%)	599 (0.09%)	16,125 (2.36%)	15,513 (2.27%)
6	682,820	1	0.00	28,606 (4.19%)	569,020 (83.33%)	77,495 (11.35%)	1,958 (0.29%)	11,772 (1.72%)	269 (0.04%)	13,945 (2.04%)	8,361 (1.22%)
7	682,820	1	0.00	21,256 (3.11%)	245,133 (35.90%)	412,969 (60.48%)	1,617 (0.24%)	4,424 (0.65%)	310 (0.05%)	11,947 (1.75%)	6,420 (0.94%)

User: bpsban3501
Plan: Buskey Congressional Plan

Date: Mon May 23 15:53:04 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	24,831	397,621	249,557	3,263	8,579	612	12,173	11,013		
Total%	3.64	58.23	36.55	0.48	1.26	0.09	1.78	1.61		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.	2									
Total Population	682,818									
Total Population 18+	0									
Deviation	-1									
Dev. %	-0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	24,831	397,621	249,557	3,263	8,579	612	12,173	11,013		
Total%	3.64	58.23	36.55	0.48	1.26	0.09	1.78	1.61		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.	3									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	17,363	494,353	161,637	2,407	6,472	350	7,863	9,737		
Total%	2.54	72.40	23.67	0.35	0.95	0.05	1.15	1.43		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	4									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	43,368	602,331	35,490	4,447	2,791	580	26,884	10,287		
Total%	6.35	88.21	5.20	0.65	0.41	0.09	3.94	1.51		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	6									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	31,071	510,192	123,308	6,622	10,460	599	16,125	15,513		
Total%	4.55	74.72	18.06	0.97	1.53	0.09	2.36	2.27		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No. 6

Total Population 682,820

Total Population 18+ 0

Deviation 1

Dev. % 0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	28,606	569,020	77,495	1,958	11,772	269	13,945	8,361
Total%	4.19	83.33	11.35	0.29	1.72	0.04	2.04	1.22
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

7

Total Population 682,820

Total Population 18+ 0

Deviation 1

Dev. % 0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	21,256	245,133	412,969	1,617	4,424	310	11,947	6,420
Total%	3.11	35.90	60.48	0.24	0.65	0.05	1.75	0.94
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	6,149	70	1,710	4,360	39	8	0	1	31
* Covington County	2,446	20	2,224	184	9	1	1	4	23
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207

District 2

Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
* Covington County	35,319	463	29,798	4,532	205	154	0	131	499
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Dale County	50,251	2,821	37,236	9,679	371	534	44	882
* Elmore County	9,295	552	5,944	2,746	41	97	16	314
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
* Lowndes County	0	0	0	0	0	0	0	0
* Montgomery County	220,068	8,115	89,704	117,356	565	4,809	168	4,625
Pike County	32,899	730	19,144	12,054	192	654	24	341
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
District 2 Total	682,818	24,831	397,621	249,557	3,263	8,579	612	12,173
	100%	3.64%	58.23%	36.55%	0.48%	1.26%	0.09%	1.78%
District 3								
Autauga County	54,571	1,310	42,855	9,643	232	474	32	466
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
Cherokee County	25,989	320	24,081	1,208	135	54	1	123
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Elmore County	70,008	1,577	54,511	13,154	244	421	47	624
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873
Macon County	21,452	232	3,319	17,729	29	76	2	69
Randolph County	22,913	649	17,532	4,607	84	55	5	369

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* St Clair County	30,502	626	27,164	2,472	98	122	13	273
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713
District 3 Total	682,819	17,363	494,353	161,637	2,407	6,472	350	7,863
	100%	2.54%	72.4%	23.67%	0.35%	0.95%	0.05%	1.15%
								1.43%

District 4

Blount County	57,322	4,626	53,068	761	307	117	38	2,347
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975
Fayette County	17,241	204	14,910	1,969	52	37	0	102
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338
Lamar County	14,564	180	12,626	1,643	24	4	2	82
Marion County	30,776	632	28,791	1,184	101	54	14	291
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210
* Morgan County	88,967	3,168	78,894	5,426	795	561	23	1,687
* St Clair County	1,775	73	1,660	12	8	4	0	47
Walker County	67,023	1,307	61,146	3,928	251	195	36	639
Winston County	24,484	639	23,409	115	163	60	28	356
District 4 Total	682,820	43,368	602,331	35,490	4,447	2,791	590	26,884
	100%	6.35%	88.21%	5.2%	0.65%	0.41%	0.09%	3.94%
								1.51%

District 5

Colbert County	54,428	1,093	43,789	8,768	267	229	20	510
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768
								1,378

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977	1,306
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275	1,478
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866	1,468
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719	8,255
* Morgan County	30,523	5,988	16,510	8,759	247	130	84	4,010	783
District 5 Total	682,819	31,071	510,192	123,308	6,622	10,460	599	16,125	15,513
	100%	4.55%	74.72%	18.06%	0.97%	1.53%	0.09%	2.36%	2.27%
District 6									
Bibb County	22,915	406	17,381	5,047	64	22	13	185	203
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854	506
* Jefferson County	318,221	10,843	262,465	38,786	870	6,826	79	5,453	3,742
* St Clair County	51,316	1,017	44,917	4,666	175	392	33	414	719
Shelby County	195,085	11,567	161,943	20,732	563	3,726	74	5,373	2,684
* Tuscaloosa County	51,640	1,353	45,601	4,034	141	676	15	666	507
District 6 Total	682,820	28,606	569,020	77,495	1,958	11,772	269	13,945	8,361
	100%	4.19%	83.33%	11.35%	0.29%	1.72%	0.04%	2.04%	1.22%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185	203
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854	506
* Jefferson County	318,221	10,843	262,465	38,786	870	6,826	79	5,453	3,742
* St Clair County	51,316	1,017	44,917	4,666	175	392	33	414	719
Stibby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373	2,684
* Tuscaloosa County	51,640	1,353	45,601	4,034	141	676	15	666	507

District 6 Total	682,820	28,606	569,020	77,495	1,958	11,772	269	13,945	8,361
	100%	4.19%	83.33%	11.35%	0.29%	1.72%	0.04%	2.04%	1.22%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28	58
* Clarke County	19,684	201	12,360	6,976	64	69	4	66	145
Dallas County	43,820	309	12,769	30,423	85	149	11	84	299
Greene County	9,045	69	1,575	7,370	17	15	0	25	43
Hale County	15,760	140	6,266	9,301	25	35	1	44	88

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jefferson County	340,245	14,645	86,701	237,739	870	2,332	165	8,905
* Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Marengo County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	9,295	199	952	8,121	24	12	3	118
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	143,016	4,596	83,403	53,577	385	1,630	102	2,327
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	21,256	245,133	412,969	1,617	4,424	310	11,947
	100%	3.11%	35.9%	60.48%	0.24%	0.65%	0.05%	1.75%
								0.94%

* Indicates split

User: bpshan3501

Date: Thu Jun 23 09:47:05 GMT-0500 2011

Plan: Buskey Congressional Plan

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	682,820	0	358,152	134,600	5,709	6,775	244	5,361	5,339
2	682,818	0	316,548	179,155	2,475	6,504	449	7,926	5,573
3	682,819	0	388,540	119,435	1,917	4,982	262	5,221	5,109
4	682,820	0	467,723	25,883	3,314	2,085	350	15,852	5,743
5	682,819	0	400,590	91,732	4,842	7,956	404	10,146	8,345
6	682,820	0	439,453	55,039	1,477	8,570	197	9,033	4,373
7	682,820	0	205,907	300,934	1,302	3,809	219	7,932	3,791
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpshan3501
Plan: Buskey Congressional Plan

Date: Mon May 23 15:58:10 GMT-0500 2011

District Compactness Report

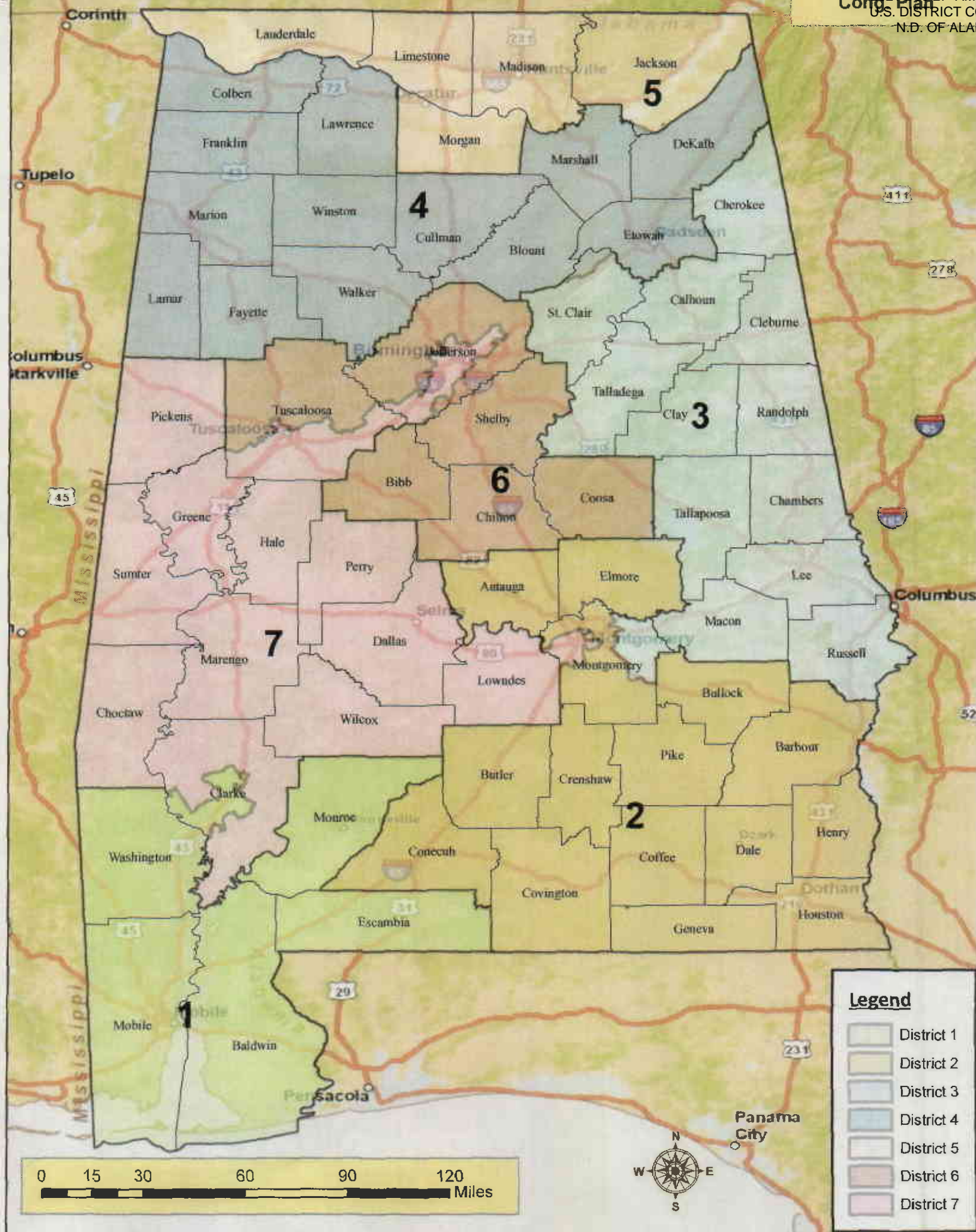
District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Groffman	Schwartzberg	Polsby Popper	Holes
1	10118.08	1243378.49	0.35	0.67	7.68	2.17	0.21	0
2	13355.08	1274851.29	0.41	0.78	6.85	1.93	0.27	0
3	12288.61	1377079.39	0.34	0.73	7.72	2.18	0.21	0
4	11730.81	1218097.05	0.31	0.73	6.99	1.97	0.26	0
5	6899.08	844180.36	0.24	0.81	6.32	1.78	0.32	0
6	5726.45	1281649.12	0.46	0.69	10.52	2.97	0.11	0
7	14256.76	1660145.11	0.4	0.66	8.64	2.44	0.17	0

User: bpshan3501
Plan: Buskey Congressional Plan

Date: Mon May 23 15:57:40 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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User: bpschan3501
Plan: Hammon Plan 5/19/11

Date: Tue May 24 08:55:40 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
2	682,820	1	0.00	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
3	682,819	0	0.00	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
4	682,819	0	0.00	41,882	594,056	42,770	5,881	2,502	593	25,988	11,029
5	682,819	0	0.00	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
6	682,819	0	0.00	30,485	549,160	96,447	1,987	11,423	285	15,249	8,268
7	682,820	1	0.00	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: bpsphan3501
Plan: Hammon Plan 5/19/11

Date: Tue May 24 08:57:12 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (87.18%)	188,859 (27.66%)	7,989 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,980 (65.45%)	201,339 (29.49%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	17,885 (2.62%)	482,509 (70.66%)	171,775 (25.16%)	2,354 (0.34%)	7,837 (1.15%)	410 (0.06%)	7,977 (1.17%)	9,957 (1.46%)
4	682,819	0	0.00	41,882 (6.13%)	594,056 (87.00%)	42,770 (6.26%)	5,881 (0.86%)	2,502 (0.37%)	593 (0.09%)	25,988 (3.81%)	11,029 (1.62%)
5	682,819	0	0.00	32,562 (4.77%)	518,464 (75.93%)	116,026 (16.99%)	5,188 (0.76%)	10,749 (1.57%)	596 (0.09%)	17,026 (2.49%)	14,770 (2.16%)
6	682,819	0	0.00	30,485 (4.46%)	549,160 (80.43%)	96,447 (14.12%)	1,987 (0.29%)	11,423 (1.67%)	285 (0.04%)	15,249 (2.23%)	8,268 (1.21%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

User: bpshe3501
Plan: Hammon Plan 5/19/11

Date: Tue May 24 08:58:14 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,087	458,706	188,859	7,889	9,106	326	7,999	9,936		
Total%	2.80	67.18	27.66	1.16	1.33	0.05	1.17	1.46		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053		
Total%	3.60	65.45	29.49	0.50	1.10	0.08	1.77	1.82		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	17,885	482,509	171,775	2,354	7,837	410	7,877	9,957
Total%	2.62	70.66	25.18	0.34	1.15	0.06	1.17	1.46
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	41,882	584,056	42,770	5,881	2,502	593	25,988	11,029
Total%	6.13	87.00	6.26	0.86	0.37	0.09	3.81	1.62
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
Total%	4.77	75.93	16.99	0.76	1.57	0.09	2.49	2.16
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.	6						
Total Population	682,819						
Total Population 18+	0						
Deviation	0						
Dev. %	0.00						
<hr/>							
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Total	30,485	549,160	96,447	1,987	11,423	285	15,249 8,268
Total%	4.46	80.43	14.12	0.29	1.67	0.04	2.23 1.21
Total 18+	0	0	0	0	0	0	0 0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00 0.00
<hr/>							
District No.	7						
Total Population	682,820						
Total Population 18+	0						
Deviation	1						
Dev. %	0.00						
<hr/>							
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Total	19,089	225,620	434,085	1,521	4,447	331	10,568 6,238
Total%	2.80	33.04	63.57	0.22	0.65	0.05	1.55 0.91
Total 18+	0	0	0	0	0	0	0 0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00 0.00

User: bpshan3501

Plan: Hammon Plan 5/19/11

Date: Tue May 24 09:00:47 GMT-0500 2011

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	8,595	70	5,895	2,548	33	18	0	31	70
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207
District 1 Total	682,820	19,087	458,705	188,859	7,869	9,106	326	7,999	9,936
	100%	2.8%	67.18%	27.66%	1.16%	1.33%	0.05%	1.17%	1.46%
District 2									
Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Barbour County	27,457	1,367	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,785	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Dale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
* Montgomery County	145,992	6,935	67,822	68,292	434	3,101	105	4,152
Pike County	32,899	730	19,144	12,054	192	654	24	341
District 2 Total	682,820	24,612	446,880	201,339	3,398	7,531	516	12,103
	100%	3.6%	65.45%	29.49%	0.5%	1.1%	0.08%	1.77%
								1.62%

District 3

Cathoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
Cherokee County	25,989	320	24,081	1,208	135	54	1	123
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
Lee County	140,247	4,571	100,008	31,901	445	3,658	105	1,873
Macon County	21,452	232	3,319	17,729	29	76	2	69
* Montgomery County	31,854	681	19,801	9,714	69	1,648	8	239
Randolph County	22,913	649	17,532	4,607	84	55	5	369
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
* St. Clair County	81,819	1,638	72,084	7,140	273	514	46	682
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787
								1,101

* Indicates split

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697
District 5 Total	682,819	32,562	518,464	116,026	5,188	10,749	596	17,026
	100%	4.77%	75.93%	16.99%	0.76%	1.57%	0.09%	2.49%
								2.16%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Jefferson County	357,207	13,484	279,685	58,245	1,033	6,845	113	7,026
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
* Tuscaloosa County	52,430	1,368	45,790	4,611	142	684	15	676
District 6 Total	682,819	30,485	549,160	96,447	1,987	11,423	285	15,249
	100%	4.46%	80.43%	14.12%	0.29%	1.67%	0.04%	2.23%
								1.21%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	17,236	201	8,175	8,788	70	59	4	36
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
* Jefferson County	301,259	11,994	69,481	218,280	707	2,313	131	7,332
								3,015

* Indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lowndes County	11,289	87	2,859	8,310	25	14	0	31
Morengo County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	51,517	698	3,033	47,471	86	72	58	352
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	142,226	4,581	83,214	53,000	384	1,622	102	2,317
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	19,089	225,620	434,095	1,521	4,447	331	10,568
	100%	2.8%	33.04%	63.57%	0.22%	0.65%	0.05%	1.55%
								6,238
								0.91%

* Indicates split

User: bpshan3501

Plan: Hammon Cong Plan

Date: Tue May 24 11:13:04 GMT-0500 2011

VAP Summary Report

District No.	Total18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	516,246	359,598	133,191	5,702	6,782	243	5,383	5,346
2	520,453	352,940	145,232	2,592	5,785	383	7,886	5,635
3	524,977	380,257	126,210	1,861	5,926	299	5,271	5,153
4	522,061	462,282	31,772	4,271	1,874	354	15,304	6,204
5	522,912	406,038	85,841	3,885	8,167	400	10,698	7,883
6	518,054	425,698	68,110	1,507	8,364	208	9,813	4,354
7	522,574	190,099	316,422	1,218	3,783	238	7,116	3,698
TOTALS	3,647,277	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpehan3501

Plan: Hammon Plan 5/19/11

Date: Tue May 24 08:58:42 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Poisyby Popper	Holes
1	9486.26	1382348.26	0.4	0.71	8.82	2.49	0.16	0
2	14220.24	1440758.23	0.37	0.74	7.51	2.12	0.22	0
3	11101.91	1289143.48	0.28	0.72	7.6	2.14	0.22	0
4	12904.53	1275464.62	0.33	0.7	6.98	1.97	0.26	0
5	5727	822102.11	0.2	0.78	6.75	1.9	0.28	0
6	8452.54	1254374.5	0.36	0.72	9.7	2.74	0.13	0
7	14482.39	1896077.43	0.36	0.62	9.79	2.76	0.13	0

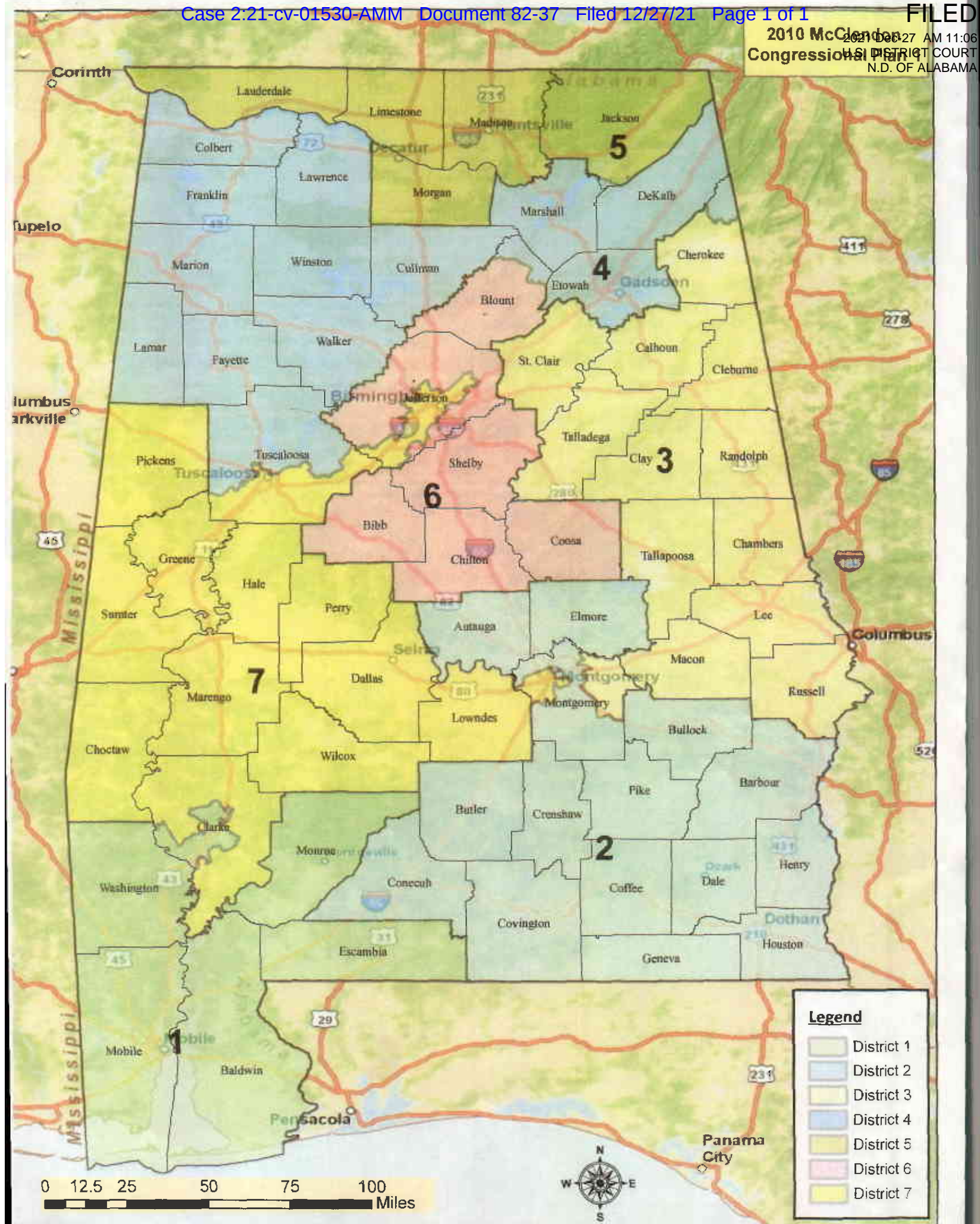
User: bpshan3501
Plan: Hammon Plan 5/19/11

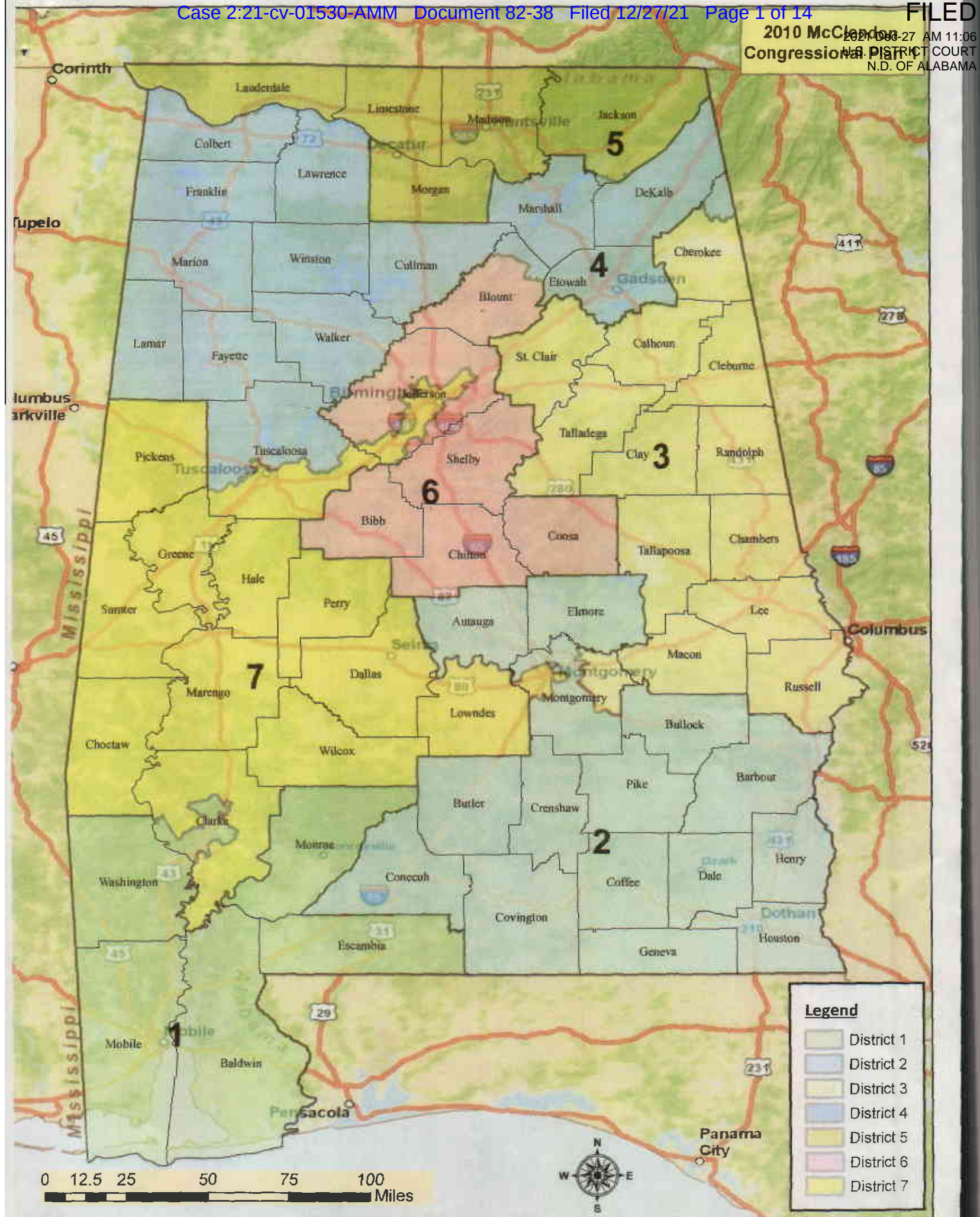
Date: Tue May 24 08:57:57 GMT -0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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2010 McClellan
 Congressional Plan
 U.S. DISTRICT COURT
 N.D. OF ALABAMA





User: fatf4178
Plan: McClendon Congressional 1

Date: Wed Jun 1 11:03:25 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,998	8,936
2	682,820	1	0.00	24,612	446,880	201,339	3,395	7,531	515	12,103	11,053
3	682,819	0	0.00	17,958	482,435	171,780	2,356	7,839	410	8,025	9,974
4	682,819	0	0.00	38,949	591,403	46,636	5,745	3,078	577	24,460	10,920
5	682,819	0	0.00	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
6	682,819	0	0.00	33,345	551,887	92,576	2,121	10,845	301	16,729	8,360
7	682,820	1	0.00	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238
Total Population:							4,779,736				
Ideal Population:							682,819				
Mean Deviation:							0				
Mean Percent Deviation:							0.01				
Largest Positive Deviation:							1				
Largest Negative Deviation:							0				
Overall Range in Deviation:							1				
Overall Range in Deviation Percentage:							0.00				

User: tata4178

Plan: McClendon Congressional 1

Date: Wed Jun 1 11:04:24 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.66%)	7,889 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,880 (65.45%)	201,339 (29.49%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	17,958 (2.63%)	482,435 (70.65%)	171,780 (25.16%)	2,356 (0.35%)	7,839 (1.15%)	410 (0.06%)	8,025 (1.18%)	9,974 (1.46%)
4	682,819	0	0.00	38,949 (5.70%)	591,403 (86.61%)	46,636 (6.83%)	5,745 (0.84%)	3,078 (0.45%)	577 (0.08%)	24,460 (3.58%)	10,920 (1.60%)
5	682,819	0	0.00	32,562 (4.77%)	518,464 (75.93%)	116,026 (16.99%)	5,188 (0.76%)	10,749 (1.57%)	596 (0.09%)	17,026 (2.49%)	14,770 (2.16%)
6	682,819	0	0.00	33,345 (4.88%)	561,887 (80.82%)	92,576 (13.56%)	2,121 (0.31%)	10,845 (1.59%)	301 (0.04%)	16,729 (2.45%)	8,360 (1.22%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

User: jaf4178
Plan: McClendon Congressional 1

Date: Wed Jun 1 11:03:50 GMT-0500 2011

All Districts Population Report

District No.	1							
Total Population	682,820							
Total Population 18+	0							
Deviation	1							
Dev. %	0.00							
<hr/>								
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
Total%	2.80	67.18	27.66	1.16	1.33	0.05	1.17	1.46
Total18+	0	0	0	0	0	0	0	0
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<hr/>								
District No.	2							
Total Population	682,820							
Total Population 18+	0							
Deviation	1							
Dev. %	0.00							
<hr/>								
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
Total%	3.60	65.45	29.49	0.50	1.10	0.08	1.77	1.62
Total18+	0	0	0	0	0	0	0	0
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

3

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	17,958	482,435	171,780	2,356	7,839	410	8,025	9,974
Total%	2.63	70.65	25.16	0.35	1.15	0.06	1.18	1.46
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	38,949	591,403	46,636	5,745	3,078	577	24,460	10,920
Total%	5.70	86.61	6.83	0.84	0.45	0.08	3.58	1.60
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,562	518,464	416,026	5,188	10,749	596	17,026	14,770
Total%	4.77	75.93	16.99	0.76	1.57	0.09	2.49	2.16
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.	6									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	33,345	551,887	92,576	2,121	10,845	301	16,729	8,380		
Total%	4.88	80.82	13.56	0.31	1.59	0.04	2.45	1.22		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
<hr/>										
District No.	7									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238		
Total%	2.80	33.04	63.57	0.22	0.65	0.05	1.55	0.91		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

User: janay13
Plan: McClendon Congressional 1

Date: Thu Jun 2 17:31:28 GMT-0500 2011

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Clarke County	8,595	70	5,895	2,548	33	18	0	31	70
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,865	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207
District 1 Total	682,820	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
	100%	2.8%	67.18%	27.66%	1.16%	1.33%	0.05%	1.17%	1.46%
District 2									
Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Deale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
* Montgomery County	145,992	6,935	67,822	68,292	434	3,101	105	4,152
Pike County	32,899	730	19,144	12,054	192	654	24	341
District 2 Total	682,820	24,612	446,880	201,339	3,398	7,531	516	12,103
	100%	3.6%	65.45%	29.49%	0.5%	1.1%	0.08%	1.77%
District 3								1.62%
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
* Cherokee County	24,215	315	22,350	1,203	129	52	1	119
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873
Macon County	21,452	232	3,319	17,729	29	76	2	69
* Montgomery County	31,854	681	19,801	9,714	69	1,648	8	239
Randolph County	22,913	649	17,532	4,607	84	55	5	369
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
St Clair County	83,593	1,716	73,741	7,150	281	518	46	734
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787
								1,101

* Indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713	407
District 3 Total	682,819	17,958	482,435	171,780	2,356	7,839	410	8,025	9,974
	100%	2.63%	70.65%	25.16%	0.35%	1.15%	0.06%	1.18%	1.46%
District 4									
* Blount County	4,892	398	4,551	21	31	11	7	191	80
* Cherokee County	1,774	5	1,731	5	6	2	0	4	26
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510	845
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759	889
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051	1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975	1,545
Fayette County	17,241	204	14,910	1,968	52	37	0	102	171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338	530
* Jackson County	200	10	186	2	9	1	0	1	1
Lamar County	14,564	180	12,626	1,643	24	4	2	82	183
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275	1,478
Marion County	30,776	632	28,791	1,184	101	54	14	291	341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210	1,564
* Tuscaloosa County	52,430	1,368	45,790	4,611	142	684	15	676	512
Walker County	67,023	1,307	61,146	3,928	251	195	36	639	828
Winston County	24,484	639	23,409	115	163	60	28	356	353
District 4 Total	682,819	38,949	591,403	46,636	5,745	3,078	577	24,460	10,920
	100%	5.7%	86.61%	6.83%	0.84%	0.45%	0.08%	3.58%	1.6%

* Indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
District 5								
* Jackson County	53,027	1,329	48,162	1,779	710	184	48	767
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697
District 5 Total	682,819	32,562	518,464	116,026	5,188	10,749	596	17,026
	100%	4.77%	75.93%	16.99%	0.76%	1.57%	0.09%	2.49%
								2.16%
District 6								
Bibb County	22,915	406	17,381	5,047	64	22	13	185
* Blount County	52,430	4,228	48,517	740	276	106	31	2,156
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Jefferson County	357,207	13,494	279,685	58,245	1,033	6,845	113	7,026
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
District 6 Total	682,819	33,345	551,887	92,576	2,121	10,845	301	16,729
	100%	4.88%	80.82%	13.56%	0.31%	1.59%	0.04%	2.45%
								1.22%
District 7								
Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	17,238	201	8,175	8,788	70	59	4	36
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
								43

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Hale County	15,760	140	6,266	9,301	25	35	1	44
* Jefferson County	301,259	11,994	69,481	218,280	707	2,313	131	7,332
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Maricopa County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	51,517	698	3,033	47,471	86	72	58	352
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	142,226	4,581	83,214	53,000	384	1,622	102	2,317
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	19,089	225,620	434,095	1,521	4,447	331	10,568
	100%	2.8%	33.04%	63.57%	0.22%	0.65%	0.05%	1.55%
								6,238
								0.91%

* Indicates split

User: bpsthan3501

Date: Thu Jun 2 15:40:16 GMT-0500 2011

Plan: McClendon Congressional 1

VAP Summary Report

District No.	Total	Total18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	662,820	516,246	359,598	133,191	5,702	6,782	243	5,383	5,346
2	662,820	520,453	352,940	145,232	2,592	5,785	383	7,886	5,635
3	662,819	524,977	380,198	126,215	1,863	5,928	299	5,309	5,165
4	662,819	522,101	460,438	34,374	4,180	2,285	344	14,398	6,082
5	662,819	522,912	406,038	85,841	3,885	8,167	400	10,686	7,883
6	662,819	518,014	427,601	65,503	1,596	7,951	218	10,681	4,464
7	662,820	522,574	190,099	316,422	1,218	3,783	238	7,116	3,698
TOTALS	4,779,736	3,647,277	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpehan3501
 Plan: McClendon Congressional 1

Date: Thu Jun 2 15:26:37 GMT-0500 2011

District Compactness Report

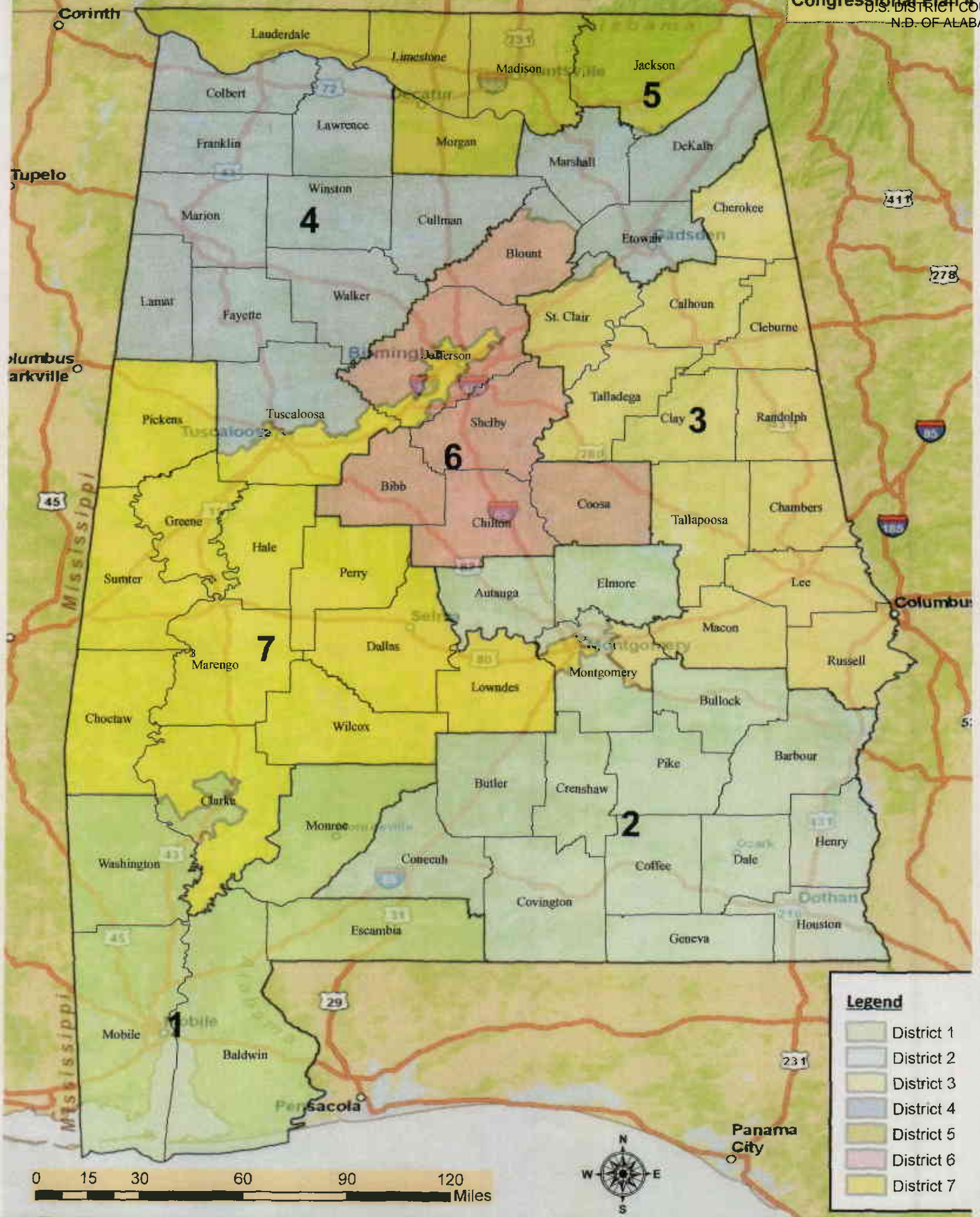
District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polisby Popper	Holes
1	9486.26	1382348.26	0.4	0.71	8.82	2.49	0.16	0
2	14220.24	1440758.23	0.37	0.74	7.51	2.12	0.22	0
3	11054.24	1271408.02	0.31	0.73	7.51	2.12	0.22	0
4	13324.74	1556083.32	0.33	0.62	8.38	2.36	0.18	0
5	5727	822102.11	0.2	0.78	6.75	1.9	0.28	0
6	6080	1200717.2	0.36	0.69	9.57	2.7	0.14	0
7	14482.39	1696077.43	0.36	0.62	9.79	2.76	0.13	0

User: fafa4178
Plan: McClendon Congressional 1

Date: Wed Jun 1 11:14:56 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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User: dshan1426

Plan: Poole Congressional Plan 4

Date: Wed Jun 1 09:36:43 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
2	682,820	1	0.00	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
3	682,819	0	0.00	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
4	682,819	0	0.00	38,955	591,405	46,635	5,746	3,076	570	24,462	10,925
5	682,819	0	0.00	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
6	682,819	0	0.00	33,412	551,811	92,582	2,122	10,849	308	16,775	8,372
7	682,820	1	0.00	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: dshan1426

Plan: Poole Congressional Plan 4

Date: Wed Jun 1 09:35:32 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.66%)	7,899 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,880 (65.45%)	201,339 (29.48%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	17,885 (2.62%)	482,509 (70.66%)	171,775 (25.16%)	2,354 (0.34%)	7,837 (1.15%)	410 (0.06%)	7,977 (1.17%)	9,957 (1.46%)
4	682,819	0	0.00	38,955 (5.71%)	591,405 (86.61%)	46,635 (6.83%)	5,746 (0.84%)	3,076 (0.45%)	570 (0.08%)	24,462 (3.58%)	10,925 (1.60%)
5	682,819	0	0.00	32,562 (4.77%)	518,464 (75.93%)	116,026 (16.99%)	5,188 (0.76%)	10,749 (1.57%)	596 (0.09%)	17,026 (2.49%)	14,770 (2.16%)
6	682,819	0	0.00	33,412 (4.89%)	551,811 (80.81%)	92,582 (13.56%)	2,122 (0.31%)	10,849 (1.59%)	308 (0.05%)	16,775 (2.46%)	8,372 (1.23%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

District 1

District 1 Total	682,820	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
	100%	2.8%	67.18%	27.66%	1.16%	1.33%	0.05%	1.17%	1.46%

Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bulllock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Dale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

SOS001610

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938	1,144
Geneva County	26,790	920	23,127	2,539	224	67	8	409	416
Henry County	17,302	389	11,865	4,942	57	54	2	206	176
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244	1,759
* Montgomery County	145,992	6,935	67,822	68,292	434	3,101	105	4,152	2,086
Pike County	32,899	730	19,144	12,054	192	654	24	341	490
District 2 Total	682,820	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
	100%	3.6%	65.45%	29.49%	0.5%	1.1%	0.08%	1.77%	1.62%
District 3									
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894	1,975
Chambers County	34,215	536	20,112	13,257	69	168	10	214	385
Cherokee County	25,989	320	24,081	1,208	135	54	1	123	387
Clay County	13,932	399	11,380	2,066	55	24	0	172	235
Cleburne County	14,972	307	14,079	498	51	23	10	151	160
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873	2,259
Macon County	21,452	232	3,319	17,729	29	76	2	69	228
* Montgomery County	31,854	681	19,801	9,714	69	1,648	8	239	375
Randolph County	22,913	649	17,532	4,607	84	55	5	369	261
Russell County	52,947	1,946	28,449	22,135	219	236	113	691	1,104
* St Clair County	81,819	1,638	72,084	7,140	273	514	46	682	1,080
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787	1,101

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713

District 3 Total	682,819	17,885	482,509	171,775	2,354	7,837	410	7,977
	100%	2.62%	70.66%	25.16%	0.34%	1.15%	0.06%	1.17%
								1.46%

District 4

* Blount County	4,892	331	4,627	15	30	7	0	145
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975
Fayette County	17,241	204	14,910	1,969	52	37	0	102
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338
* Jackson County	200	10	186	2	9	1	0	1
Lamar County	14,564	180	12,626	1,643	24	4	2	82
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
Marion County	30,776	632	28,791	1,184	101	54	14	291
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210
* St Clair County	1,774	78	1,657	10	8	4	0	52
* Tuscaloosa County	52,430	1,366	45,790	4,611	142	684	15	676
Walker County	67,023	1,307	61,146	3,928	251	195	36	639
Winston County	24,484	639	23,409	115	163	60	28	356
District 4 Total	682,819	38,955	591,405	46,635	5,746	3,076	570	24,462
	100%	5.71%	86.61%	6.83%	0.84%	0.45%	0.08%	3.58%
								1.6%

District 5

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jackson County	53,027	1,329	48,162	1,779	710	184	48	767
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697
District 5 Total	682,819	32,562	518,464	116,026	5,188	10,749	596	17,026
	100%	4.77%	75.93%	16.99%	0.76%	1.57%	0.09%	2.48%
								2.16%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
* Blount County	52,430	4,295	48,441	746	277	110	38	2,202
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Jefferson County	357,207	13,494	279,685	58,245	1,033	6,845	113	7,026
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
District 6 Total	682,819	33,412	551,811	92,582	2,122	10,849	308	16,775
	100%	4.89%	80.81%	13.56%	0.31%	1.59%	0.05%	2.46%
								1.23%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
* Clarke County	17,238	201	8,175	8,788	70	59	4	36
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
								88

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
* Jefferson County	301,259	11,994	69,481	218,280	707	2,313	131	7,332
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Marango County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	51,517	698	3,033	47,471	86	72	58	352
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	142,226	4,581	83,214	53,000	384	1,622	102	2,317
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	19,089	225,620	434,095	1,521	4,447	331	10,568
	100%	2.8%	33.04%	63.57%	0.22%	0.65%	0.05%	1.55%
								0.91%

* indicates split

User: bpsn3501
Plan: Poole Congressional Plan 4

Date: Thu Jun 23 14:57:30 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936		
Total%	2.80	67.18	27.66	1.16	1.33	0.05	1.17	1.46		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
<hr/>										
District No.	2									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053		
Total%	3.60	65.45	29.49	0.50	1.10	0.08	1.77	1.62		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
Total%	2.62	70.66	25.16	0.34	1.15	0.06	1.17	1.46
Total18+	0	0	0	0	0	0	0	0
Total18+-%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	38,955	591,405	46,635	5,746	3,076	570	24,462	10,925
Total%	5.71	86.61	6.83	0.84	0.45	0.08	3.58	1.60
Total18+	0	0	0	0	0	0	0	0
Total18+-%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	32,562	518,464	116,026	5,188	10,749	596	17,026	14,770
Total%	4.77	75.93	16.99	0.76	1.57	0.09	2.49	2.16
Total18+	0	0	0	0	0	0	0	0
Total18+-%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.	6									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	33,412	551,811	92,582	2,122	10,849	308	16,775	8,372		
Total%	4.89	80.81	13.56	0.31	1.59	0.05	2.46	1.23		
Total18+	0	0	0	0	0	0	0	0		
Total18+-%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
<hr/>										
District No.	7									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238		
Total%	2.80	33.04	63.57	0.22	0.65	0.05	1.55	0.91		
Total18+	0	0	0	0	0	0	0	0		
Total18+-%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

User: bpshtan3501

Plan: Poole Congressional Plan 4

Date: Thu Jun 23 14:57:59 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsby Popper	Holes
1	9486.26	1382348.26	0.4	0.71	8.82	2.49	0.16	0
2	14220.24	1440758.23	0.37	0.74	7.51	2.12	0.22	0
3	11101.91	1289143.48	0.28	0.72	7.6	2.14	0.22	0
4	13279.73	1556899.1	0.32	0.63	8.39	2.37	0.18	0
5	5727	822102.11	0.2	0.78	6.75	1.9	0.28	0
6	6077.34	1199486.32	0.36	0.69	9.56	2.7	0.14	0
7	14482.39	1896077.43	0.36	0.62	9.79	2.76	0.13	0

User: bpshan3501
Plan: Poole Congressional Plan 4

Date: Thu Jun 23 14:58:34 GMT-0500 2011

Unassigned Geographies Report

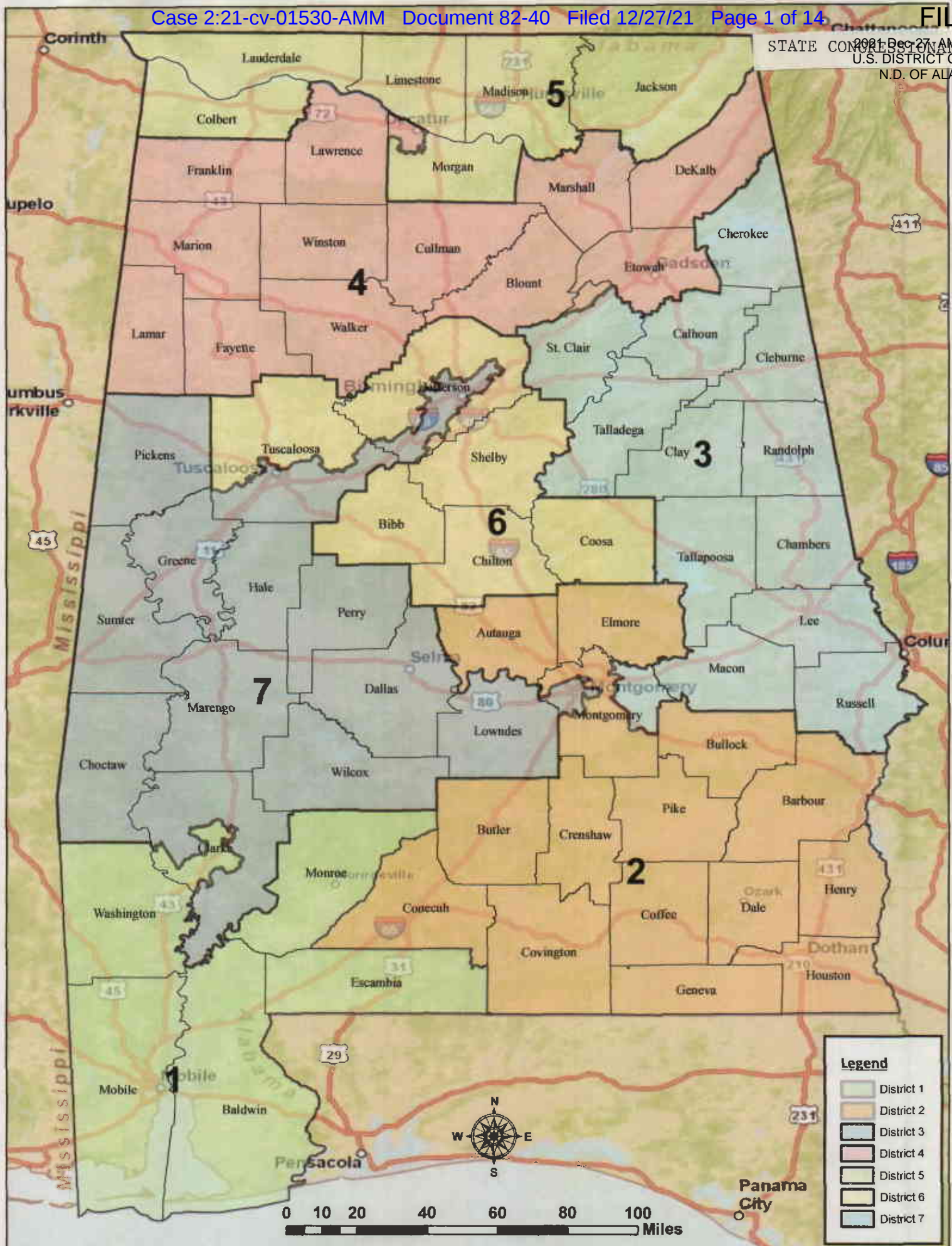
FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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User: bpsthan3501
Plan: Poole Congressional Plan 4

Date: Thu Jun 23 15:03:20 GMT-0500 2011

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	682,820	0	359,599	133,191	5,702	6,782	243	5,383	5,346
2	682,820	0	352,940	145,232	2,592	5,785	383	7,886	5,635
3	682,819	0	380,257	126,210	1,861	5,926	299	5,271	5,153
4	682,819	0	460,436	34,377	4,181	2,283	341	14,410	6,090
5	682,819	0	406,038	85,841	3,885	8,167	400	10,698	7,863
6	682,819	0	427,544	65,505	1,597	7,955	221	10,707	4,468
7	682,820	0	190,089	316,422	1,218	3,783	238	7,116	3,698
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

STATE COURT
U.S. DISTRICT COURT
N.D. OF ALABAMA
2021 Dec 27 AM 11:06

User: bpshans3501

Date: Mon Jun 20 12:14:13 GMT-0500 2011

Plan: STATE CONGRESSIONAL 1

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,087	458,705	188,859	7,889	9,106	326	7,999	9,936
2	682,820	1	0.00	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
3	682,819	0	0.00	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
4	682,819	0	0.00	48,391	584,856	46,708	6,013	2,719	667	30,412	11,444
5	682,819	0	0.00	26,053	527,664	112,088	5,056	10,532	522	12,602	14,355
6	682,819	0	0.00	30,485	549,160	96,447	1,987	11,423	285	15,249	8,268
7	682,820	1	0.00	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: bpshan3501

Date: Mon Jun 20 12:15:23 GMT-0500 2011

Plan: STATE CONGRESSIONAL 1

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.66%)	7,889 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,936 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,880 (65.45%)	201,339 (29.49%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	17,885 (2.62%)	482,509 (70.66%)	171,775 (25.16%)	2,354 (0.34%)	7,837 (1.15%)	410 (0.06%)	7,977 (1.17%)	9,957 (1.46%)
4	682,819	0	0.00	48,391 (7.09%)	584,856 (85.65%)	46,708 (6.84%)	6,013 (0.88%)	2,719 (0.40%)	667 (0.10%)	30,412 (4.45%)	11,444 (1.68%)
5	682,819	0	0.00	26,053 (3.82%)	527,664 (77.28%)	112,088 (16.42%)	5,056 (0.74%)	10,532 (1.54%)	522 (0.08%)	12,602 (1.85%)	14,355 (2.10%)
6	682,819	0	0.00	30,485 (4.46%)	549,160 (80.43%)	96,447 (14.12%)	1,987 (0.29%)	11,423 (1.67%)	285 (0.04%)	15,249 (2.23%)	8,268 (1.21%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

User: bpsman3501
Plan: STATE CONGRESSIONAL 1

Date: Mon Jun 20 12:14:58 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	24,612	446,880	201,339		3,398	7,531	516	12,103	11,053	
Total%	3.60	65.45	29.49		0.50	1.10	0.08	1.77	1.62	
Total18+	0	0	0		0	0	0	0	0	
Total18+%	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	

District No.	2									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	24,612	446,880	201,339		3,398	7,531	516	12,103	11,053	
Total%	3.60	65.45	29.49		0.50	1.10	0.08	1.77	1.62	
Total18+	0	0	0		0	0	0	0	0	
Total18+%	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	

U.S. Census Bureau
American Community Survey

District No.

3

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	17,885	482,509	171,775	2,354	7,837	410	7,977	9,957
Total%	2.62	70.66	25.16	0.34	1.15	0.06	1.17	1.46
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	48,391	584,856	46,708	6,013	2,719	667	30,412	11,444
Total%	7.09	85.65	6.84	0.88	0.40	0.10	4.45	1.68
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	26,053	527,664	112,088	5,056	10,532	522	12,602	14,355
Total%	3.82	77.28	16.42	0.74	1.54	0.08	1.85	2.10
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

6

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	Indian/ Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	30,485	549,160	96,447	1,987	11,423	285	15,249	8,268	
Total%	4.46	80.43	14.12	0.29	1.67	0.04	2.23	1.21	
Total 18+	0	0	0	0	0	0	0	0	
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

District No.

7

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	Indian/ Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,089	225,620	434,095	1,521	4,447	331	10,568	6,238	
Total%	2.80	33.04	63.57	0.22	0.65	0.05	1.55	0.91	
Total18+	0	0	0	0	0	0	0	0	
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

Date: Mon Jun 20 12:17:48 GMT-0500 2011

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938	1,144
Geneva County	26,790	920	23,127	2,539	224	67	8	409	416
Henry County	17,302	389	11,865	4,942	57	54	2	206	176
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244	1,759
* Montgomery County	145,992	6,935	67,822	68,292	434	3,101	105	4,152	2,086
Pike County	32,899	730	19,144	12,054	192	654	24	341	490
District 2 Total	682,820	24,612	446,880	201,339	3,398	7,531	516	12,103	11,053
	100%	3.6%	65.45%	29.49%	0.5%	1.1%	0.08%	1.77%	1.62%
District 3									
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894	1,975
Chambers County	34,215	536	20,112	13,257	69	168	10	214	385
Cherokee County	25,989	320	24,081	1,208	135	54	1	123	387
Clay County	13,932	399	11,380	2,066	55	24	0	172	235
Cleburne County	14,972	307	14,079	498	51	23	10	151	160
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873	2,259
Macon County	21,452	232	3,319	17,729	29	76	2	69	228
* Montgomery County	31,854	681	19,801	9,714	69	1,648	8	239	375
Randolph County	22,913	649	17,532	4,607	84	55	5	369	261
Russell County	52,947	1,946	28,449	22,135	219	236	113	691	1,104
* St Clair County	81,819	1,638	72,084	7,140	273	514	46	682	1,080
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787	1,101

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713
407								
District 3 Total	682,819	17,885	482,509	171,775	2,354	7,837	410	7,977
	100%	2.62%	70.66%	25.16%	0.34%	1.15%	0.06%	1.17%
								9,957
								1.46%
District 4								
Blount County	57,322	4,626	53,068	761	307	117	38	2,347
								684
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759
								889
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051
								1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975
								1,545
Fayette County	17,241	204	14,910	1,969	52	37	0	102
								171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338
								530
Lamar County	14,564	180	12,626	1,643	24	4	2	82
								183
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
								1,478
Marion County	30,776	632	28,791	1,184	101	54	14	291
								341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210
								1,564
* Morgan County	54,628	7,612	34,775	12,708	408	447	94	4,935
								1,261
* St. Clair County	1,774	78	1,657	10	8	4	0	52
								43
Walker County	67,023	1,307	61,146	3,928	251	195	36	639
								828
Winston County	24,484	639	23,409	115	163	60	28	356
								353
District 4 Total	682,819	48,391	584,856	46,708	6,013	2,719	667	30,412
	100%	7.09%	85.65%	6.84%	0.88%	0.4%	0.1%	4.45%
								11,444
								1.68%
District 5								
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510
								845
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768
								1,378

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977	1,306
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866	1,468
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719	8,255
* Morgan County	64,862	1,544	60,629	1,477	634	244	13	762	1,103
District 5 Total	682,819	26,053	527,664	112,088	5,056	10,532	522	12,602	14,355
	100%	3.82%	77.28%	16.42%	0.74%	1.54%	0.08%	1.85%	2.1%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185	203
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854	506
Coosa County	11,539	230	7,648	3,582	40	16	15	135	103
* Jefferson County	357,207	13,494	279,685	58,245	1,033	6,845	113	7,026	4,260
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373	2,684
* Tuscaloosa County	52,430	1,368	45,790	4,611	142	684	15	676	512
District 6 Total	682,819	30,485	549,160	96,447	1,987	11,423	285	15,249	8,268
	100%	4.46%	80.43%	14.12%	0.29%	1.67%	0.04%	2.23%	1.21%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28	58
* Clarke County	17,238	201	8,175	8,788	70	59	4	36	106
Dallas County	43,820	309	12,769	30,423	85	149	11	84	299
Greene County	9,045	69	1,575	7,370	17	15	0	25	43
Hale County	15,760	140	6,266	9,301	25	35	1	44	88
* Jefferson County	301,259	11,994	69,481	218,280	707	2,313	131	7,332	3,015

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Marengo County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	51,517	698	3,033	47,471	86	72	58	352
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Tuscaloosa County	142,226	4,581	83,214	53,000	384	1,622	102	2,317
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	19,089	225,620	434,095	1,521	4,447	331	10,568
	100%	2.8%	33.04%	63.57%	0.22%	0.65%	0.05%	1.55%
								6,238
								0.91%

* indicates split

User: bpsban3501

Plan: [REDACTED]

State Comptroller 1

Date: Wed May 18 08:22:42 GMT-0500 2011

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All Individuals over 18 who chose two or more races
1	682,820	0	359,599	133,191	5,702	6,782	243	5,383	5,346
2	682,820	0	352,940	145,232	2,592	5,785	383	7,886	5,635
3	682,819	0	380,257	126,210	1,861	5,926	299	5,271	5,153
4	682,819	0	455,545	34,174	4,351	2,036	395	18,035	6,341
5	682,819	0	412,775	83,439	3,805	8,005	359	7,967	7,746
6	682,819	0	425,698	68,110	1,507	8,364	208	9,813	4,354
7	682,820	0	190,099	316,422	1,218	3,783	238	7,116	3,698
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpshtan3501
Plan: STATE CONGRESSIONAL 1

Date: Mon Jun 20 12:16:24 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsky Popper	Holes
1	9486.52	1382685.65	0.4	0.71	8.82	2.49	0.16	0
2	14220.33	1440966.32	0.37	0.74	7.51	2.12	0.22	0
3	11101.91	1289143.48	0.28	0.72	7.6	2.14	0.22	0
4	12060.58	1328679.14	0.32	0.71	7.52	2.12	0.22	0
5	6570.95	959992.43	0.23	0.78	7.36	2.08	0.23	0
6	6452.77	1262021.89	0.36	0.72	9.76	2.75	0.13	0
7	14481.8	1904270.3	0.36	0.62	9.83	2.77	0.13	0

User: bpshan3501
Plan: STATE CONGRESSIONAL 1

Date: Mon Jun 20 12:15:56 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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User:

Plan Name: **Enacted Congress B-V-C**Plan Type: **Congress**

Population Summary

Monday, November 29, 2021

9:08 PM

District	Population	Deviation	% Devn.	White	[% White]	Black	[% Black]	[18+ _Pop]
1	682,820	1	0.00%	458,705	67.18%	188,859	27.66%	516,246
2	682,820	1	0.00%	446,880	65.45%	201,339	29.49%	520,453
3	682,819	0	0.00%	482,435	70.65%	171,780	25.16%	524,977
4	682,819	0	0.00%	591,403	86.61%	46,636	6.83%	522,101
5	682,819	0	0.00%	518,464	75.93%	116,026	16.99%	522,912
6	682,819	0	0.00%	551,887	80.82%	92,576	13.56%	518,014
7	682,820	1	0.00%	225,620	33.04%	434,095	63.57%	522,574

Total Population: 4,779,736

Ideal District Population: 682,819

Summary Statistics:

Population Range: 682,819 to 682,820

Ratio Range: 0.00

Absolute Range: 0 to 1

Absolute Overall Range: 1

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.43

Relative Mean Deviation: 0.00%

Standard Deviation: 0.49

User:

Plan Name: **Enacted Congress B-V-C**Plan Type: **Congress**

Population Summary

Monday, November 29, 2021

9:06 PM

District	Population	Deviation	% Devn.	AP_Wht	[% AP_Wht]	AP_Bl	[% AP_Bl]	[18+ _AP_Wht]	[% 18+ _AP_Bl]
1	682,820	1	0.00%	467,084	68.41%	193,045	28.27%	363,917	26.11%
2	682,820	1	0.00%	456,277	66.82%	206,496	30.24%	357,531	28.26%
3	682,819	0	0.00%	491,117	71.92%	176,382	25.83%	384,512	24.34%
4	682,819	0	0.00%	601,683	88.12%	49,772	7.29%	466,144	6.72%
5	682,819	0	0.00%	531,499	77.84%	121,856	17.85%	412,805	16.81%
6	682,819	0	0.00%	559,255	81.9%	95,663	14.01%	431,438	12.85%
7	682,820	1	0.00%	230,162	33.71%	437,904	64.13%	192,592	60.91%

Total Population: 4,779,736

Ideal District Population: 682,819

Summary Statistics:

Population Range: 682,819 to 682,820

Ratio Range: 0.00

Absolute Range: 0 to 1

Absolute Overall Range: 1

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.43

Relative Mean Deviation: 0.00%

Standard Deviation: 0.49

2021 Dec-27 AM 11:17
U.S. DISTRICT COURT
N.D. OF ALABAMA

User:

Plan Name: **Enacted Congress B-V-C**Plan Type: **Congress****Plan Components**

Monday, November 29, 2021

9:15 PM

	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 1				
County: Baldwin AL	182,265	140,367	123,553	12,516
County: Clarke AL				
VTD: Jackson City Hall (part)	397	298	19	279
VTD Jackson City Hall Subtotal	397	298	19	279
VTD: Old Engineers Building/Antioch Fire Station/Hellwest (part)	3,606	2,749	1,945	791
VTD Old Engineers Building/Antioch Fire Station/Hellwest Subtotal	3,606	2,749	1,945	791
VTD: Salitpa Fire Dept.	354	269	169	99
VTD: Skipper Fire Station-Jackson National Guard-Jackson	4,238	3,188	2,468	682
VTD: Whatley Timber Company/Grove Hill National Guard (part)	0	0	0	0
VTD Whatley Timber Company/Grove Hill National Guard Subtotal	0	0	0	0
County Clarke AL Subtotal	8,595	6,504	4,601	1,851
County: Escambia AL	38,319	29,640	19,100	9,286
County: Mobile AL	412,992	309,411	197,670	101,038
County: Monroe AL	23,068	17,227	10,045	6,914
County: Washington AL	17,581	13,097	8,948	3,163
District 1 Total	682,820	516,246	363,917	134,768
District 2				
County: Autauga AL	54,571	39,958	32,288	6,870
County: Barbour AL	27,457	21,442	10,950	9,733
County: Bullock AL	10,914	8,484	2,195	5,861
County: Butler AL	20,947	15,891	9,172	6,532
County: Coffee AL	49,948	37,864	29,586	6,231
County: Conecuh AL	13,228	10,186	5,636	4,442
County: Covington AL	37,765	29,242	25,519	3,373
County: Crenshaw AL	13,906	10,598	7,917	2,430
County: Dale AL	50,251	37,774	29,579	6,957
County: Elmore AL	79,303	60,596	47,364	12,019
County: Geneva AL	26,790	20,799	18,386	1,942
County: Henry AL	17,302	13,384	9,454	3,738
County: Houston AL	101,547	76,621	56,383	18,517
County: Montgomery AL				
VTD: 1A Cloverdale Community Center Voting District	7,750	6,228	4,762	1,365
VTD: 1B Vaughn Park Church Of Christ Voting District	9,871	7,584	4,224	3,102

Plan Components

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	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_Blkl
District 2				
County: Montgomery AL				
VTD: 1C Montgomery Museum Of Fine Arts Voting District	7,428	5,988	2,662	3,134
VTD: 1D Whitfield Memorial United Methodist Church	6,345	4,749	2,271	2,373
VTD: 1E Aldersgate United Methodist Church Voting Distric	7,624	5,591	1,301	4,127
VTD: 2A St. Paul AME Church (part)	4,539	3,287	563	2,682
VTD 2A St. Paul AME Church Subtotal	4,539	3,287	563	2,682
VTD: 2D Montgomery Boys Club Voting District	4,288	3,498	1,651	1,754
VTD: 2J Hunter Station Community Center Voting District	1,409	1,052	462	384
VTD: 2K Catoma School Voting District	1,878	1,531	1,146	376
VTD: 2M Pintala Volunteer Fire Dept Voting District	2,314	1,901	1,222	642
VTD: 3A Capitol Heights Baptist Church Voting District	3,569	2,747	1,857	792
VTD: 3B Highland Gardens Community Center Voting District	3,197	2,268	1,275	913
VTD: 3C Coliseum Blvd Public Library Voting District	4,513	3,575	3,066	428
VTD: 3D Lagoon Park Fire Station Voting District	6,353	4,794	3,621	929
VTD: 3E Flowers Elementary School Voting District	6,325	4,902	4,111	723
VTD: 3F Goodwyn Community Center Voting District	7,560	6,168	4,827	1,216
VTD: 3G Alcazar Shrine Temple Voting District	3,614	2,815	931	1,776
VTD: 3H Auburn University at Montgomery (part)	5,451	4,425	2,613	1,497
VTD 3H Auburn University at Montgomery Subtotal	5,451	4,425	2,613	1,497
VTD: 4B Houston Hills Community Center Voting District	1,477	1,151	136	1,007
VTD: 4C Alabama State University Voting District (part)	513	420	147	270
VTD 4C Alabama State University Voting District Subtotal	513	420	147	270
VTD: 4D Hamner Hall Fire Station Voting District	1,592	1,438	353	1,076
VTD: 4F Newtown Community Center Voting District	2,392	1,688	264	1,421
VTD: 4G King Hill Community Center Voting District	3,837	2,800	1,199	950
VTD: 4H North Montgomery Community Center Voting District	4,796	3,586	513	3,036

Plan Components

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	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 2				
County: Montgomery AL				
VTD: 4I Union Academy Baptist Church	312	249	127	119
Voting District				
VTD: 4J Union Chapel AME Zion Church	1,572	1,323	452	852
Voting District				
VTD: 4K Chisholm Community Center	3,226	2,188	815	1,217
Voting District				
VTD: 4N Highland Avenue Baptist Church	2,396	1,710	710	893
VTD: 4O Wares Ferry Road Elementary School	5,139	3,529	1,132	2,291
VTD: 5B Snowdown Womens Club Voting District	760	597	437	156
VTD: 5C Strata Church of Christ	578	449	290	159
VTD: 5D Ramer Library Voting District	809	696	401	284
VTD: 5E Fitzpatrick Elementary School	10,589	7,176	1,596	4,696
Voting District				
VTD: 5F Davis Crossroads Substation	450	376	271	104
VTD: 5G South Montgomery Volunteer Fire Dept Voting Distr	841	683	430	253
VTD: 5H South Montgomery Volunteer Fire Station	895	732	509	217
VTD: 5M Bell Road YMCA Voting District	9,790	7,503	4,640	2,048
County Montgomery AL Subtotal	145,992	111,397	56,987	49,262
County: Pike AL	32,899	26,217	16,115	9,158
District 2 Total	682,820	520,453	357,531	147,065
District 3				
County: Calhoun AL	118,572	91,446	71,159	18,036
County: Chambers AL	34,215	26,512	16,336	9,860
County: Cherokee AL				
VTD: Broomtown Volunteer Fire Dept. (part)	6	5	5	0
VTD Broomtown Volunteer Fire Dept. Subtotal	6	5	5	0
VTD: Cedar Bluff First Baptist Church	2,824	2,223	2,054	147
VTD: Daniel's Chapel (Little River)	336	287	286	0
VTD: Ebenezer Methodist Church	1,107	872	708	156
VTD: Ellisville Volunteer Fire Dept.	467	375	321	48
VTD: Gaylesville Town Hall (part)	902	691	677	7
VTD Gaylesville Town Hall Subtotal	902	691	677	7
VTD: Goshen United Methodist Church	811	636	624	2
VTD: Leesburg Volunteer Fire Dept.	2,295	1,814	1,757	37
VTD: McCord's Crossroad Volunteer Fire Dept./ Rock Run Ch	1,267	966	951	8
VTD: Mt. Weisner Volunteer Fire Dept./Melrose Baptist Chu	1,205	945	832	106
VTD: New Hope Methodist Church	730	614	543	65

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	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 3				
County: Cherokee AL				
VTD: Recreational Outreach Center	5,864	4,683	4,392	275
VTD: Sand Rock Town Hall	2,137	1,608	1,543	6
VTD: Shady Grove Fellowship Hall	350	277	221	56
VTD: Spring Creek Volunteer Fire Dept.	1,294	1,030	1,011	7
VTD: Spring Garden Volunteer Fire Dept.	1,209	902	889	8
VTD: Tucker's Chapel VFW	443	335	333	0
VTD: Unity Missionary Baptist Church (part)	711	550	550	0
VTD Unity Missionary Baptist Church Subtotal	711	550	550	0
VTD: Valley Church (part)	257	203	201	0
VTD Valley Church Subtotal	257	203	201	0
County Cherokee AL Subtotal	24,215	19,016	17,898	928
County: Clay AL	13,932	10,788	9,058	1,551
County: Cleburne AL	14,972	11,421	10,881	383
County: Lee AL	140,247	108,656	80,733	23,544
County: Macon AL	21,452	17,032	2,842	14,115
County: Montgomery AL				
VTD: 3H Auburn University at Montgomery (part)	2,164	1,660	1,269	271
VTD 3H Auburn University at Montgomery Subtotal	2,164	1,660	1,269	271
VTD: 3I Eastdale Baptist Church Voting District	5,686	4,313	1,916	2,212
VTD: 5I Pike Road Volunteer Fire Protection Authority	4,169	3,020	2,218	679
VTD: 5J Georgia Washington Jr. High School Voting Distric	7,699	5,987	3,072	2,786
VTD: 5K Lakeview Baptist Church Voting Center	3,456	2,868	2,201	542
VTD: 5L Saint James United Methodist Church	8,680	6,200	4,789	782
County Montgomery AL Subtotal	31,854	24,048	15,465	7,272
County: Randolph AL	22,913	17,440	13,805	3,326
County: Russell AL	52,947	39,448	22,757	15,864
County: St. Clair AL	83,593	63,767	57,211	5,540
County: Talladega AL	82,291	63,006	42,748	19,293
County: Tallapoosa AL	41,616	32,397	23,619	8,059
District 3 Total	682,819	524,977	384,512	127,771
District 4				
County: Blount AL				
VTD: Brooksville (part)	321	249	245	0
VTD Brooksville Subtotal	321	249	245	0
VTD: Rock Springs (part)	412	309	302	0
VTD Rock Springs Subtotal	412	309	302	0

Plan Components

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District 4				
County: Blount AL				
VTD: Snead (part)	2,271	1,708	1,633	5
VTD Snead Subtotal	2,271	1,708	1,633	5
VTD: Summit	1,251	916	888	3
VTD: Susan Moore (part)	637	464	420	2
VTD Susan Moore Subtotal	637	464	420	2
County Blount AL Subtotal	4,892	3,646	3,488	10
County: Cherokee AL				
VTD: Broomtown Volunteer Fire Dept. (part)	773	608	606	1
VTD Broomtown Volunteer Fire Dept. Subtotal	773	608	606	1
VTD: Friendship Baptist Church/Mt. Calvary Baptist Church	793	630	618	2
VTD: Gaylesville Town Hall (part)	57	47	46	0
VTD Gaylesville Town Hall Subtotal	57	47	46	0
VTD: Unity Missionary Baptist Church (part)	49	35	35	0
VTD Unity Missionary Baptist Church Subtotal	49	35	35	0
VTD: Valley Church (part)	102	87	86	0
VTD Valley Church Subtotal	102	87	86	0
County Cherokee AL Subtotal	1,774	1,407	1,391	3
County: Colbert AL	54,428	42,394	35,085	6,683
County: Cullman AL	80,406	61,765	59,445	699
County: DeKalb AL	71,109	52,743	47,108	844
County: Etowah AL	104,430	80,444	66,776	11,654
County: Fayette AL	17,241	13,404	11,760	1,526
County: Franklin AL	31,704	23,837	20,647	960
County: Jackson AL				
VTD: Langston City Hall (part)	0	0	0	0
VTD Langston City Hall Subtotal	0	0	0	0
VTD: Macedonia School (part)	175	147	137	0
VTD Macedonia School Subtotal	175	147	137	0
VTD: Mink Creek-Lakeview Store (part)	25	20	19	1
VTD Mink Creek-Lakeview Store Subtotal	25	20	19	1
County Jackson AL Subtotal	200	167	156	1
County: Lamar AL	14,564	11,337	10,024	1,240
County: Lawrence AL	34,339	26,375	21,763	3,118
County: Marion AL	30,776	24,111	22,847	966
County: Marshall AL	93,019	69,760	63,357	1,192
County: Tuscaloosa AL				
VTD: Brookwood City Hall-Kellerman	3,089	2,258	2,124	106
VTD: Carrolls Creek Fire Station	4,991	3,778	3,611	97
VTD: Chapel Hill Baptist Church	4,217	3,042	2,700	288

Plan Components

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	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 4				
County: Tuscaloosa AL				
VTD: Coker-Buhl-Romulas Masonic Lodge	3,409	2,558	2,346	126
VTD: Echola Community Center	1,644	1,245	1,172	46
VTD: Montgomery Fire Station	813	602	590	3
VTD: Mt Olive Fire Station	2,047	1,569	1,516	30
VTD: Northport Civic Center	5,852	4,408	3,522	784
VTD: Old Samantha School	1,775	1,288	1,141	128
VTD: Samantha Fire Dept-New Lexington Voting Blg	2,594	1,863	1,771	75
VTD: Tuscaloosa Academy-Wood Village	8,748	6,946	5,890	866
VTD: Vestavia Hills Elementary School	4,062	3,223	2,829	298
VTD: Windham Springs Baptist Church	2,226	1,783	1,734	41
VTD: Wood Village Comm Center	5,900	4,254	3,671	303
VTD: Yellow Creek Fire Dept	1,063	793	781	6
County Tuscaloosa AL Subtotal	52,430	39,610	35,398	3,197
County: Walker AL	67,023	51,916	48,226	2,918
County: Winston AL	24,484	19,185	18,673	93
District 4 Total	682,819	522,101	466,144	35,104
District 5				
County: Jackson AL				
VTD: Aspel Water Board Bldg.	455	368	357	0
VTD: Bishop-Hall's Store	243	202	196	4
VTD: Bridgeport Community Center	3,516	2,681	2,435	169
VTD: Bryant School	2,458	1,894	1,838	6
VTD: Christain Home	678	513	497	0
VTD: Crow Fire Hall	326	243	234	0
VTD: Dean's Chapel Community Center	689	530	519	0
VTD: Dutton City Hall	2,929	2,238	2,141	24
VTD: Estill Fork	122	104	101	0
VTD: Flackler Fire Hall	1,154	931	840	57
VTD: Flat Rock Ruritan Bldg.	1,262	953	929	4
VTD: Garth-Johnson's Store	294	230	222	0
VTD: Hambrick Community Center	36	31	31	0
VTD: Higdon Rescue Squad Bldg.	2,120	1,606	1,588	1
VTD: Holly Spring Baptist Church	545	404	393	0
VTD: Hollytree-Morris's Store	243	184	178	0
VTD: Hollywood City Hall	1,986	1,510	1,281	178
VTD: Hytop Fire Hall	505	374	347	1
VTD: Langston City Hall (part)	289	233	230	3
VTD Langston City Hall Subtotal	289	233	230	3
VTD: Larkinsville Old School	1,398	1,097	1,071	16
VTD: Letcher Fire Hall	416	333	325	2
VTD: Limrock Fire Dept.	398	327	324	0
VTD: Long Island Community Center	226	180	179	0
VTD: Macedonia School (part)	1,242	997	959	0

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	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 5				
County: Jackson AL				
VTD Macedonia School Subtotal	1,242	997	959	0
VTD: Mink Creek-Lakeview Store (part)	407	338	334	1
VTD Mink Creek-Lakeview Store Subtotal	407	338	334	1
VTD: Paint Rock Senior Citizen Center	497	376	364	7
VTD: Pisgah Fire Hall	2,319	1,781	1,748	2
VTD: Princeton Fire Hall	127	104	101	0
VTD: Rosalie School	1,538	1,198	1,161	0
VTD: Scottsboro Armory-City Hall	14,258	11,141	10,252	516
VTD: Section City Hall	2,078	1,563	1,508	9
VTD: Skyline City Hall	1,617	1,279	1,249	4
VTD: Stevenson City Park	4,540	3,511	3,024	346
VTD: Trenton Fire Hall	219	150	148	0
VTD: Tupelo-Pikeville Store	571	460	435	19
VTD: Woodville City Hall	1,326	1,011	983	5
County Jackson AL Subtotal	53,027	41,075	38,522	1,374
County: Lauderdale AL	92,709	72,727	64,323	7,053
County: Limestone AL	82,782	62,923	52,006	8,228
County: Madison AL	334,811	255,321	182,116	60,945
County: Morgan AL	119,490	90,866	75,838	10,301
District 5 Total	682,819	522,912	412,805	87,901
District 6				
County: Bibb AL	22,915	17,714	13,507	4,017
County: Blount AL				
VTD: Allgood	1,341	983	888	4
VTD: Blount Springs	620	463	455	3
VTD: Blountsville	4,039	2,993	2,796	8
VTD: Brooksville (part)	787	601	591	2
VTD Brooksville Subtotal	787	601	591	2
VTD: Cleveland	2,765	2,092	1,967	14
VTD: Dallas /Selfville	3,370	2,636	2,550	17
VTD: Hayden	5,445	3,982	3,850	107
VTD: Holly Springs	791	600	587	1
VTD: Locust Fork	3,033	2,293	2,254	12
VTD: Mt. High	3,922	2,928	2,902	9
VTD: Murphree Valley	2,083	1,515	1,273	4
VTD: Nectar	2,421	1,760	1,720	13
VTD: Oneonta	6,567	5,055	4,382	304
VTD: Pine Mountain	732	581	573	3
VTD: Remlap	2,171	1,614	1,582	17
VTD: Rock Springs (part)	847	648	629	2
VTD Rock Springs Subtotal	847	648	629	2
VTD: Rosa	1,685	1,285	1,211	2
VTD: Royal	853	657	643	0

Plan Components

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	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 6				
County: Blount AL				
VTD: Smoke Rise	2,238	1,757	1,729	17
VTD: Snead (part)	440	333	321	0
VTD Snead Subtotal	440	333	321	0
VTD: Straight Mountain	3,703	2,847	2,671	23
VTD: Sugar Creek	1,113	871	841	11
VTD: Susan Moore (part)	1,464	1,076	995	0
VTD Susan Moore Subtotal	1,464	1,076	995	0
County Blount AL Subtotal	52,430	39,570	37,410	573
County: Chilton AL	43,643	32,683	28,260	3,037
County: Coosa AL	11,539	9,169	6,274	2,751
County: Jefferson AL				
VTD: Adamsville Baptist Church	3,844	2,897	2,063	796
VTD: Adamsville Senior Citizens Building	2,980	2,314	1,135	1,129
VTD: Alliance Community Center	3,945	3,382	2,208	1,164
VTD: Avondale Elementary School	1,986	1,703	1,648	45
VTD: Avondale Public Library (part)	2,171	1,955	1,431	466
VTD Avondale Public Library Subtotal	2,171	1,955	1,431	466
VTD: Bagley Junior High School	4,471	3,414	3,376	14
VTD: Bessemer Fire Station #5	2,106	1,519	339	1,129
VTD: Birmingham Botanical Gardens	998	807	790	10
VTD: Birmingham Fire Station #31	865	692	505	173
VTD: Birmingham Korean United Methodist Church	1,993	1,635	1,396	191
VTD: Bluff Park United Methodist Church	5,536	4,149	3,345	573
VTD: Booker Heights Development Corporation	68	58	13	45
VTD: Brooklane Community Center	4,306	3,248	1,791	1,415
VTD: Brookside City Hall	1,656	1,244	1,066	178
VTD: Brookwood Baptist Church	5,263	3,836	3,698	60
VTD: Canaan Baptist Church	5,078	3,929	3,097	685
VTD: Cherokee Bend Elementary School	2,789	2,016	1,895	85
VTD: Clay Community Center	8,489	6,360	5,832	452
VTD: Clearview Baptist Church	5,736	4,244	3,333	850
VTD: Concord Highland Baptist Church	3,993	3,123	3,089	15
VTD: Corner School	3,768	2,837	2,818	1
VTD: Crestwood Community Educational Center	4,362	3,720	2,879	747
VTD: Edgewood Elementary School	4,685	3,489	2,813	398
VTD: Election Systems and Software	2,142	1,944	1,372	342
VTD: Fultondale First Baptist Church	3,905	3,043	2,285	701
VTD: Fultondale Senior Citizen's Center	4,791	3,688	3,077	334
VTD: Gardendale Civic Center	14,363	11,288	10,293	790
VTD: Homewood Public Library	7,290	5,974	5,330	423
VTD: Hoover Park and Recreation Center	11,610	8,704	4,105	3,123

Plan Components

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District 6				
County: Jefferson AL				
VTD: Hoover Public Library	4,201	3,171	1,948	926
VTD: Hueytown City Hall	4,662	3,661	2,744	864
VTD: Hueytown Community School	343	288	246	36
VTD: Hueytown Council of Clubs	4,250	3,316	2,652	601
VTD: Huffman Middle School	4,983	3,779	1,741	1,977
VTD: Hunter Street Baptist Church (part)	10,279	7,140	6,054	703
VTD Hunter Street Baptist Church	10,279	7,140	6,054	703
Subtotal				
VTD: Irondale City Hall	1,399	1,161	999	132
VTD: Irondale Senior Citizens Building	7,141	5,443	2,787	2,261
VTD: Jefferson County Rehabilitation Center	4,757	3,604	1,857	1,418
VTD: Jefferson State Junior College	1,376	1,024	845	50
VTD: Johns Community Center	1,488	1,110	965	126
VTD: Kermit A Johnson Elementary School	4,128	3,142	2,822	254
VTD: Kimberly Town Hall	3,376	2,400	2,344	34
VTD: Leeds Civic Center	4,129	3,147	2,249	793
VTD: Leeds First United Methodist Church	6,576	5,230	4,518	452
VTD: Liberty Park Baptist Church	4,604	2,977	2,746	124
VTD: Masonic Lodge West Jefferson	2,044	1,592	1,568	14
VTD: Maurice L West Community Center	2,160	1,719	1,306	402
VTD: Maytown Baptist Church	338	279	260	18
VTD: Mcelwain Baptist Church	3,981	3,501	3,174	254
VTD: Morris Town Hall	2,782	2,155	2,112	29
VTD: Mount Olive Elementary School	6,636	5,110	5,007	50
VTD: Mountain Brook City Hall	4,902	3,436	3,339	61
VTD: Mountain Brook Elementary School Community Room	1,150	864	843	5
VTD: Mountain Brook Fire Station #2	4,095	2,974	2,936	11
VTD: Mountain Chapel United Methodist Church	4,946	3,596	3,467	46
VTD: Mountain View Baptist Church	7,454	5,616	4,330	1,205
VTD: Mountaintop Community Church	3,484	2,627	1,986	418
VTD: Mulga Town Hall	1,297	1,008	771	225
VTD: New Merkle-Cahaba Heights Center	5,038	4,104	3,879	104
VTD: Oak Grove First Baptist Church	2,294	1,762	1,739	13
VTD: Oakmont Presbyterian Church	3,554	2,775	2,537	145
VTD: Palmerdale United Methodist Church	3,740	2,894	2,610	256
VTD: Pinson United Methodist Church	6,717	4,710	2,706	1,889
VTD: Pleasant Grove First Baptist Church	9,696	7,370	4,559	2,759
VTD: Prince of Peace Catholic Church	9,816	7,400	5,876	909
VTD: Saint Mark United Methodist Church	5,364	4,155	3,724	228
VTD: Saint Peter the Apostle Catholic Church	824	688	625	43

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 6				
County: Jefferson AL				
VTD: Saint Peter The Apostle Catholic Church	7,369	5,773	4,133	889
VTD: Saint. Luke's Episcopal Church	2,781	1,867	1,859	7
VTD: Sandusky Community Senior Citizen's Park	2,073	1,607	936	655
VTD: Shades Cahaba Elementary School	3,939	3,139	2,948	144
VTD: Shades Crest Baptist Church	3,118	2,393	2,268	60
VTD: St. Thomas Episcopal Church	5,349	4,631	3,830	513
VTD: Sulpher Springs Baptist Church	486	413	359	47
VTD: Sylvan Springs Community Center	1,186	914	892	14
VTD: Sylvan Springs Town Hall	810	649	635	8
VTD: Town Village-Vestavia Hills	3,521	2,714	2,625	25
VTD: Trafford Town Hall	1,137	890	854	33
VTD: Trussville City Hall	10,045	7,268	6,531	552
VTD: Trussville First Baptist Church	10,096	7,793	7,098	497
VTD: Valley Creek Baptist Church	3,178	2,506	2,178	307
VTD: Vestavia Hills Civic Center	9,384	7,245	6,120	623
VTD: Vestavia Hills United Methodist Church	3,722	2,819	2,733	44
VTD: Warrior City Hall	3,820	2,994	2,625	355
County Jefferson AL Subtotal	357,207	273,755	222,517	40,942
County: Shelby AL	195,085	145,123	123,470	15,250
District 6 Total	682,819	518,014	431,438	66,570
District 7				
County: Choctaw AL	13,859	10,718	6,104	4,584
County: Clarke AL				
VTD: BASHI METHODIST CHURCH	4,382	3,274	2,343	894
VTD: Coffeeville High School Gym	1,156	912	591	318
VTD: Fulton City Hall	1,366	1,059	800	249
VTD: Goodhope AME Church/0012 Alma Volunteer Fire Dept.	1,604	1,138	231	905
VTD: Hopewell Baptist Church Voting District	198	167	161	6
VTD: Jackson City Hall (part)	2,350	1,715	670	1,032
VTD Jackson City Hall Subtotal	2,350	1,715	670	1,032
VTD: Morning Star Church	259	190	12	178
VTD: Morning Star Church/Nettlesboro Fire Dept	684	530	213	316
VTD: Old Engineers Building/Antioch Fire Station/Hellwest (part)	0	0	0	0
VTD Old Engineers Building/Antioch Fire Station/Hellwest Subtotal	0	0	0	0
VTD: Opine-Tallahatta Fire Dept	240	184	176	6
VTD: OVERSTREET GROCERY	654	485	234	245
VTD: Saltworks Voting House	429	321	81	238

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 7				
County: Clarke AL				
VTD: Thomasville Fire Dept#3/Thomasville City Hall/Spring	370	289	124	165
VTD: Thomasville National Guard Amory	1,580	1,165	323	830
VTD: Tri-Community Fire Dept.	214	175	31	144
VTD: Walnut Grove Church	186	148	111	37
VTD: Whatley Timber Company/Grove Hill National Guard (part)	1,009	752	296	446
VTD Whatley Timber Company/Grove Hill National Guard Subtotal	1,009	752	296	446
VTD: Winn Fire Dept.	557	436	129	305
County Clarke AL Subtotal	17,238	12,940	6,526	6,314
County: Dallas AL	43,820	32,225	10,592	21,433
County: Greene AL	9,045	6,851	1,370	5,439
County: Hale AL	15,760	11,845	5,060	6,718
County: Jefferson AL				
VTD: Afton Lee Community Center	308	232	22	198
VTD: Avondale Public Library (part)	426	364	167	188
VTD Avondale Public Library Subtotal	426	364	167	188
VTD: Barrett Elementary School	2,549	1,846	164	1,657
VTD: Bessemer City Hall	3,169	2,474	802	1,560
VTD: Bethel Baptist Church	3,730	2,880	33	2,837
VTD: Birmingham Fire Station #12	3,497	2,733	1,216	1,498
VTD: Birmingham Fire Station #17	3,355	2,452	571	1,853
VTD: Birmingham Fire Station #22	4,763	4,456	3,804	522
VTD: Birmingham Fire Station #29	1,623	1,308	33	1,275
VTD: Brewster Road Baptist Church	7,020	5,155	2,363	2,687
VTD: Brighton Senior Citizens Building	2,923	2,248	159	1,862
VTD: Bryant Chapel AME Church	1,065	858	23	833
VTD: C.J. Donald Elementary School	1,671	1,106	83	1,010
VTD: Calvary Resurrection Christian Church	1,941	1,405	167	1,205
VTD: Carrie A Tuggle Elementary School	904	731	24	690
VTD: Center Point Courthouse Annex	7,986	5,548	2,273	3,144
VTD: Center Street Middle School	3,214	2,703	58	2,609
VTD: Central Park Elementary School	3,625	2,567	225	2,302
VTD: Central Park Recreation Center	4,442	3,278	281	2,978
VTD: Charles A. Brown Elementary School	4,513	3,433	154	3,256
VTD: Don Hawkins Park and Recreation Center	3,372	2,683	1,390	1,240
VTD: Dunbar-Abrams Community Center	2,718	1,990	34	1,927
VTD: East Ensley Public Library	1,955	1,504	20	1,473
VTD: Ensley Park Recreation Center	5,411	3,954	247	3,643
VTD: Fairfield City Hall	374	252	16	225
VTD: Fairfield Fire Station #1	3,727	2,918	36	2,864
VTD: Fire Department Admin Building	2,442	1,867	235	1,585

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_Blkl]
District 7				
County: Jefferson AL				
VTD: First United Methodist Church of Center Point	4,063	2,828	978	1,762
VTD: Five Points West Public Library	1,572	1,259	68	1,190
VTD: Forestdale Square	6,502	4,998	1,395	3,561
VTD: Gate City Elementary School	2,264	1,563	48	1,504
VTD: Glen Iris Elementary School	4,504	3,875	2,381	968
VTD: Glen Oaks Elementary School	2,543	2,015	136	1,880
VTD: Green Springs Baptist Church	4,108	3,387	1,381	1,456
VTD: Harriman Park Recreation Center	480	382	4	378
VTD: Harrison Park Recreation Center	4,290	3,306	33	3,260
VTD: Hemphill School Recreation Building	1,786	1,356	67	1,275
VTD: Henry Crumpton Recreation Center	1,514	1,241	7	1,228
VTD: Hill Elementary School	2,332	1,935	122	1,795
VTD: Hilldale Baptist Church	6,014	4,269	1,251	2,930
VTD: Hillview Fire Station #1	2,799	2,188	769	1,378
VTD: Homewood Exceptional Foundation	3,777	2,757	1,688	790
VTD: Homewood Satellite Courthouse	8,106	6,258	2,380	3,154
VTD: Hooper City Recreation Center	1,852	1,451	170	1,260
VTD: Hudson Middle School	2,411	1,558	10	1,546
VTD: Hunter Street Baptist Church (part)	844	557	429	79
VTD Hunter Street Baptist Church Subtotal	844	557	429	79
VTD: Inglenook Elementary School	2,098	1,520	168	1,286
VTD: Jackson Elementary School	1,798	1,486	8	1,476
VTD: Jefferson County Courthouse	4,703	4,156	1,342	2,744
VTD: Jonesboro Elementary School	5,267	3,958	1,942	1,909
VTD: L.M. Smith Middle School	6,035	4,339	1,111	3,176
VTD: Lawson State Community College	6,880	5,122	1,970	3,031
VTD: Lee Elementary School	2,092	1,591	36	1,541
VTD: Legion Field Lobby	4,860	3,756	81	3,627
VTD: Lewis Elementary School	997	792	16	780
VTD: Lipscomb City Hall	2,587	1,926	285	1,423
VTD: Lipscomb Fire Station	1,165	861	199	616
VTD: Lively Hope Baptist Church	863	720	6	709
VTD: Macedonia Christian Church	432	306	38	267
VTD: Martha Gaskins Middle School	4,263	3,010	1,006	1,919
VTD: Memorial Recreation Center	2,228	1,656	25	1,619
VTD: Midfield Community Center	5,721	4,155	820	3,307
VTD: Minor Elementary School	3,491	2,619	131	2,453
VTD: Minor Fire Station	2,354	1,795	1,009	781
VTD: Morningstar Baptist Church	220	188	9	180
VTD: Morton Simpson Community Center	1,721	1,339	114	1,213
VTD: Mount Hebron Baptist Church	1,558	1,223	106	984
VTD: Mount Olive Baptist Church	659	551	22	528

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_AP_Whit]	[18+_AP_Black]
District 7				
County: Jefferson AL				
VTD: Mount Zion Missionary Baptist Church	1,697	1,377	35	1,334
VTD: Mountain Park First Baptist Church	1,258	929	68	848
VTD: Mt. Pilgrim Baptist Church	2,452	1,933	130	1,803
VTD: Mt. Zion Community Church	2,749	2,219	171	2,015
VTD: Muscoda Community Center	1,912	1,641	1,123	466
VTD: New Bethel Baptist Church	841	648	6	644
VTD: New Bethlehem Baptist Church	1,963	1,566	154	1,407
VTD: New Era Family Life Center	2,688	2,096	84	1,992
VTD: North Avondale Branch Library	1,058	833	21	799
VTD: North Birmingham Recreation Center	2,129	1,515	52	1,447
VTD: Norwood Community Center	2,187	1,711	105	1,589
VTD: Oporto Armory	2,142	1,619	158	1,435
VTD: Our Lady of Lourdes Catholic Church	5,180	3,769	1,054	2,501
VTD: Pleasant Hill United Methodist Church	11,170	8,659	7,190	1,315
VTD: Ramsey Alternative High School	5,634	5,362	3,647	1,226
VTD: Robinson Elementary School	5,617	4,128	1,110	2,969
VTD: Roosevelt First Baptist Church	1,265	1,029	24	997
VTD: Ross Bridge Welcome Center Town Hall	3,298	2,478	1,692	653
VTD: Shady Grove Baptist Church-Sand Ridge	1,600	1,378	643	580
VTD: Shepherd Center East	1,667	1,198	230	946
VTD: South Hampton Elementary School	3,066	2,257	178	2,070
VTD: Southside Branch Public Library	1,047	1,027	716	229
VTD: Southside Homes Community Center	3,449	2,292	62	2,224
VTD: Southtown Housing Community Center	1,316	894	250	580
VTD: St. Mary's Catholic Church	471	416	32	377
VTD: Sun Valley Elementary School	4,398	3,270	432	2,820
VTD: Tarrant City Hall	5,389	3,758	1,593	1,953
VTD: Thompson Manor Community Center	1,985	1,516	347	1,131
VTD: Wenonah Elementary School	1,848	1,214	21	1,199
VTD: Wiggins Library and Recreation Center	2,637	1,995	62	1,925
VTD: Wilkerson Middle School	1,277	981	48	869
VTD: Willow Wood Recreation Center	4,773	3,340	601	2,366
VTD: Woodrow Wilson Elementary School	2,742	2,422	1,191	1,166
VTD: Wright's Chapel United Methodist Church	1,878	1,516	18	1,480
County Jefferson AL Subtotal	301,259	230,183	61,609	161,439
County: Lowndes AL	11,299	8,567	2,360	6,169
County: Marengo AL	21,027	15,836	7,723	7,965
County: Montgomery AL				
VTD: 1F Al. Industrial Development Training	9,142	6,305	384	5,845

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_Blkl]
District 7				
County: Montgomery AL				
VTD: 2A St. Paul AME Church (part)	1,607	1,144	59	1,079
VTD 2A St. Paul AME Church Subtotal	1,607	1,144	59	1,079
VTD: 2B Beulah Baptist Church Voting District	5,253	4,045	66	3,965
VTD: 2C Carver High School Voting District	1,969	1,533	39	1,489
VTD: 2F Fire Station No. 14 Voting District	2,866	2,255	242	1,933
VTD: 2G Hayneville Road Community Center Voting District	2,592	1,641	128	1,511
VTD: 2H Harrison Elementary School Voting District	1,371	1,048	38	995
VTD: 2I Southlawn Elementary School Voting District	4,452	3,229	126	3,099
VTD: 2L First Southern Baptist Church Voting District	730	579	419	143
VTD: 4A Franklin Boys-Girls Club Voting District	1,456	1,054	54	995
VTD: 4C Alabama State University Voting District (part)	2,933	2,541	267	2,247
VTD 4C Alabama State University Voting District Subtotal	2,933	2,541	267	2,247
VTD: 4E Cleveland Avenue YMCA Voting District	3,181	2,371	191	2,159
VTD: 4L Bellingrath Community Center Voting District	1,385	1,072	19	1,046
VTD: 4M McIntyre Community Center Voting District	2,804	1,987	51	1,938
VTD: 5A Seth Johnson Elementary School Voting District	6,022	4,265	537	3,680
VTD: 5N Peter Crump School Voting District	3,754	2,682	175	2,493
County Montgomery AL Subtotal	51,517	37,751	2,795	34,617
County: Perry AL	10,591	8,038	2,807	5,195
County: Pickens AL	19,746	15,145	8,965	6,003
County: Sumter AL	13,763	10,695	2,893	7,748
County: Tuscaloosa AL				
VTD: Abernant Masonic Lodge-Bucksville	10,024	7,582	7,099	403
VTD: Bama Mall	6,756	5,419	2,815	2,336
VTD: Clara Verner Towers	9,582	9,376	7,293	1,638
VTD: Coaling Community Center	3,171	2,350	2,077	251
VTD: Cottdondale Methodist	4,501	3,436	2,897	425
VTD: County Courthouse	5,911	5,734	4,656	814
VTD: Duncanville Fire Dept	4,666	3,515	3,156	309
VTD: Flatwoods Elementary School	3,916	3,054	2,230	662
VTD: Forest Lake Methodist Church	5,268	5,030	4,336	472
VTD: Fosters-Ralph Fire Dept	3,036	2,328	1,561	761
VTD: Frierson-Big Sandy Baptist Church	5,108	3,706	2,421	1,256

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_AP_Wht]	[18+_AP_BlK]
District 7				
County: Tuscaloosa AL				
VTD: Goodrich Union Hall	932	708	211	496
VTD: Hillcrest High School	10,152	7,285	5,284	1,814
VTD: Holt Armory	5,841	4,521	2,400	1,962
VTD: Jayces Park	6,883	5,341	2,369	2,716
VTD: McDonald Hughes Center	4,728	3,510	70	3,429
VTD: McFaland Mall	16,433	12,771	6,923	5,528
VTD: Northport Community Center	4,683	3,727	2,349	1,242
VTD: Peterson Methodist Church	2,602	1,967	1,666	265
VTD: Reg Education Center	2,234	1,717	743	892
VTD: Skyland Oaks Retirement Center	6,384	5,021	2,144	2,744
VTD: Southside Community Center	4,091	3,284	1,185	2,060
VTD: Stillman College	7,091	5,333	289	5,028
VTD: University Mall	5,430	4,551	3,233	1,096
VTD: Vance Community Center	2,803	1,994	1,827	144
County Tuscaloosa AL Subtotal	142,226	113,260	71,234	38,743
County: Wilcox AL	11,670	8,520	2,554	5,954
District 7 Total	682,820	522,574	192,592	318,321
State Totals	4,779,736	3,647,277	2,608,939	917,500

2021 Dec-27 AM 11:17
U.S. DISTRICT COURT
N.D. OF ALABAMA

User:

Plan Name: **Enacted Congress B-V-C**Plan Type: **Congress****Plan Components**

Monday, November 29, 2021

9:14 PM

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 1				
County: Baldwin AL	182,265	140,367	122,238	12,272
County: Clarke AL				
VTD: Jackson City Hall (part)	397	298	19	279
VTD Jackson City Hall Subtotal	397	298	19	279
VTD: Old Engineers Building/Antioch Fire Station/Hellwest (part)	3,606	2,749	1,936	786
VTD Old Engineers Building/Antioch Fire Station/Hellwest Subtotal	3,606	2,749	1,936	786
VTD: Salitpa Fire Dept.	354	269	169	99
VTD: Skipper Fire Station-Jackson National Guard-Jackson	4,238	3,188	2,451	672
VTD: Whatley Timber Company/Grove Hill National Guard (part)	0	0	0	0
VTD Whatley Timber Company/Grove Hill National Guard Subtotal	0	0	0	0
County Clarke AL Subtotal	8,595	6,504	4,575	1,836
County: Escambia AL	38,319	29,640	18,870	9,203
County: Mobile AL	412,992	309,411	195,148	99,886
County: Monroe AL	23,068	17,227	9,902	6,864
County: Washington AL	17,581	13,097	8,866	3,130
District 1 Total	682,820	516,246	359,599	133,191
District 2				
County: Autauga AL	54,571	39,958	31,910	6,767
County: Barbour AL	27,457	21,442	10,855	9,647
County: Bullock AL	10,914	8,484	2,164	5,838
County: Butler AL	20,947	15,891	9,109	6,504
County: Coffee AL	49,948	37,864	29,045	6,090
County: Conecuh AL	13,228	10,186	5,578	4,410
County: Covington AL	37,765	29,242	25,296	3,335
County: Crenshaw AL	13,906	10,598	7,835	2,405
County: Dale AL	50,251	37,774	28,954	6,743
County: Elmore AL	79,303	60,596	46,838	11,866
County: Geneva AL	26,790	20,799	18,202	1,901
County: Henry AL	17,302	13,384	9,391	3,713
County: Houston AL	101,547	76,621	55,679	18,237
County: Montgomery AL				
VTD: 1A Cloverdale Community Center Voting District	7,750	6,228	4,717	1,337
VTD: 1B Vaughn Park Church Of Christ Voting District	9,871	7,584	4,190	3,071

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 2				
County: Montgomery AL				
VTD: 1C Montgomery Museum Of Fine Arts Voting District	7,428	5,988	2,614	3,080
VTD: 1D Whitfield Memorial United Methodist Church	6,345	4,749	2,261	2,360
VTD: 1E Aldersgate United Methodist Church Voting Distric	7,624	5,591	1,265	4,086
VTD: 2A St. Paul AME Church (part)	4,539	3,287	549	2,671
VTD 2A St. Paul AME Church Subtotal	4,539	3,287	549	2,671
VTD: 2D Montgomery Boys Club Voting District	4,288	3,498	1,626	1,735
VTD: 2J Hunter Station Community Center Voting District	1,409	1,052	443	382
VTD: 2K Catoma School Voting District	1,878	1,531	1,133	373
VTD: 2M Pintala Volunteer Fire Dept Voting District	2,314	1,901	1,215	638
VTD: 3A Capitol Heights Baptist Church Voting District	3,569	2,747	1,840	774
VTD: 3B Highland Gardens Community Center Voting District	3,197	2,268	1,261	905
VTD: 3C Coliseum Blvd Public Library Voting District	4,513	3,575	3,035	421
VTD: 3D Lagoon Park Fire Station Voting District	6,353	4,794	3,570	903
VTD: 3E Flowers Elementary School Voting District	6,325	4,902	4,072	703
VTD: 3F Goodwyn Community Center Voting District	7,560	6,168	4,784	1,202
VTD: 3G Alcazar Shrine Temple Voting District	3,614	2,815	909	1,756
VTD: 3H Auburn University at Montgomery (part)	5,451	4,425	2,581	1,481
VTD 3H Auburn University at Montgomery Subtotal	5,451	4,425	2,581	1,481
VTD: 4B Houston Hills Community Center Voting District	1,477	1,151	133	1,002
VTD: 4C Alabama State University Voting District (part)	513	420	144	269
VTD 4C Alabama State University Voting District Subtotal	513	420	144	269
VTD: 4D Hamner Hall Fire Station Voting District	1,592	1,438	346	1,069
VTD: 4F Newtown Community Center Voting District	2,392	1,688	253	1,411
VTD: 4G King Hill Community Center Voting District	3,837	2,800	1,160	927
VTD: 4H North Montgomery Community Center Voting District	4,796	3,586	491	3,021

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 2				
County: Montgomery AL				
VTD: 4I Union Academy Baptist Church	312	249	126	118
Voting District				
VTD: 4J Union Chapel AME Zion Church	1,572	1,323	451	852
Voting District				
VTD: 4K Chisholm Community Center	3,226	2,188	803	1,207
Voting District				
VTD: 4N Highland Avenue Baptist Church	2,396	1,710	696	888
VTD: 4O Wares Ferry Road Elementary School	5,139	3,529	1,097	2,259
VTD: 5B Snowdown Womens Club Voting District	760	597	435	154
VTD: 5C Strata Church of Christ	578	449	285	159
VTD: 5D Ramer Library Voting District	809	696	390	281
VTD: 5E Fitzpatrick Elementary School	10,589	7,176	1,545	4,665
Voting District				
VTD: 5F Davis Crossroads Substation	450	376	268	102
VTD: 5G South Montgomery Volunteer Fire Dept Voting Distr	841	683	427	251
VTD: 5H South Montgomery Volunteer Fire Station	895	732	500	215
VTD: 5M Bell Road YMCA Voting District	9,790	7,503	4,586	2,006
County Montgomery AL Subtotal	145,992	111,397	56,201	48,734
County: Pike AL	32,899	26,217	15,883	9,042
District 2 Total	682,820	520,453	352,940	145,232
District 3				
County: Calhoun AL	118,572	91,446	70,313	17,746
County: Chambers AL	34,215	26,512	16,182	9,798
County: Cherokee AL				
VTD: Broomtown Volunteer Fire Dept. (part)	6	5	5	0
VTD Broomtown Volunteer Fire Dept. Subtotal	6	5	5	0
VTD: Cedar Bluff First Baptist Church	2,824	2,223	2,029	144
VTD: Daniel's Chapel (Little River)	336	287	284	0
VTD: Ebenezer Methodist Church	1,107	872	697	156
VTD: Ellisville Volunteer Fire Dept.	467	375	316	48
VTD: Gaylesville Town Hall (part)	902	691	674	7
VTD Gaylesville Town Hall Subtotal	902	691	674	7
VTD: Goshen United Methodist Church	811	636	612	2
VTD: Leesburg Volunteer Fire Dept.	2,295	1,814	1,740	35
VTD: McCord's Crossroad Volunteer Fire Dept./ Rock Run Ch	1,267	966	942	8
VTD: Mt. Weisner Volunteer Fire Dept./Melrose Baptist Chu	1,205	945	822	104
VTD: New Hope Methodist Church	730	614	539	63

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 3				
County: Cherokee AL				
VTD: Recreational Outreach Center	5,864	4,683	4,349	267
VTD: Sand Rock Town Hall	2,137	1,608	1,521	5
VTD: Shady Grove Fellowship Hall	350	277	220	55
VTD: Spring Creek Volunteer Fire Dept.	1,294	1,030	1,005	6
VTD: Spring Garden Volunteer Fire Dept.	1,209	902	881	6
VTD: Tucker's Chapel VFW	443	335	329	0
VTD: Unity Missionary Baptist Church (part)	711	550	547	0
VTD Unity Missionary Baptist Church Subtotal	711	550	547	0
VTD: Valley Church (part)	257	203	199	0
VTD Valley Church Subtotal	257	203	199	0
County Cherokee AL Subtotal	24,215	19,016	17,711	906
County: Clay AL	13,932	10,788	8,966	1,528
County: Cleburne AL	14,972	11,421	10,820	379
County: Lee AL	140,247	108,656	79,707	23,150
County: Macon AL	21,452	17,032	2,747	13,985
County: Montgomery AL				
VTD: 3H Auburn University at Montgomery (part)	2,164	1,660	1,258	270
VTD 3H Auburn University at Montgomery Subtotal	2,164	1,660	1,258	270
VTD: 3I Eastdale Baptist Church Voting District	5,686	4,313	1,888	2,187
VTD: 5I Pike Road Volunteer Fire Protection Authority	4,169	3,020	2,201	678
VTD: 5J Georgia Washington Jr. High School Voting Distric	7,699	5,987	3,032	2,764
VTD: 5K Lakeview Baptist Church Voting Center	3,456	2,868	2,185	540
VTD: 5L Saint James United Methodist Church	8,680	6,200	4,755	775
County Montgomery AL Subtotal	31,854	24,048	15,319	7,214
County: Randolph AL	22,913	17,440	13,688	3,299
County: Russell AL	52,947	39,448	22,357	15,678
County: St. Clair AL	83,593	63,767	56,664	5,436
County: Talladega AL	82,291	63,006	42,286	19,115
County: Tallapoosa AL	41,616	32,397	23,438	7,981
District 3 Total	682,819	524,977	380,198	126,215
District 4				
County: Blount AL				
VTD: Brooksville (part)	321	249	236	0
VTD Brooksville Subtotal	321	249	236	0
VTD: Rock Springs (part)	412	309	299	0
VTD Rock Springs Subtotal	412	309	299	0

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Whit]	[18+_Blk]
District 4				
County: Blount AL				
VTD: Snead (part)	2,271	1,708	1,608	4
VTD Snead Subtotal	2,271	1,708	1,608	4
VTD: Summit	1,251	916	882	3
VTD: Susan Moore (part)	637	464	417	2
VTD Susan Moore Subtotal	637	464	417	2
County Blount AL Subtotal	4,892	3,646	3,442	9
County: Cherokee AL				
VTD: Broomtown Volunteer Fire Dept. (part)	773	608	604	1
VTD Broomtown Volunteer Fire Dept. Subtotal	773	608	604	1
VTD: Friendship Baptist Church/Mt. Calvary Baptist Church	793	630	614	2
VTD: Gaylesville Town Hall (part)	57	47	40	0
VTD Gaylesville Town Hall Subtotal	57	47	40	0
VTD: Unity Missionary Baptist Church (part)	49	35	35	0
VTD Unity Missionary Baptist Church Subtotal	49	35	35	0
VTD: Valley Church (part)	102	87	86	0
VTD Valley Church Subtotal	102	87	86	0
County Cherokee AL Subtotal	1,774	1,407	1,379	3
County: Colbert AL	54,428	42,394	34,706	6,598
County: Cullman AL	80,406	61,765	58,901	655
County: DeKalb AL	71,109	52,743	46,173	796
County: Etowah AL	104,430	80,444	66,048	11,493
County: Fayette AL	17,241	13,404	11,673	1,507
County: Franklin AL	31,704	23,837	20,401	925
County: Jackson AL				
VTD: Langston City Hall (part)	0	0	0	0
VTD Langston City Hall Subtotal	0	0	0	0
VTD: Macedonia School (part)	175	147	136	0
VTD Macedonia School Subtotal	175	147	136	0
VTD: Mink Creek-Lakeview Store (part)	25	20	19	1
VTD Mink Creek-Lakeview Store Subtotal	25	20	19	1
County Jackson AL Subtotal	200	167	155	1
County: Lamar AL	14,564	11,337	9,944	1,217
County: Lawrence AL	34,339	26,375	20,866	3,059
County: Marion AL	30,776	24,111	22,661	944
County: Marshall AL	93,019	69,760	62,609	1,089
County: Tuscaloosa AL				
VTD: Brookwood City Hall-Kellerman	3,089	2,258	2,106	100
VTD: Carrolls Creek Fire Station	4,991	3,778	3,588	93
VTD: Chapel Hill Baptist Church	4,217	3,042	2,684	285

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 4				
County: Tuscaloosa AL				
VTD: Coker-Buhl-Romulas Masonic Lodge	3,409	2,558	2,328	125
VTD: Echola Community Center	1,644	1,245	1,157	46
VTD: Montgomery Fire Station	813	602	586	3
VTD: Mt Olive Fire Station	2,047	1,569	1,512	30
VTD: Northport Civic Center	5,852	4,408	3,499	777
VTD: Old Samantha School	1,775	1,288	1,137	122
VTD: Samantha Fire Dept-New Lexington Voting Blg	2,594	1,863	1,760	74
VTD: Tuscaloosa Academy-Wood Village	8,748	6,946	5,851	859
VTD: Vestavia Hills Elementary School	4,062	3,223	2,816	297
VTD: Windham Springs Baptist Church	2,226	1,783	1,732	40
VTD: Wood Village Comm Center	5,900	4,254	3,634	290
VTD: Yellow Creek Fire Dept	1,063	793	780	6
County Tuscaloosa AL Subtotal	52,430	39,610	35,170	3,147
County: Walker AL	67,023	51,916	47,837	2,850
County: Winston AL	24,484	19,185	18,473	81
District 4 Total	682,819	522,101	460,438	34,374
District 5				
County: Jackson AL				
VTD: Aspel Water Board Bldg.	455	368	354	0
VTD: Bishop-Hall's Store	243	202	194	4
VTD: Bridgeport Community Center	3,516	2,681	2,370	155
VTD: Bryant School	2,458	1,894	1,808	5
VTD: Christain Home	678	513	473	0
VTD: Crow Fire Hall	326	243	227	0
VTD: Dean's Chapel Community Center	689	530	502	0
VTD: Dutton City Hall	2,929	2,238	2,070	23
VTD: Estill Fork	122	104	98	0
VTD: Flackler Fire Hall	1,154	931	818	56
VTD: Flat Rock Ruritan Bldg.	1,262	953	904	4
VTD: Garth-Johnson's Store	294	230	217	0
VTD: Hambrick Community Center	36	31	30	0
VTD: Higdon Rescue Squad Bldg.	2,120	1,606	1,541	1
VTD: Holly Spring Baptist Church	545	404	386	0
VTD: Hollytree-Morris's Store	243	184	173	0
VTD: Hollywood City Hall	1,986	1,510	1,259	175
VTD: Hytop Fire Hall	505	374	345	1
VTD: Langston City Hall (part)	289	233	222	3
VTD Langston City Hall Subtotal	289	233	222	3
VTD: Larkinsville Old School	1,398	1,097	1,044	13
VTD: Letcher Fire Hall	416	333	316	2
VTD: Limrock Fire Dept.	398	327	315	0
VTD: Long Island Community Center	226	180	176	0
VTD: Macedonia School (part)	1,242	997	937	0

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Whit]	[18+_Blk]
District 5				
County: Jackson AL				
VTD Macedonia School Subtotal	1,242	997	937	0
VTD: Mink Creek-Lakeview Store (part)	407	338	327	1
VTD Mink Creek-Lakeview Store Subtotal	407	338	327	1
VTD: Paint Rock Senior Citizen Center	497	376	354	6
VTD: Pisgah Fire Hall	2,319	1,781	1,703	2
VTD: Princeton Fire Hall	127	104	99	0
VTD: Rosalie School	1,538	1,198	1,126	0
VTD: Scottsboro Armory-City Hall	14,258	11,141	10,111	499
VTD: Section City Hall	2,078	1,563	1,472	8
VTD: Skyline City Hall	1,617	1,279	1,234	2
VTD: Stevenson City Park	4,540	3,511	2,952	337
VTD: Trenton Fire Hall	219	150	148	0
VTD: Tupelo-Pikeville Store	571	460	431	19
VTD: Woodville City Hall	1,326	1,011	962	4
County Jackson AL Subtotal	53,027	41,075	37,698	1,320
County: Lauderdale AL	92,709	72,727	63,737	6,880
County: Limestone AL	82,782	62,923	51,331	8,059
County: Madison AL	334,811	255,321	178,536	59,463
County: Morgan AL	119,490	90,866	74,736	10,119
District 5 Total	682,819	522,912	406,038	85,841
District 6				
County: Bibb AL	22,915	17,714	13,403	3,975
County: Blount AL				
VTD: Allgood	1,341	983	879	4
VTD: Blount Springs	620	463	454	3
VTD: Blountsville	4,039	2,993	2,772	5
VTD: Brooksville (part)	787	601	585	2
VTD Brooksville Subtotal	787	601	585	2
VTD: Cleveland	2,765	2,092	1,956	14
VTD: Dallas /Selfville	3,370	2,636	2,528	16
VTD: Hayden	5,445	3,982	3,806	97
VTD: Holly Springs	791	600	585	1
VTD: Locust Fork	3,033	2,293	2,241	12
VTD: Mt. High	3,922	2,928	2,872	8
VTD: Murphree Valley	2,083	1,515	1,259	4
VTD: Nectar	2,421	1,760	1,699	13
VTD: Oneonta	6,567	5,055	4,344	298
VTD: Pine Mountain	732	581	572	3
VTD: Remlap	2,171	1,614	1,575	15
VTD: Rock Springs (part)	847	648	615	2
VTD Rock Springs Subtotal	847	648	615	2
VTD: Rosa	1,685	1,285	1,202	1
VTD: Royal	853	657	639	0

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Whit]	[18+_Blk]
District 6				
County: Blount AL				
VTD: Smoke Rise	2,238	1,757	1,714	15
VTD: Snead (part)	440	333	317	0
VTD Snead Subtotal	440	333	317	0
VTD: Straight Mountain	3,703	2,847	2,653	21
VTD: Sugar Creek	1,113	871	827	6
VTD: Susan Moore (part)	1,464	1,076	979	0
VTD Susan Moore Subtotal	1,464	1,076	979	0
County Blount AL Subtotal	52,430	39,570	37,073	540
County: Chilton AL	43,643	32,683	28,046	2,991
County: Coosa AL	11,539	9,169	6,216	2,734
County: Jefferson AL				
VTD: Adamsville Baptist Church	3,844	2,897	2,036	791
VTD: Adamsville Senior Citizens Building	2,980	2,314	1,122	1,126
VTD: Alliance Community Center	3,945	3,382	2,195	1,163
VTD: Avondale Elementary School	1,986	1,703	1,639	43
VTD: Avondale Public Library (part)	2,171	1,955	1,410	456
VTD Avondale Public Library Subtotal	2,171	1,955	1,410	456
VTD: Bagley Junior High School	4,471	3,414	3,363	13
VTD: Bessemer Fire Station #5	2,106	1,519	331	1,121
VTD: Birmingham Botanical Gardens	998	807	786	9
VTD: Birmingham Fire Station #31	865	692	501	173
VTD: Birmingham Korean United Methodist Church	1,993	1,635	1,383	188
VTD: Bluff Park United Methodist Church	5,536	4,149	3,296	557
VTD: Booker Heights Development Corporation	68	58	12	45
VTD: Brooklane Community Center	4,306	3,248	1,766	1,407
VTD: Brookside City Hall	1,656	1,244	1,053	176
VTD: Brookwood Baptist Church	5,263	3,836	3,687	59
VTD: Canaan Baptist Church	5,078	3,929	3,058	672
VTD: Cherokee Bend Elementary School	2,789	2,016	1,891	79
VTD: Clay Community Center	8,489	6,360	5,797	442
VTD: Clearview Baptist Church	5,736	4,244	3,310	841
VTD: Concord Highland Baptist Church	3,993	3,123	3,077	13
VTD: Corner School	3,768	2,837	2,802	0
VTD: Crestwood Community Educational Center	4,362	3,720	2,858	739
VTD: Edgewood Elementary School	4,685	3,489	2,791	387
VTD: Election Systems and Software	2,142	1,944	1,345	334
VTD: Fultondale First Baptist Church	3,905	3,043	2,257	684
VTD: Fultondale Senior Citizen's Center	4,791	3,688	3,043	325
VTD: Gardendale Civic Center	14,363	11,288	10,224	775
VTD: Homewood Public Library	7,290	5,974	5,290	414
VTD: Hoover Park and Recreation Center	11,610	8,704	3,993	3,071

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 6				
County: Jefferson AL				
VTD: Hoover Public Library	4,201	3,171	1,919	904
VTD: Hueytown City Hall	4,662	3,661	2,722	862
VTD: Hueytown Community School	343	288	245	36
VTD: Hueytown Council of Clubs	4,250	3,316	2,621	590
VTD: Huffman Middle School	4,983	3,779	1,712	1,960
VTD: Hunter Street Baptist Church (part)	10,279	7,140	6,009	678
VTD Hunter Street Baptist Church	10,279	7,140	6,009	678
Subtotal				
VTD: Irondale City Hall	1,399	1,161	989	129
VTD: Irondale Senior Citizens Building	7,141	5,443	2,743	2,237
VTD: Jefferson County Rehabilitation Center	4,757	3,604	1,832	1,405
VTD: Jefferson State Junior College	1,376	1,024	836	50
VTD: Johns Community Center	1,488	1,110	962	125
VTD: Kermit A Johnson Elementary School	4,128	3,142	2,784	249
VTD: Kimberly Town Hall	3,376	2,400	2,336	34
VTD: Leeds Civic Center	4,129	3,147	2,217	786
VTD: Leeds First United Methodist Church	6,576	5,230	4,457	438
VTD: Liberty Park Baptist Church	4,604	2,977	2,727	116
VTD: Masonic Lodge West Jefferson	2,044	1,592	1,555	13
VTD: Maurice L West Community Center	2,160	1,719	1,287	399
VTD: Maytown Baptist Church	338	279	257	18
VTD: Mcelwain Baptist Church	3,981	3,501	3,143	245
VTD: Morris Town Hall	2,782	2,155	2,101	27
VTD: Mount Olive Elementary School	6,636	5,110	4,985	47
VTD: Mountain Brook City Hall	4,902	3,436	3,326	56
VTD: Mountain Brook Elementary School Community Room	1,150	864	841	5
VTD: Mountain Brook Fire Station #2	4,095	2,974	2,923	10
VTD: Mountain Chapel United Methodist Church	4,946	3,596	3,459	45
VTD: Mountain View Baptist Church	7,454	5,616	4,283	1,194
VTD: Mountaintop Community Church	3,484	2,627	1,968	415
VTD: Mulga Town Hall	1,297	1,008	760	221
VTD: New Merkle-Cahaba Heights Center	5,038	4,104	3,844	99
VTD: Oak Grove First Baptist Church	2,294	1,762	1,727	11
VTD: Oakmont Presbyterian Church	3,554	2,775	2,518	143
VTD: Palmerdale United Methodist Church	3,740	2,894	2,592	255
VTD: Pinson United Methodist Church	6,717	4,710	2,679	1,878
VTD: Pleasant Grove First Baptist Church	9,696	7,370	4,529	2,750
VTD: Prince of Peace Catholic Church	9,816	7,400	5,819	881
VTD: Saint Mark United Methodist Church	5,364	4,155	3,697	222
VTD: Saint Peter the Apostle Catholic Church	824	688	622	43

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 6				
County: Jefferson AL				
VTD: Saint Peter The Apostle Catholic Church	7,369	5,773	4,088	866
VTD: Saint. Luke's Episcopal Church	2,781	1,867	1,854	6
VTD: Sandusky Community Senior Citizen's Park	2,073	1,607	922	652
VTD: Shades Cahaba Elementary School	3,939	3,139	2,930	140
VTD: Shades Crest Baptist Church	3,118	2,393	2,255	57
VTD: St. Thomas Episcopal Church	5,349	4,631	3,772	500
VTD: Sulpher Springs Baptist Church	486	413	357	47
VTD: Sylvan Springs Community Center	1,186	914	889	14
VTD: Sylvan Springs Town Hall	810	649	634	4
VTD: Town Village-Vestavia Hills	3,521	2,714	2,616	25
VTD: Trafford Town Hall	1,137	890	847	33
VTD: Trussville City Hall	10,045	7,268	6,501	546
VTD: Trussville First Baptist Church	10,096	7,793	7,069	491
VTD: Valley Creek Baptist Church	3,178	2,506	2,171	306
VTD: Vestavia Hills Civic Center	9,384	7,245	6,064	595
VTD: Vestavia Hills United Methodist Church	3,722	2,819	2,720	43
VTD: Warrior City Hall	3,820	2,994	2,591	343
County Jefferson AL Subtotal	357,207	273,755	220,622	40,347
County: Shelby AL	195,085	145,123	122,241	14,916
District 6 Total	682,819	518,014	427,601	65,503
District 7				
County: Choctaw AL	13,859	10,718	6,083	4,562
County: Clarke AL				
VTD: BASHI METHODIST CHURCH	4,382	3,274	2,329	885
VTD: Coffeeville High School Gym	1,156	912	588	315
VTD: Fulton City Hall	1,366	1,059	794	249
VTD: Goodhope AME Church/0012 Alma Volunteer Fire Dept.	1,604	1,138	228	902
VTD: Hopewell Baptist Church Voting District	198	167	159	6
VTD: Jackson City Hall (part)	2,350	1,715	663	1,027
VTD Jackson City Hall Subtotal	2,350	1,715	663	1,027
VTD: Morning Star Church	259	190	11	177
VTD: Morning Star Church/Nettlesboro Fire Dept	684	530	211	314
VTD: Old Engineers Building/Antioch Fire Station/Hellwest (part)	0	0	0	0
VTD Old Engineers Building/Antioch Fire Station/Hellwest Subtotal	0	0	0	0
VTD: Opine-Tallahatta Fire Dept	240	184	175	6
VTD: OVERSTREET GROCERY	654	485	232	245
VTD: Saltworks Voting House	429	321	81	238

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 7				
County: Clarke AL				
VTD: Thomasville Fire Dept#3/Thomasville City Hall/Spring	370	289	124	165
VTD: Thomasville National Guard Amory	1,580	1,165	321	827
VTD: Tri-Community Fire Dept.	214	175	31	144
VTD: Walnut Grove Church	186	148	111	37
VTD: Whatley Timber Company/Grove Hill National Guard (part)	1,009	752	294	445
VTD Whatley Timber Company/Grove Hill National Guard Subtotal	1,009	752	294	445
VTD: Winn Fire Dept.	557	436	129	305
County Clarke AL Subtotal	17,238	12,940	6,481	6,287
County: Dallas AL	43,820	32,225	10,506	21,322
County: Greene AL	9,045	6,851	1,357	5,427
County: Hale AL	15,760	11,845	5,013	6,699
County: Jefferson AL				
VTD: Afton Lee Community Center	308	232	22	197
VTD: Avondale Public Library (part)	426	364	159	185
VTD Avondale Public Library Subtotal	426	364	159	185
VTD: Barrett Elementary School	2,549	1,846	158	1,651
VTD: Bessemer City Hall	3,169	2,474	791	1,553
VTD: Bethel Baptist Church	3,730	2,880	25	2,824
VTD: Birmingham Fire Station #12	3,497	2,733	1,202	1,484
VTD: Birmingham Fire Station #17	3,355	2,452	559	1,848
VTD: Birmingham Fire Station #22	4,763	4,456	3,750	509
VTD: Birmingham Fire Station #29	1,623	1,308	27	1,268
VTD: Brewster Road Baptist Church	7,020	5,155	2,333	2,660
VTD: Brighton Senior Citizens Building	2,923	2,248	145	1,854
VTD: Bryant Chapel AME Church	1,065	858	23	831
VTD: C.J. Donald Elementary School	1,671	1,106	78	1,008
VTD: Calvary Resurrection Christian Church	1,941	1,405	160	1,201
VTD: Carrie A Tuggle Elementary School	904	731	23	688
VTD: Center Point Courthouse Annex	7,986	5,548	2,246	3,120
VTD: Center Street Middle School	3,214	2,703	51	2,596
VTD: Central Park Elementary School	3,625	2,567	216	2,298
VTD: Central Park Recreation Center	4,442	3,278	271	2,967
VTD: Charles A. Brown Elementary School	4,513	3,433	153	3,251
VTD: Don Hawkins Park and Recreation Center	3,372	2,683	1,375	1,225
VTD: Dunbar-Abrams Community Center	2,718	1,990	30	1,915
VTD: East Ensley Public Library	1,955	1,504	20	1,463
VTD: Ensley Park Recreation Center	5,411	3,954	231	3,622
VTD: Fairfield City Hall	374	252	16	225
VTD: Fairfield Fire Station #1	3,727	2,918	33	2,854
VTD: Fire Department Admin Building	2,442	1,867	233	1,579

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 7				
County: Jefferson AL				
VTD: First United Methodist Church of Center Point	4,063	2,828	960	1,755
VTD: Five Points West Public Library	1,572	1,259	67	1,187
VTD: Forestdale Square	6,502	4,998	1,379	3,550
VTD: Gate City Elementary School	2,264	1,563	45	1,499
VTD: Glen Iris Elementary School	4,504	3,875	2,303	933
VTD: Glen Oaks Elementary School	2,543	2,015	131	1,875
VTD: Green Springs Baptist Church	4,108	3,387	1,323	1,435
VTD: Harriman Park Recreation Center	480	382	4	378
VTD: Harrison Park Recreation Center	4,290	3,306	27	3,240
VTD: Hemphill School Recreation Building	1,786	1,356	67	1,271
VTD: Henry Crumpton Recreation Center	1,514	1,241	7	1,220
VTD: Hill Elementary School	2,332	1,935	117	1,785
VTD: Hilldale Baptist Church	6,014	4,269	1,225	2,902
VTD: Hillview Fire Station #1	2,799	2,188	754	1,369
VTD: Homewood Exceptional Foundation	3,777	2,757	1,665	777
VTD: Homewood Satellite Courthouse	8,106	6,258	2,295	3,112
VTD: Hooper City Recreation Center	1,852	1,451	168	1,256
VTD: Hudson Middle School	2,411	1,558	7	1,540
VTD: Hunter Street Baptist Church (part)	844	557	426	77
VTD Hunter Street Baptist Church Subtotal	844	557	426	77
VTD: Inglenook Elementary School	2,098	1,520	164	1,282
VTD: Jackson Elementary School	1,798	1,486	8	1,473
VTD: Jefferson County Courthouse	4,703	4,156	1,316	2,714
VTD: Jonesboro Elementary School	5,267	3,958	1,922	1,898
VTD: L.M. Smith Middle School	6,035	4,339	1,093	3,152
VTD: Lawson State Community College	6,880	5,122	1,941	3,012
VTD: Lee Elementary School	2,092	1,591	30	1,533
VTD: Legion Field Lobby	4,860	3,756	80	3,616
VTD: Lewis Elementary School	997	792	10	770
VTD: Lipscomb City Hall	2,587	1,926	281	1,414
VTD: Lipscomb Fire Station	1,165	861	196	613
VTD: Lively Hope Baptist Church	863	720	5	707
VTD: Macedonia Christian Church	432	306	38	267
VTD: Martha Gaskins Middle School	4,263	3,010	992	1,912
VTD: Memorial Recreation Center	2,228	1,656	22	1,611
VTD: Midfield Community Center	5,721	4,155	796	3,292
VTD: Minor Elementary School	3,491	2,619	120	2,436
VTD: Minor Fire Station	2,354	1,795	994	774
VTD: Morningstar Baptist Church	220	188	8	178
VTD: Morton Simpson Community Center	1,721	1,339	105	1,207
VTD: Mount Hebron Baptist Church	1,558	1,223	89	974
VTD: Mount Olive Baptist Church	659	551	21	528

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 7				
County: Jefferson AL				
VTD: Mount Zion Missionary Baptist Church	1,697	1,377	34	1,329
VTD: Mountain Park First Baptist Church	1,258	929	63	843
VTD: Mt. Pilgrim Baptist Church	2,452	1,933	127	1,799
VTD: Mt. Zion Community Church	2,749	2,219	165	2,003
VTD: Muscoda Community Center	1,912	1,641	1,117	464
VTD: New Bethel Baptist Church	841	648	4	641
VTD: New Bethlehem Baptist Church	1,963	1,566	146	1,401
VTD: New Era Family Life Center	2,688	2,096	79	1,977
VTD: North Avondale Branch Library	1,058	833	15	791
VTD: North Birmingham Recreation Center	2,129	1,515	49	1,442
VTD: Norwood Community Center	2,187	1,711	103	1,580
VTD: Oporto Armory	2,142	1,619	156	1,430
VTD: Our Lady of Lourdes Catholic Church	5,180	3,769	1,035	2,492
VTD: Pleasant Hill United Methodist Church	11,170	8,659	7,149	1,309
VTD: Ramsey Alternative High School	5,634	5,362	3,589	1,202
VTD: Robinson Elementary School	5,617	4,128	1,080	2,955
VTD: Roosevelt First Baptist Church	1,265	1,029	19	988
VTD: Ross Bridge Welcome Center Town Hall	3,298	2,478	1,676	647
VTD: Shady Grove Baptist Church-Sand Ridge	1,600	1,378	632	572
VTD: Shepherd Center East	1,667	1,198	221	937
VTD: South Hampton Elementary School	3,066	2,257	170	2,063
VTD: Southside Branch Public Library	1,047	1,027	707	223
VTD: Southside Homes Community Center	3,449	2,292	49	2,203
VTD: Southtown Housing Community Center	1,316	894	244	575
VTD: St. Mary's Catholic Church	471	416	32	377
VTD: Sun Valley Elementary School	4,398	3,270	420	2,805
VTD: Tarrant City Hall	5,389	3,758	1,553	1,939
VTD: Thompson Manor Community Center	1,985	1,516	343	1,128
VTD: Wenonah Elementary School	1,848	1,214	14	1,187
VTD: Wiggins Library and Recreation Center	2,637	1,995	57	1,916
VTD: Wilkerson Middle School	1,277	981	43	866
VTD: Willow Wood Recreation Center	4,773	3,340	584	2,357
VTD: Woodrow Wilson Elementary School	2,742	2,422	1,154	1,147
VTD: Wright's Chapel United Methodist Church	1,878	1,516	17	1,475
County Jefferson AL Subtotal	301,259	230,183	60,377	160,463
County: Lowndes AL	11,299	8,567	2,339	6,144
County: Marengo AL	21,027	15,836	7,666	7,924
County: Montgomery AL				
VTD: 1F Al. Industrial Development Training	9,142	6,305	363	5,805

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Whit]	[18+_Blk]
District 7				
County: Montgomery AL				
VTD: 2A St. Paul AME Church (part)	1,607	1,144	56	1,074
VTD 2A St. Paul AME Church Subtotal	1,607	1,144	56	1,074
VTD: 2B Beulah Baptist Church Voting District	5,253	4,045	59	3,942
VTD: 2C Carver High School Voting District	1,969	1,533	36	1,483
VTD: 2F Fire Station No. 14 Voting District	2,866	2,255	235	1,921
VTD: 2G Hayneville Road Community Center Voting District	2,592	1,641	121	1,500
VTD: 2H Harrison Elementary School Voting District	1,371	1,048	37	992
VTD: 2I Southlawn Elementary School Voting District	4,452	3,229	119	3,079
VTD: 2L First Southern Baptist Church Voting District	730	579	416	142
VTD: 4A Franklin Boys-Girls Club Voting District	1,456	1,054	53	990
VTD: 4C Alabama State University Voting District (part)	2,933	2,541	252	2,239
VTD 4C Alabama State University Voting District Subtotal	2,933	2,541	252	2,239
VTD: 4E Cleveland Avenue YMCA Voting District	3,181	2,371	189	2,141
VTD: 4L Bellingrath Community Center Voting District	1,385	1,072	18	1,045
VTD: 4M McIntyre Community Center Voting District	2,804	1,987	45	1,926
VTD: 5A Seth Johnson Elementary School Voting District	6,022	4,265	522	3,658
VTD: 5N Peter Crump School Voting District	3,754	2,682	164	2,474
County Montgomery AL Subtotal	51,517	37,751	2,685	34,411
County: Perry AL	10,591	8,038	2,793	5,174
County: Pickens AL	19,746	15,145	8,914	5,966
County: Sumter AL	13,763	10,695	2,875	7,721
County: Tuscaloosa AL				
VTD: Abernant Masonic Lodge-Bucksville	10,024	7,582	7,038	390
VTD: Bama Mall	6,756	5,419	2,765	2,308
VTD: Clara Verner Towers	9,582	9,376	7,227	1,614
VTD: Coaling Community Center	3,171	2,350	2,061	248
VTD: Cottondale Methodist	4,501	3,436	2,873	416
VTD: County Courthouse	5,911	5,734	4,613	801
VTD: Duncanville Fire Dept	4,666	3,515	3,125	306
VTD: Flatwoods Elementary School	3,916	3,054	2,187	655
VTD: Forest Lake Methodist Church	5,268	5,030	4,295	461
VTD: Fosters-Ralph Fire Dept	3,036	2,328	1,549	754
VTD: Frierson-Big Sandy Baptist Church	5,108	3,706	2,400	1,249

Plan Components

Enacted Congress B-V-C

	Population	[18+_Pop]	[18+_Wht]	[18+_Blk]
District 7				
County: Tuscaloosa AL				
VTD: Goodrich Union Hall	932	708	206	490
VTD: Hillcrest High School	10,152	7,285	5,258	1,803
VTD: Holt Armory	5,841	4,521	2,363	1,950
VTD: Jayces Park	6,883	5,341	2,335	2,690
VTD: McDonald Hughes Center	4,728	3,510	65	3,409
VTD: McFaland Mall	16,433	12,771	6,835	5,476
VTD: Northport Community Center	4,683	3,727	2,323	1,236
VTD: Peterson Methodist Church	2,602	1,967	1,658	259
VTD: Reg Education Center	2,234	1,717	742	887
VTD: Skyland Oaks Retirement Center	6,384	5,021	2,111	2,717
VTD: Southside Community Center	4,091	3,284	1,162	2,039
VTD: Stillman College	7,091	5,333	282	5,013
VTD: University Mall	5,430	4,551	3,187	1,077
VTD: Vance Community Center	2,803	1,994	1,820	141
County Tuscaloosa AL Subtotal	142,226	113,260	70,480	38,389
County: Wilcox AL	11,670	8,520	2,530	5,933
District 7 Total	682,820	522,574	190,099	316,422
State Totals	4,779,736	3,647,277	2,576,913	906,778

User:

Plan Name: **Enacted Congress B-V-C**Plan Type: **Congress****Political Subdivison Splits Between Districts**

Monday, November 29, 2021

9:09 PM

Number of subdivisions not split:

County	60
Voting District	1,974

Number of subdivisions split into more than one district:

County	7
Voting District	19

Number of splits involving no population:

County	0
Voting District	3

Split Counts*County*

Cases where an area is split among 2 Districts: 6

Cases where an area is split among 3 Districts: 1

Voting District

Cases where an area is split among 2 Districts: 19

County	Voting District	District	Population
<i>Split Counties:</i>			
Blount AL		4	4,892
Blount AL		6	52,430
Cherokee AL		3	24,215
Cherokee AL		4	1,774
Clarke AL		1	8,595
Clarke AL		7	17,238
Jackson AL		4	200
Jackson AL		5	53,027
Jefferson AL		6	357,207
Jefferson AL		7	301,259
Montgomery AL		2	145,992
Montgomery AL		3	31,854
Montgomery AL		7	51,517
Tuscaloosa AL		4	52,430
Tuscaloosa AL		7	142,226

Split VTDs:

Blount AL	Brooksville	4	321
Blount AL	Brooksville	6	787
Blount AL	Rock Springs	4	412
Blount AL	Rock Springs	6	847
Blount AL	Snead	4	2,271
Blount AL	Snead	6	440
Blount AL	Susan Moore	4	637

Political Subdivision Splits Between Districts

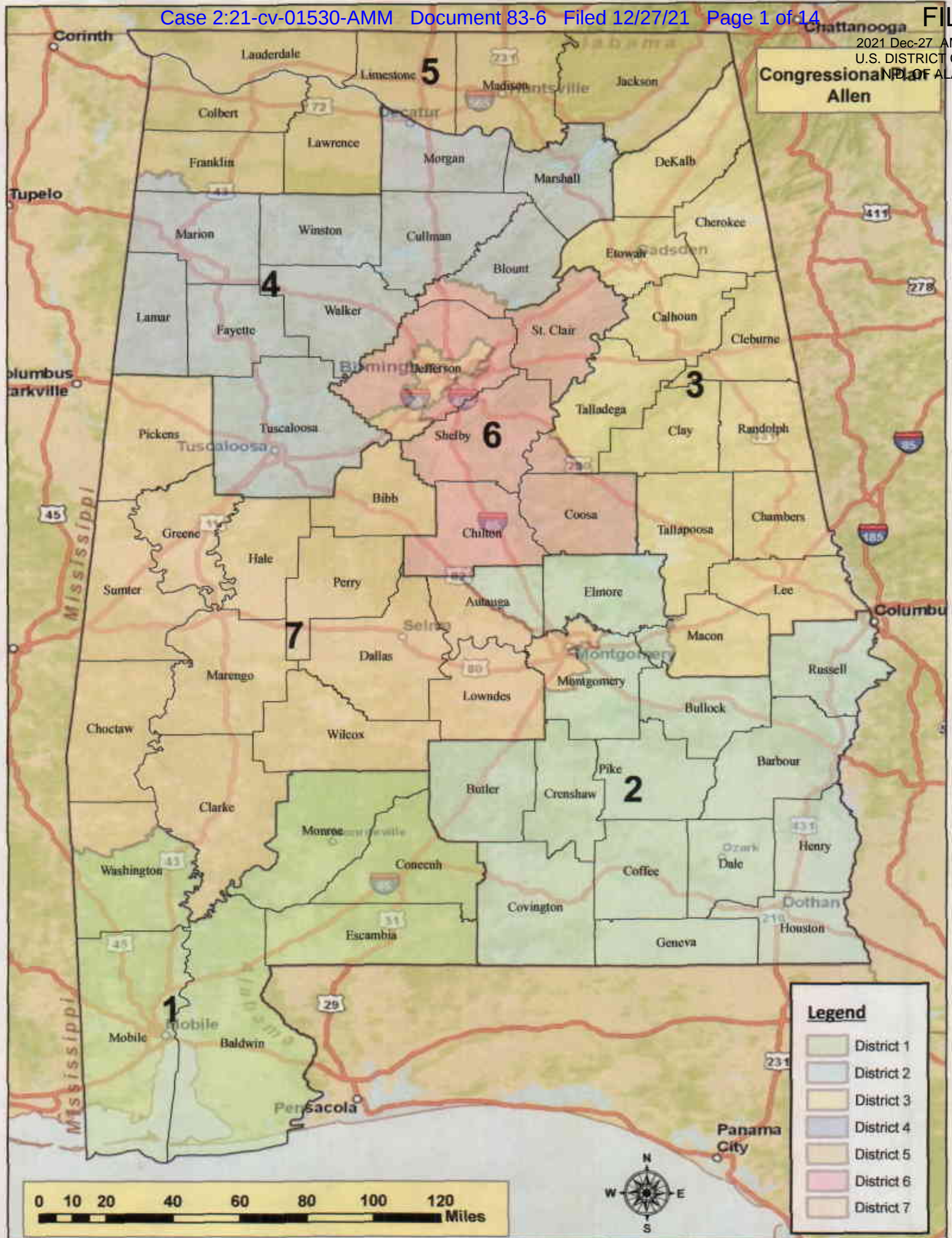
Enacted Congress B-V-C

County	Voting District	District	Population
Blount AL	Susan Moore	6	1,464
Cherokee AL	Broomtown Volunteer Fire Dept.	3	6
Cherokee AL	Broomtown Volunteer Fire Dept.	4	773
Cherokee AL	Gaylesville Town Hall	3	902
Cherokee AL	Gaylesville Town Hall	4	57
Cherokee AL	Unity Missionary Baptist Church	3	711
Cherokee AL	Unity Missionary Baptist Church	4	49
Cherokee AL	Valley Church	3	257
Cherokee AL	Valley Church	4	102
Clarke AL	Jackson City Hall	1	397
Clarke AL	Jackson City Hall	7	2,350
Clarke AL	Old Engineers Building/Antioch Fire Station/Hellwest	1	3,606
Clarke AL	Old Engineers Building/Antioch Fire Station/Hellwest	7	0
Clarke AL	Whatley Timber Company/Grove Hill National Guard	1	0
Clarke AL	Whatley Timber Company/Grove Hill National Guard	7	1,009
Jackson AL	Langston City Hall	4	0
Jackson AL	Langston City Hall	5	289
Jackson AL	Macedonia School	4	175
Jackson AL	Macedonia School	5	1,242
Jackson AL	Mink Creek-Lakeview Store	4	25
Jackson AL	Mink Creek-Lakeview Store	5	407
Jefferson AL	Avondale Public Library	6	2,171
Jefferson AL	Avondale Public Library	7	426
Jefferson AL	Hunter Street Baptist Church	6	10,279
Jefferson AL	Hunter Street Baptist Church	7	844
Montgomery AL	2A St. Paul AME Church	2	4,539
Montgomery AL	2A St. Paul AME Church	7	1,607
Montgomery AL	3H Auburn University at Montgomery	2	5,451
Montgomery AL	3H Auburn University at Montgomery	3	2,164
Montgomery AL	4C Alabama State University Voting District	2	513

Political Subdivison Splits Between Districts

Enacted Congress B-V-C

County	Voting District	District	Population
Montgomery AL	4C Alabama State University Voting District	7	2,933

2021 Dec-27 AM 11:17
U.S. DISTRICT COURT
DISTRICT OF ALABAMA

User: dshan1426

Date: Tue May 24 18:25:16 GMT-0500 2011

Plan: Allen Congressional Plan

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,819	0	0.00	19,144	455,988	191,498	7,886	9,100	327	8,061	9,959
2	682,819	0	0.00	22,974	450,946	197,636	3,361	8,566	606	10,508	11,196
3	682,820	1	0.00	26,658	499,424	147,591	3,188	6,299	561	15,341	10,416
4	682,819	0	0.00	37,134	560,337	83,549	3,508	4,259	461	21,415	9,290
5	682,819	0	0.00	29,774	518,862	115,767	6,582	10,391	524	15,446	15,247
6	682,820	1	0.00	30,554	569,762	75,559	2,047	11,339	304	15,243	8,566
7	682,820	1	0.00	19,364	220,075	439,711	1,646	3,641	274	10,896	6,577

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: dschan1426

Plan: Allen Congressional Plan

Date: Tue May 24 18:24:46 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,819	0	0.00	19,144 (2.80%)	455,986 (66.78%)	191,498 (28.05%)	7,886 (1.15%)	9,100 (1.33%)	327 (0.05%)	8,061 (1.18%)	9,959 (1.46%)
2	682,819	0	0.00	22,974 (3.36%)	450,946 (66.04%)	197,636 (28.94%)	3,361 (0.49%)	8,566 (1.25%)	606 (0.09%)	10,508 (1.54%)	11,196 (1.64%)
3	682,820	1	0.00	26,658 (3.90%)	499,424 (73.14%)	147,591 (21.61%)	3,188 (0.47%)	6,299 (0.92%)	561 (0.08%)	15,341 (2.25%)	10,416 (1.53%)
4	682,819	0	0.00	37,134 (5.44%)	560,337 (82.06%)	83,549 (12.24%)	3,506 (0.51%)	4,259 (0.62%)	461 (0.07%)	21,415 (3.14%)	9,290 (1.36%)
5	682,819	0	0.00	29,774 (4.36%)	518,862 (75.99%)	115,767 (16.95%)	6,582 (0.96%)	10,391 (1.52%)	524 (0.08%)	15,446 (2.26%)	15,247 (2.23%)
6	682,820	1	0.00	30,554 (4.47%)	569,762 (83.44%)	75,559 (11.07%)	2,047 (0.30%)	11,339 (1.66%)	304 (0.04%)	15,243 (2.23%)	8,566 (1.25%)
7	682,820	1	0.00	19,364 (2.84%)	220,075 (32.23%)	439,711 (64.40%)	1,646 (0.24%)	3,641 (0.53%)	274 (0.04%)	10,896 (1.60%)	6,577 (0.96%)

User: bpshan3501
Plan: Allen Congressional Plan

Date: Mon Jun 20 12:39:22 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	662,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	19,144	455,988	191,498	7,886	9,100	327	8,061	9,959		
Total%	2.80	66.78	28.05	1.15	1.33	0.05	1.18	1.46		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	662,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	22,974	450,946	197,636	3,361	8,568	606	10,508	11,196		
Total%	3.36	66.04	28.94	0.49	1.25	0.09	1.54	1.64		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	26,658	499,424	147,591	3,188	6,299	561	15,341	10,416
Total%	3.90	73.14	21.61	0.47	0.92	0.08	2.25	1.53
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	37,134	560,337	83,549	3,508	4,259	461	21,415	9,290
Total%	5.44	82.08	12.24	0.51	0.62	0.07	3.14	1.36
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	29,774	518,862	115,787	6,582	10,391	524	15,446	15,247
Total%	4.36	75.99	16.95	0.96	1.52	0.08	2.26	2.23
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.	6									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	30,554	569,762	75,559	2,047	11,339	304	15,243	8,566		
Total%	4.47	83.44	11.07	0.30	1.66	0.04	2.23	1.25		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
<hr/>										
District No.	7									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,364	220,075	439,711	1,646	3,641	274	10,896	6,577		
Total%	2.84	32.23	64.40	0.24	0.53	0.04	1.60	0.96		
Total18+	0	0	0	0	0	0	0	0		
Total18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

Plan: Allen Congressional Plan

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
Conecuh County	13,228	161	6,788	6,149	44	17	1	97	132
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
* Washington County	12,947	117	7,898	3,418	1,397	15	12	39	168
District 1 Total	682,819	19,144	455,988	191,498	7,886	9,100	327	8,061	9,959
	100%	2.8%	66.78%	28.05%	1.15%	1.33%	0.05%	1.18%	1.46%

District 2

* Autauga County	45,614	1,057	37,053	6,829	175	452	32	335	738
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Dale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938
Geneva County	26,790	920	23,127	2,539	224	67	8	409
Henry County	17,302	389	11,865	4,942	57	54	2	206
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244
* Macon County	1,866	14	454	1,388	0	7	0	0
* Montgomery County	113,363	3,751	55,575	50,029	279	3,932	83	2,094
Pike County	32,899	730	19,144	12,054	192	654	24	341
Russell County	52,947	1,946	28,449	22,135	219	236	113	691
District 2 Total	682,819	22,974	450,946	197,636	3,361	8,566	606	10,508
	100%	3.36%	66.04%	28.94%	0.49%	1.25%	0.09%	1.54%

District 3

Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894
Chambers County	34,215	536	20,112	13,257	69	168	10	214
Cherokee County	25,989	320	24,081	1,208	135	54	1	123
Clay County	13,932	399	11,380	2,066	55	24	0	172
Cleburne County	14,972	307	14,079	498	51	23	10	151
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873
* Macon County	19,586	218	2,865	16,341	29	69	2	69
Randolph County	22,913	649	17,532	4,607	84	55	5	369
* Talladega County	75,239	1,586	47,532	25,374	242	331	6	737
								1,017

* Indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Tallapoosa County	41,616	1,042	29,067	11,083	121	197	8	713
407								
District 3 Total	682,820	26,658	499,424	147,591	3,188	6,299	561	15,341
	100%	3.9%	73.14%	21.61%	0.47%	0.92%	0.08%	2.25%
								1.53%
District 4								
* Blount County	39,979	4,356	36,310	554	227	89	35	2,279
								485
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759
								889
Fayette County	17,241	204	14,910	1,969	52	37	0	102
								171
* Franklin County	1,181	19	1,140	10	8	2	1	7
								13
Lamar County	14,564	180	12,626	1,643	24	4	2	82
								183
Marion County	30,776	632	28,791	1,184	101	54	14	291
								341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210
								1,564
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697
								2,364
Tuscaloosa County	194,656	5,949	129,004	57,611	526	2,306	117	2,993
								2,099
Walker County	67,023	1,307	61,146	3,928	251	195	36	639
								828
Winston County	24,484	639	23,409	115	163	60	28	356
								353
District 4 Total	682,819	37,134	560,337	83,549	3,508	4,259	461	21,415
	100%	5.44%	82.06%	12.24%	0.51%	0.62%	0.07%	3.14%
								1.36%
District 5								
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510
								845
* Franklin County	30,523	4,691	25,180	1,218	207	61	9	3,331
								517
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768
								1,378
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977
								1,306

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
District 5 Total	682,819	29,774	518,862	115,767	6,582	10,391	524	15,446
	100%	4.36%	75.99%	16.95%	0.96%	1.52%	0.08%	2.26%
								2.23%

District 6

* Autauga County	0	0	0	0	0	0	0	0
* Blount County	17,343	270	16,758	207	80	28	3	68
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Jefferson County	324,565	13,266	266,752	38,977	916	6,913	111	7,029
St Clair County	83,593	1,716	73,741	7,150	281	518	46	734
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
* Talladega County	7,052	85	6,207	681	22	8	0	50
District 6 Total	682,820	30,554	569,762	75,559	2,047	11,339	304	15,243
	100%	4.47%	83.44%	11.07%	0.3%	1.66%	0.04%	2.23%
								1.25%

District 7

* Autauga County	8,957	253	5,802	2,814	57	22	0	131
Bibb County	22,915	406	17,381	5,047	64	22	13	185
Choctaw County	13,859	73	7,731	6,012	18	12	0	28
Clarke County	25,833	271	14,070	11,336	103	77	4	67
								176

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
* Jefferson County	333,901	12,222	82,414	237,548	824	2,245	133	7,329
Lowndes County	11,299	87	2,859	8,310	25	14	0	31
Marengo County	21,027	352	9,751	10,872	34	53	13	140
* Montgomery County	116,000	4,563	35,081	75,448	310	889	86	2,649
Perry County	10,591	114	3,204	7,276	17	30	5	16
Pickens County	19,746	313	11,110	8,211	28	36	1	128
Sumter County	13,763	86	3,326	10,316	11	33	4	26
* Washington County	4,634	34	3,610	962	14	5	0	4
Wilcox County	11,670	72	3,126	8,465	14	4	1	9
District 7 Total	682,820	19,364	220,075	439,711	1,646	3,641	274	10,896
	100%	2.84%	32.23%	64.4%	0.24%	0.53%	0.04%	1.6%
								0.96%

* indicates split

User: bpehan3501
Plan: Allen_Congressional

Date: Wed May 18 09:52:56 GMT-0500 2011

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	682,819	0	357,792	135,074	5,705	6,784	243	5,427	5,359
2	682,819	0	354,369	142,370	2,557	6,449	440	6,810	5,650
3	682,820	0	394,344	108,618	2,419	4,849	367	9,313	5,599
4	682,819	0	441,223	60,394	2,697	3,389	281	13,205	5,067
5	682,819	0	406,546	86,302	4,805	7,893	367	9,706	8,293
6	682,820	0	440,927	54,049	1,558	8,262	219	9,811	4,558
7	682,820	0	181,712	319,971	1,295	3,055	208	7,199	3,747
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpshan3501
Plan: Allen Congressional Plan

Date: Mon Jun 20 12:40:44 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsby Popper	Holmes
1	9971.46	1108003.01	0.41	0.77	6.89	1.94	0.26	0
2	13639.52	1280474.21	0.48	0.76	6.81	1.92	0.27	0
3	10719.01	1083806.54	0.28	0.8	6.5	1.83	0.3	0
4	10670.37	1150429.93	0.38	0.72	6.92	1.95	0.26	0
5	7698.56	878449.29	0.27	0.85	6.22	1.75	0.32	0
6	5573.16	1149241.27	0.41	0.68	9.57	2.7	0.14	1
7	16102.8	1727304.22	0.41	0.66	8.46	2.39	0.18	0

User: bpshan3501

Plan: Allen Congressional Plan

Date: Mon Jun 20 12:40:14 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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User: bpshan3501
Plan: McClammy Congress PPB

Date: Thu Jun 23 14:01:57 GMT-0500 2011

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,820	1	0.00	19,122	457,689	189,846	7,879	9,102	327	8,029	9,948
2	682,820	1	0.00	24,129	382,757	265,223	3,207	8,441	582	11,833	10,777
3	682,820	1	0.00	19,149	502,930	151,510	2,469	6,574	415	8,986	9,936
4	682,819	0	0.00	44,177	601,876	35,340	4,484	2,655	614	27,536	10,314
5	682,819	0	0.00	30,262	510,685	123,451	6,581	10,595	576	15,472	15,459
6	682,819	0	0.00	29,391	572,402	73,533	1,969	11,861	261	14,348	8,445
7	682,819	0	0.00	19,372	247,055	412,408	1,629	4,367	282	10,706	6,372
Total Population:						4,779,736					
Ideal Population:						682,819					
Mean Deviation:						0					
Mean Percent Deviation:						0.01					
Largest Positive Deviation:						1					
Largest Negative Deviation:						0					
Overall Range in Deviation:						1					
Overall Range in Deviation Percentage:						0.00					

User: bpsnar3501
Plan: McClammy Congress PPB

Date: Thu Jun 23 14:02:35 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,122 (2.80%)	457,669 (67.03%)	189,846 (27.80%)	7,879 (1.15%)	9,102 (1.33%)	327 (0.05%)	8,029 (1.18%)	9,948 (1.46%)
2	682,820	1	0.00	24,129 (3.53%)	382,757 (56.06%)	265,223 (38.84%)	3,207 (0.47%)	8,441 (1.24%)	582 (0.09%)	11,833 (1.73%)	10,777 (1.58%)
3	682,820	1	0.00	19,149 (2.80%)	502,930 (73.65%)	151,510 (22.19%)	2,469 (0.36%)	6,574 (0.96%)	415 (0.06%)	8,986 (1.32%)	9,936 (1.46%)
4	682,819	0	0.00	44,177 (6.47%)	601,876 (88.15%)	35,340 (5.18%)	4,484 (0.66%)	2,655 (0.39%)	614 (0.09%)	27,536 (4.03%)	10,314 (1.51%)
5	682,819	0	0.00	30,262 (4.43%)	510,685 (74.79%)	123,451 (18.08%)	6,581 (0.96%)	10,595 (1.55%)	576 (0.08%)	15,472 (2.27%)	15,459 (2.26%)
6	682,819	0	0.00	29,391 (4.30%)	572,402 (83.83%)	73,533 (10.77%)	1,969 (0.29%)	11,861 (1.74%)	261 (0.04%)	14,348 (2.10%)	8,445 (1.24%)
7	682,819	0	0.00	19,372 (2.84%)	247,055 (36.18%)	412,408 (60.40%)	1,629 (0.24%)	4,367 (0.64%)	282 (0.04%)	10,706 (1.57%)	6,372 (0.93%)

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Date: Thu Jun 23 14:03:25 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	692,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	19,122	457,689	189,846	7,879	9,102	327	8,029	9,948		
Total%	2.80	67.03	27.80	1.15	1.33	0.05	1.18	1.46		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	682,820									
Total Population 18+	0									
Deviation	1									
Dev. %	0.00									
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	24,129	382,757	265,223	3,207	8,441	582	11,833	10,777		
Total%	3.53	56.06	38.84	0.47	1.24	0.09	1.73	1.58		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,149	502,930	151,510	2,469	6,574	415	8,986	9,936
Total%	2.80	73.65	22.19	0.36	0.96	0.06	1.32	1.46
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	44,177	601,876	35,340	4,484	2,655	614	27,536	10,314
Total%	6.47	88.15	5.18	0.66	0.39	0.09	4.03	1.51
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	30,262	510,685	123,451	6,581	10,585	576	15,472	15,459
Total%	4.43	74.79	18.08	0.96	1.55	0.08	2.27	2.26
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.	6									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	29,391	572,402	73,533		1,969	11,861	261	14,348	8,445	
Total%	4.30	83.83	10.77		0.29	1.74	0.04	2.10	1.24	
Total18+	0	0	0		0	0	0	0	0	
Total18+%	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	
<hr/>										
District No.	7									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
<hr/>										
	Total Hispanic	White	Black	Indian/Alaskan Native	American	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races	
Total	19,372	247,055	412,408		1,629	4,367	282	10,706	6,372	
Total%	2.84	36.18	60.40		0.24	0.64	0.04	1.57	0.93	
Total18+	0	0	0		0	0	0	0	0	
Total18+%	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	

User: bpsthan3501
Plan: McClammy Congress PPB

Date: Thu Jun 23 14:04:36 GMT -0500 2011

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
District 1									
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631	2,723
* Conecuh County	8,595	105	4,879	3,535	23	14	1	61	82
* Escambia County	38,319	718	23,784	12,220	1,288	92	12	343	580
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885	6,022
Monroe County	23,068	220	12,718	9,614	260	67	9	66	334
Washington County	17,581	151	11,508	4,380	1,411	20	12	43	207
District 1 Total	682,820	19,122	457,689	189,846	7,879	9,102	327	8,029	9,948
	100%	2.8%	67.03%	27.8%	1.15%	1.33%	0.05%	1.18%	1.46%
District 2									
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894	258
Bullock County	10,914	777	2,507	7,666	23	20	43	569	86
Butler County	20,947	191	11,399	9,095	60	177	7	48	161
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623	1,247
* Conecuh County	4,633	56	1,909	2,614	21	3	0	36	50
Covington County	37,765	483	32,022	4,716	214	155	1	135	522
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99	202
Dale County	50,251	2,821	37,236	9,679	371	534	44	882	1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
* Escambia County	0	0	0	0	0	0	0	0	0
Geneva County	26,790	920	23,127	2,539	224	67	8	409	416
Henry County	17,302	389	11,865	4,942	57	54	2	206	176
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244	1,759
Macon County	21,452	232	3,319	17,729	29	76	2	69	228
Montgomery County	229,363	8,314	90,656	125,477	589	4,821	171	4,743	2,906
Pike County	32,899	730	19,144	12,054	192	654	24	341	490
* Russell County	37,646	1,450	17,913	18,048	165	120	94	535	771
District 2 Total	682,820	24,129	382,757	265,223	3,207	8,441	582	11,833	10,777
	100%	3.53%	56.06%	38.84%	0.47%	1.24%	0.09%	1.73%	1.58%
District 3									
Autauga County	54,571	1,310	42,855	9,643	232	474	32	466	869
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894	1,975
Chambers County	34,215	536	20,112	13,257	69	168	10	214	385
Cherokee County	25,989	320	24,081	1,208	135	54	1	123	387
* Chilton County	27,359	1,596	22,580	3,241	94	87	45	995	317
Clay County	13,932	399	11,380	2,066	55	24	0	172	235
Cleburne County	14,972	307	14,079	498	51	23	10	151	160
Coosa County	11,539	230	7,648	3,582	40	16	15	135	103
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938	1,144
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873	2,259
Randolph County	22,913	649	17,532	4,607	84	55	5	369	261
* Russell County	15,301	496	10,536	4,087	54	116	19	166	333

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Talladega County	82,291	1,671	53,739	26,055	264	339	6	787
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713
District 3 Total	682,820	19,149	502,930	151,510	2,469	6,574	415	8,986
	100%	2.8%	73.65%	22.19%	0.36%	0.96%	0.06%	1.32%
								9,936
								1.46%

District 4

Blount County	57,322	4,626	53,068	761	307	117	38	2,347	684
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759	889
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051	1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975	1,545
Fayette County	17,241	204	14,910	1,969	52	37	0	102	171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338	530
Lamar County	14,564	180	12,626	1,643	24	4	2	82	183
Marion County	30,776	632	28,791	1,184	101	54	14	291	341
Marshall County	93,019	11,238	81,464	1,494	706	478	103	7,210	1,564
* Morgan County	88,967	3,977	78,401	5,283	836	426	46	2,340	1,635
* St Clair County	1,774	73	1,698	5	4	3	1	46	17
Walker County	67,023	1,307	61,146	3,928	251	195	36	639	828
Winston County	24,484	639	23,409	115	163	60	28	356	353
District 4 Total	682,819	44,177	601,876	35,340	4,484	2,655	614	27,536	10,314
	100%	6.47%	88.15%	5.18%	0.66%	0.39%	0.09%	4.03%	1.51%

District 5

Colbert County	54,428	1,093	43,789	8,768	267	229	20	510	845
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768	1,378

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
* Morgan County	30,523	5,179	17,003	8,902	206	265	61	3,357
District 5 Total	682,819	30,262	510,685	123,451	6,581	10,595	576	15,472
	100%	4.43%	74.79%	18.08%	0.96%	1.55%	0.08%	2.27%
								2.26%

District 6

Bibb County	22,915	406	17,381	5,047	64	22	13	185
* Chilton County	16,284	1,824	14,133	989	61	43	10	859
* Jefferson County	320,393	12,797	265,215	36,747	892	6,920	103	6,693
* St Clair County	81,819	1,643	72,043	7,145	277	515	45	688
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
* Tuscaloosa County	46,323	1,154	41,687	2,873	122	635	16	550
District 6 Total	682,819	29,391	572,402	73,533	1,969	11,861	261	14,348
	100%	4.3%	83.83%	10.77%	0.29%	1.74%	0.04%	2.1%
								1.24%

District 7

Choctaw County	13,859	73	7,731	6,012	18	12	0	28
Clarke County	25,833	271	14,070	11,336	103	77	4	67
Dallas County	43,820	309	12,769	30,423	85	149	11	84
Greene County	9,045	69	1,575	7,370	17	15	0	25
Hale County	15,760	140	6,266	9,301	25	35	1	44
								88

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
* Jefferson County	338,073	12,691	83,951	239,778	848	2,238	141	7,665	3,452
Lowndes County	11,299	87	2,859	8,310	25	14	0	31	60
Marengo County	21,027	352	9,751	10,872	34	53	13	140	164
Perry County	10,591	114	3,204	7,276	17	30	5	16	43
Pickens County	19,746	313	11,110	8,211	28	36	1	128	232
Sumter County	13,763	86	3,326	10,316	11	33	4	26	47
* Tuscaloosa County	148,333	4,795	87,317	54,738	404	1,671	101	2,443	1,659
Wilcox County	11,670	72	3,126	8,465	14	4	1	9	51
District 7 Total	682,819	19,372	247,055	412,408	1,629	4,367	282	10,706	6,372
	100%	2.84%	36.18%	60.4%	0.24%	0.64%	0.04%	1.57%	0.93%

* indicates split

User: bpshan3501
Plan: McClammy Congress PPB

Date: Thu Jun 23 14:10:36 GMT-0500 2011

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	682,820	0	358,989	133,961	5,700	6,783	243	5,405	5,360
2	682,820	0	304,810	192,621	2,434	6,379	432	7,697	5,496
3	682,820	0	395,299	110,229	1,950	5,092	309	5,963	5,155
4	682,819	0	467,707	25,777	3,332	1,999	361	16,232	5,740
5	682,819	0	400,683	91,833	4,820	8,041	394	9,758	8,333
6	682,819	0	442,643	52,580	1,496	8,654	185	9,249	4,465
7	682,819	0	206,782	299,777	1,304	3,733	201	7,167	3,724
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: bpshan3501

Plan: McClammy Congress PPB

Date: Thu Jun 23 14:05:11 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. mi)	Perimeter (mi)	Reock	Area/Convex Hull	Grofman	Schwartzberg	Polsby Popper	Holes
1	9951.48	1172584.02	0.42	0.75	7.3	2.06	0.24	0
2	13824.1	1069084.19	0.52	0.85	5.65	1.59	0.39	0
3	11680.27	1210831.15	0.32	0.78	6.96	1.96	0.26	0
4	11726.05	1241485.27	0.31	0.73	7.12	2.01	0.25	0
5	6898.8	858499.68	0.24	0.81	6.42	1.81	0.3	0
6	5526.81	1316180.47	0.34	0.71	11	3.1	0.1	0
7	14767.37	1712847.07	0.36	0.65	8.76	2.47	0.16	0

0 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 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99

User: bpshtan3501
Plan: McClammy Congress PPB

Date: Thu Jun 23 14:05:48 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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2021 Dec-27 AM 11:17
U.S. DISTRICT COURT
N.D. OF ALABAMA



User: cleeb

Date: Mon Jun 20 14:16:43 GMT-0500 2011

Plan: greer congressional 2

Population Summary Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
1	682,819	0	0.00	19,144	455,988	191,498	7,886	9,100	327	8,061	9,959
2	682,819	0	0.00	22,974	450,946	197,636	3,361	8,566	606	10,508	11,196
3	682,820	1	0.00	26,658	499,424	147,591	3,188	6,299	561	15,341	10,416
4	682,819	0	0.00	33,101	556,587	87,418	5,165	4,010	408	19,091	10,140
5	682,819	0	0.00	33,807	522,612	111,898	4,925	10,840	577	17,770	14,397
6	682,820	1	0.00	30,554	569,762	75,559	2,047	11,339	304	15,243	8,566
7	682,820	1	0.00	19,364	220,075	439,711	1,646	3,641	274	10,896	6,577

Total Population:

4,779,736

Ideal Population:

682,819

Mean Deviation:

0

Mean Percent Deviation:

0.01

Largest Positive Deviation:

1

Largest Negative Deviation:

0

Overall Range in Deviation:

1

Overall Range in Deviation Percentage:

0.00

User: cleeb
Plan: greer congressional 2

Date: Mon Jun 20 14:17:44 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,819	0	0.00	19,144 (2.80%)	455,968 (66.78%)	191,498 (28.05%)	7,866 (1.15%)	9,100 (1.33%)	327 (0.05%)	8,061 (1.18%)	9,959 (1.46%)
2	682,819	0	0.00	22,974 (3.36%)	450,946 (66.04%)	197,636 (28.94%)	3,361 (0.49%)	8,566 (1.25%)	606 (0.09%)	10,508 (1.54%)	11,196 (1.64%)
3	682,820	1	0.00	26,658 (3.90%)	499,424 (73.14%)	147,591 (21.61%)	3,188 (0.47%)	6,299 (0.92%)	561 (0.08%)	15,341 (2.25%)	10,416 (1.53%)
4	682,819	0	0.00	33,101 (4.85%)	556,587 (81.51%)	87,418 (12.80%)	5,165 (0.76%)	4,010 (0.59%)	408 (0.06%)	19,091 (2.80%)	10,140 (1.49%)
5	682,819	0	0.00	33,807 (4.95%)	522,612 (76.54%)	111,898 (16.39%)	4,925 (0.72%)	10,640 (1.56%)	577 (0.08%)	17,770 (2.60%)	14,397 (2.11%)
6	682,820	1	0.00	30,554 (4.47%)	569,762 (83.44%)	75,559 (11.07%)	2,047 (0.30%)	11,339 (1.66%)	304 (0.04%)	15,243 (2.23%)	8,566 (1.25%)
7	682,820	1	0.00	19,364 (2.84%)	220,075 (32.23%)	438,711 (64.40%)	1,846 (0.24%)	3,641 (0.53%)	274 (0.04%)	10,896 (1.60%)	6,577 (0.96%)

User: clea6
Plan: greer congressional 2

Date: Mon Jun 20 14:17:12 GMT-0500 2011

All Districts Population Report

District No.	1									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	19,144	455,988	191,498	7,886	9,100	327	8,061	9,959		
Total%	2.80	66.78	28.05	1.15	1.33	0.05	1.18	1.46		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
District No.	2									
Total Population	682,819									
Total Population 18+	0									
Deviation	0									
Dev. %	0.00									
	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races		
Total	22,974	450,946	197,636	3,361	8,566	606	10,508	11,196		
Total%	3.36	66.04	28.94	0.49	1.25	0.09	1.54	1.64		
Total 18+	0	0	0	0	0	0	0	0		
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		

District No.

3

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	26,658	499,424	147,591	3,188	6,299	561	15,341	10,416
Total%	3.90	73.14	21.61	0.47	0.92	0.08	2.25	1.53
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

4

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	33,101	556,587	87,418	5,165	4,010	408	19,091	10,140
Total%	4.85	81.51	12.80	0.76	0.59	0.06	2.80	1.49
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

5

Total Population

682,819

Total Population 18+

0

Deviation

0

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	33,807	522,612	111,898	4,925	10,640	577	17,770	14,397
Total%	4.95	76.54	16.39	0.72	1.56	0.08	2.60	2.11
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

6

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	30,554	569,762	75,559	2,047	11,339	304	15,243	8,566
Total%	4.47	83.44	11.07	0.30	1.66	0.04	2.23	1.25
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

District No.

7

Total Population

682,820

Total Population 18+

0

Deviation

1

Dev. %

0.00

	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other	Two or more races
Total	19,364	220,075	439,711	1,646	3,641	274	10,896	6,577
Total%	2.84	32.23	64.40	0.24	0.53	0.04	1.60	0.96
Total 18+	0	0	0	0	0	0	0	0
Total 18+%	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

User: cleef
Plan: greer congressional 2

Date: Mon Jun 20 14:20:33 GMT-0500 2011

Assigned District Splits

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
District 1								
Baldwin County	182,265	7,992	156,153	17,105	1,216	1,348	89	3,631
Conecuh County	13,228	161	6,788	6,149	44	17	1	97
Escambia County	38,319	718	23,784	12,220	1,288	92	12	343
Mobile County	412,992	9,936	248,647	142,992	3,681	7,561	204	3,885
Monroe County	23,068	220	12,718	9,614	260	67	9	66
* Washington County	12,947	117	7,898	3,418	1,397	15	12	39
District 1 Total	682,819	19,144	455,988	191,498	7,886	9,100	327	8,061
	100%	2.8%	66.78%	28.05%	1.15%	1.33%	0.05%	1.18%
District 2								
* Autauga County	45,614	1,057	37,053	6,829	175	452	32	335
Barbour County	27,457	1,387	13,180	12,875	114	107	29	894
Bullock County	10,914	777	2,507	7,666	23	20	43	569
Butler County	20,947	191	11,399	9,095	60	177	7	48
Coffee County	49,948	3,180	37,330	8,359	645	644	100	1,623
Covington County	37,765	483	32,022	4,716	214	155	1	135
Crenshaw County	13,906	204	10,097	3,254	57	189	8	99
Dale County	50,251	2,821	37,236	9,679	371	534	44	882
								1,505

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Elmore County	79,303	2,129	60,455	15,900	285	518	63	938	1,144
Geneva County	26,790	920	23,127	2,539	224	67	8	409	416
Henry County	17,302	389	11,865	4,942	57	54	2	206	176
Houston County	101,547	2,995	71,053	26,176	446	820	49	1,244	1,759
* Macon County	1,866	14	454	1,388	0	7	0	0	17
* Montgomery County	113,363	3,751	55,575	50,029	279	3,932	83	2,094	1,371
Pike County	32,899	730	19,144	12,054	192	654	24	341	490
Russell County	52,947	1,946	28,449	22,135	219	236	113	691	1,104
District 2 Total	682,819	22,974	450,946	197,636	3,361	8,566	606	10,508	11,196
	100%	3.36%	66.04%	28.94%	0.49%	1.25%	0.09%	1.54%	1.64%
District 3									
Calhoun County	118,572	3,893	88,840	24,382	540	845	96	1,894	1,975
Chambers County	34,215	536	20,112	13,257	69	168	10	214	385
Cherokee County	25,989	320	24,081	1,208	135	54	1	123	387
Clay County	13,932	399	11,380	2,066	55	24	0	172	235
Cleburne County	14,972	307	14,079	498	51	23	10	151	160
De Kalb County	71,109	9,690	60,087	1,078	969	203	147	7,051	1,574
Etowah County	104,430	3,447	83,823	15,796	448	672	171	1,975	1,545
Lee County	140,247	4,571	100,006	31,901	445	3,658	105	1,873	2,259
* Macon County	19,586	218	2,865	16,341	29	69	2	69	211
Randolph County	22,913	649	17,532	4,607	84	55	5	369	261
* Talladega County	75,239	1,586	47,532	25,374	242	331	6	737	1,017

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Tallapoosa County	41,616	1,042	29,087	11,083	121	197	8	713	407
District 3 Total	682,820	26,658	499,424	147,591	3,188	6,299	561	15,341	10,416
	100%	3.9%	73.14%	21.61%	0.47%	0.92%	0.08%	2.25%	1.53%
District 4									
* Blount County	39,979	4,356	36,310	554	227	89	35	2,279	485
Cullman County	80,406	3,454	76,133	856	408	343	18	1,759	889
Fayette County	17,241	204	14,910	1,969	52	37	0	102	171
Franklin County	31,704	4,710	26,320	1,228	215	63	10	3,338	530
Lamar County	14,564	180	12,626	1,643	24	4	2	82	183
Lawrence County	34,339	574	26,647	3,938	1,953	42	6	275	1,478
Marion County	30,776	632	28,791	1,184	101	54	14	291	341
* Marshall County	28,157	1,940	25,887	207	203	126	35	1,280	419
Morgan County	119,490	9,156	95,404	14,185	1,042	691	107	5,697	2,364
Tuscaloosa County	194,656	5,949	129,004	57,611	526	2,306	117	2,993	2,099
Walker County	67,023	1,307	61,146	3,928	251	195	36	639	828
Winston County	24,484	639	23,409	115	163	60	28	356	353
District 4 Total	682,819	33,101	556,587	87,418	5,165	4,010	408	19,091	10,140
	100%	4.85%	81.51%	12.8%	0.76%	0.59%	0.06%	2.8%	1.49%
District 5									
Colbert County	54,428	1,093	43,789	8,768	267	229	20	510	845
Jackson County	53,227	1,339	48,348	1,781	719	185	48	768	1,378
Lauderdale County	92,709	2,082	80,112	9,257	338	685	34	977	1,306

* Indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races
Limestone County	82,782	4,591	66,506	10,429	547	924	42	2,866
Madison County	334,811	15,404	228,280	80,376	2,551	8,265	365	6,719
* Marshall County	64,862	9,298	55,577	1,287	503	352	68	5,930
District 5 Total	682,819	33,807	522,612	111,898	4,925	10,640	577	17,770
	100%	4.95%	76.54%	16.39%	0.72%	1.56%	0.08%	2.6%
District 6								
* Autauga County	0	0	0	0	0	0	0	0
* Blount County	17,343	270	16,758	207	80	28	3	68
Chilton County	43,643	3,420	36,713	4,230	155	130	55	1,854
Coosa County	11,539	230	7,648	3,582	40	16	15	135
* Jefferson County	324,565	13,266	266,752	38,977	916	6,913	111	7,029
St Clair County	83,593	1,716	73,741	7,150	281	518	46	734
Shelby County	195,085	11,567	161,943	20,732	553	3,726	74	5,373
* Talladega County	7,052	85	6,207	681	22	8	0	50
District 6 Total	682,820	30,554	569,762	75,559	2,047	11,339	304	15,243
	100%	4.47%	83.44%	11.07%	0.3%	1.66%	0.04%	2.23%
District 7								
* Autauga County	8,957	253	5,802	2,814	57	22	0	131
Bibb County	22,915	406	17,381	5,047	64	22	13	185
Choctaw County	13,859	73	7,731	6,012	18	12	0	28
Clarke County	25,833	271	14,070	11,336	103	77	4	67

* indicates split

	Total Population	Total Hispanic	White	Black	American Indian/Alaskan Native	Asian	Hawaiian or Other Pacific Islander	Other Two or more races	
Dallas County	43,820	309	12,769	30,423	85	149	11	84	299
Greene County	9,045	69	1,575	7,370	17	15	0	25	43
Hale County	15,760	140	6,266	9,301	25	35	1	44	88
* Jefferson County	333,901	12,222	82,414	237,548	824	2,245	133	7,329	3,408
Lowndes County	11,299	87	2,859	8,310	25	14	0	31	60
Marengo County	21,027	352	9,751	10,872	34	53	13	140	164
* Montgomery County	116,000	4,563	35,081	75,448	310	889	88	2,649	1,535
Perry County	10,591	114	3,204	7,276	17	30	5	16	43
Pickens County	19,746	313	11,110	8,211	28	36	1	128	232
Sumter County	13,763	86	3,326	10,316	11	33	4	26	47
* Washington County	4,634	34	3,610	962	14	5	0	4	39
Wilcox County	11,670	72	3,126	8,465	14	4	1	9	51
District 7 Total	682,820	19,364	220,075	439,711	1,646	3,641	274	10,896	6,577
	100%	2.84%	32.23%	64.4%	0.24%	0.53%	0.04%	1.6%	0.96%

* indicates split

User: bpshan3501

Date: Mon Jun 20 14:26:50 GMT-0500 2011

Plan: Greer Congressional 2

VAP Summary Report

District No.	Total	Total Hispanic18	White18	Black18	American Indian18/Alaskan Native18	Asian18	Hawaiian or Other Pacific Islander18	Other18	All individuals over 18 who chose two or more races
1	682,819	0	357,792	135,074	5,705	6,784	243	5,427	5,359
2	682,819	0	354,369	142,370	2,557	6,449	440	6,810	5,650
3	682,820	0	394,344	108,618	2,419	4,849	367	9,313	5,599
4	682,819	0	438,761	63,420	3,785	3,194	255	11,797	5,686
5	682,819	0	409,008	83,276	3,717	8,088	393	11,114	7,674
6	682,820	0	440,927	54,049	1,558	8,262	219	9,811	4,558
7	682,820	0	181,712	319,971	1,295	3,055	208	7,199	3,747
TOTALS	4,779,736	0	2,576,913	906,778	21,036	40,681	2,125	61,471	38,273

User: cleef

Plan: greer congressional 2

Date: Mon Jun 20 14:18:51 GMT-0500 2011

District Compactness Report

District	Polygon Area (sq. m)	Perimeter (mi)	Reock	Area/Convex Hull	Groffman	Schwartzberg	Polsby Popper	Holes
1	9971.46	1108003.01	0.41	0.77	6.89	1.94	0.26	0
2	13639.52	1280474.21	0.48	0.76	6.81	1.92	0.27	0
3	10719.01	1083806.54	0.28	0.8	6.5	1.83	0.3	0
4	11928.5	1111214.4	0.52	0.79	6.32	1.78	0.31	0
5	6440.43	887579.83	0.22	0.73	6.87	1.94	0.27	0
6	5573.16	1149241.27	0.41	0.68	9.57	2.7	0.14	1
7	16102.8	1727304.22	0.41	0.66	8.46	2.39	0.18	0

User: cleeb

Plan: greer congressional 2

Date: Mon Jun 20 14:18:23 GMT-0500 2011

Unassigned Geographies Report

FIPS	Total Population	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
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Unassigned Geographies Report

2020 ANNUAL REPORT







Honorable Kay Ivey, Governor of Alabama

I am pleased to report to you on the activities of the State Personnel Department for the Fiscal Year October 1, 2019, through September 30, 2020.

While the COVID-19 public health emergency impacted our state and nation last year, state employees met the challenge by continuing to render essential services and support to fellow Alabamians to keep the State of Alabama running efficiently and effectively. These employees embody the true spirit of public service and have taken on additional responsibilities to maintain service levels for the State and its citizens. I am thankful for their service and dedication.

On behalf of the employees of the State Personnel Department, I thank you for your support and hope that you will find this report a basis for satisfaction and pride in the operation of Alabama's Merit System.

Sincerely,

A handwritten signature in black ink that reads 'Jackie Graham'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jackie Graham
State Personnel Director

STATE PERSONNEL BOARD

Ms. Faye Nelson, Chair

Mr. Myron Penn

Mr. Evan M. Thornton

Mr. David R. Mellon

Ms. Rachel Bunning

STATE PERSONNEL DIRECTOR

Jackie Graham

DEPUTY DIRECTOR

Alice Ann Byrne



The State Personnel Board consists of five members who serve six-year staggered terms. Two members are appointed by the Governor, one by the Lieutenant Governor, one by the Speaker of the House of Representatives, and one is a classified State employee elected by a majority vote of full-time State employees. Pursuant to the Merit System Act, no two appointed members of the State Personnel Board shall be appointed from any one congressional district of the State.

Jackie Graham serves as the Secretary to the State Personnel Board and as the Director of the State Personnel Department.

**Faye Nelson – Board Chair
Elected Member**

Ms. Nelson, of Montgomery, a career Merit System employee with the Alabama Department of Human Resources (DHR), is the elected employee representative on the State Personnel Board. A licensed graduate social worker, she began her career as a Social Worker with Dallas County DHR. Ms. Nelson currently serves as the Deputy Commissioner for Family Resources.

**Myron Penn
Congressional District 2**

Mr. Penn, of Union Springs, is a founding partner of Penn & Seaborn Law Firm. He also previously served in the Alabama State Senate. He was appointed to the Board by Speaker of the House Mac McCutcheon.

**Evan M. Thornton
Congressional District 5**

Mr. Thornton, of Florence, serves as Vice President for Business and Financial Affairs at the University of North Alabama. He was appointed to the Board by Governor Robert Bentley.

**David R. Mellon
Congressional District 6**

Mr. Mellon, of Birmingham, serves as University Counsel at the University of Alabama at Birmingham. He was appointed to the Board by Governor Kay Ivey.

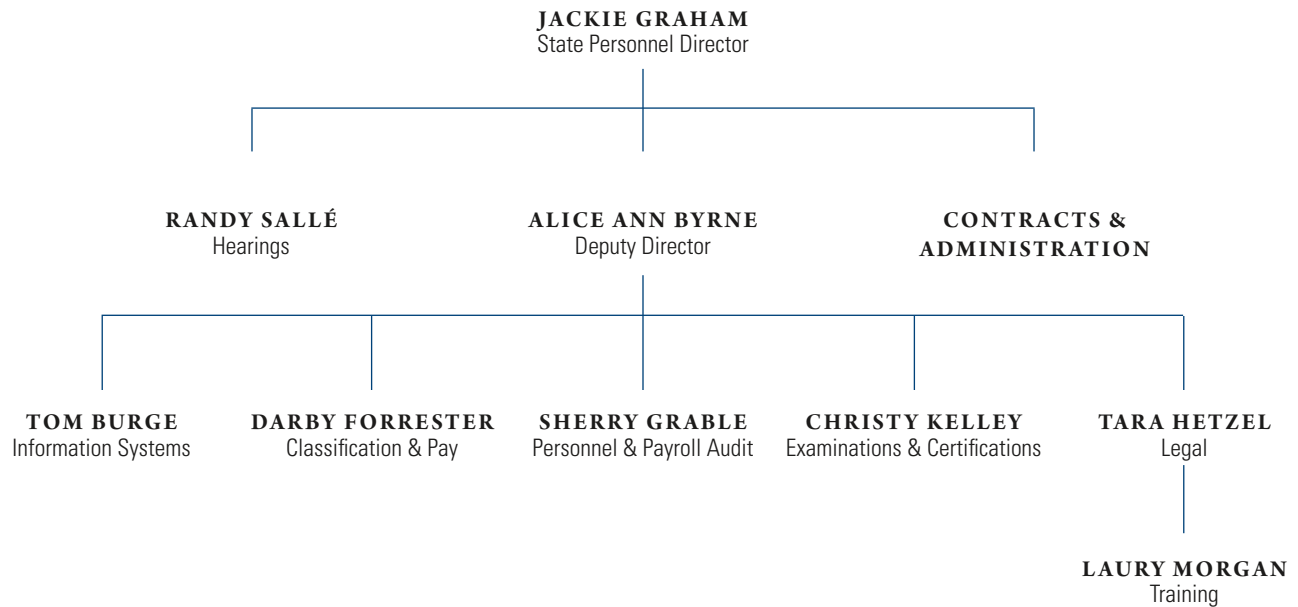
**Rachel Bunning
Congressional District 3**

Ms. Bunning, of Pike Road, serves as the Communications and Marketing Administrator at the Alabama Community College System. She was appointed to the Board by Lieutenant Governor Will Ainsworth.





State Personnel Department Organizational Chart



THE STATE PERSONNEL DEPARTMENT WAS CREATED BY THE STATE MERIT SYSTEM ACT OF 1939. A STATE DIRECTOR OF PERSONNEL WAS DESIGNATED TO BE THE EXECUTIVE HEAD OF THE DEPARTMENT.

The Department is committed to building and administering valid, legally-defensible selection devices in a timely manner and identifying the best-qualified, available applicants to fill job vacancies; maintaining a competitive classification and pay plan as well as a pay administration system that supports the attraction and retention of qualified State employees; facilitating the filling of State job vacancies through the efficient certification of qualified applicants, as required by the Merit System Act; ensuring compliance with State and Federal law in the hiring process; maintaining the integrity of the State payroll by auditing proposed personnel actions to ensure compliance with State and Federal law, and identifying and creating training programs in the area of human resource management.

2020

Year in Review Division Reports

ADMINISTRATION

Prepares and recommends rules and regulations to administer the Merit System Act.

- Edited and distributed online newsletters to all State employees, providing information on benefits and other various topics of importance.
- Represented the Department and the Merit System before the State Legislature.
- Reviewed personal services contracts to ensure legal compliance.
- Worked with Board members and coordinated monthly meetings.

CLASSIFICATION AND PAY

Administers and maintains the classification and pay plan for the State service.

- Conducted 2,103 position reviews.
- Abolished 7 job classifications and created 19 new job classifications, bringing the number of job classifications in the State Classification Plan to 1,433.
- Conducted salary reviews of agency-specific classifications series. These agencies included the Bureau of Pardons and Paroles, the Department of Mental Health, and the State Port Authority.
- Conducted salary reviews of agency-wide classification series such as Communications and Public Relations and Mechanical Engineer.

PERSONNEL AND PAYROLL AUDIT

Assures that employees are properly identified in the payroll system and that all personnel actions are audited for correctness.

- Certified the accuracy of each Merit System agency's payroll to the State Comptroller prior to payment.
- Maintained the Merit System leave system in accordance with State law.
- Maintained State employee personnel files in both digital image and hard copy formats.

TRAINING

Identifies, creates, and offers to State employees training programs in the area of human resource management.

- Implemented a completely virtual training program for state employees in response to the COVID-19 pandemic.
- Provided training to 3,751 employees through 81 training programs.
- Offered training in traditional courses of Performance Appraisal, Progressive Discipline, Interview and Selection, Employment Law, Sexual Harassment Prevention, Family and Medical Leave Act, State Government Orientation, Dynamics of Supervision, Customer Service, Time Management, Dealing With Difficult People, and Performance Appraisal and Progressive Discipline Overview.
- Worked with numerous State agencies to provide individualized and specific training to meet the respective needs of those agencies.

LEGAL

- Assists and coordinates the legal activities of the Department and the Board.
- Managed and participated in lawsuits in both State and Federal Courts.
- Managed various contracts.
- Provided training and assistance to agencies and employees concerning Employment Law, the Family and Medical Leave Act, Fair Labor Standards Act, Sexual Harassment Prevention, and various State Personnel Board Rules.
- Assisted State agencies in developing agency-specific policies and procedures.
- Involved in managing and maintaining the State's 457 Deferred Compensation Plan.
- Reviewed and processed requests for donated leave.
- Amended two State Personnel Board Rules.
- Provided guidance to agencies and employees pertaining to the Families First Coronavirus Relief Act.

ADMINISTRATIVE HEARINGS

- Conducts due process hearings for employees who appeal their dismissals or for claims of discrimination for non-merit factors.
- Resolved 29 appeals.
- Received 40 new appeals.
- Issued recommendations on appeals within an average of 1.65 months where no continuance was requested by the parties.
- Conducted 82 hearings, including 4 virtual hearings, for various State agencies and regulatory boards.

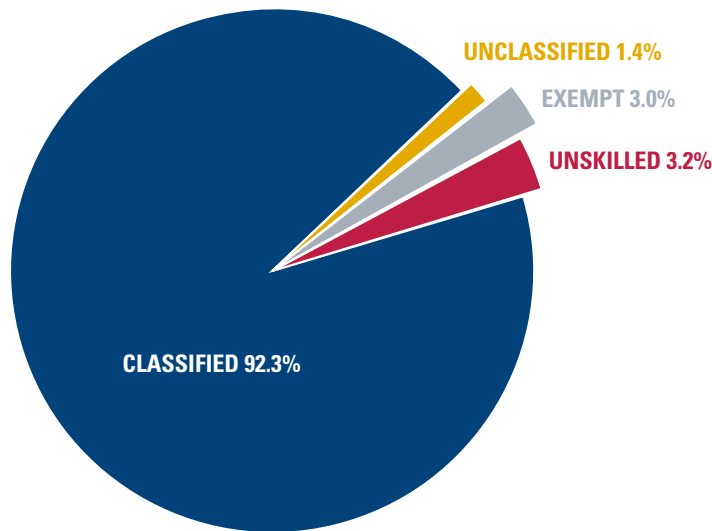
EXAMINATIONS AND RECRUITMENT AND CERTIFICATIONS

- Develops and administers tests and creates employment registers to identify the best qualified, available applicants to fill job vacancies. Maintains employment registers and certifies qualified persons to facilitate the filling of job vacancies.
- Produced and distributed 140 State job vacancy announcements.
- Reviewed 85,431 applications from individuals interested in State employment.
- Placed 29,264 eligible candidates on lists available to appointing authorities.
- Created and validated 6 new written examinations and administered 7 assessment centers.
- Administered assembled examinations to 7,163 applicants and administered weekday examinations to 1,495 applicants.

- Implemented temporary procedures for applicants to submit reservations for all written examinations. Examinations were administered as part of the Friday Testing Program at the State Personnel Testing Facility in Montgomery in order to increase testing capacity as a result of closed statewide facilities during the pandemic.
- Maintained an outreach recruitment program designed to attract qualified applicants to State service and to provide useful information to job seekers. During the fiscal year, 3 recruitment visits were made to colleges and universities in Alabama.
- Maintained 14 written examination centers throughout the State.
- Issued certifications containing the names of 122,559 applicants to operating agencies for employment consideration.
- Processed 6,299 appointments to fill positions within the Merit System.
- Issued registers to agencies on average within 7.8 hours of receipt of the Request for Candidates form.
- Processed appointments on average within 9.3 hours of the return of the Certification of Eligibles form.

INFORMATION SYSTEMS

- Creates, researches, and implements technological advances to further the needs of the Department.
- Facilitated the relocation of Testing and Training to the new facility located at 60 Commerce Street in Downtown Montgomery.
- In conjunction with OIT, relocated our Mainframe processing to the new IBM facility located in Raleigh, NC.
- To sustain operations during the pandemic, I.T. facilitated the transition of Personnel's critical workforce from an in-person environment to a remote production environment.
- Facilitated the relocation of the Administrative Judges from the 7th floor of the Folsom Administrative Building to a new, improved facility located on the 1st floor of the same building.
- Completed the automation of the registration process from Agency Services using Adobe Sign for electronic routing and signatures. This has reduced the registration process from 3 to 4 days to less than 2 hours in most cases. In addition, it has eliminated all paper forms.
- Supported and maintained the Department's Online Employment System (OES), which saw an increase in users of 16,325 during 2020 to a total user base of 253,063. We also responded to a total of 3,080 web user support requests during the year.
- Responded to a total of 2,317 internal user Support Requests during 2020 for a grand total, including web users, of 5,397 requests.



Distribution of the Types of State Employment for Merit System Agencies

CLASSIFIED: These employees are also referred to as “Merit System employees” because they are governed and afforded certain protections by the rules and regulations of the Merit System Act. Positions in the classified service are filled through the competitive process administered by the State Personnel Department. Employees are required to serve a probationary period before achieving permanent status in the classified service.

EXEMPT: State law enumerates different groups of employees that are exempt from the rules and regulations of the Merit System. Those exempt employees for which State Personnel maintains records include certain Mental Health employees, officers elected by the people, heads of departments appointed by boards and commissions, Youth Services educational employees, the Governor’s private secretary, legal advisor, recording secretary, and employees paid exclusively out of the Governor’s emergency or contingent funds.

UNCLASSIFIED: The law provides for one confidential assistant or secretary for each elected officer, one for each department head appointed by the Governor, and one such confidential employee for each board and each commission. Employees in the Office of the Governor are also unclassified unless specifically designated as exempt. Employees in the unclassified service are subject to the same rules and regulations of employment



that apply to employees in classified or Merit System positions, except those relating to appointment and dismissal.

UNSKILLED: These limited assignments are restricted to such classes as Laborer, Resort Worker, and Forestry Worker. Employees in these classes have no status in the classified service, receive only limited entitlements to certain fringe benefits, and have no right of appeal should they be separated from State service.

*Note: The information provided in this report includes agencies subject to the Merit System. The data reported does not include employees of the Legislative Branch, the Judicial Branch, or Higher Education.



*Note: The information provided in this report includes agencies subject to the Merit System. The data reported does not include employees of the Legislative Branch, the Judicial Branch, or Higher Education.



Distribution of Employees by Type

DEPARTMENT	Classified	Unclassified	Exempt	Unskilled	Total
Ag & Conservation Development Commission	1	1	1	0	3
Agricultural Museum Board	0	0	2	0	2
Agriculture & Industries	318	7	4	219	548
Alabama Law Enforcement Agency (ALEA)	1,524	4	7	1	1,536
Alcoholic Beverage Control Board	882	1	3	3	889
Architects Registration Board	2	1	1	0	4
Archives & History	66	2	1	0	69
Assisted Living Administrators Examiners Board	0	0	0	0	-
Attorney General	130	26	2	0	158
Auditor	6	0	2	0	8
Banking	97	2	1	0	100
Child Abuse & Neglect Prevention	12	1	3	0	16
Chiropractic Examiners Board	4	1	1	0	6
Choctawhatchee, Pea & Yellow Rivers Watershed	1	1	1	0	3
Commerce	60	9	3	0	72
Conservation & Natural Resources	597	1	2	631	1,231
Corrections	3,722	14	19	2	3,757
Cosmetology & Barbering Board	22	2	2	1	27
Council on the Arts	15	2	0	0	17
Counseling Examiners Board	3	0	0	0	3
Credit Union Administration	8	1	2	0	11
Crime Victims Compensation Commission	23	2	0	0	25
Dietetics/Nutrition Practice Examiners Board	0	1	1	0	2
Early Childhood Education	193	0	2	0	195
Economic & Community Affairs	143	1	2	0	146
Education	797	2	21	1	821
Educational Television Commission	34	0	3	0	37
Electrical Contractors Board	1	0	0	0	1
Emergency Management Agency	87	0	2	1	90
Environmental Management	575	1	0	0	576
Ethics Commission	10	1	3	0	14
Examiners of Public Accounts	169	2	2	0	173
Finance	342	4	4	34	384
Forensic Sciences	215	2	0	0	217
Foresters Registration Board	0	1	0	0	1
Forestry Commission	225	2	1	4	232
Funeral Services Board	0	0	5	0	5
General Contractors Licensing Board	13	1	0	0	14
Geological Survey	42	0	2	0	44
Governor	0	57	1	0	58
Governor's Mansion Authority	0	6	0	0	6
Health Planning & Development	8	1	1	0	10
Heating, A/C & Refrigeration Contractors Board	9	2	1	0	12
Historical Commission	45	4	1	13	63
Home Builders Licensure Board	19	1	1	0	21
Human Resources	4,101	2	3	1	4,107
Indian Affairs Commission	4	0	0	0	4
Insurance	155	1	4	0	160
Judicial Inquiry Commission	1	2	1	0	4
Labor	745	1	1	11	758

DEPARTMENT	Classified	Unclassified	Exempt	Unskilled	Total
Liquefied Petroleum Gas Board	8	2	0	0	10
Manufactured Housing Commission	22	2	1	0	25
Massage Therapy Board	1	0	0	0	1
Medicaid Agency	597	1	2	3	603
Mental Health	530	0	670	2	1,202
Military	278	0	3	21	302
Nursing Board	57	3	1	0	61
Nursing Home Administrators Exam Board	0	1	0	0	1
Occupational Therapy Board	0	1	1	0	2
Office of Information Technology	115	2	5	0	122
Oil & Gas Board	25	0	3	0	28
Onsite Wastewater Board	3	1	0	0	4
Pardons & Paroles	770	0	6	0	776
Peace Officers Annuity & Benefit Fund	1	1	1	0	3
Peace Officers Standards & Training Commission	2	1	2	0	5
Personnel	94	3	0	0	97
Physical Fitness Commission	1	1	1	0	3
Physical Therapy Board	1	1	0	0	2
Plumbers & Gas Fitters Exam Board	12	3	1	0	16
Polygraph Examiners	2	0	0	0	2
Professional Bail Bonding Board	1	0	0	0	1
Professional Engineers Registration Board	6	1	1	0	8
Psychology Examiners Board	0	1	1	0	2
Public Education Employees' Health Insurance Board	12	23	0	0	35
Public Health	2,544	4	3	5	2,556
Public Library Service	33	1	0	0	34
Public Service Commission	53	7	3	0	63
Real Estate Appraisers Board	5	1	0	0	6
Real Estate Commission	31	4	1	0	36
Rehabilitation Services	803	2	1	0	806
Retirement Systems	168	148	2	1	319
Revenue	1,163	3	3	4	1,173
Secretary of State	37	2	3	0	42
Securities Commission	59	2	1	0	62
Senior Services	40	3	3	1	47
Social Work Examiners Board	2	1	1	0	4
Soil & Water Conservation Commission	5	1	0	0	6
Speech Pathology & Audiology Exam Board	1	1	0	0	2
State Employees' Insurance Board	40	12	2	0	54
State Port Authority/Docks	160	2	1	0	163
Surface Mining Commission	23	2	1	0	26
Tax Tribunal	0	3	2	0	5
Tourism	65	1	2	3	71
Transportation	4,355	4	4	12	4,375
Treasurer	27	4	2	0	33
Veterinary Medical Examiners Board	3	2	0	0	5
Veterans Affairs	32	1	1	0	34
Women's Commission	0	1	0	0	1
Youth Services	357	1	54	7	419
Totals	27,970	434	908	981	30,293

Distribution of Employees by Department — A Five Year Comparison

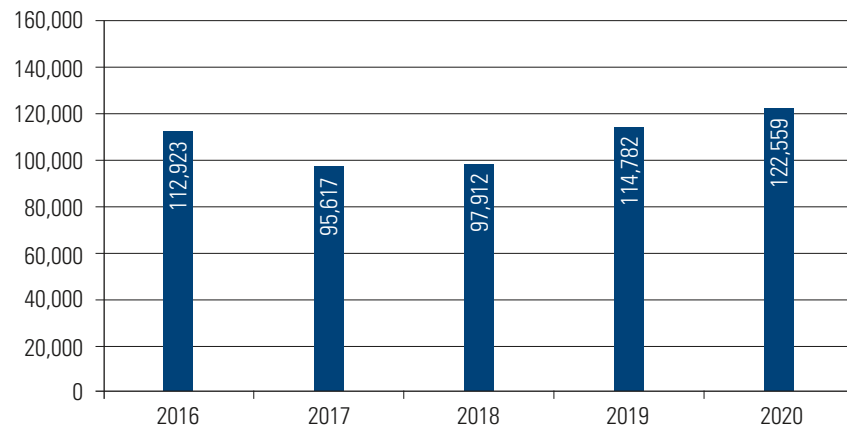
DEPARTMENT	2016	2017	2018	2019	2020
Ag & Conservation Development Commission	0	2	3	2	3
Agriculture Museum Board	2	3	4	2	2
Agriculture & Industries	558	582	535	529	548
Alabama Law Enforcement Agency (ALEA)	1,327	1,265	1,307	1,337	1,536
Alcoholic Beverage Control Board	818	840	864	874	889
Architects Registration Board	4	4	4	3	4
Archives & History	54	57	62	74	69
Assisted Living Administrators Examiners Board	2	1	1	1	0
Attorney General	153	155	152	151	158
Auditor	9	9	9	9	8
Banking	110	109	105	102	100
Building Commission	0	0	0	0	0
Child Abuse & Neglect Prevention	13	16	17	14	16
Chiropractic Examiners Board	5	6	5	5	6
Choctawhatchee, Pea & Yellow Rivers Watershed	3	2	2	2	3
Commerce	64	65	65	68	72
Conservation & Natural Resources	1,249	1,262	1,202	1,232	1,231
Corrections	3,532	3,421	3,383	3,620	3,757
Cosmetology & Barbering Board	26	26	25	27	27
Council on the Arts	17	17	16	17	17
Counseling Examiners Board	2	3	4	4	3
Credit Union Administration	10	12	12	11	11
Crime Victims Compensation Commission	30	32	31	28	25
Dietetics/Nutrition Practice Examiners Board	1	1	1	1	2
Early Childhood Education	123	132	153	176	195
Economic & Community Affairs	167	161	156	151	146
Education	857	800	777	853	821
Educational Television Commission	34	33	29	37	37
Electrical Contractors Board	0	0	0	1	1
Emergency Management Agency	87	85	91	91	90
Environmental Management	586	580	583	570	576
Ethics Commission	16	15	16	14	14
Examiners of Public Accounts	158	148	147	162	173
Finance	496	481	381	382	384
Forensic Sciences	213	217	212	210	217
Foresters Registration Board	1	2	1	1	1
Forestry Commission	243	222	227	224	232
Funeral Services Board	4	4	4	5	5
General Contractors Licensing Board	15	16	15	15	14
Geological Survey	51	55	53	52	44
Governor	57	52	53	57	58
Governor's Mansion Authority	4	4	4	6	6
Health Planning & Development	9	11	12	11	10
Heating, A/C & Refrigeration Contractors Board	12	11	12	11	12
Historical Commission	63	63	65	62	63
Home Builders Licensure Board	17	15	16	18	21
Human Resources	4,141	4,148	4,182	4,149	4,107
Indian Affairs Commission	3	3	4	4	4
Insurance	141	151	152	152	160
Judicial Inquiry Commission	5	5	4	5	4
Labor	911	865	844	830	758

DEPARTMENT	2016	2017	2018	2019	2020
Liquefied Petroleum Gas Board	10	10	10	10	10
Manufactured Housing Commission	23	24	24	24	25
Massage Therapy Board	0	0	0	1	1
Medicaid Agency	578	572	595	613	603
Mental Health	1,165	1,226	1,217	1,268	1,202
Military	319	331	324	306	302
Nursing Board	52	52	59	61	61
Nursing Home Administrators Exam Board	1	1	1	1	1
Occupational Therapy Board	2	1	2	2	2
Office of Information Technology	6	13	127	131	122
Oil & Gas Board	28	29	27	26	28
Onsite Wastewater Board	6	7	6	4	4
Pardons & Paroles	525	591	606	675	776
Peace Officers Annuity & Benefit Fund	3	3	3	3	3
Peace Officers Standards & Training Commission	5	6	5	5	5
Personnel	93	90	92	92	97
Physical Fitness Commission	3	4	3	3	3
Physical Therapy Board	2	3	3	3	2
Plumbers & Gas Fitters Exam Board	17	18	18	17	16
Polygraph Examiners	1	1	1	1	2
Professional Bail Bonding Board	0	0	0	0	1
Professional Engineers Registration Board	9	7	7	9	8
Psychology Examiners Board	1	1	1	2	2
Public Education Employees' Health Insurance Board	34	35	39	38	35
Public Health	2,974	2,836	2,756	2,680	2,556
Public Library Service	30	30	34	34	34
Public Service Commission	73	71	66	66	63
Real Estate Appraisers Board	7	7	7	6	6
Real Estate Commission	36	35	33	35	36
Rehabilitation Services	781	785	794	813	806
Retirement Systems	300	304	322	321	319
Revenue	1,140	1,119	1,126	1,165	1,173
Secretary of State	36	40	41	41	42
Securities Commission	55	58	60	61	62
Senior Services	44	42	43	48	47
Social Work Examiners Board	4	3	4	4	4
Soil & Water Conservation Commission	6	6	6	6	6
Speech Pathology & Audiology Exam Board	2	2	2	2	2
State Employees' Insurance Board	58	57	55	53	54
State Port Authority/Docks	176	167	161	168	163
Surface Mining Commission	23	21	21	24	26
Tax Tribunal	4	4	5	4	5
Tourism	70	70	73	73	71
Transportation	4,313	4,327	4,323	4,393	4,375
Treasurer	30	31	32	33	33
Veterinary Medical Examiners Board	5	5	5	5	5
Veterans Affairs	38	39	37	39	34
Women's Commission	1	1	1	1	1
Youth Services	432	434	446	421	419
Totals	29,924	29,688	29,625	30,153	30,293

Recruitment & Selection

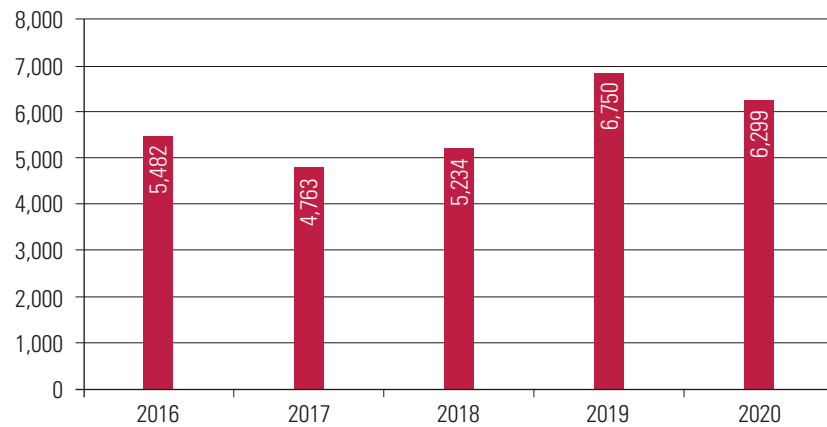
This past fiscal year, nearly 60,000 applications for State jobs were submitted. The names of almost 123,000 applicants were certified to State agencies to be considered for State jobs.

Names Certified to Agencies



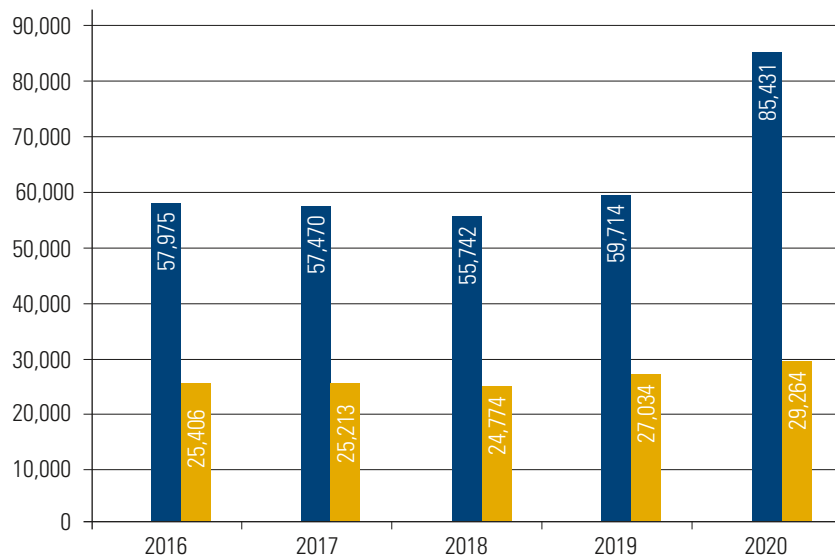
Recruitment & Selection: This past fiscal year, nearly 60,000 applications for State jobs were submitted. The names of almost 123,000 applicants were certified to State agencies to be considered for State jobs.

Applicants Appointed

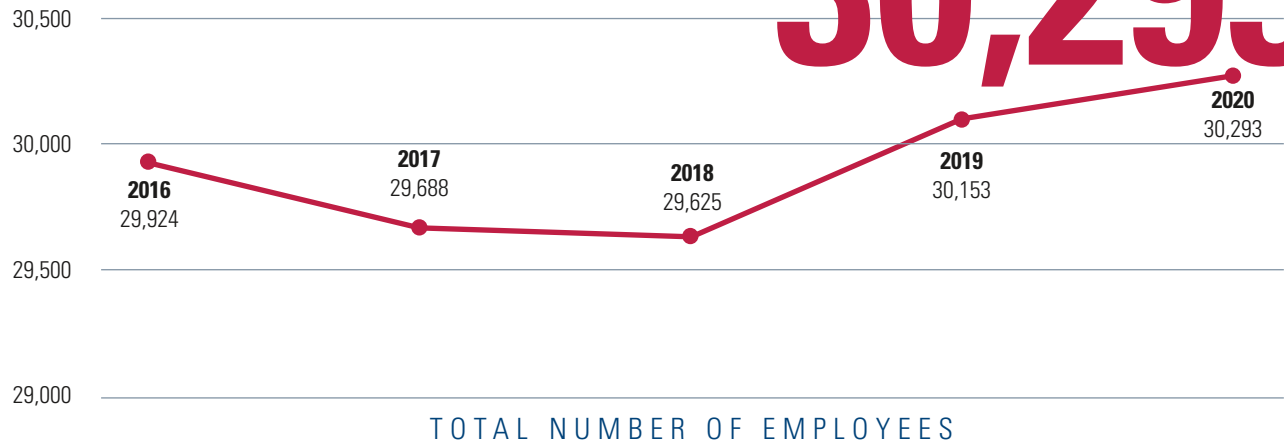


Applicant Information

Applications Processed ■
Applicants Placed on a Register ■



Number of Employees FY 2020

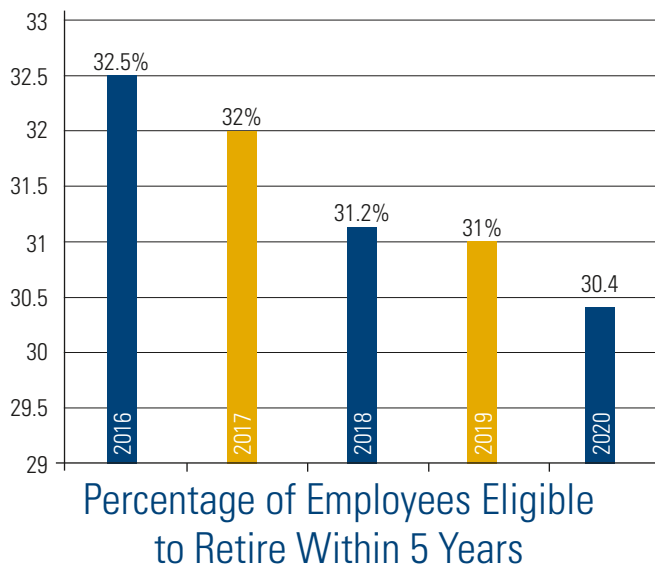
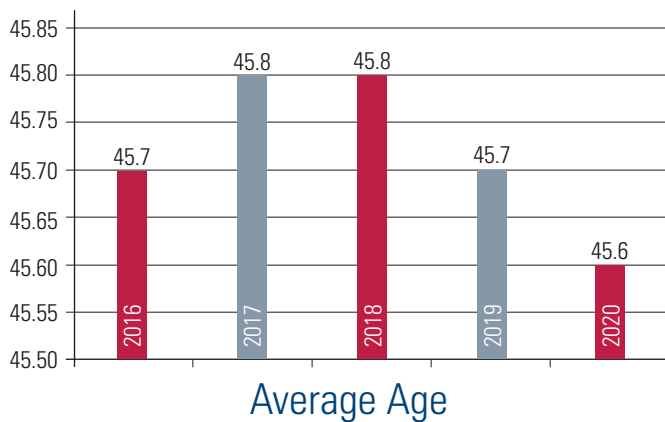
30,293**45.6**

Average Age of a State Employee in FY 2020

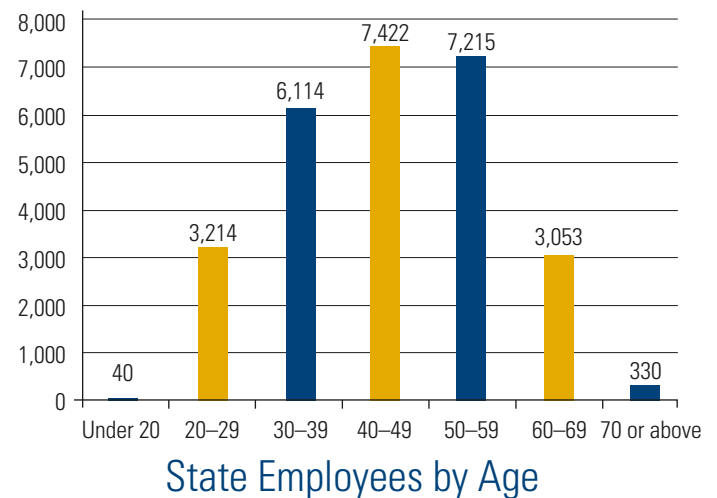
AGING WORKFORCE

State workforce demographics reveal that approximately 30.4 percent of employees are eligible to retire within the next five years. The average age of the State's workforce fell slightly and is now 45.6 years old. The average years of service for all State employees is 11.82 years.

The data in these charts exclude part-time, temporary, unclassified, exempt (except Mental Health exempt), and hourly Form 8 employees.

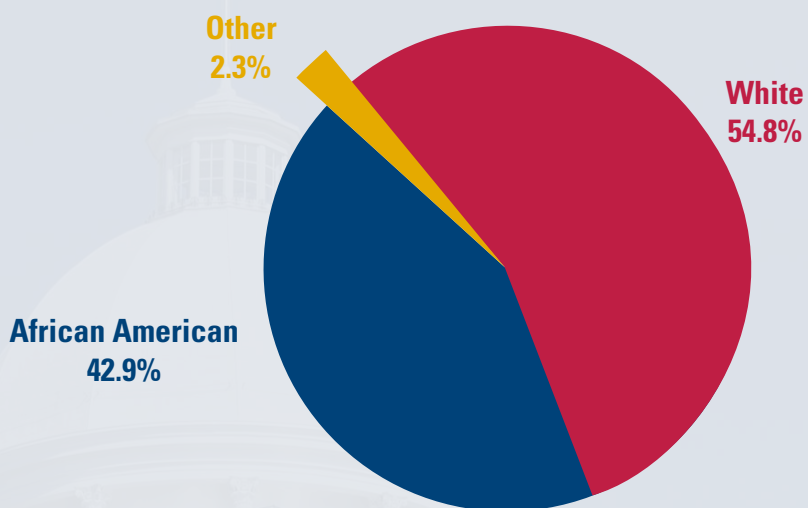


The data in this chart excludes part-time, temporary, unclassified, exempt (except Mental Health exempt), and hourly Form 8 employees.



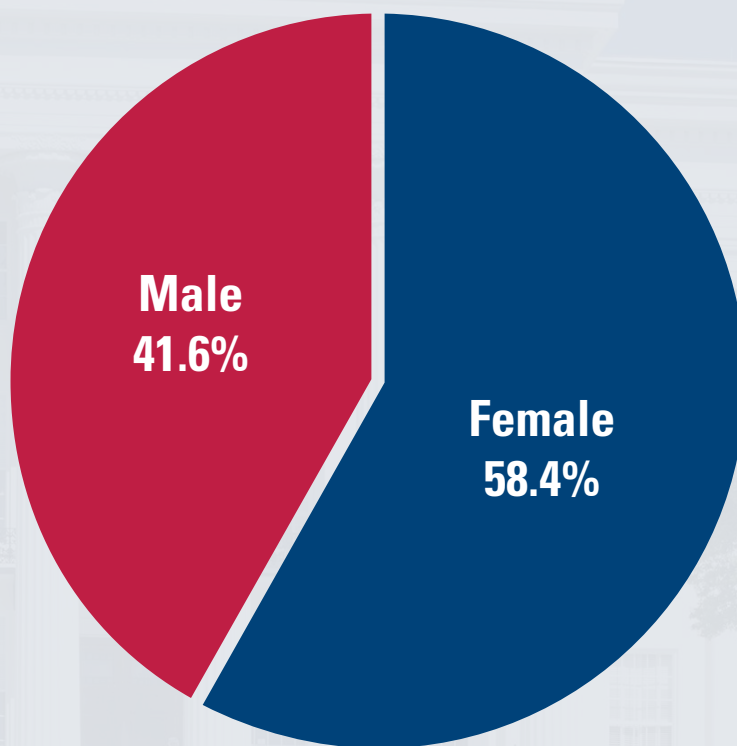
The data in this chart excludes part-time, temporary, unclassified, exempt (except Mental Health exempt), and hourly Form 8 employees.

State Workforce by Race

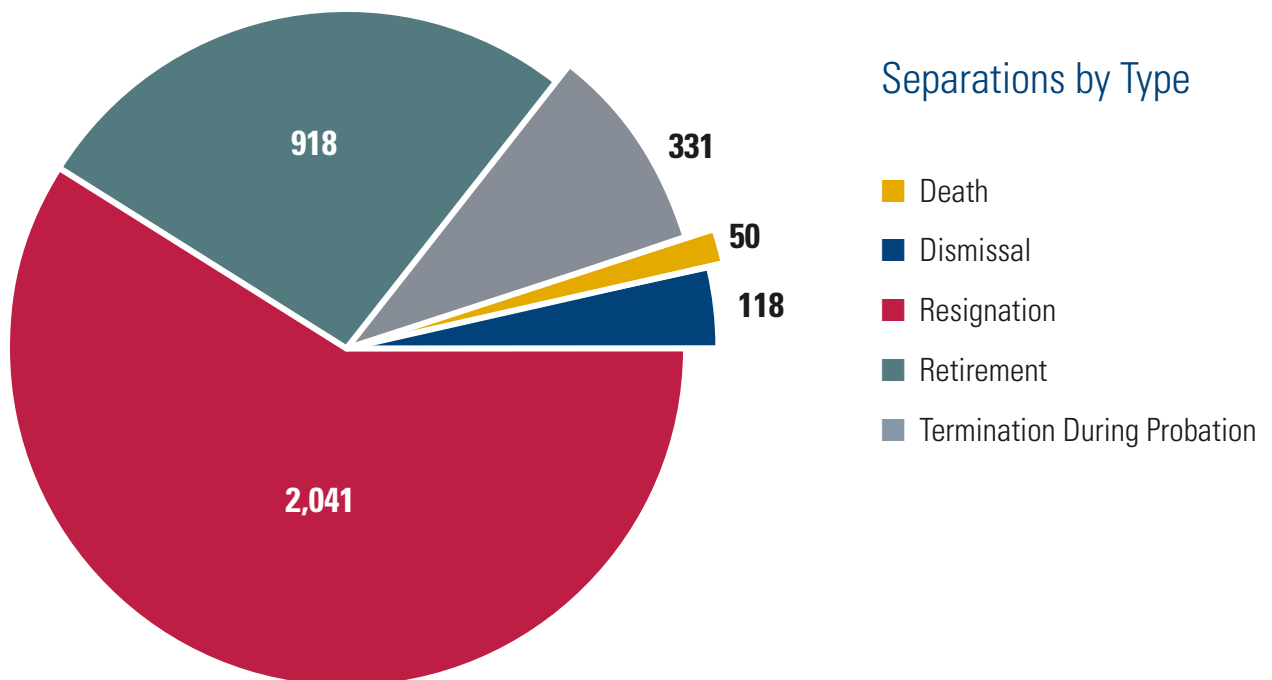
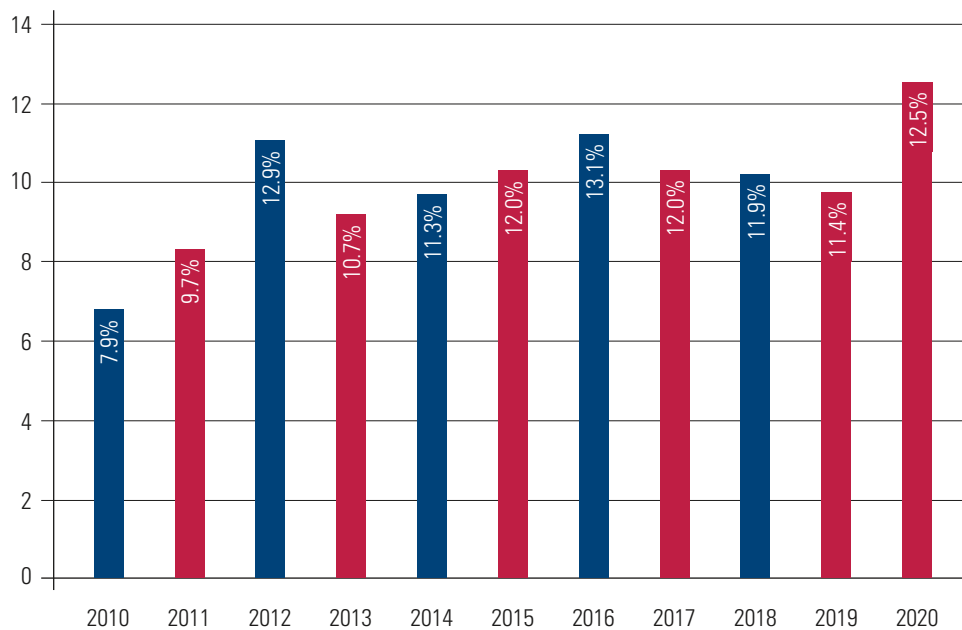


The data in this chart reflects full-time classified employees.

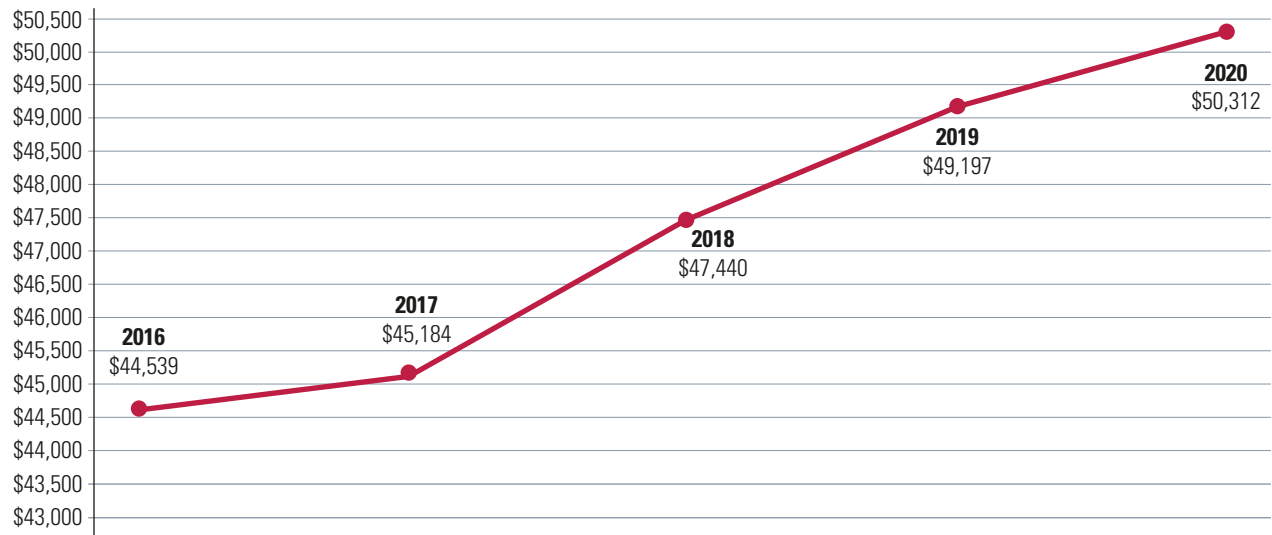
State Workforce by Gender



The data in this chart reflects full-time classified employees.



Salary Information (Alabama)



The information above reflects the average annual salary of full-time classified employees.

Annual Leave Ranking by State

Maximum Days Granted Per Year		Maximum Accumulation Allowed	
State	Days	State	Days
South Carolina	30	Louisiana ²	Unlimited
Alabama ¹	29.25	Mississippi ³	Unlimited
Mississippi	27	Alabama	60
Virginia	27	Kentucky ⁴	60
North Carolina	26	Oklahoma	60
Oklahoma	25	Virginia ⁵	54
Kentucky	24	Florida ⁴	45
Louisiana	24	Georgia	45
Tennessee	24	South Carolina	45
West Virginia	24	Missouri	42
Arkansas	22.5	Tennessee ⁴	42
Georgia	21	West Virginia ⁶	40
Missouri	21	Arkansas	30
Florida	19.5	North Carolina ⁴	30

¹Maximum leave accrual is attained after a minimum of 25 years of service to the State.

²Though accumulation is unlimited, upon separation employees are paid only for a maximum of 37.5 days.

³Though accumulation is unlimited, upon separation employees are paid only for a maximum of 30 days.

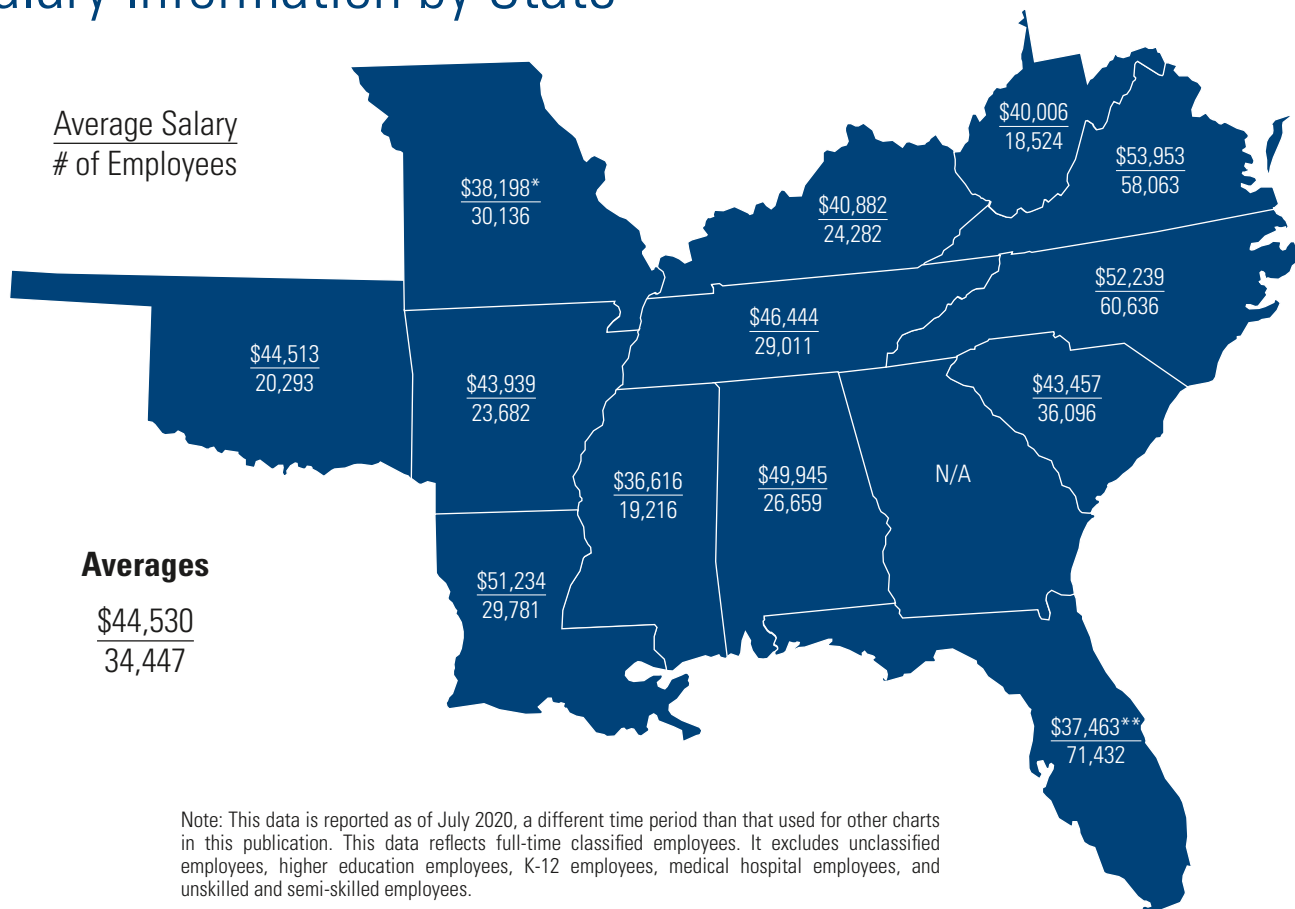
⁴Annual days in excess of the maximum days permitted to accumulate are converted to sick leave.

⁵Payment upon separation is for a maximum of 42 days.

⁶Excess days may be used to purchase health insurance, if separation is for retirement.



Salary Information by State



Note: This data is reported as of July 2020, a different time period than that used for other charts in this publication. This data reflects full-time classified employees. It excludes unclassified employees, higher education employees, K-12 employees, medical hospital employees, and unskilled and semi-skilled employees.

* Excludes employees in Transportation, Conservation, uniformed officers in Public Safety, elected officials, and Legislative and Judicial Branch employees.

** The numbers are as of July 2019.

Sick Leave Ranking by State

Maximum Days Granted Per Year		Maximum Accumulation Allowed	
State	Days	State	Days
Louisiana	24	Florida ³	Unlimited
West Virginia	18	Kentucky ⁴	Unlimited
Georgia	15	Louisiana ⁵	Unlimited
Missouri	15	Mississippi ⁴	Unlimited
Oklahoma	15	Missouri ⁴	Unlimited
South Carolina	15	North Carolina ⁴	Unlimited
Alabama	13	Oklahoma ⁴	Unlimited
Florida	13	Tennessee	Unlimited
Arkansas	12	Virginia ⁶	Unlimited
Kentucky ¹	12	West Virginia ⁴	Unlimited
Mississippi	12	South Carolina ⁴	180
North Carolina	12	Alabama ⁷	150
Tennessee	12	Arkansas ⁸	120
Virginia ²	10	Georgia	90

¹ After completion of 120 months of service and 240 months of service, an additional 10 days of sick leave are automatically credited to the employee's sick leave balance.

² All employees hired before January 1, 1999, receive 15 days.

³ After 10 years of service, employees are paid for 1/4 of their unused sick leave, up to 60 days.

⁴ Unused sick leave has no cash value but may be credited towards retirement.

⁵ Partial payment of excess sick leave is based on actuarial computation.

⁶ After 5 years of service, employees are paid for 1/4 of their unused sick leave, up to \$5,000.

⁷ At retirement, employees are paid for 1/2 of their unused sick leave or may credit the time towards retirement.

⁸ At retirement, employees are paid for part of their unused sick leave, up to \$7,500.

Holiday Rankings by State

(Includes Personal Leave Days)

Official Holidays Granted

State	Days	State	Days
Virginia ¹	17	West Virginia	12
Alabama	13	Kentucky ³	11.5
South Carolina	13	Louisiana ⁴	11
Arkansas	12	Oklahoma	11
Georgia ²	12	Tennessee	11
Missouri	12	Florida	10
North Carolina	12	Mississippi	10

¹ All employees hired after January 1, 1999, receive 4 to 5 personal leave days.

² Additionally, sick leave in excess of 15 days, up to 3 days, may be converted to personal leave days.

³ Additionally, a holiday is granted for Presidential election days.

⁴ Employees receive Inauguration Day every 4 years and General Election day every 2 years.



PHOTO CREDITS:

- Department of Rehabilitation Services
- Department of Labor
- Department of Finance
- Alabama Tourism Department
- Alabama Law Enforcement Agency
- Department of Conservation and Natural Resources
- State Employees' Insurance Board
- Alabama Bureau of Pardons & Paroles
- Alabama Department of Mental Health
- Alabama Department of Insurance
- Alabama Emergency Management Agency



State of Alabama **Personnel Department**

ANNUAL REPORT 2020

300 Folsom Administrative Building
Montgomery, Alabama 36130-4100
(334) 242-3389

personnel.alabama.gov

2020 DEMOCRATIC PRIMARY RUNOFF ELECTION STATEWIDE RESULTS

	Averhart	Gardner	Bell	Chestnut
Autauga			318	423
Baldwin	1053	3245		
Bullock			297	216
Choctaw			147	473
Clarke	150	190	299	948
Dallas			1253	4937
Elmore			2	12
Escambia	473	464		
Lowndes			1106	306
Macon			646	1026
Marengo			212	644
Mobile	12,311	7,709	4374	6122
Monroe	1,412	154	391	1145
Montgomery			2924	2521
Perry			218	519
Pike			271	277
Sumter			215	274
Washington	441	340	415	339
Wilcox			329	1120
	15840	12102	13417	21302



Alabama Democratic Party

Post Office Box 950 • Montgomery, Alabama 36101-0950 • Phone - 334.262.2221 • Fax - 334.262.6474
www.aldemocrats.org • aldemocrats@gmail.com

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MAR 11 2020

ALABAMA
SECRETARY OF STATE

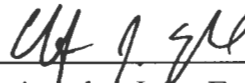
The Honorable John H. Merrill
Secretary of State
State Capitol Building
600 Dexter Avenue - Suite S-105
Montgomery, AL 36130

CERTIFICATION

Pursuant to Section 17-13-17, Code of Alabama, 1975, I hereby publicly proclaim the 2020 Democratic Primary results. Subject to the provisions therein, I declare the attached candidates the nominee having received a majority of votes. Further, those candidates recorded as "runoff" shall have their names printed on the March 31, 2020 ballot.

This certificate is subject to such disqualifications or corrective action as hereafter may be made.

Given under my hand, this eleventh day of March, 2020.



Christopher John England
Alabama Democratic Party Chair

March 3, 2020 Democratic Primary Certification

office	name as it appears on ballot	status
President of the United States	Joseph R. Biden	Preference
United States Senator	Doug Jones	Nominee
United States Representative, District 1	James Averhart	Runoff
United States Representative, District 1	Kiani A. Gardner	Runoff
United States Representative, District 2	Phyllis Harvey-Hall	Nominee
United States Representative, District 3	Adia Winfrey	Nominee
United States Representative, District 4	Rick Neighbors	Nominee
United States Representative, District 7	Terri A. Sewell	Nominee
President of the Public Service Commission	Laura Casey	Nominee
State Board of Education 1	Tom Holmes	Nominee
State Board of Education 3	Jarralynne Agee	Nominee
State Board of Education 5	Fred Bell	Runoff
State Board of Education 5	Tonya Smith Chestnut	Runoff
Circuit Judge, 10th Circuit, Place 02, Jefferson County	Shanta Owens	Nominee
Circuit Judge, 10th Circuit, Place 03, Jefferson County	Kechia Davis	Nominee
Circuit Judge, 10th Circuit, Place 10, Jefferson County	Patrick James Ballard	Nominee
Circuit Judge, 15th Circuit, Place 02, Montgomery County	Brooke E. Reid	Nominee
Circuit Judge, 15th Circuit, Place 04, Montgomery County	J. R. Gaines	Nominee
Circuit Judge, 15th Circuit, Place 07, Montgomery County	LLoria Munnerlyn James	Nominee
Circuit Judge, 15th Circuit, Place 09, Montgomery County	Johnny Hardwick	Nominee
Circuit Judge, 26th Circuit, Place 02, Russell County	David Johnson	Nominee
District Judge, 02nd Circuit, Butler County	Brandon Eugene Collins	Nominee
District Judge, 05th Circuit, Macon County	Deborah Hill Biggers	Nominee
District Judge, 08th Circuit, Place 03, Morgan County	Paul R. Holland	Nominee
District Judge, 10th Circuit, Place 01, Jefferson County	Martha R. Cook	Nominee
District Judge, 10th Circuit, Place 02, Jefferson County	Maria Fortune	Nominee
District Judge, 10th Circuit, Place 07, Jefferson County	Ruby Yvette Davis	Nominee
District Judge, 13th Circuit, Place 03, Mobile County	Alan "Big Al" Colvin	Nominee
District Judge, 14th Circuit, Walker County	Seth L. Diamond	Nominee

March 3, 2020 Democratic Primary Certification

office	name as it appears on ballot	status
District Judge, 15th Circuit, Place 01, Montgomery County	Monet McCorvey Gaines	Nominee
District Judge, 17th Circuit, Greene County	Lillie Jones-Osborne	Nominee
District Judge, 17th Circuit, Sumter County	Tammy Jackson Montgomery	Nominee

Joseph R. Biden awarded two men and two women in Congressional District 1.

Joseph R. Biden Delegate, Congressional District 1	Napoleon Bracy, Jr.	Elected
Joseph R. Biden Delegate, Congressional District 1	Adline C. Clarke, Jr.	Elected
Joseph R. Biden Delegate, Congressional District 1	Barbara Drummond	Elected
Joseph R. Biden Delegate, Congressional District 1	Ben H. Harris, III	Elected

Joseph R. Biden awarded two men and three women in Congressional District 2.

Joseph R. Biden Delegate, Congressional District 2	Harriet Jay Hubbard	Elected
Joseph R. Biden Delegate, Congressional District 2	Julian McPhillips	Elected
Joseph R. Biden Delegate, Congressional District 2	Joe M. Reed	Elected
Joseph R. Biden Delegate, Congressional District 2	female	vacant
Joseph R. Biden Delegate, Congressional District 2	female	vacant

Joseph R. Biden awarded two men and one women in Congressional District 3.

Joseph R. Biden Delegate, Congressional District 3	Lindsey Bickerstaff	Elected
Joseph R. Biden Delegate, Congressional District 3	Dolores (Dee) Crumly	Elected
Joseph R. Biden Delegate, Congressional District 3	Johnny Ford	Elected

Joseph R. Biden awarded one man and one women in Congressional District 4.

Joseph R. Biden Delegate, Congressional District 4	Maudie Bedford	Elected
Joseph R. Biden Delegate, Congressional District 4	Roger Bedford	Elected

Joseph R. Biden awarded two men and two women in Congressional District 5.

Joseph R. Biden Delegate, Congressional District 5	Susan C. Brown	Elected
Joseph R. Biden Delegate, Congressional District 5	Parker Griffith	Elected
Joseph R. Biden Delegate, Congressional District 5	Laura Hall	Elected
Joseph R. Biden Delegate, Congressional District 5	Michael L. Smith	Elected

Joseph R. Biden awarded one man and two women in Congressional District 6.

Joseph R. Biden Delegate, Congressional District 6	Brooke Battle	Elected
Joseph R. Biden Delegate, Congressional District 6	Earl F. Hilliard, Sr.	Elected

March 3, 2020 Democratic Primary Certification

office	name as it appears on ballot	status
Joseph R. Biden Delegate, Congressional District 6	Lashunda Scales	Elected
Joseph R. Biden awarded four men and four women in Congressional District 7.		
Joseph R. Biden Delegate, Congressional District 7	Linda Coleman-Madison	Elected
Joseph R. Biden Delegate, Congressional District 7	Christopher Davis	Elected
Joseph R. Biden Delegate, Congressional District 7	Juandalynn Givan	Elected
Joseph R. Biden Delegate, Congressional District 7	Earl Hilliard, Jr.	Elected
Joseph R. Biden Delegate, Congressional District 7	John Hilliard	Elected
Joseph R. Biden Delegate, Congressional District 7	Michael Miller	Elected
Joseph R. Biden Delegate, Congressional District 7	Shelia Smoot	Elected
Joseph R. Biden Delegate, Congressional District 7	Sheila D. Tyson	Elected
Bernie Sanders awarded one man in Congressional District 1.		
Bernie Sanders Delegate, Congressional District 1	Kris Adkison	Elected
Bernie Sanders awarded one woman in Congressional District 3.		
Bernie Sanders Delegate, Congressional District 3	Carla Smith	Elected
Bernie Sanders awarded one man in Congressional District 4.		
Bernie Sanders Delegate, Congressional District 4	Jared D. Vaughn	Elected
Bernie Sanders awarded one woman in Congressional District 5.		
Bernie Sanders Delegate, Congressional District 5	Tara Bailey	Elected
Bernie Sanders awarded one man in Congressional District 6.		
Bernie Sanders Delegate, Congressional District 6	Caleb Burnett	Elected



STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS an extraordinary occasion exists in the State of Alabama which requires the Legislature to convene in special session, *see* Ala. Const. art. V, § 122;

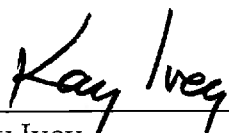
NOW, THEREFORE, I, Kay Ivey, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama shall convene in special session in the Alabama State House, in Montgomery, Alabama, at 4:00 p.m. on Thursday, October 28, 2021, to take up the following specifically described subjects and matters:

- A. **Redistricting.** The Legislature may consider legislation pertaining to the reapportionment of the State, based on the 2020 federal census, into districts for electing members of the Alabama House of Representatives, the Alabama Senate, the United States House of Representatives, and the State Board of Education.
- B. **Appropriations for pandemic-related healthcare services.** The Legislature may consider legislation to make appropriations from the American Rescue Plan Act—Coronavirus State Fiscal Recovery Fund in an amount not to exceed \$80 million to support the delivery of healthcare and related services to the citizens of Alabama related to the COVID-19 pandemic.

All other legislation, beyond the legislation specifically described above, is expressly excluded from this proclamation and shall require a two-thirds vote for consideration and passage during this special session. *See* Ala. Const. art. IV, § 76.

IN WITNESS WHEREOF, I have hereunto set my hand as Governor of the State of Alabama and caused this proclamation to be attested by the Secretary of State on this 25th day of October 2021.





Kay Ivey
Governor

ATTESTED:



John Q. Merrill
Secretary of State



Session Information on ALISON

Bill Status for HB1 (Second Special Session 2021)

Not Official Information from the Legislative Offices

Select Another Sponsor

U.S. Congressional, districts redrawn, Sec. 17-14-70 repealed; Sec. 17-14-70 added



Pringle

Current Status: Enacted (Act 2021-555)

Instrument Version

- Introduced
- Enrolled

Fiscal Notes Description

- HB1 for Finance and Taxation General Fund
- HB1 for State Government

HB1 History

Calendar Date	Body	Amd/Sub	Matter	Committee	Nay	Yea	Abstain	Vote
10/28/2021	H		Read for the first time and referred to the House of Representatives committee on State Government	SG				
10/29/2021	H		Read for the second time and placed on the calendar		4	7		
11/01/2021	H		Third Reading Passed					
11/01/2021	H	<u>215457-1</u>	Coleman 1st Substitute Offered					

11/01/2021	H	Coleman motion to Withdraw adopted Voice Vote			
11/01/2021	H	<u>215458-2</u> Holmes first Substitute Offered			
11/01/2021	S	Read for the first time and referred to the Senate committee on Finance and Taxation General Fund	F&TG		
11/01/2021	H	Pringle motion to Table adopted Roll Call 1			<u>Roll 1</u>
11/02/2021	S	Read for the second time and placed on the calendar	3	9	0
11/03/2021	S	Third Reading Passed			
11/01/2021	H	<u>215500-1</u> Faulkner first Substitute Offered			
11/03/2021	S	<u>215593-1</u> Smitherman first Substitute Offered			
11/01/2021	H	Pringle motion to Table adopted Roll Call 2			<u>Roll 2</u>
11/03/2021	S	McClendon motion to Table adopted Roll Call 29			<u>Roll 29</u>
11/01/2021	H	<u>215457-2</u> Coleman 2nd Substitute Offered			
11/01/2021	H	Pringle motion to Table adopted Roll Call 3			<u>Roll 3</u>
11/03/2021	S	<u>215488-1</u> Singleton first Substitute Offered			
11/03/2021	S	McClendon motion to Table adopted Roll Call 30			<u>Roll 30</u>
11/01/2021	H	Motion to Read a Third Time and Pass adopted Roll Call 4			<u>Roll 4</u>
11/03/2021	S	<u>215489-1</u> Singleton second Substitute Offered			
11/03/2021	S	Singleton motion to Adopt lost Roll Call 31			<u>Roll 31</u>
11/03/2021	S	<u>215601-1</u> Hatcher first Substitute Offered			
11/03/2021	S	Hatcher motion to Adopt lost Roll Call 32			<u>Roll 32</u>
11/03/2021	S	<u>215614-1</u> Waggoner first Substitute Offered			
11/03/2021	S	Waggoner motion to Adopt lost Roll Call 33			<u>Roll 33</u>
11/03/2021	S	<u>215598-1</u> Barfoot first Substitute Offered			
11/03/2021	S	McClendon motion to Table adopted Voice Vote			
11/03/2021	S	Motion to Read a Third Time and Pass adopted Roll Call 34			<u>Roll 34</u>
11/03/2021	H	Passed Second House			
11/03/2021	H	Enrolled			
11/03/2021	S	Signature Requested			
11/03/2021	H	Clerk of the House Certification			
	H	Assigned Act No. 2021-555.			
	H	Forwarded to Governor at 3:23 p.m. on November 3, 2021.			

Legislature Home (<http://www.legislature.state.al.us/aliswww/default.aspx>)

- House of Representatives (http://www.legislature.state.al.us/aliswww/isd/splash_house.aspx)
- State Senate (http://www.legislature.state.al.us/aliswww/isd/splash_senate.aspx)
- Contact Us (<mailto:sitesupport@al-legislature.gov?Subject=Website%20Email%20Inquiry>)

Alabama Legislature
11 South Union Street
Montgomery, AL 36130
House Information: (334) 261-0500 | Senate Information: (334) 261-0800

Roll of the Senate for Vote 34 on HB1 (Second Special Session 2021) Legislative Day: 5 Date: 11/03/2021

Member	Vote	Member	Vote
Albritton	Y	Allen	Y
Barfoot	Y	Beasley	N
Butler	P	Chambliss	Y
Chesteen	Y	Coleman-Madison	N
Dunn	P	Elliott	P
Figures	N	Givhan	Y
Gudger	P	Hatcher	N
Holley	Y	Jones	Y
Livingston	Y	Marsh	Y
McClendon	Y	Melson	Y
Orr	Y	Price	Y
Reed	Y	Roberts	Y
Sanders-Fortier	N	Scofield	Y
Sessions	Y	Shelnutt	P
Singleton	N	Smitherman	N
Stutts	P	Waggoner	Y
Weaver	Y	Whatley	Y
Williams	Y		
Total Yea: 22	Total Nays: 7	Total Abstains: 0	

Roll of the Senate for Vote 33 on HB1 (Second Special Session 2021) Legislative Day: 5 Date: 11/03/2021

Member	Vote	Member	Vote
Albritton	N	Allen	N
Barfoot	Y	Beasley	Y
Butler	P	Chambliss	N
Chesteen	N	Coleman-Madison	Y
Dunn	P	Elliott	P
Figures	Y	Givhan	N
Gudger	P	Hatcher	Y
Holley	N	Jones	N
Livingston	N	Marsh	N
McClendon	N	Melson	N
Orr	N	Price	N
Reed	Y	Roberts	Y
Sanders-Fortier	Y	Scofield	N
Sessions	N	Shelnutt	P
Singleton	A	Smitherman	Y
Stutts	P	Waggoner	Y
Weaver	N	Whatley	N
Williams	N		
Total Yea: 10	Total Nays: 18	Total Abstains: 1	

Roll of the Senate for Vote 32 on HB1 (Second Special Session 2021) Legislative Day: 5 Date: 11/03/2021

Member	Vote	Member	Vote
Albritton	N	Allen	N
Barfoot	N	Beasley	Y
Butler	P	Chambliss	N
Chesteen	N	Coleman-Madison	Y
Dunn	P	Elliott	P
Figures	Y	Givhan	N
Gudger	P	Hatcher	Y
Holley	N	Jones	N
Livingston	N	Marsh	N
McClendon	N	Melson	N
Orr	N	Price	N
Reed	N	Roberts	N
Sanders-Fortier	P	Scofield	N
Sessions	N	Shelnutt	P
Singleton	P	Smitherman	Y
Stutts	P	Waggoner	N
Weaver	N	Whatley	N
Williams	N		
Total Yea: 5	Total Nays: 22	Total Abstains: 0	

Roll of the Senate for Vote 31 on HB1 (Second Special Session 2021) Legislative Day: 5 Date: 11/03/2021

Member	Vote	Member	Vote
Albritton	N	Allen	N
Barfoot	N	Beasley	Y
Butler	N	Chambliss	N
Chesteen	N	Coleman-Madison	Y
Dunn	P	Elliott	P
Figures	Y	Givhan	N
Gudger	N	Hatcher	Y
Holley	N	Jones	N
Livingston	N	Marsh	N
McClendon	N	Melson	N
Orr	N	Price	N
Reed	P	Roberts	N
Sanders-Fortier	Y	Scofield	N
Sessions	N	Shelnutt	P
Singleton	Y	Smitherman	Y
Stutts	P	Waggoner	N
Weaver	N	Whatley	N
Williams	N		
Total Yea: 7	Total Nays: 23	Total Abstains: 0	

Roll of the House for Vote 4 on HB1 (Second Special Session 2021) Legislative Day: 3 Date: 11/01/2021

Member	Vote	Member	Vote
Alexander	N	Allen	Y
Almond	Y	Baker	Y
Ball	Y	Bedsole	Y
Blackshear	Y	Boyd	N
Bracy	N	Brown (C)	Y
Brown (K)	Y	Carns	N
Chestnut	N	Clarke	N
Clouse	Y	Coleman	N
Collins	Y	Crawford	Y
Daniels	N	Dismukes	Y
Dragons	Y	Drummond	N
Easterbrook	N	Ellis	Y
England	N	Estes	Y
Farley	Y	Faulkner	N
Faust	Y	Fincher	Y
Forte	N	Garrett	N
Gaston	Y	Givan	N
Gray	N	Greer	N
Grimsley	N	Hall	N
Hanes	Y	Harbison	Y
Hassell	N	Hill	Y
Hollis	N	Holmes	N
Howard	N	Hurst	Y
Ingram	Y	Isbell	Y
Jackson	N	Jones (M)	Y
Jones (S)	N	Kiel	Y
Kitchens	Y	Lawrence	N
Ledbetter	Y	Lee	Y
Lipscomb	Y	Lovvorn	Y
Marques	Y	McCampbell	N
McCutcheon	Y	McMillan	Y
Meadows	N	Mooney	N
Moore (M)	N	Moore (P)	Y
Morris	N	Oliver	Y

Paschal	Y	Pettus	N
Pringle	Y	Rafferty	N
Reynolds	Y	Rich	Y
Robbins	Y	Robertson	Y
Rogers	N	Rowe	Y
Sanderford	Y	Scott	N
Sells	Y	Shaver	Y
Shedd	Y	Shiver	Y
Simpson	Y	Smith	Y
Sorrell	Y	Sorrells	Y
South	Y	Stadthagen	Y
Standridge	Y	Stringer	Y
Sullivan	Y	Treadaway	Y
Wadsworth	Y	Warren	N
Wheeler	N	Whitt	Y
Whorton	Y	Wilcox	Y
Wingo	N	Wood (D)	Y
Wood (R)	Y		
Total Yes: 65	Total Nays: 38	Total Abstains: 0	

Roll of the Senate for Vote 30 on HB1 (Second Special Session 2021) Legislative Day: 5 Date: 11/03/2021

Member	Vote	Member	Vote
Albritton	Y	Allen	Y
Barfoot	Y	Beasley	N
Butler	Y	Chambliss	Y
Chesteen	Y	Coleman-Madison	N
Dunn	P	Elliott	P
Figures	N	Givhan	Y
Gudger	Y	Hatcher	N
Holley	Y	Jones	Y
Livingston	Y	Marsh	Y
McClendon	Y	Melson	Y
Orr	P	Price	Y
Reed	P	Roberts	Y
Sanders-Fortier	N	Scofield	Y
Sessions	Y	Shelnutt	P
Singleton	N	Smitherman	N
Stutts	P	Waggoner	Y
Weaver	Y	Whatley	Y
Williams	Y		
Total Yea: 22	Total Nays: 7	Total Abstains: 0	

Roll of the House for Vote 3 on HB1 (Second Special Session 2021) Legislative Day: 3 Date: 11/01/2021

Member	Vote	Member	Vote
Alexander	N	Allen	Y
Almond	Y	Baker	Y
Ball	P	Bedsole	Y
Blackshear	Y	Boyd	N
Bracy	N	Brown (C)	Y
Brown (K)	Y	Carns	Y
Chestnut	N	Clarke	N
Clouse	Y	Coleman	N
Collins	Y	Crawford	Y
Daniels	N	Dismukes	Y
Dragons	Y	Drummond	N
Easterbrook	N	Ellis	Y
England	N	Estes	Y
Farley	Y	Faulkner	Y
Faust	Y	Fincher	Y
Forte	N	Garrett	Y
Gaston	Y	Givan	N
Gray	N	Greer	Y
Grimsley	N	Hall	N
Hanes	Y	Harbison	Y
Hassell	N	Hill	Y
Hollis	N	Holmes	Y
Howard	N	Hurst	Y
Ingram	Y	Isbell	Y
Jackson	N	Jones (M)	Y
Jones (S)	N	Kiel	Y
Kitchens	Y	Lawrence	N
Ledbetter	Y	Lee	Y
Lipscomb	Y	Lovvorn	Y
Marques	Y	McC Campbell	N
McCutcheon	Y	McMillan	Y
Meadows	Y	Mooney	Y
Moore (M)	N	Moore (P)	Y
Morris	N	Oliver	Y

Paschal	Y	Pettus	Y
Pringle	Y	Rafferty	N
Reynolds	Y	Rich	Y
Robbins	Y	Robertson	Y
Rogers	N	Rowe	Y
Sanderford	Y	Scott	N
Sells	Y	Shaver	Y
Shedd	Y	Shiver	Y
Simpson	Y	Smith	Y
Sorrell	Y	Sorrells	Y
South	Y	Stadthagen	Y
Standridge	Y	Stringer	Y
Sullivan	Y	Treadaway	Y
Wadsworth	Y	Warren	N
Wheeler	Y	Whitt	Y
Whorton	Y	Wilcox	Y
Wingo	Y	Wood (D)	Y
Wood (R)	Y		
Total Yes: 74	Total Nays: 28	Total Abstains: 0	

Roll of the Senate for Vote 29 on HB1 (Second Special Session 2021) Legislative Day: 5 Date: 11/03/2021

Member	Vote	Member	Vote
Albritton	Y	Allen	Y
Barfoot	Y	Beasley	N
Butler	Y	Chambliss	P
Chesteen	Y	Coleman-Madison	N
Dunn	P	Elliott	Y
Figures	N	Givhan	Y
Gudger	Y	Hatcher	N
Holley	Y	Jones	Y
Livingston	Y	Marsh	P
McClendon	Y	Melson	Y
Orr	Y	Price	Y
Reed	Y	Roberts	Y
Sanders-Fortier	N	Scofield	Y
Sessions	Y	Shelnutt	Y
Singleton	N	Smitherman	N
Stutts	P	Waggoner	P
Weaver	Y	Whatley	Y
Williams	Y		
Total Yea: 23	Total Nays: 7	Total Abstains: 0	

Roll of the House for Vote 2 on HB1 (Second Special Session 2021) Legislative Day: 3 Date: 11/01/2021

Member	Vote	Member	Vote
Alexander	A	Allen	Y
Almond	Y	Baker	Y
Ball	Y	Bedsole	Y
Blackshear	Y	Boyd	A
Bracy	A	Brown (C)	Y
Brown (K)	N	Carns	N
Chestnut	Y	Clarke	A
Clouse	Y	Coleman	A
Collins	N	Crawford	Y
Daniels	A	Dismukes	Y
Drake	A	Drummond	A
Easterbrook	Y	Ellis	Y
England	Y	Estes	Y
Farley	N	Faulkner	N
Faust	Y	Fincher	Y
Forte	A	Garrett	N
Gaston	P	Givan	A
Gray	A	Greer	P
Grimsley	A	Hall	A
Hanes	N	Harbison	Y
Hassell	A	Hill	A
Hollis	Y	Holmes	N
Howard	P	Hurst	Y
Ingram	Y	Isbell	N
Jackson	A	Jones (M)	Y
Jones (S)	A	Kiel	Y
Kitchens	Y	Lawrence	Y
Ledbetter	Y	Lee	Y
Lipscomb	Y	Lovvorn	Y
Marques	Y	McC Campbell	A
McCutcheon	Y	McMillan	P
Meadows	N	Mooney	N
Moore (M)	A	Moore (P)	Y
Morris	A	Oliver	Y

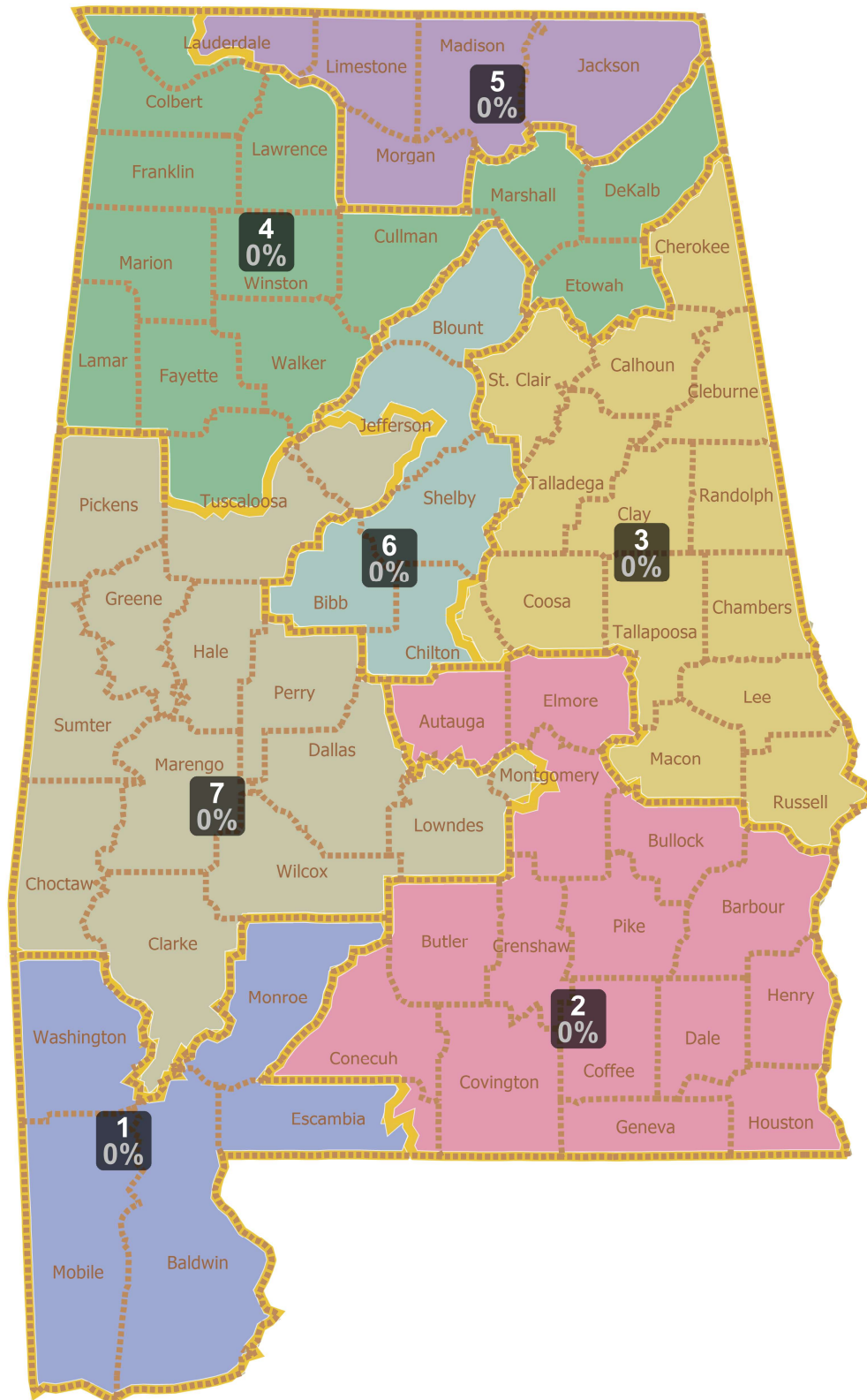
Paschal	N	Pettus	A
Pringle	Y	Rafferty	A
Reynolds	Y	Rich	N
Robbins	Y	Robertson	N
Rogers	A	Rowe	P
Sanderford	Y	Scott	P
Sells	P	Shaver	Y
Shedd	Y	Shiver	Y
Simpson	Y	Smith	Y
Sorrell	N	Sorrells	Y
South	P	Stadthagen	Y
Standridge	P	Stringer	Y
Sullivan	Y	Treadaway	N
Wadsworth	Y	Warren	A
Wheeler	N	Whitt	Y
Whorton	Y	Wilcox	Y
Wingo	N	Wood (D)	Y
Wood (R)	P		
Total Yea: 51	Total Nays: 18	Total Abstains: 24	

Roll of the House for Vote 1 on HB1 (Second Special Session 2021) Legislative Day: 3 Date: 11/01/2021

Member	Vote	Member	Vote
Alexander	A	Allen	Y
Almond	Y	Baker	Y
Ball	Y	Bedsole	Y
Blackshear	Y	Boyd	P
Bracy	P	Brown (C)	Y
Brown (K)	N	Carns	N
Chestnut	Y	Clarke	A
Clouse	Y	Coleman	A
Collins	Y	Crawford	Y
Daniels	Y	Dismukes	Y
Drake	Y	Drummond	A
Easterbrook	P	Ellis	Y
England	Y	Estes	Y
Farley	N	Faulkner	N
Faust	Y	Fincher	N
Forte	A	Garrett	N
Gaston	Y	Givan	A
Gray	Y	Greer	N
Grimsley	A	Hall	A
Hanes	N	Harbison	Y
Hassell	N	Hill	Y
Hollis	Y	Holmes	N
Howard	P	Hurst	Y
Ingram	Y	Isbell	Y
Jackson	A	Jones (M)	Y
Jones (S)	Y	Kiel	Y
Kitchens	Y	Lawrence	Y
Ledbetter	Y	Lee	Y
Lipscomb	P	Lovvorn	Y
Marques	Y	McCampbell	Y
McCutcheon	Y	McMillan	P
Meadows	N	Mooney	N
Moore (M)	N	Moore (P)	Y
Morris	Y	Oliver	N

Paschal	N	Pettus	Y
Pringle	Y	Rafferty	Y
Reynolds	Y	Rich	Y
Robbins	Y	Robertson	Y
Rogers	Y	Rowe	P
Sanderford	Y	Scott	P
Sells	P	Shaver	Y
Shedd	Y	Shiver	Y
Simpson	Y	Smith	Y
Sorrell	Y	Sorrells	Y
South	P	Stadthagen	Y
Standridge	P	Stringer	Y
Sullivan	Y	Treadaway	Y
Wadsworth	Y	Warren	A
Wheeler	Y	Whitt	Y
Whorton	P	Wilcox	Y
Wingo	N	Wood (D)	Y
Wood (R)	Y		
Total Yea: 65	Total Nays: 16	Total Abstains: 10	

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

2021 Alabama Congressional Plan

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

District Statistics

Wednesday, November 3, 2021

3:49 PM

District 1

Population Statistics

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	461,324	186,921	0.00%	64.27%	26.04%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	371,902	138,128		66.70%	24.77%

District 1 Counties (* indicates the county is not entirely within the district)

Mobile AL, Washington AL, Baldwin AL, Escambia AL*, Monroe AL

District Statistics

2021 Alabama Congressional

District 2**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	1
Actual Population:	717,755	Relative Deviation:	0.00%

Total Population

	Deviation	White	Black	% Deviation	% White	% Black
	1	433,244	217,392	0.00%	60.36%	30.29%

Voting Age Population

	Deviation	White	Black	% Deviation	% White	% Black
		350,279	162,714		62.81%	29.18%

District 2 Counties (* indicates the county is not entirely within the district)

Dale AL, Houston AL, Pike AL, Bullock AL, Henry AL, Barbour AL, Escambia AL*, Conecuh AL, Covington AL, Coffee AL, Butler AL, Crenshaw AL, Montgomery AL*, Autauga AL, Elmore AL, Geneva AL

District Statistics

2021 Alabama Congressional

District 3**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	479,432	176,953	0.00%	66.80%	24.65%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	386,048	136,382		68.41%	24.17%

District 3 Counties (* indicates the county is not entirely within the district)

Macon AL, Russell AL, Tallapoosa AL, Clay AL, Randolph AL, Lee AL, Chambers AL, St. Clair AL, Calhoun AL, Cleburne AL, Cherokee AL, Chilton AL*, Coosa AL, Talladega AL

District Statistics

2021 Alabama Congressional

District 4**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	582,698	51,929	0.00%	81.18%	7.23%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	463,433	39,834		83.33%	7.16%

District 4 Counties (* indicates the county is not entirely within the district)

Lamar AL, Fayette AL, Marion AL, Franklin AL, Walker AL, Winston AL, Lawrence AL, Colbert AL, Lauderdale AL*, Cullman AL, Etowah AL, Marshall AL, DeKalb AL, Tuscaloosa AL*

District Statistics

2021 Alabama Congressional

District 5**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	499,707	124,642	0.00%	69.62%	17.37%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	403,155	95,757		71.84%	17.06%

District 5 Counties (* indicates the county is not entirely within the district)

Lauderdale AL*, Morgan AL, Limestone AL, Madison AL, Jackson AL

District Statistics

2021 Alabama Congressional

District 6**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	498,843	138,019	0.00%	69.50%	19.23%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	397,498	100,878		71.97%	18.27%

District 6 Counties (* indicates the county is not entirely within the district)

Blount AL, Bibb AL, Chilton AL*, Jefferson AL*, Shelby AL

District Statistics

2021 Alabama Congressional

District 7**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	265,204	400,306	0.00%	36.95%	55.77%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	222,731	308,030		39.21%	54.22%

District 7 Counties (* indicates the county is not entirely within the district)

Choctaw AL, Sumter AL, Pickens AL, Clarke AL, Marengo AL, Wilcox AL, Dallas AL, Greene AL, Hale AL, Perry AL, Tuscaloosa AL*, Lowndes AL, Montgomery AL*, Jefferson AL*

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Population Summary

Wednesday, November 3, 2021

3:54 PM

District	Population	Deviation	% Devn.	White	[% White]	Black	[% Black]	[18+ _Pop]
1	717,754	0	0.00%	461,324	64.27%	186,921	26.04%	557,535
2	717,755	1	0.00%	433,244	60.36%	217,392	30.29%	557,677
3	717,754	0	0.00%	479,432	66.8%	176,953	24.65%	564,281
4	717,754	0	0.00%	582,698	81.18%	51,929	7.23%	556,133
5	717,754	0	0.00%	499,707	69.62%	124,642	17.37%	561,187
6	717,754	0	0.00%	498,843	69.5%	138,019	19.23%	552,286
7	717,754	0	0.00%	265,204	36.95%	400,306	55.77%	568,067

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,754 to 717,755

Ratio Range: 0.00

Absolute Range: 0 to 1

Absolute Overall Range: 1

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.14

Relative Mean Deviation: 0.00%

Standard Deviation: 0.35

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Population Summary

Wednesday, November 3, 2021

3:55 PM

District	Population	Deviation	% Devn.	[18+_Pop]	[% 18+_Pop]	[18+_Wht]	[% 18+_Wht]	[18+_Blk]	[% 18+_Blk]
1	717,754	0	0.00%	557,535	77.68%	371,902	66.7%	138,128	24.77%
2	717,755	1	0.00%	557,677	77.7%	350,279	62.81%	162,714	29.18%
3	717,754	0	0.00%	564,281	78.62%	386,048	68.41%	136,382	24.17%
4	717,754	0	0.00%	556,133	77.48%	463,433	83.33%	39,834	7.16%
5	717,754	0	0.00%	561,187	78.19%	403,155	71.84%	95,757	17.06%
6	717,754	0	0.00%	552,286	76.95%	397,498	71.97%	100,878	18.27%
7	717,754	0	0.00%	568,067	79.15%	222,731	39.21%	308,030	54.22%

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,754 to 717,755

Ratio Range: 0.00

Absolute Range: 0 to 1

Absolute Overall Range: 1

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.14

Relative Mean Deviation: 0.00%

Standard Deviation: 0.35

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Population Summary

Monday, November 15, 2021

11:57 AM

District	Population	Deviation	% Devn.	[% White]	[% Black]	AP_Wht	[% AP_Wht]	AP_Blkl	[% AP_Blkl]
1	717,754	0	0.00%	64.27%	26.04%	496,638	69.19%	196,827	27.42%
2	717,755	1	0.00%	60.36%	30.29%	464,682	64.74%	228,648	31.86%
3	717,754	0	0.00%	66.8%	24.65%	509,986	71.05%	187,284	26.09%
4	717,754	0	0.00%	81.18%	7.23%	619,856	86.36%	59,655	8.31%
5	717,754	0	0.00%	69.62%	17.37%	546,329	76.12%	136,782	19.06%
6	717,754	0	0.00%	69.5%	19.23%	534,271	74.44%	145,897	20.33%
7	717,754	0	0.00%	36.95%	55.77%	287,088	40%	409,643	57.07%

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,754 to 717,755

Ratio Range: 0.00

Absolute Range: 0 to 1

Absolute Overall Range: 1

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.14

Relative Mean Deviation: 0.00%

Standard Deviation: 0.35

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Population Summary

Monday, November 15, 2021

12:01 PM

District	Population	Deviation	% Devn.	[% White]	[% Black]	[18+ _AP_Wht]	[% 18+ _AP_Wht]	[18+ _AP_Bl]	[% 18+ _AP_Bl]
1	717,754	0	0.00%	64.27%	26.04%	394,684	70.79%	142,777	25.61%
2	717,755	1	0.00%	60.36%	30.29%	369,833	66.32%	167,971	30.12%
3	717,754	0	0.00%	66.8%	24.65%	405,482	71.86%	141,011	24.99%
4	717,754	0	0.00%	81.18%	7.23%	487,498	87.66%	42,819	7.7%
5	717,754	0	0.00%	69.62%	17.37%	432,690	77.1%	101,339	18.06%
6	717,754	0	0.00%	69.5%	19.23%	420,311	76.1%	104,551	18.93%
7	717,754	0	0.00%	36.95%	55.77%	238,100	41.91%	313,904	55.26%

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,754 to 717,755

Ratio Range: 0.00

Absolute Range: 0 to 1

Absolute Overall Range: 1

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.14

Relative Mean Deviation: 0.00%

Standard Deviation: 0.35

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Plan Components with Population Detail

Wednesday, November 3, 2021

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	Total Population	White	Black
District: 1			
County: Baldwin AL			
Total:	231,767	189,399	18,217
		81.72%	7.86%
Voting Age	182,471	152,668	13,593
		83.67%	7.45%
County: Escambia AL			
VTD: 1st United Methodist			
Total:	1,465	1,333	47
		90.99%	3.21%
Voting Age	1,092	998	28
		91.39%	2.56%
VTD: Alco-JD Museum			
Total:	1,045	562	386
		53.78%	36.94%
Voting Age	801	460	276
		57.43%	34.46%
VTD: Appleton VFD			
Total:	1,173	1,036	38
		88.32%	3.24%
Voting Age	918	827	23
		90.09%	2.51%
VTD: Atmore City Hall			
Total:	2,170	140	1,920
		6.45%	88.48%
Voting Age	1,622	116	1,439
		7.15%	88.72%
VTD: Atmore Public Library			

Plan Components with Population Detail

2021 Alabama Congressional

District: 1**County: Escambia AL**

Total:	2,972	1,694	959
		57.00%	32.27%
Voting Age	2,295	1,407	675
		61.31%	29.41%

VTD: Barnett Crossroads VFD

Total:	238	215	2
		90.34%	0.84%
Voting Age	194	178	1
		91.75%	0.52%

VTD: Bethel-Roberts VFD

Total:	218	205	5
		94.04%	2.29%
Voting Age	168	162	2
		96.43%	1.19%

VTD: Brewton- Civic Ctr

Total:	6,231	3,716	2,163
		59.64%	34.71%
Voting Age	4,954	3,002	1,742
		60.60%	35.16%

VTD: Canoe Civic Club

Total:	836	620	95
		74.16%	11.36%
Voting Age	671	520	64
		77.50%	9.54%

VTD: Catawba Springs

Total:	1,353	867	334
		64.08%	24.69%
Voting Age	1,036	717	211
		69.21%	20.37%

VTD: County Hwy Dept

Total:	800	318	413
		39.75%	51.63%
Voting Age	603	258	299

Plan Components with Population Detail

2021 Alabama Congressional

District: 1

County: Escambia AL

		42.79%	49.59%
VTD: Damascus-Boykin School Subtotal			
Total:	134	104	17
		77.61%	12.69%
Voting Age	103	80	17
		77.67%	16.50%
VTD: East Brewton Sail Ctr			
Total:	2,883	1,774	873
		61.53%	30.28%
Voting Age	2,171	1,404	639
		64.67%	29.43%
VTD: Flomaton Comm House			
Total:	1,036	704	252
		67.95%	24.32%
Voting Age	764	530	180
		69.37%	23.56%
VTD: Flomaton Town Hall			
Total:	1,190	933	151
		78.40%	12.69%
Voting Age	894	715	113
		79.98%	12.64%
VTD: Huxford Masonic Lodge			
Total:	961	640	203
		66.60%	21.12%
Voting Age	795	528	200
		66.42%	25.16%
VTD: Little Escambia			
Total:	812	771	16
		94.95%	1.97%
Voting Age	630	599	12
		95.08%	1.90%
VTD: Little Rock Store			
Total:	280	205	27

Plan Components with Population Detail

2021 Alabama Congressional

District: 1**County: Escambia AL**

		73.21%	9.64%
Voting Age	218	172	15
		78.90%	6.88%
VTD: McCullough VFD			
Total:	2,260	1,001	936
		44.29%	41.42%
Voting Age	2,003	914	879
		45.63%	43.88%
VTD: New Order Church			
Total:	2,832	1,036	1,533
		36.58%	54.13%
Voting Age	2,186	850	1,175
		38.88%	53.75%
VTD: Nokomis VFD			
Total:	1,126	818	134
		72.65%	11.90%
Voting Age	842	624	101
		74.11%	12.00%
VTD: Pineview			
Total:	519	474	8
		91.33%	1.54%
Voting Age	418	390	6
		93.30%	1.44%
VTD: Poarch Sail Center			
Total:	1,117	418	196
		37.42%	17.55%
Voting Age	808	309	159
		38.24%	19.68%
VTD: Pollard Town Hall			
Total:	617	534	33
		86.55%	5.35%
Voting Age	468	418	26
		89.32%	5.56%

Plan Components with Population Detail

2021 Alabama Congressional

District: 1**County: Escambia AL****VTD: Riverview Town Hall**

Total:	978	909	12
		92.94%	1.23%
Voting Age	742	696	9
		93.80%	1.21%

VTD: Rock Hill-Ridge VFD

Total:	577	471	76
		81.63%	13.17%
Voting Age	450	362	68
		80.44%	15.11%

VTD: Wallace Church

Total:	195	177	4
		90.77%	2.05%
Voting Age	148	132	4
		89.19%	2.70%

County: Escambia AL

Total:	36,018	21,675	10,833
		60.18%	30.08%
Voting Age	27,994	17,368	8,363
		62.04%	29.87%

County: Mobile AL

Total:	414,809	229,550	146,254
		55.34%	35.26%
Voting Age	319,427	185,172	107,190
		57.97%	33.56%

County: Monroe AL

Total:	19,772	10,391	8,299
		52.55%	41.97%
Voting Age	15,562	8,482	6,341
		54.50%	40.75%

County: Washington AL

Total:	15,388	10,309	3,318
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Plan Components with Population Detail

2021 Alabama Congressional

District: 1

Voting Age	12,081	66.99%	21.56%
		8,212	2,641
		67.97%	21.86%

District: 1 Subtotal

Total:	717,754	461,324	186,921
		64.27%	26.04%
Voting Age	557,535	371,902	138,128
		66.70%	24.77%

District: 2**County: Autauga AL**

Total:	58,805	42,160	11,445
		71.69%	19.46%
Voting Age	44,523	32,773	8,363
		73.61%	18.78%

County: Barbour AL

Total:	25,223	11,317	11,933
		44.87%	47.31%
Voting Age	20,134	9,582	9,278
		47.59%	46.08%

County: Bullock AL

Total:	10,357	2,320	7,396
		22.40%	71.41%
Voting Age	8,356	2,083	5,892
		24.93%	70.51%

County: Butler AL

Total:	19,051	9,752	8,430
		51.19%	44.25%
Voting Age	14,903	7,998	6,326
		53.67%	42.45%

County: Coffee AL

Total:	53,465	37,080	8,760
		69.35%	16.38%
Voting Age	40,774	29,225	6,644

Plan Components with Population Detail

2021 Alabama Congressional

District: 2				
			71.68%	16.29%
County: Conecuh AL				
Total:	11,597		5,912	5,104
			50.98%	44.01%
Voting Age	9,277		4,922	3,961
			53.06%	42.70%
County: Covington AL				
Total:	37,570		30,877	4,607
			82.19%	12.26%
Voting Age	29,387		24,553	3,482
			83.55%	11.85%
County: Crenshaw AL				
Total:	13,194		9,388	3,103
			71.15%	23.52%
Voting Age	10,360		7,511	2,401
			72.50%	23.18%
County: Dale AL				
Total:	49,326		33,429	10,241
			67.77%	20.76%
Voting Age	38,048		26,755	7,505
			70.32%	19.73%
County: Elmore AL				
Total:	87,977		63,139	18,211
			71.77%	20.70%
Voting Age	69,005		50,648	14,031
			73.40%	20.33%
County: Escambia AL				
VTD: Bradley VFD				
Total:	174		158	2
			90.80%	1.15%
Voting Age	139		126	2
			90.65%	1.44%
VTD: Damascus-Boykin School Subtotal				

Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Escambia AL**

Total:	482	290	155
		60.17%	32.16%
Voting Age	369	215	129
		58.27%	34.96%

VTD: Dixie VFD

Total:	83	79	1
		95.18%	1.20%
Voting Age	73	70	1
		95.89%	1.37%

County: Escambia AL

Total:	739	527	158
		71.31%	21.38%
Voting Age	581	411	132
		70.74%	22.72%

County: Geneva AL

Total:	26,659	22,078	2,241
		82.82%	8.41%
Voting Age	20,820	17,532	1,775
		84.21%	8.53%

County: Henry AL

Total:	17,146	11,888	4,248
		69.33%	24.78%
Voting Age	13,641	9,553	3,429
		70.03%	25.14%

County: Houston AL

Total:	107,202	69,265	28,408
		64.61%	26.50%
Voting Age	82,646	55,898	20,476
		67.64%	24.78%

County: Montgomery AL**VTD: Aldersgate UM Church**

Total:	9,614	1,186	7,531
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Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Montgomery AL**

		12.34%	78.33%
Voting Age	7,021	1,058	5,396
		15.07%	76.86%
VTD: Arrowhead Country Club			
Total:	2,449	1,463	731
		59.74%	29.85%
Voting Age	2,049	1,305	544
		63.69%	26.55%
VTD: Chisholm Comm Ctr			
Total:	2,758	517	1,776
		18.75%	64.39%
Voting Age	2,001	445	1,257
		22.24%	62.82%
VTD: Dalraida Church of Christ			
Total:	8,503	4,938	2,737
		58.07%	32.19%
Voting Age	6,742	4,283	1,882
		63.53%	27.91%
VTD: Davis Crossroads Fire Station			
Total:	422	304	94
		72.04%	22.27%
Voting Age	363	263	82
		72.45%	22.59%
VTD: Drum Theater/Huntingdon College			
Total:	7,194	5,333	1,408
		74.13%	19.57%
Voting Age	5,849	4,462	1,061
		76.29%	18.14%
VTD: Dublin Fire Station			
Total:	735	515	184
		70.07%	25.03%
Voting Age	637	457	151
		71.74%	23.70%

Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Montgomery AL****VTD: Eastdale Bapt Church**

Total:	3,957	723	2,996
		18.27%	75.71%
Voting Age	2,850	649	2,039
		22.77%	71.54%

VTD: Eastmont Bapt Church

Total:	6,922	4,137	2,305
		59.77%	33.30%
Voting Age	5,622	3,578	1,707
		63.64%	30.36%

VTD: Fitzpatrick Elem School

Total:	8,451	1,225	5,982
		14.50%	70.78%
Voting Age	6,117	1,015	4,288
		16.59%	70.10%

VTD: Flowers Elem School

Total:	5,752	2,651	2,631
		46.09%	45.74%
Voting Age	4,292	2,260	1,725
		52.66%	40.19%

VTD: Frazer UM Church

Total:	14,368	4,585	8,318
		31.91%	57.89%
Voting Age	11,599	4,135	6,309
		35.65%	54.39%

VTD: Georgia Washngtn Mid School

Total:	10,268	5,316	4,056
		51.77%	39.50%
Voting Age	7,754	4,003	3,157
		51.62%	40.71%

VTD: Highland Gardens Comm Ctr

Total:	2,776	794	1,632
		28.60%	58.79%

Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Montgomery AL**

Voting Age	2,031	692	1,117
		34.07%	55.00%

VTD: Houston Hills Comm Ctr

Total:	4,028	886	2,377
		22.00%	59.01%
Voting Age	2,785	758	1,582
		27.22%	56.80%

VTD: King Hill Comm Ctr

Total:	3,208	1,255	1,475
		39.12%	45.98%
Voting Age	2,451	1,074	1,070
		43.82%	43.66%

VTD: Lagoon Park Fire Station

Total:	6,448	3,450	1,934
		53.50%	29.99%
Voting Age	4,859	2,879	1,330
		59.25%	27.37%

VTD: Landmark Church of Christ

Total:	10,541	4,427	4,148
		42.00%	39.35%
Voting Age	8,438	3,842	3,138
		45.53%	37.19%

VTD: Lapine Bapt Church

Total:	493	338	136
		68.56%	27.59%
Voting Age	401	276	107
		68.83%	26.68%

VTD: Montgomery Museum of Fine Arts

Total:	6,774	2,010	4,140
		29.67%	61.12%
Voting Age	5,460	1,791	3,181
		32.80%	58.26%

VTD: Newton Comm Ctr

Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Montgomery AL**

Total:	1,427	140	1,220
		9.81%	85.49%
Voting Age	1,040	122	877
		11.73%	84.33%

VTD: Pine Level Fire Station

Total:	809	490	268
		60.57%	33.13%
Voting Age	702	430	231
		61.25%	32.91%

VTD: Pintlala VFD

Total:	2,214	1,372	741
		61.97%	33.47%
Voting Age	1,816	1,154	599
		63.55%	32.98%

VTD: Ramer Library

Total:	729	459	247
		62.96%	33.88%
Voting Age	624	393	220
		62.98%	35.26%

VTD: Sheridan Heights Comm Ctr

Total:	4,399	411	3,771
		9.34%	85.72%
Voting Age	3,352	352	2,857
		10.50%	85.23%

VTD: Snowdoun Women's Club

Total:	686	432	218
		62.97%	31.78%
Voting Age	570	361	189
		63.33%	33.16%

VTD: St James UM Church

Total:	13,686	7,328	2,953
		53.54%	21.58%
Voting Age	10,503	5,914	2,230

Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Montgomery AL**

		56.31%	21.23%
VTD: Union Academy Bapt Church			
Total:	254	153	84
		60.24%	33.07%
Voting Age	232	136	82
		58.62%	35.34%
VTD: Union Chapel AME Church			
Total:	1,595	482	1,025
		30.22%	64.26%
Voting Age	1,334	427	857
		32.01%	64.24%
VTD: Vaughn Park Church of Christ			
Total:	8,448	3,000	4,694
		35.51%	55.56%
Voting Age	6,773	2,593	3,623
		38.28%	53.49%
VTD: Wares Ferry Rd Elem School			
Total:	5,236	786	4,143
		15.01%	79.13%
Voting Age	3,806	704	2,877
		18.50%	75.59%
VTD: Whitfield UM Church Subtotal			
Total:	4,132	611	3,201
		14.79%	77.47%
Voting Age	3,167	557	2,380
		17.59%	75.15%
VTD: Woodland UM Church			
Total:	7,159	4,120	1,813
		57.55%	25.32%
Voting Age	5,173	3,051	1,350
		58.98%	26.10%
County: Montgomery AL			
Total:	166,435	65,837	80,969

Plan Components with Population Detail

2021 Alabama Congressional

District: 2**County: Montgomery AL**

Voting Age	128,413	39.56%	48.65%
		55,419	59,495
		43.16%	46.33%

County: Pike AL

Total:	33,009	18,275	12,138
		55.36%	36.77%
Voting Age	26,809	15,416	9,524
		57.50%	35.53%

District: 2 Subtotal

Total:	717,755	433,244	217,392
		60.36%	30.29%
Voting Age	557,677	350,279	162,714
		62.81%	29.18%

District: 3**County: Calhoun AL**

Total:	116,441	80,586	25,559
		69.21%	21.95%
Voting Age	92,289	65,424	19,865
		70.89%	21.52%

County: Chambers AL

Total:	34,772	18,850	13,512
		54.21%	38.86%
Voting Age	27,791	15,603	10,540
		56.14%	37.93%

County: Cherokee AL

Total:	24,971	22,707	987
		90.93%	3.95%
Voting Age	20,169	18,475	825
		91.60%	4.09%

County: Chilton AL**VTD: Cane Creek Fire St Subtotal**

Total:	1,378	1,274	19
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Plan Components with Population Detail

2021 Alabama Congressional

District: 3**County: Chilton AL**

Voting Age	1,089	92.45%	1.38%
		1,010	17
		92.75%	1.56%

VTD: Clanton Library

Total:	3,056	2,515	271
		82.30%	8.87%
Voting Age	2,415	2,023	206
		83.77%	8.53%

VTD: Clanton Rec Ctr

Total:	4,293	3,543	434
		82.53%	10.11%
Voting Age	3,352	2,852	308
		85.08%	9.19%

VTD: Providence , East Chilton Fire Station

Total:	1,369	1,308	17
		95.54%	1.24%
Voting Age	1,102	1,055	15
		95.74%	1.36%

VTD: Verbena Fire Station

Total:	2,309	2,005	148
		86.83%	6.41%
Voting Age	1,809	1,587	118
		87.73%	6.52%

County: Chilton AL

Total:	12,405	10,645	889
		85.81%	7.17%
Voting Age	9,767	8,527	664
		87.30%	6.80%

County: Clay AL

Total:	14,236	11,375	1,963
		79.90%	13.79%
Voting Age	11,299	9,207	1,530
		81.49%	13.54%

Plan Components with Population Detail

2021 Alabama Congressional

District: 3**County: Cleburne AL**

Total:	15,056	13,819	466
		91.78%	3.10%
Voting Age	11,620	10,736	372
		92.39%	3.20%

County: Coosa AL

Total:	10,387	6,824	3,008
		65.70%	28.96%
Voting Age	8,603	5,759	2,466
		66.94%	28.66%

County: Lee AL

Total:	174,241	111,651	39,570
		64.08%	22.71%
Voting Age	136,444	89,697	30,298
		65.74%	22.21%

County: Macon AL

Total:	19,532	3,252	15,441
		16.65%	79.05%
Voting Age	16,226	2,750	12,849
		16.95%	79.19%

County: Randolph AL

Total:	21,967	16,772	3,815
		76.35%	17.37%
Voting Age	17,264	13,503	2,931
		78.21%	16.98%

County: Russell AL

Total:	59,183	27,532	26,243
		46.52%	44.34%
Voting Age	44,681	22,120	19,225
		49.51%	43.03%

County: St. Clair AL

Total:	91,103	75,728	8,652
		83.12%	9.50%

Plan Components with Population Detail

2021 Alabama Congressional

District: 3

Voting Age	70,092	59,007	6,631
		84.19%	9.46%

County: Talladega AL

Total:	82,149	51,214	26,439
		62.34%	32.18%
Voting Age	65,024	41,708	20,345
		64.14%	31.29%

County: Tallapoosa AL

Total:	41,311	28,477	10,409
		68.93%	25.20%
Voting Age	33,012	23,532	7,841
		71.28%	23.75%

District: 3 Subtotal

Total:	717,754	479,432	176,953
		66.80%	24.65%
Voting Age	564,281	386,048	136,382
		68.41%	24.17%

District: 4**County: Colbert AL**

Total:	57,227	43,631	9,286
		76.24%	16.23%
Voting Age	45,078	35,120	7,169
		77.91%	15.90%

County: Cullman AL

Total:	87,866	79,142	937
		90.07%	1.07%
Voting Age	68,240	62,242	727
		91.21%	1.07%

County: DeKalb AL

Total:	71,608	56,420	1,046
		78.79%	1.46%
Voting Age	53,920	44,395	831
		82.33%	1.54%

Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Etowah AL**

Total:	103,436	78,584	15,146
		75.97%	14.64%
Voting Age	81,121	63,277	11,488
		78.00%	14.16%

County: Fayette AL

Total:	16,321	13,666	1,736
		83.73%	10.64%
Voting Age	12,791	10,901	1,336
		85.22%	10.44%

County: Franklin AL

Total:	32,113	24,333	1,166
		75.77%	3.63%
Voting Age	23,931	19,039	911
		79.56%	3.81%

County: Lamar AL

Total:	13,972	11,962	1,425
		85.61%	10.20%
Voting Age	11,019	9,532	1,145
		86.51%	10.39%

County: Lauderdale AL**VTD: 1st Presbyterian Church**

Total:	3,007	1,899	708
		63.15%	23.55%
Voting Age	2,812	1,812	645
		64.44%	22.94%

VTD: Broadway Rec Ctr

Total:	2,344	1,347	575
		57.47%	24.53%
Voting Age	1,717	1,095	372
		63.77%	21.67%

VTD: Central Bapt Church

Total:	2,260	1,202	652
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Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Lauderdale AL**

		53.19%	28.85%
Voting Age	1,630	954	457
		58.53%	28.04%
VTD: Central Comm Ctr			
Total:	3,278	2,994	89
		91.34%	2.72%
Voting Age	2,543	2,353	66
		92.53%	2.60%
VTD: Cloverdale Comm Ctr			
Total:	3,534	3,319	66
		93.92%	1.87%
Voting Age	2,779	2,621	55
		94.31%	1.98%
VTD: E Campus Woodmont BC			
Total:	1,222	912	96
		74.63%	7.86%
Voting Age	953	742	72
		77.86%	7.56%
VTD: Fairgrounds Rd Senior Ctr			
Total:	1,923	1,344	389
		69.89%	20.23%
Voting Age	1,577	1,175	285
		74.51%	18.07%
VTD: Florence Blvd Ch of Christ			
Total:	1,734	1,485	109
		85.64%	6.29%
Voting Age	1,420	1,234	89
		86.90%	6.27%
VTD: Florence first Bapt			
Total:	1,715	1,351	189
		78.78%	11.02%
Voting Age	1,439	1,154	155
		80.19%	10.77%

Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Lauderdale AL****VTD: Grady Richards Ctr**

Total:	1,255	947	222
		75.46%	17.69%
Voting Age	1,023	794	162
		77.61%	15.84%

VTD: Handy Rec Ctr

Total:	1,708	353	1,220
		20.67%	71.43%
Voting Age	1,292	309	902
		23.92%	69.81%

VTD: Hibbett School

Total:	2,258	1,692	356
		74.93%	15.77%
Voting Age	1,860	1,426	288
		76.67%	15.48%

VTD: Highland Bapt Church

Total:	4,699	3,129	1,083
		66.59%	23.05%
Voting Age	3,681	2,607	772
		70.82%	20.97%

VTD: Killen Ch Christ Annex Subtotal

Total:	2,072	1,823	84
		87.98%	4.05%
Voting Age	1,668	1,501	63
		89.99%	3.78%

VTD: Lauderdale Co Bd

Total:	2,516	2,198	108
		87.36%	4.29%
Voting Age	2,098	1,866	82
		88.94%	3.91%

VTD: Oakland Fire St

Total:	2,429	1,917	366
		78.92%	15.07%

Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Lauderdale AL**

Voting Age	1,973	1,583	300
		80.23%	15.21%

VTD: Sherrod Ave Ch Christ

Total:	2,410	1,410	731
		58.51%	30.33%
Voting Age	1,915	1,172	560
		61.20%	29.24%

VTD: Stewartville Ch Christ

Total:	2,352	2,240	20
		95.24%	0.85%
Voting Age	1,818	1,741	20
		95.76%	1.10%

VTD: Waterloo Sr Bldg

Total:	817	795	0
		97.31%	0.00%
Voting Age	637	621	0
		97.49%	0.00%

County: Lauderdale AL

Total:	43,533	32,357	7,063
		74.33%	16.22%
Voting Age	34,835	26,760	5,345
		76.82%	15.34%

County: Lawrence AL

Total:	33,073	24,915	3,304
		75.33%	9.99%
Voting Age	25,878	19,803	2,726
		76.52%	10.53%

County: Marion AL

Total:	29,341	26,312	1,106
		89.68%	3.77%
Voting Age	23,264	21,148	880
		90.90%	3.78%

Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Marshall AL**

Total:	97,612	76,926	2,428
		78.81%	2.49%
Voting Age	73,530	60,762	1,725
		82.64%	2.35%

County: Tuscaloosa AL**VTD: Carroll Creek Church**

Total:	7,523	6,639	271
		88.25%	3.60%
Voting Age	5,596	5,017	201
		89.65%	3.59%

VTD: Chapel Hill Church

Total:	6,352	5,253	541
		82.70%	8.52%
Voting Age	4,525	3,795	387
		83.87%	8.55%

VTD: County Rd Camp #3

Total:	1,262	1,111	97
		88.03%	7.69%
Voting Age	963	844	89
		87.64%	9.24%

VTD: Echola FD

Total:	686	625	12
		91.11%	1.75%
Voting Age	542	501	7
		92.44%	1.29%

VTD: Flatwoods Church Subtotal

Total:	3	0	2
		0.00%	66.67%
Voting Age	0	0	0
		0.00%	0.00%

VTD: Mary Phelps Ctr

Total:	8,196	6,365	561
		77.66%	6.84%

Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Tuscaloosa AL**

Voting Age	5,934	4,742	414
		79.91%	6.98%

VTD: Mayfield VFD

Total:	222	200	6
		90.09%	2.70%

Voting Age	182	164	6
		90.11%	3.30%

VTD: Montgomery VFD

Total:	2,089	1,875	57
		89.76%	2.73%

Voting Age	1,570	1,428	44
		90.96%	2.80%

VTD: Mt Olive Church

Total:	2,924	2,476	248
		84.68%	8.48%

Voting Age	2,289	1,974	179
		86.24%	7.82%

VTD: Northport City Hall

Total:	6,923	5,048	1,260
		72.92%	18.20%

Voting Age	5,359	3,983	971
		74.32%	18.12%

VTD: Northside Lions Club

Total:	2,008	1,857	66
		92.48%	3.29%

Voting Age	1,535	1,425	49
		92.83%	3.19%

VTD: Sheriffs Firing Range

Total:	774	722	9
		93.28%	1.16%

Voting Age	571	531	4
		92.99%	0.70%

VTD: Station #2 Carroll Creek

Plan Components with Population Detail

2021 Alabama Congressional

District: 4**County: Tuscaloosa AL**

Total:	1,823	1,713	44
		93.97%	2.41%
Voting Age	1,491	1,400	35
		93.90%	2.35%

VTD: Whitson Place Church

Total:	121	108	0
		89.26%	0.00%
Voting Age	90	80	0
		88.89%	0.00%

VTD: Windham Springs Church

Total:	513	474	7
		92.40%	1.36%
Voting Age	396	366	6
		92.42%	1.52%

VTD: Yellow Creek Church

Total:	1,351	1,212	35
		89.71%	2.59%
Voting Age	1,050	954	26
		90.86%	2.48%

County: Tuscaloosa AL

Total:	42,770	35,678	3,216
		83.42%	7.52%
Voting Age	32,093	27,204	2,418
		84.77%	7.53%

County: Walker AL

Total:	65,342	57,012	3,929
		87.25%	6.01%
Voting Age	51,667	45,720	3,026
		88.49%	5.86%

County: Winston AL

Total:	23,540	21,760	141
		92.44%	0.60%
Voting Age	18,766	17,530	107

Plan Components with Population Detail

2021 Alabama Congressional

District: 4				
			93.41%	0.57%
District: 4 Subtotal				
Total:	717,754		582,698	51,929
			81.18%	7.23%
Voting Age	556,133		463,433	39,834
			83.33%	7.16%
District: 5				
County: Jackson AL				
Total:	52,579		45,480	1,636
			86.50%	3.11%
Voting Age	41,768		36,685	1,309
			87.83%	3.13%
County: Lauderdale AL				
VTD: Anderson Town Hall				
Total:	2,018		1,925	5
			95.39%	0.25%
Voting Age	1,586		1,522	3
			95.96%	0.19%
VTD: Atlas Ch of Christ				
Total:	7,060		6,639	54
			94.04%	0.76%
Voting Age	5,542		5,252	36
			94.77%	0.65%
VTD: Center Star 1st Bapt				
Total:	5,101		4,616	155
			90.49%	3.04%
Voting Age	3,905		3,548	135
			90.86%	3.46%
VTD: Christ Chapel Ch Annex				
Total:	5,266		4,564	316
			86.67%	6.00%
Voting Age	4,427		3,913	246
			88.39%	5.56%

Plan Components with Population Detail

2021 Alabama Congressional

District: 5**County: Lauderdale AL****VTD: Elgin Senior Ctr**

Total:	3,109	2,887	61
		92.86%	1.96%
Voting Age	2,523	2,349	48
		93.10%	1.90%

VTD: Florence High School

Total:	3,176	2,427	456
		76.42%	14.36%
Voting Age	2,687	2,123	363
		79.01%	13.51%

VTD: Killen Ch Christ Annex Subtotal

Total:	2,577	2,405	32
		93.33%	1.24%
Voting Age	2,056	1,944	26
		94.55%	1.26%

VTD: Lexington Sr Ctr

Total:	2,716	2,572	13
		94.70%	0.48%
Voting Age	2,142	2,033	7
		94.91%	0.33%

VTD: Rogersville Sr Ctr

Total:	4,627	4,135	254
		89.37%	5.49%
Voting Age	3,727	3,360	201
		90.15%	5.39%

VTD: St Florian Sr Ctr

Total:	3,234	2,898	138
		89.61%	4.27%
Voting Age	2,627	2,366	115
		90.06%	4.38%

VTD: St James UM

Total:	3,744	3,169	290
		84.64%	7.75%

Plan Components with Population Detail

2021 Alabama Congressional

District: 5**County: Lauderdale AL**

Voting Age	2,977	2,564	231
		86.13%	7.76%

VTD: Underwood Comm Ctr

Total:	4,839	4,117	381
		85.08%	7.87%
Voting Age	3,859	3,342	294
		86.60%	7.62%

VTD: Zip City Comm Ctr

Total:	2,564	2,430	25
		94.77%	0.98%
Voting Age	2,015	1,929	11
		95.73%	0.55%

County: Lauderdale AL

Total:	50,031	44,784	2,180
		89.51%	4.36%
Voting Age	40,073	36,245	1,716
		90.45%	4.28%

County: Limestone AL

Total:	103,570	77,064	13,307
		74.41%	12.85%
Voting Age	79,718	60,928	10,495
		76.43%	13.17%

County: Madison AL

Total:	388,153	242,510	92,066
		62.48%	23.72%
Voting Age	304,143	196,819	70,675
		64.71%	23.24%

County: Morgan AL

Total:	123,421	89,869	15,453
		72.81%	12.52%
Voting Age	95,485	72,478	11,562
		75.91%	12.11%

Plan Components with Population Detail

2021 Alabama Congressional

District: 5**District: 5 Subtotal**

Total:	717,754	499,707	124,642
		69.62%	17.37%
Voting Age	561,187	403,155	95,757
		71.84%	17.06%

District: 6**County: Bibb AL**

Total:	22,293	16,555	4,413
		74.26%	19.80%
Voting Age	17,533	13,120	3,564
		74.83%	20.33%

County: Blount AL

Total:	59,134	50,663	845
		85.67%	1.43%
Voting Age	45,403	39,758	647
		87.57%	1.43%

County: Chilton AL**VTD: Cane Creek Fire St Subtotal**

Total:	264	231	10
		87.50%	3.79%
Voting Age	203	178	7
		87.68%	3.45%

VTD: Chilton Courthouse

Total:	2,942	2,184	286
		74.24%	9.72%
Voting Age	2,160	1,655	211
		76.62%	9.77%

VTD: City of Jemison

Total:	4,062	3,035	477
		74.72%	11.74%
Voting Age	3,088	2,384	366
		77.20%	11.85%

VTD: Collins Chapel Fire St

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Chilton AL**

Total:	999	865	34
		86.59%	3.40%
Voting Age	749	655	29
		87.45%	3.87%

VTD: Douglas Glass Amer. Legion #6

Total:	2,696	1,425	923
		52.86%	34.24%
Voting Age	2,036	1,126	694
		55.30%	34.09%

VTD: Enterprise Fire St

Total:	2,811	2,243	290
		79.79%	10.32%
Voting Age	2,111	1,742	207
		82.52%	9.81%

VTD: Fairview Fire St

Total:	1,647	1,424	111
		86.46%	6.74%
Voting Age	1,248	1,083	90
		86.78%	7.21%

VTD: Isabella Fire St

Total:	1,370	1,153	134
		84.16%	9.78%
Voting Age	1,078	916	107
		84.97%	9.93%

VTD: Maplesville Fire St

Total:	1,426	988	362
		69.28%	25.39%
Voting Age	1,108	765	289
		69.04%	26.08%

VTD: Mars Hill Fire St

Total:	2,135	1,594	79
		74.66%	3.70%
Voting Age	1,566	1,234	63

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Chilton AL**

		78.80%	4.02%
VTD: Providence, North Chilton Fire Station			
Total:	4,652	3,227	99
		69.37%	2.13%
Voting Age	3,489	2,574	74
		73.77%	2.12%
VTD: So. Chilton Fire Station			
Total:	1,656	1,473	122
		88.95%	7.37%
Voting Age	1,250	1,126	87
		90.08%	6.96%
VTD: Thorsby Town Hall			
Total:	3,173	2,649	207
		83.49%	6.52%
Voting Age	2,406	2,038	153
		84.70%	6.36%
VTD: Union Grove Fire Station			
Total:	2,776	2,391	44
		86.13%	1.59%
Voting Age	2,126	1,883	28
		88.57%	1.32%
County: Chilton AL			
Total:	32,609	24,882	3,178
		76.30%	9.75%
Voting Age	24,618	19,359	2,405
		78.64%	9.77%

County: Jefferson AL**VTD: Adamsville Bapt Church**

Total:	4,235	1,916	2,042
		45.24%	48.22%
Voting Age	3,277	1,652	1,463
		50.41%	44.64%

VTD: Adamsville Church of God

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

Total:	3,271	1,126	1,871
		34.42%	57.20%
Voting Age	2,542	997	1,374
		39.22%	54.05%

VTD: Avondale Elem Sch

Total:	2,119	1,916	67
		90.42%	3.16%
Voting Age	1,851	1,683	61
		90.92%	3.30%

VTD: Avondale Public Library Subtotal

Total:	3,007	2,135	592
		71.00%	19.69%
Voting Age	2,811	2,005	548
		71.33%	19.49%

VTD: Bagley Jr HS

Total:	5,527	5,184	34
		93.79%	0.62%
Voting Age	4,294	4,049	20
		94.29%	0.47%

VTD: Birmingham Botanical Gardens

Total:	1,324	1,228	8
		92.75%	0.60%
Voting Age	1,127	1,059	7
		93.97%	0.62%

VTD: Bluff Pk UM Church

Total:	5,846	4,398	767
		75.23%	13.12%
Voting Age	4,336	3,329	540
		76.78%	12.45%

VTD: Bradford Sanctuary of Praise

Total:	3,897	2,870	488
		73.65%	12.52%
Voting Age	3,013	2,336	321

Plan Components with Population Detail

2021 Alabama Congressional

District: 6

County: Jefferson AL

		77.53%	10.65%
VTD: Brookside Comm Ctr			
Total:	1,645	1,208	291
		73.43%	17.69%
Voting Age	1,256	988	182
		78.66%	14.49%
VTD: Brookwood Bapt Church			
Total:	5,544	5,176	68
		93.36%	1.23%
Voting Age	4,059	3,804	53
		93.72%	1.31%
VTD: Brownsville Comm Ctr			
Total:	1,137	8	1,114
		0.70%	97.98%
Voting Age	950	5	932
		0.53%	98.11%
VTD: Center Pt 1st Bapt			
Total:	9,756	1,935	7,069
		19.83%	72.46%
Voting Age	6,969	1,725	4,791
		24.75%	68.75%
VTD: Center Pt Comm Ctr			
Total:	6,202	833	4,895
		13.43%	78.93%
Voting Age	4,329	755	3,304
		17.44%	76.32%
VTD: Cherokee Bend Elem Sch			
Total:	2,801	2,622	33
		93.61%	1.18%
Voting Age	2,071	1,952	27
		94.25%	1.30%
VTD: Church at Grants Mill			
Total:	3,162	1,754	1,107

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

		55.47%	35.01%
Voting Age	2,719	1,578	921
		58.04%	33.87%
VTD: Church of the Highlands			
Total:	2,196	1,676	289
		76.32%	13.16%
Voting Age	1,868	1,454	239
		77.84%	12.79%
VTD: Clay Comm Ctr			
Total:	7,405	4,858	1,880
		65.60%	25.39%
Voting Age	5,864	4,152	1,289
		70.80%	21.98%
VTD: Corner Sch			
Total:	2,781	2,642	10
		95.00%	0.36%
Voting Age	2,122	2,046	3
		96.42%	0.14%
VTD: Crestwood Ed Ctr			
Total:	4,391	3,342	722
		76.11%	16.44%
Voting Age	3,822	2,979	579
		77.94%	15.15%
VTD: Don Hawkins Pk & Rec			
Total:	4,013	1,581	2,191
		39.40%	54.60%
Voting Age	3,241	1,391	1,690
		42.92%	52.14%
VTD: East Pinson Valley Ctr			
Total:	7,835	1,584	5,269
		20.22%	67.25%
Voting Age	5,568	1,357	3,554
		24.37%	63.83%

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL****VTD: First Bapt Booker Heights**

Total:	79	15	58
		18.99%	73.42%
Voting Age	70	7	58
		10.00%	82.86%

VTD: Fullness Christian Fellowship

Total:	1,742	1,246	174
		71.53%	9.99%
Voting Age	1,316	993	122
		75.46%	9.27%

VTD: Fultondale 1st Bapt

Total:	5,852	2,907	2,294
		49.68%	39.20%
Voting Age	4,557	2,459	1,653
		53.96%	36.27%

VTD: Fultondale Sr Citizens Bldg

Total:	5,086	2,455	1,400
		48.27%	27.53%
Voting Age	3,798	2,048	967
		53.92%	25.46%

VTD: Gardendale Civic Ctr

Total:	10,490	7,679	1,954
		73.20%	18.63%
Voting Age	8,211	6,227	1,369
		75.84%	16.67%

VTD: Gardendale Mt Vernon UM

Total:	6,719	5,766	434
		85.82%	6.46%
Voting Age	5,374	4,729	291
		88.00%	5.41%

VTD: Guiding Light Church

Total:	2,266	1,373	466
		60.59%	20.56%

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

Voting Age	1,755	1,105	379
		62.96%	21.60%

VTD: Hoover Met Sports Complex

Total:	7,514	5,466	1,072
		72.74%	14.27%
Voting Age	5,799	4,377	752
		75.48%	12.97%

VTD: Hoover Met Stadium

Total:	948	518	316
		54.64%	33.33%
Voting Age	736	439	233
		59.65%	31.66%

VTD: Hoover Pk & Rec Ctr

Total:	14,092	5,237	6,013
		37.16%	42.67%
Voting Age	11,124	4,538	4,498
		40.79%	40.44%

VTD: Hoover Public Library

Total:	3,183	1,923	941
		60.41%	29.56%
Voting Age	2,599	1,672	673
		64.33%	25.89%

VTD: Horizon Church

Total:	5,262	3,941	509
		74.90%	9.67%
Voting Age	4,014	3,084	388
		76.83%	9.67%

VTD: Irondale City Hall

Total:	1,385	1,001	221
		72.27%	15.96%
Voting Age	1,156	872	169
		75.43%	14.62%

VTD: Irondale Sr Citizens Bldg

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

Total:	2,887	1,409	1,131
		48.80%	39.18%
Voting Age	2,464	1,288	910
		52.27%	36.93%

VTD: Kimberly UM church

Total:	4,612	4,078	253
		88.42%	5.49%
Voting Age	3,331	2,961	163
		88.89%	4.89%

VTD: Leeds 1st UM Church

Total:	6,970	5,484	810
		78.68%	11.62%
Voting Age	5,440	4,377	619
		80.46%	11.38%

VTD: Leeds Civic Ctr

Total:	4,022	2,329	1,027
		57.91%	25.53%
Voting Age	3,018	1,859	767
		61.60%	25.41%

VTD: Liberty Pk Bapt Church

Total:	6,566	5,358	322
		81.60%	4.90%
Voting Age	4,699	3,909	236
		83.19%	5.02%

VTD: Life Church

Total:	4,968	2,307	2,232
		46.44%	44.93%
Voting Age	3,736	1,934	1,515
		51.77%	40.55%

VTD: LM Smith Mid Sch

Total:	6,714	694	5,596
		10.34%	83.35%
Voting Age	4,793	627	3,902

Plan Components with Population Detail

2021 Alabama Congressional

District: 6

County: Jefferson AL

		13.08%	81.41%
VTD: Martha Gaskins Elem Sch			
Total:	4,460	618	3,344
		13.86%	74.98%
Voting Age	3,221	564	2,340
		17.51%	72.65%
VTD: Maurice West Comm Ctr			
Total:	2,088	1,382	556
		66.19%	26.63%
Voting Age	1,711	1,171	432
		68.44%	25.25%
VTD: Maytown Bapt Church			
Total:	329	271	33
		82.37%	10.03%
Voting Age	278	231	26
		83.09%	9.35%
VTD: McElwain Bapt Church			
Total:	4,787	3,910	387
		81.68%	8.08%
Voting Age	4,197	3,501	340
		83.42%	8.10%
VTD: Metropolitan/Rocky Rdg			
Total:	6,662	6,073	89
		91.16%	1.34%
Voting Age	4,976	4,593	68
		92.30%	1.37%
VTD: Minor Elem Sch			
Total:	5,227	4,220	571
		80.73%	10.92%
Voting Age	4,951	4,026	528
		81.32%	10.66%
VTD: Minor FD Subtotal			
Total:	3,421	2,253	743

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

		65.86%	21.72%
Voting Age	2,682	1,805	552
		67.30%	20.58%
VTD: Morris Sr Citizens Bldg			
Total:	3,077	2,872	57
		93.34%	1.85%
Voting Age	2,362	2,209	43
		93.52%	1.82%
VTD: Mountain Brook City Hall			
Total:	6,121	5,680	127
		92.80%	2.07%
Voting Age	4,674	4,343	116
		92.92%	2.48%
VTD: Mountain Brook Comm Church			
Total:	4,756	4,501	27
		94.64%	0.57%
Voting Age	3,497	3,335	21
		95.37%	0.60%
VTD: Mountain Brook Elem Sch			
Total:	1,128	1,043	8
		92.46%	0.71%
Voting Age	892	838	3
		93.95%	0.34%
VTD: Mountain View Bapt			
Total:	5,322	2,235	2,542
		42.00%	47.76%
Voting Age	4,057	1,960	1,732
		48.31%	42.69%
VTD: Mountaintop Comm Church			
Total:	3,487	2,399	602
		68.80%	17.26%
Voting Age	2,645	1,892	416
		71.53%	15.73%

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL****VTD: Mt Olive Comm Ctr**

Total:	5,999	5,527	132
		92.13%	2.20%
Voting Age	4,675	4,348	93
		93.01%	1.99%

VTD: Mulga Town Hall

Total:	1,155	869	226
		75.24%	19.57%
Voting Age	934	711	178
		76.12%	19.06%

VTD: New Merkel Cahaba Hts Ctr

Total:	6,932	5,886	374
		84.91%	5.40%
Voting Age	5,668	4,895	311
		86.36%	5.49%

VTD: Oakmont Presb Church

Total:	3,632	3,075	273
		84.66%	7.52%
Voting Age	2,860	2,429	210
		84.93%	7.34%

VTD: Our Lady of Lourdes Church

Total:	10,562	2,062	7,569
		19.52%	71.66%
Voting Age	8,007	1,832	5,581
		22.88%	69.70%

VTD: Palmerdale UM Church

Total:	3,246	2,317	633
		71.38%	19.50%
Voting Age	2,659	2,001	449
		75.25%	16.89%

VTD: Prince of Peace Cath Church

Total:	9,144	6,816	943
		74.54%	10.31%

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

Voting Age	7,103	5,436	686
		76.53%	9.66%

VTD: Rock School Ctr

Total:	4,981	2,641	1,852
		53.02%	37.18%
Voting Age	3,779	2,204	1,260
		58.32%	33.34%

VTD: Saint Lukes Church

Total:	3,020	2,916	2
		96.56%	0.07%
Voting Age	2,067	2,003	1
		96.90%	0.05%

VTD: Saint Thomas Church

Total:	6,208	4,601	878
		74.11%	14.14%
Voting Age	5,452	4,093	754
		75.07%	13.83%

VTD: Sandusky Comm Ctr

Total:	2,061	604	1,277
		29.31%	61.96%
Voting Age	1,575	547	913
		34.73%	57.97%

VTD: Shades Cahaba Elem Sch

Total:	2,552	2,314	63
		90.67%	2.47%
Voting Age	1,872	1,719	41
		91.83%	2.19%

VTD: Shades Crest Bapt Church

Total:	3,376	3,058	86
		90.58%	2.55%
Voting Age	2,559	2,345	64
		91.64%	2.50%

VTD: Shades Mtn Comm Church

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

Total:	6,736	5,070	702
		75.27%	10.42%
Voting Age	5,228	4,032	511
		77.12%	9.77%

VTD: St Peter Apostle Church

Total:	7,065	4,259	1,478
		60.28%	20.92%
Voting Age	5,580	3,537	1,120
		63.39%	20.07%

VTD: Sun Valley Elem Sch

Total:	5,324	673	4,163
		12.64%	78.19%
Voting Age	4,129	613	3,248
		14.85%	78.66%

VTD: Tarrant City Hall

Total:	6,828	2,018	3,363
		29.55%	49.25%
Voting Age	5,117	1,803	2,446
		35.24%	47.80%

VTD: Tom Bradford Pk

Total:	7,929	1,829	5,557
		23.07%	70.08%
Voting Age	5,875	1,642	3,882
		27.95%	66.08%

VTD: Town Village Vestavia

Total:	2,486	2,261	48
		90.95%	1.93%
Voting Age	1,888	1,720	32
		91.10%	1.69%

VTD: Trafford City Hall

Total:	1,237	1,044	70
		84.40%	5.66%
Voting Age	968	839	49

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

		86.67%	5.06%
VTD: Trussville 1st Bapt			
Total:	8,998	7,395	1,001
		82.18%	11.12%
Voting Age	6,888	5,739	764
		83.32%	11.09%
VTD: Trussville City Hall			
Total:	10,161	7,731	1,413
		76.09%	13.91%
Voting Age	7,611	5,916	1,022
		77.73%	13.43%
VTD: Trussville/North Park			
Total:	7,710	6,501	761
		84.32%	9.87%
Voting Age	5,645	4,820	538
		85.39%	9.53%
VTD: Vestavia Hills UM			
Total:	7,168	6,471	157
		90.28%	2.19%
Voting Age	5,294	4,825	133
		91.14%	2.51%
VTD: Warrior City Hall			
Total:	3,955	3,228	470
		81.62%	11.88%
Voting Age	3,059	2,520	364
		82.38%	11.90%
VTD: West Jeff Rec Ctr			
Total:	1,913	1,736	37
		90.75%	1.93%
Voting Age	1,531	1,409	22
		92.03%	1.44%
County: Jefferson AL			
Total:	380,694	241,537	100,644

Plan Components with Population Detail

2021 Alabama Congressional

District: 6**County: Jefferson AL**

		63.45%	26.44%
Voting Age	294,245	195,247	72,851
		66.36%	24.76%

County: Shelby AL

Total:	223,024	165,206	28,939
		74.08%	12.98%
Voting Age	170,487	130,014	21,411
		76.26%	12.56%

District: 6 Subtotal

Total:	717,754	498,843	138,019
		69.50%	19.23%
Voting Age	552,286	397,498	100,878
		71.97%	18.27%

District: 7**County: Choctaw AL**

Total:	12,665	7,074	5,232
		55.85%	41.31%
Voting Age	10,168	5,710	4,211
		56.16%	41.41%

County: Clarke AL

Total:	23,087	12,029	10,255
		52.10%	44.42%
Voting Age	18,249	9,843	7,894
		53.94%	43.26%

County: Dallas AL

Total:	38,462	10,409	26,899
		27.06%	69.94%
Voting Age	29,613	8,675	20,104
		29.29%	67.89%

County: Greene AL

Total:	7,730	1,301	6,246
		16.83%	80.80%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7

Voting Age	6,070	1,111	4,806
		18.30%	79.18%

County: Hale AL

Total:	14,785	5,999	8,337
		40.57%	56.39%
Voting Age	11,483	4,807	6,370
		41.86%	55.47%

County: Jefferson AL**VTD: Afton Lee Comm Ctr**

Total:	335	72	161
		21.49%	48.06%
Voting Age	250	44	145
		17.60%	58.00%

VTD: Alliance Comm Ctr

Total:	4,231	2,939	1,176
		69.46%	27.79%
Voting Age	3,616	2,372	1,169
		65.60%	32.33%

VTD: Avondale Public Library Subtotal

Total:	271	176	56
		64.94%	20.66%
Voting Age	256	170	52
		66.41%	20.31%

VTD: Bapt Church of McAdory

Total:	1,310	364	826
		27.79%	63.05%
Voting Age	1,043	303	651
		29.05%	62.42%

VTD: Barrett Elem Sch

Total:	3,091	283	2,519
		9.16%	81.49%
Voting Age	2,369	211	1,939
		8.91%	81.85%

VTD: Bell Wallace Bldg

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

Total:	2,411	1,344	566
		55.74%	23.48%
Voting Age	2,329	1,326	520
		56.93%	22.33%

VTD: Bessemer City Hall

Total:	1,973	457	1,197
		23.16%	60.67%
Voting Age	1,541	396	937
		25.70%	60.80%

VTD: Bessemer Civic Ctr

Total:	8,626	1,863	6,225
		21.60%	72.17%
Voting Age	6,791	1,620	4,826
		23.86%	71.06%

VTD: Bessemer FD #5

Total:	1,823	215	1,297
		11.79%	71.15%
Voting Age	1,336	184	969
		13.77%	72.53%

VTD: Bethel Bapt Church

Total:	4,095	78	3,943
		1.90%	96.29%
Voting Age	3,330	61	3,218
		1.83%	96.64%

VTD: Birmingham FD #12

Total:	3,324	1,468	1,624
		44.16%	48.86%
Voting Age	2,763	1,269	1,298
		45.93%	46.98%

VTD: Brighton Sr Citizen Bldg

Total:	2,333	124	1,812
		5.32%	77.67%
Voting Age	1,822	98	1,458

Plan Components with Population Detail

2021 Alabama Congressional

District: 7

County: Jefferson AL

		5.38%	80.02%
VTD: Brooklane Comm Church			
Total:	5,343	2,811	2,114
		52.61%	39.57%
Voting Age	4,020	2,319	1,446
		57.69%	35.97%
VTD: Bryant Chapel AME			
Total:	1,423	28	1,354
		1.97%	95.15%
Voting Age	1,175	25	1,125
		2.13%	95.74%
VTD: Bush Hill Academy			
Total:	2,358	982	1,269
		41.65%	53.82%
Voting Age	2,150	965	1,092
		44.88%	50.79%
VTD: Central Pk Elem Sch			
Total:	2,522	65	2,313
		2.58%	91.71%
Voting Age	1,990	62	1,834
		3.12%	92.16%
VTD: Central Pk Rec Ctr			
Total:	3,789	144	3,493
		3.80%	92.19%
Voting Age	3,007	137	2,780
		4.56%	92.45%
VTD: Charles Brown Elem Sch			
Total:	4,211	103	3,956
		2.45%	93.94%
Voting Age	3,338	98	3,119
		2.94%	93.44%
VTD: CJ Donald Elem Sch			
Total:	1,878	85	1,706

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

		4.53%	90.84%
Voting Age	1,301	69	1,190
		5.30%	91.47%
VTD: Dolomite W Field Comm Ctr			
Total:	1,922	123	1,698
		6.40%	88.35%
Voting Age	1,594	107	1,420
		6.71%	89.08%
VTD: Dunbar-Abrams Comm Ctr			
Total:	1,973	49	1,798
		2.48%	91.13%
Voting Age	1,561	42	1,443
		2.69%	92.44%
VTD: East Ensley Public Lib			
Total:	1,833	25	1,755
		1.36%	95.74%
Voting Age	1,412	23	1,357
		1.63%	96.10%
VTD: Edgewood Elem Sch			
Total:	4,844	4,003	358
		82.64%	7.39%
Voting Age	3,377	2,812	251
		83.27%	7.43%
VTD: Ensley Pk Rec Ctr			
Total:	4,747	195	4,343
		4.11%	91.49%
Voting Age	3,771	168	3,455
		4.46%	91.62%
VTD: Faith Chapel Christian Ctr			
Total:	2,936	372	2,385
		12.67%	81.23%
Voting Age	2,235	324	1,796
		14.50%	80.36%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL****VTD: Fire Dept Admin Bldg**

Total:	2,304	173	1,857
		7.51%	80.60%
Voting Age	1,860	146	1,538
		7.85%	82.69%

VTD: Five Pts W Public Lib

Total:	1,282	42	1,184
		3.28%	92.36%
Voting Age	1,020	37	934
		3.63%	91.57%

VTD: Forestdale Square

Total:	4,162	477	3,530
		11.46%	84.81%
Voting Age	3,306	420	2,781
		12.70%	84.12%

VTD: George French Student Ctr

Total:	3,159	53	3,030
		1.68%	95.92%
Voting Age	2,498	45	2,407
		1.80%	96.36%

VTD: Glen Iris Elem Sch

Total:	3,814	2,395	525
		62.79%	13.77%
Voting Age	3,448	2,229	445
		64.65%	12.91%

VTD: Glen Oaks Elem Sch

Total:	2,672	114	2,483
		4.27%	92.93%
Voting Age	2,131	107	1,982
		5.02%	93.01%

VTD: Grant St Bapt Church

Total:	2,381	1,116	1,009
		46.87%	42.38%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

Voting Age	1,824	928	704
		50.88%	38.60%

VTD: Harrison Pk Rec Ctr

Total:	3,792	95	3,484
		2.51%	91.88%
Voting Age	2,988	82	2,759
		2.74%	92.34%

VTD: Hemphill Sch Bldg

Total:	2,693	103	2,456
		3.82%	91.20%
Voting Age	2,178	90	1,996
		4.13%	91.64%

VTD: Henry Crumpton Rec Ctr

Total:	1,811	37	1,675
		2.04%	92.49%
Voting Age	1,312	29	1,210
		2.21%	92.23%

VTD: Highland Pk Golf Course

Total:	2,957	86	2,710
		2.91%	91.65%
Voting Age	2,333	83	2,149
		3.56%	92.11%

VTD: Hillview FD #1

Total:	2,671	752	1,706
		28.15%	63.87%
Voting Age	2,197	665	1,375
		30.27%	62.59%

VTD: Homewood Excpt Foundation

Total:	3,808	2,699	528
		70.88%	13.87%
Voting Age	2,911	2,121	386
		72.86%	13.26%

VTD: Homewood Public Lib

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

Total:	10,177	6,445	2,966
		63.33%	29.14%
Voting Age	8,283	5,060	2,708
		61.09%	32.69%

VTD: Homewood Sr Ctr

Total:	6,757	2,664	3,106
		39.43%	45.97%
Voting Age	5,457	2,189	2,523
		40.11%	46.23%

VTD: Hooper City Rec Ctr

Total:	1,838	110	1,606
		5.98%	87.38%
Voting Age	1,466	96	1,293
		6.55%	88.20%

VTD: Hudson Mid Sch

Total:	2,486	21	2,356
		0.84%	94.77%
Voting Age	1,709	16	1,632
		0.94%	95.49%

VTD: Inglenook Elem Sch

Total:	2,926	226	2,366
		7.72%	80.86%
Voting Age	2,224	196	1,813
		8.81%	81.52%

VTD: Jefferson Courthouse

Total:	4,221	1,461	2,467
		34.61%	58.45%
Voting Age	3,750	1,422	2,116
		37.92%	56.43%

VTD: Johns Comm Ctr

Total:	1,347	1,129	126
		83.82%	9.35%
Voting Age	1,064	883	105

Plan Components with Population Detail

2021 Alabama Congressional

District: 7

County: Jefferson AL

		82.99%	9.87%
VTD: Jonesboro Elem Sch			
Total:	2,822	674	1,591
		23.88%	56.38%
Voting Age	2,170	584	1,216
		26.91%	56.04%
VTD: Legion Field Gate 7			
Total:	6,291	197	5,782
		3.13%	91.91%
Voting Age	4,891	160	4,514
		3.27%	92.29%
VTD: McAlpine Rec Ctr			
Total:	814	22	755
		2.70%	92.75%
Voting Age	677	16	637
		2.36%	94.09%
VTD: Memorial Rec Ctr			
Total:	2,441	118	2,145
		4.83%	87.87%
Voting Age	1,964	97	1,759
		4.94%	89.56%
VTD: Midfield Comm Ctr			
Total:	4,882	412	4,141
		8.44%	84.82%
Voting Age	3,636	364	3,042
		10.01%	83.66%
VTD: Minor FD Subtotal			
Total:	2,128	986	637
		46.33%	29.93%
Voting Age	1,569	784	449
		49.97%	28.62%
VTD: More Than Conquerors Church			
Total:	1,682	15	1,596

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

		0.89%	94.89%
Voting Age	1,351	8	1,293
		0.59%	95.71%
VTD: Morgan Rd UM Church			
Total:	6,694	3,624	2,180
		54.14%	32.57%
Voting Age	5,428	3,102	1,692
		57.15%	31.17%
VTD: Morton Simpson Comm Ctr			
Total:	2,202	91	1,980
		4.13%	89.92%
Voting Age	1,401	61	1,268
		4.35%	90.51%
VTD: Mount Hebron Church			
Total:	1,436	119	1,068
		8.29%	74.37%
Voting Age	1,165	109	894
		9.36%	76.74%
VTD: Mt Pilgrim Church			
Total:	2,172	31	2,096
		1.43%	96.50%
Voting Age	1,772	30	1,701
		1.69%	95.99%
VTD: Mt Zion Church			
Total:	1,445	52	1,332
		3.60%	92.18%
Voting Age	1,178	42	1,100
		3.57%	93.38%
VTD: Mt Zion Comm Church			
Total:	1,991	156	1,695
		7.84%	85.13%
Voting Age	1,631	140	1,391
		8.58%	85.29%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL****VTD: Muscoda Comm Ctr**

Total:	1,464	649	697
		44.33%	47.61%
Voting Age	1,152	562	516
		48.78%	44.79%

VTD: New Beginning Church

Total:	3,305	400	2,343
		12.10%	70.89%
Voting Age	2,513	341	1,822
		13.57%	72.50%

VTD: New Bethal Church

Total:	703	7	674
		1.00%	95.87%
Voting Age	576	6	552
		1.04%	95.83%

VTD: New Rising Star Church

Total:	2,658	370	2,094
		13.92%	78.78%
Voting Age	2,088	334	1,599
		16.00%	76.58%

VTD: North Avondale Public Library

Total:	1,928	390	1,403
		20.23%	72.77%
Voting Age	1,276	357	830
		27.98%	65.05%

VTD: North Birmingham Library

Total:	2,461	50	2,179
		2.03%	88.54%
Voting Age	2,001	45	1,802
		2.25%	90.05%

VTD: North Birmingham Rec

Total:	1,601	70	1,451
		4.37%	90.63%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

Voting Age	1,106	57	1,000
		5.15%	90.42%

VTD: Norwood Comm Ctr

Total:	1,955	164	1,680
		8.39%	85.93%
Voting Age	1,585	139	1,361
		8.77%	85.87%

VTD: Oak Grove 1st Bapt Church

Total:	2,305	2,160	3
		93.71%	0.13%
Voting Age	1,820	1,707	3
		93.79%	0.16%

VTD: Oliver Elem Sch

Total:	2,634	74	2,449
		2.81%	92.98%
Voting Age	1,687	71	1,551
		4.21%	91.94%

VTD: Oxmoor Valley Comm Ctr

Total:	5,680	2,570	2,310
		45.25%	40.67%
Voting Age	4,960	2,378	1,895
		47.94%	38.21%

VTD: Parkwood Church of God

Total:	632	470	74
		74.37%	11.71%
Voting Age	559	437	60
		78.18%	10.73%

VTD: Pleasant Grove Church

Total:	9,052	3,282	5,417
		36.26%	59.84%
Voting Age	7,085	2,887	3,969
		40.75%	56.02%

VTD: Pleasant Hill UM Church

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

Total:	13,971	8,376	4,541
		59.95%	32.50%
Voting Age	11,020	7,008	3,294
		63.59%	29.89%

VTD: Pleasant Rdg Family Life

Total:	8,856	3,962	3,928
		44.74%	44.35%
Voting Age	6,817	3,340	2,897
		49.00%	42.50%

VTD: Ramsay Alt HS

Total:	5,023	2,990	1,168
		59.53%	23.25%
Voting Age	4,796	2,842	1,129
		59.26%	23.54%

VTD: Robinson Elem Sch

Total:	4,309	878	3,030
		20.38%	70.32%
Voting Age	3,386	829	2,289
		24.48%	67.60%

VTD: Roosevelt City Comm Ctr

Total:	1,134	49	1,025
		4.32%	90.39%
Voting Age	923	36	837
		3.90%	90.68%

VTD: Ross Bridge Welcome Ctr

Total:	8,055	5,101	1,823
		63.33%	22.63%
Voting Age	5,839	3,638	1,421
		62.31%	24.34%

VTD: Shepherd Ctr E

Total:	2,204	238	1,687
		10.80%	76.54%
Voting Age	1,637	199	1,264

Plan Components with Population Detail

2021 Alabama Congressional

District: 7

County: Jefferson AL

		12.16%	77.21%
VTD: Sixth Ave Church			
Total:	3,096	139	2,564
		4.49%	82.82%
Voting Age	2,573	111	2,183
		4.31%	84.84%
VTD: South Hampton Elem Sch			
Total:	3,115	135	2,874
		4.33%	92.26%
Voting Age	2,370	130	2,163
		5.49%	91.27%
VTD: Southside Branch Public Lib			
Total:	1,690	1,000	336
		59.17%	19.88%
Voting Age	1,654	994	325
		60.10%	19.65%
VTD: Southside Homes Comm Ctr			
Total:	3,165	62	2,976
		1.96%	94.03%
Voting Age	2,158	38	2,035
		1.76%	94.30%
VTD: Southtown Housing Comm Ctr			
Total:	1,038	42	940
		4.05%	90.56%
Voting Age	700	32	614
		4.57%	87.71%
VTD: St Mary's Cath Church			
Total:	848	10	809
		1.18%	95.40%
Voting Age	744	9	712
		1.21%	95.70%
VTD: Sylvan Springs 1st UM Church			
Total:	1,765	1,581	50

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL**

		89.58%	2.83%
Voting Age	1,403	1,282	35
		91.38%	2.49%
VTD: Thompson Manor Comm Ctr			
Total:	1,851	237	1,423
		12.80%	76.88%
Voting Age	1,401	189	1,095
		13.49%	78.16%
VTD: Union Hill Bapt Church			
Total:	3,837	3,518	90
		91.69%	2.35%
Voting Age	3,043	2,823	59
		92.77%	1.94%
VTD: Valley Creek Bapt Church			
Total:	3,337	2,425	765
		72.67%	22.92%
Voting Age	2,731	2,055	565
		75.25%	20.69%
VTD: Virginia College			
Total:	2,876	1,200	1,226
		41.72%	42.63%
Voting Age	2,526	1,144	1,014
		45.29%	40.14%
VTD: Wenonah HS			
Total:	1,651	31	1,567
		1.88%	94.91%
Voting Age	1,141	26	1,077
		2.28%	94.39%
VTD: West End Academy			
Total:	1,747	31	1,631
		1.77%	93.36%
Voting Age	1,420	25	1,334
		1.76%	93.94%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Jefferson AL****VTD: Wiggins Library**

Total:	2,197	26	2,068
		1.18%	94.13%
Voting Age	1,708	20	1,604
		1.17%	93.91%

VTD: Wilkerson Mid Sch

Total:	1,743	51	1,440
		2.93%	82.62%
Voting Age	1,429	29	1,214
		2.03%	84.95%

VTD: Willow Wood Rec Ctr

Total:	2,281	252	1,835
		11.05%	80.45%
Voting Age	1,846	237	1,478
		12.84%	80.07%

County: Jefferson AL

Total:	294,027	88,053	180,682
		29.95%	61.45%
Voting Age	232,842	73,903	140,900
		31.74%	60.51%

County: Lowndes AL

Total:	10,311	2,818	7,192
		27.33%	69.75%
Voting Age	8,283	2,437	5,603
		29.42%	67.64%

County: Marengo AL

Total:	19,323	8,428	10,188
		43.62%	52.72%
Voting Age	15,053	6,858	7,735
		45.56%	51.39%

County: Montgomery AL**VTD: Al State Univ / Acadome**

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Montgomery AL**

Total:	5,549	1,913	3,196
		34.47%	57.60%
Voting Age	4,738	1,772	2,655
		37.40%	56.04%

VTD: Beulah Baptist Church

Total:	5,631	90	5,324
		1.60%	94.55%
Voting Age	4,403	72	4,192
		1.64%	95.21%

VTD: Catoma Elem School

Total:	1,741	1,110	514
		63.76%	29.52%
Voting Age	1,495	1,005	401
		67.22%	26.82%

VTD: Cleveland Ave YMCA

Total:	4,081	738	3,094
		18.08%	75.81%
Voting Age	3,362	698	2,482
		20.76%	73.83%

VTD: Fire Station #14

Total:	2,615	207	2,252
		7.92%	86.12%
Voting Age	2,117	176	1,830
		8.31%	86.44%

VTD: First Southern Bapt Church

Total:	553	350	165
		63.29%	29.84%
Voting Age	453	295	135
		65.12%	29.80%

VTD: Fresh Anointing House of Worship

Total:	9,417	530	8,554
		5.63%	90.84%
Voting Age	7,248	493	6,522

Plan Components with Population Detail

2021 Alabama Congressional

District: 7

County: Montgomery AL

		6.80%	89.98%
VTD: Hayneville Rd Comm Ctr			
Total:	4,382	1,675	2,267
		38.22%	51.73%
Voting Age	3,526	1,339	1,895
		37.98%	53.74%
VTD: Hunter Station Comm Ctr			
Total:	1,167	325	402
		27.85%	34.45%
Voting Age	862	279	323
		32.37%	37.47%
VTD: McIntyre Comm Ctr			
Total:	3,821	106	3,616
		2.77%	94.63%
Voting Age	2,817	99	2,649
		3.51%	94.04%
VTD: Peter Crump Elem School			
Total:	5,137	136	4,830
		2.65%	94.02%
Voting Age	3,950	120	3,723
		3.04%	94.25%
VTD: Rufus Lewis Library			
Total:	1,755	33	1,647
		1.88%	93.85%
Voting Age	1,395	32	1,303
		2.29%	93.41%
VTD: Southlawn Elem School			
Total:	3,726	148	3,346
		3.97%	89.80%
Voting Age	2,866	123	2,605
		4.29%	90.89%
VTD: St James Bapt Church			
Total:	1,808	168	1,550

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Montgomery AL**

		9.29%	85.73%
Voting Age	1,461	153	1,244
		10.47%	85.15%

VTD: St Paul AME Church

Total:	6,136	1,393	4,276
		22.70%	69.69%
Voting Age	4,600	1,162	3,138
		25.26%	68.22%

VTD: Trenholm State (Patterson Campus)

Total:	4,184	177	3,814
		4.23%	91.16%
Voting Age	3,095	172	2,798
		5.56%	90.40%

VTD: Whitfield UM Church Subtotal

Total:	816	138	651
		16.91%	79.78%
Voting Age	626	127	477
		20.29%	76.20%

County: Montgomery AL

Total:	62,519	9,237	49,498
		14.77%	79.17%
Voting Age	49,014	8,117	38,372
		16.56%	78.29%

County: Perry AL

Total:	8,511	2,359	5,936
		27.72%	69.75%
Voting Age	6,740	2,064	4,524
		30.62%	67.12%

County: Pickens AL

Total:	19,123	10,739	7,489
		56.16%	39.16%
Voting Age	15,447	9,053	5,820
		58.61%	37.68%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Sumter AL**

Total:	12,345	2,974	8,997
		24.09%	72.88%
Voting Age	9,914	2,562	7,052
		25.84%	71.13%

County: Tuscaloosa AL**VTD: Abernant Bapt Church**

Total:	2,522	2,230	120
		88.42%	4.76%
Voting Age	1,901	1,701	83
		89.48%	4.37%

VTD: Alberta Bapt Church

Total:	8,107	3,440	3,809
		42.43%	46.98%
Voting Age	6,590	3,114	2,831
		47.25%	42.96%

VTD: Belk Activity Ctr

Total:	11,629	4,176	6,619
		35.91%	56.92%
Voting Age	9,113	3,635	4,874
		39.89%	53.48%

VTD: Big Sandy Church

Total:	7,585	4,225	2,982
		55.70%	39.31%
Voting Age	5,585	3,205	2,165
		57.39%	38.76%

VTD: Bobby Miller Activity Ctr

Total:	12,499	6,252	5,393
		50.02%	43.15%
Voting Age	9,249	5,028	3,683
		54.36%	39.82%

VTD: Buhl VFD

Total:	1,335	1,158	31
		86.74%	2.32%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Tuscaloosa AL**

Voting Age	1,012	894	20
		88.34%	1.98%

VTD: Church of Highlands

Total:	7,894	6,160	1,138
		78.03%	14.42%
Voting Age	6,044	4,912	727
		81.27%	12.03%

VTD: Coaling Town Hall

Total:	4,022	3,164	487
		78.67%	12.11%
Voting Age	3,031	2,469	346
		81.46%	11.42%

VTD: Coker VFD

Total:	1,463	1,223	45
		83.60%	3.08%
Voting Age	1,048	917	30
		87.50%	2.86%

VTD: Cornerstone Church

Total:	4,805	1,197	3,240
		24.91%	67.43%
Voting Age	3,985	1,121	2,590
		28.13%	64.99%

VTD: Cottondale Comm Church

Total:	3,442	2,087	963
		60.63%	27.98%
Voting Age	2,763	1,810	672
		65.51%	24.32%

VTD: Cottondale Meth Church

Total:	2,886	1,784	592
		61.82%	20.51%
Voting Age	2,201	1,455	423
		66.11%	19.22%

VTD: Duncanville School

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Tuscaloosa AL**

Total:	4,554	3,611	561
		79.29%	12.32%
Voting Age	3,437	2,801	418
		81.50%	12.16%

VTD: Elrod VFD

Total:	851	740	45
		86.96%	5.29%
Voting Age	622	552	30
		88.75%	4.82%

VTD: Flatwoods Church Subtotal

Total:	5,681	3,128	1,666
		55.06%	29.33%
Voting Age	4,265	2,605	1,101
		61.08%	25.81%

VTD: Forrest Lake Church

Total:	2,310	1,570	471
		67.97%	20.39%
Voting Age	2,127	1,491	406
		70.10%	19.09%

VTD: Fosters VFD

Total:	2,534	1,601	855
		63.18%	33.74%
Voting Age	2,012	1,276	687
		63.42%	34.15%

VTD: G G Hardin Comm Ctr

Total:	3,531	2,993	272
		84.76%	7.70%
Voting Age	2,635	2,287	193
		86.79%	7.32%

VTD: Hagler VFD

Total:	570	472	43
		82.81%	7.54%
Voting Age	440	372	25

Plan Components with Population Detail

2021 Alabama Congressional

District: 7

County: Tuscaloosa AL

		84.55%	5.68%
VTD: Holt Elem School			
Total:	4,930	1,587	2,606
		32.19%	52.86%
Voting Age	3,756	1,402	1,853
		37.33%	49.33%
VTD: Kellerman Antioch Church			
Total:	504	443	8
		87.90%	1.59%
Voting Age	382	339	8
		88.74%	2.09%
VTD: Lakeview Church			
Total:	6,256	5,408	421
		86.45%	6.73%
Voting Age	4,728	4,141	305
		87.58%	6.45%
VTD: McAbee Ctr			
Total:	4,530	2,318	1,800
		51.17%	39.74%
Voting Age	3,645	1,994	1,377
		54.71%	37.78%
VTD: McDonald Hughes Ctr			
Total:	5,054	164	4,695
		3.24%	92.90%
Voting Age	3,855	146	3,591
		3.79%	93.15%
VTD: Mt Pilgram Church			
Total:	7,678	2,419	4,639
		31.51%	60.42%
Voting Age	6,019	2,176	3,403
		36.15%	56.54%
VTD: New Life Church			
Total:	8,892	2,672	5,629

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Tuscaloosa AL**

		30.05%	63.30%
Voting Age	7,105	2,397	4,272
		33.74%	60.13%
VTD: New Zion Church			
Total:	2,319	610	1,265
		26.30%	54.55%
Voting Age	1,730	552	901
		31.91%	52.08%
VTD: Northport Comm Ctr			
Total:	4,781	2,651	1,730
		55.45%	36.18%
Voting Age	3,880	2,371	1,252
		61.11%	32.27%
VTD: Peterson Church			
Total:	1,671	1,411	128
		84.44%	7.66%
Voting Age	1,332	1,150	98
		86.34%	7.36%
VTD: Ralph VFD			
Total:	1,214	846	331
		69.69%	27.27%
Voting Age	920	650	253
		70.65%	27.50%
VTD: Romulus VFD			
Total:	957	631	240
		65.94%	25.08%
Voting Age	671	469	139
		69.90%	20.72%
VTD: Stillman College			
Total:	6,855	722	5,794
		10.53%	84.52%
Voting Age	5,244	658	4,331
		12.55%	82.59%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Tuscaloosa AL****VTD: Tannehill Valley Church**

Total:	4,199	3,302	678
		78.64%	16.15%
Voting Age	3,231	2,610	470
		80.78%	14.55%

VTD: Tuscaloosa Courthouse

Total:	6,558	5,451	496
		83.12%	7.56%
Voting Age	6,287	5,299	450
		84.29%	7.16%

VTD: UA Rec Ctr

Total:	14,397	9,311	2,069
		64.67%	14.37%
Voting Age	13,924	9,081	1,929
		65.22%	13.85%

VTD: Unity Bapt Church

Total:	843	182	634
		21.59%	75.21%
Voting Age	685	160	505
		23.36%	73.72%

VTD: University Mall

Total:	5,305	2,609	2,129
		49.18%	40.13%
Voting Age	4,358	2,337	1,580
		53.63%	36.26%

VTD: Vance Town Hall

Total:	3,772	2,942	437
		78.00%	11.59%
Voting Age	2,801	2,238	331
		79.90%	11.82%

VTD: Vestavia Hills Elem School

Total:	5,331	4,014	811
		75.30%	15.21%

Plan Components with Population Detail

2021 Alabama Congressional

District: 7**County: Tuscaloosa AL**

Voting Age	4,318	3,319	648
		76.86%	15.01%

County: Tuscaloosa AL

Total:	184,266	100,904	65,872
		54.76%	35.75%
Voting Age	146,931	85,134	49,000
		57.94%	33.35%

County: Wilcox AL

Total:	10,600	2,880	7,483
		27.17%	70.59%
Voting Age	8,260	2,457	5,639
		29.75%	68.27%

District: 7 Subtotal

Total:	717,754	265,204	400,306
		36.95%	55.77%
Voting Age	568,067	222,731	308,030
		39.21%	54.22%

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Political Subdivison Splits Between Districts

Wednesday, November 3, 2021

3:53 PM

Number of subdivisions not split:

County	61
Voting District	1,830

Number of subdivisions split into more than one district:

County	6
Voting District	7

Number of splits involving no population:

County	0
Voting District	0

Split Counts*County*

Cases where an area is split among 2 Districts: 6

Voting District

Cases where an area is split among 2 Districts: 7

County	Voting District	District	Population
<i>Split Counties:</i>			
Chilton AL		3	12,405
Chilton AL		6	32,609
Escambia AL		1	36,018
Escambia AL		2	739
Jefferson AL		6	380,694
Jefferson AL		7	294,027
Lauderdale AL		4	43,533
Lauderdale AL		5	50,031
Montgomery AL		2	166,435
Montgomery AL		7	62,519
Tuscaloosa AL		4	42,770
Tuscaloosa AL		7	184,266
<i>Split VTDs:</i>			
Chilton AL	Cane Creek Fire St	3	1,378
Chilton AL	Cane Creek Fire St	6	264
Escambia AL	Damascus-Boykin School	1	134
Escambia AL	Damascus-Boykin School	2	482
Jefferson AL	Avondale Public Library	6	3,007
Jefferson AL	Avondale Public Library	7	271
Jefferson AL	Minor FD	6	3,421
Jefferson AL	Minor FD	7	2,128
Lauderdale AL	Killen Ch Christ Annex	4	2,072
Lauderdale AL	Killen Ch Christ Annex	5	2,577
Montgomery AL	Whitfield UM Church	2	4,132

Political Subdivison Splits Between Districts

2021 Alabama Congressional

County	Voting District	District	Population
Montgomery AL	Whitfield UM Church	7	816
Tuscaloosa AL	Flatwoods Church	4	3
Tuscaloosa AL	Flatwoods Church	7	5,681

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Communities of Interest (Landscape, 11x8.5)

Monday, November 15, 2021

10:43 AM

Census Place	District	Population	%
Adamsville AL	6	4,364	100.0
Adamsville AL	7	2	0.1
Altoona AL	4	906	95.6
Altoona AL	6	42	4.4
Argo AL	3	4,307	98.6
Argo AL	6	61	1.4
Bessemer AL	6	8	0.0
Bessemer AL	7	26,011	100.0
Birmingham AL	6	60,631	30.2
Birmingham AL	7	140,102	69.8
Brookside AL	6	1,253	100.0
Brookside AL	7	0	0.0
Clanton AL	3	5,544	63.2
Clanton AL	6	3,224	36.8
Coker AL	4	218	24.1
Coker AL	7	686	75.9
Collinsville AL	3	13	0.6
Collinsville AL	4	2,046	99.4
Cullomburg AL	1	21	16.7
Cullomburg AL	7	105	83.3
Florence AL	4	26,511	66.0

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

Census Place	District	Population	%
Florence AL	5	13,673	34.0
Forestdale AL	6	2,816	27.1
Forestdale AL	7	7,593	73.0
Fultondale AL	6	9,866	99.9
Fultondale AL	7	10	0.1
Garden City AL	4	528	100.0
Garden City AL	6	0	0.0
Glencoe AL	3	18	0.3
Glencoe AL	4	5,354	99.7
Helena AL	6	18,421	88.1
Helena AL	7	2,493	11.9
Homewood AL	6	3,587	13.6
Homewood AL	7	22,827	86.4
Hoover AL	6	82,978	89.6
Hoover AL	7	9,628	10.4
Irondale AL	6	13,497	100.0
Irondale AL	7	0	0.0
Killen AL	4	438	42.4
Killen AL	5	596	57.6
Leeds AL	3	2,060	16.7
Leeds AL	6	10,264	83.3
Maytown AL	6	316	100.0
Maytown AL	7	0	0.0
Minor AL	6	947	87.0
Minor AL	7	141	13.0

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

Census Place	District	Population	%
Montgomery AL	2	140,767	70.2
Montgomery AL	7	59,836	29.8
Northport AL	4	13,575	43.6
Northport AL	7	17,550	56.4
Sand Rock AL	3	565	95.6
Sand Rock AL	4	26	4.4
Southside AL	3	183	1.9
Southside AL	4	9,243	98.1
St. Florian AL	4	6	1.0
St. Florian AL	5	578	99.0
Sumiton AL	4	2,422	99.1
Sumiton AL	6	22	0.9
Sylvan Springs AL	6	18	1.1
Sylvan Springs AL	7	1,635	98.9
Tallassee AL	2	3,118	65.5
Tallassee AL	3	1,645	34.5
Tarrant AL	6	6,124	100.0
Tarrant AL	7	0	0.0
Trinity AL	4	2	0.1
Trinity AL	5	2,524	99.9
Trussville AL	3	1,602	6.1
Trussville AL	6	24,521	93.9
Tuscaloosa AL	4	7,843	7.9
Tuscaloosa AL	7	91,757	92.1
Vance AL	6	73	3.5

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

Census Place	District	Population	%
Vance AL	7	2,019	96.5
Vestavia Hills AL	6	39,040	99.8
Vestavia Hills AL	7	62	0.2
Vincent AL	3	0	0.0
Vincent AL	6	1,982	100.0
Woodstock AL	6	1,343	91.2
Woodstock AL	7	129	8.8

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

Census Place	-- Listed by District	
	Population	%
Cullomburg AL (part)	21	16.7
District 1 Totals	447,916	
Montgomery AL (part)	140,767	70.2
Tallassee AL (part)	3,118	65.5
District 2 Totals	495,209	
Argo AL (part)	4,307	98.6
Clanton AL (part)	5,544	63.2
Collinsville AL (part)	13	0.6
Glencoe AL (part)	18	0.3
Leeds AL (part)	2,060	16.7
Sand Rock AL (part)	565	95.6
Southside AL (part)	183	1.9
Tallassee AL (part)	1,645	34.5
Trussville AL (part)	1,602	6.1
Vincent AL (part)	0	0.0
District 3 Totals	441,389	

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

	Population	%
Altoona AL (part)	906	95.6
Coker AL (part)	218	24.1
Collinsville AL (part)	2,046	99.4
Florence AL (part)	26,511	66.0
Killen AL (part)	438	42.4
Northport AL (part)	13,575	43.6
Sand Rock AL (part)	26	4.4
Southside AL (part)	9,243	98.1
St. Florian AL (part)	6	1.0
Sumiton AL (part)	2,422	99.1
Trinity AL (part)	2	0.1
Tuscaloosa AL (part)	7,843	7.9
<hr/>		
District 4 Totals	372,693	
<hr/>		
Florence AL (part)	13,673	34.0
Killen AL (part)	596	57.6
St. Florian AL (part)	578	99.0
<hr/>		
District 5 Totals	463,288	

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

	Population	%
Altoona AL (part)	42	4.4
Argo AL (part)	61	1.4
Bessemer AL (part)	8	0.0
Birmingham AL (part)	60,631	30.2
Clanton AL (part)	3,224	36.8
Forestdale AL (part)	2,816	27.1
Garden City AL (part)	0	0.0
Helena AL (part)	18,421	88.1
Homewood AL (part)	3,587	13.6
Hoover AL (part)	82,978	89.6
Leeds AL (part)	10,264	83.3
Minor AL (part)	947	87.0
Sumiton AL (part)	22	0.9
Sylvan Springs AL (part)	18	1.1
Trussville AL (part)	24,521	93.9
Vance AL (part)	73	3.5
Woodstock AL (part)	1,343	91.2
<hr/>		
District 6 Totals	555,785	

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

	Population	%
Adamsville AL (part)	2	0.1
Birmingham AL (part)	140,102	69.8
Brookside AL (part)	0	0.0
Coker AL (part)	686	75.9
Cullomburg AL (part)	105	83.3
Forestdale AL (part)	7,593	73.0
Fultondale AL (part)	10	0.1
Helena AL (part)	2,493	11.9
Homewood AL (part)	22,827	86.4
Hoover AL (part)	9,628	10.4
Irondale AL (part)	0	0.0
Maytown AL (part)	0	0.0
Minor AL (part)	141	13.0
Montgomery AL (part)	59,836	29.8
Northport AL (part)	17,550	56.4
Sylvan Springs AL (part)	1,635	98.9
Tarrant AL (part)	0	0.0
Tuscaloosa AL (part)	91,757	92.1
Vance AL (part)	2,019	96.5
Vestavia Hills AL (part)	62	0.2
Woodstock AL (part)	129	8.8
District 7 Totals	547,175	

Communities of Interest (Landscape, 11x8.5)

2021 Alabama Congressional

Summary Statistics

Number of Census Place not split	552
Number of Census Place split	40
Number of Census Place split in 2	40
Total number of splits	80

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Measures of Compactness Report

Monday, November 15, 2021

11:50 AM

	Reock
Sum	N/A
Min	0.30
Max	0.50
Mean	0.38
Std. Dev.	0.07

District	Reock
1	0.40
2	0.50
3	0.36
4	0.36
5	0.30
6	0.31
7	0.43

Measures of Compactness Report

2021 Alabama Congressional

Measures of Compactness Summary

Reock The measure is always between 0 and 1, with 1 being the most compact.

User:

Plan Name: 2021 Alabama Congressional Plan

Plan Type:

Measures of Compactness Report

Monday, November 15, 2021

11:52 AM

	Schwartzberg
Sum	N/A
Min	1.68
Max	2.28
Mean	1.95
Std. Dev.	0.21

District	Schwartzberg
1	1.98
2	1.78
3	1.79
4	2.09
5	1.68
6	2.28
7	2.04

Measures of Compactness Report

2021 Alabama Congressional

Measures of Compactness Summary

Schwartzberg

The measure is usually greater than or equal to 1, with 1 being the most compact.



Deposition of:
September 7, 2021 9:00 Public Hearing

September 7, 2021

In the Matter of:
**Permanent Legislative Committee On
Reapportionment Public Hearings**

Veritext Legal Solutions

877.373.3660 | calendar-al@veritext.com | 800.808.4958

ALABAMA PERMANENT COMMITTEE ON REAPPORTIONMENT
AND REDISTRICTING PUBLIC HEARING

HELD ON
TUESDAY, SEPTEMBER 7TH, 2021
BEGINNING AT 9:00 A.M.

LOCATION:
SHELTON STATE COMMUNITY COLLEGE - MARTIN CAMPUS
9500 OLD GREENSBORO ROAD
TUSCALOOSA, ALABAMA 35405
AND
ONLINE VIA MICROSOFT TEAMS MEETING

TRANSCRIBED REMOTELY BY:
KATHLEEN F. CAVAZOS, RPR,
COURT REPORTER

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SENATOR MCCLENDON: Good morning, everybody.
Thank you for being with us. We appreciate you joining
us, and we look forward to your comments.

My name is Jim McClendon. I'm a state senator
from St. Clair County where I live, and I am Senate Chair
of the Redistricting Committee.

On my right is Chris Pringle. Chris is a state
representative, and Chris is the House of Representatives
Chair. And on my left is Dorman Walker. He is an
attorney, and Dorman works for the Reapportionment
Committee.

Every 10 years, a census is mandated, and the
census is not merely to count people but to locate
people, and there's been a trend going on for decades of
a migratory pattern away from rural areas and toward
urban areas. And as a result of this, in order to try to
honor the concept of one person, one vote, we have to
change the shape of the districts. We have to catch the
people as they move around.

We are working on and will be talking about
today -- or you will be talking about today, if you wish,
the seven Congressional districts, the eight state board
of education districts, the 35 Senate districts and the
105 Alabama House of Representative districts. Some of

1 these districts will go up in population, and those
2 districts will have to be made more compact in order to
3 get back to the ideal number. Some of them will go down
4 in population, and those districts will have to be made
5 larger in order to capture the number of people to reach
6 the target number which I've got here. Where is the
7 target number? There we go.

8 An ideal Senate district, for example, is
9 143,551, and an ideal House district is one-third of
10 that, 47,850. Now, we have a plus or minus five percent
11 deviation that we can do. They don't have to have
12 exactly the same number. However -- and that's true of
13 the state board of education districts, too, but the
14 Congressional districts have to be down to one person.
15 They don't have a deviation.

16 I'll give you some examples. We'll start with
17 Senate districts in your area that could impact you.
18 Senate district five, for example, has lost about 4,500
19 people. Senate district 21 has gained roughly 12,600
20 people, and Senate district 24 has lost about 8,000
21 people. Obviously, those district lines are going to
22 have to be adjusted to get back to the ideal number.
23 House districts in your area: House district 16 went
24 down. It had a decrease in population of 2600. House
25 district 61 went up in population by about 3,300. House

1 district 62 went up by about 7,600, and Senate district
2 63, which is vacant right now, it went up by about 7,900.
3 House district 70 went up by about 1,400, and 71 went
4 down 3,300.

5 So that gives you an idea of our task. I would
6 like to introduce now Representative Chris Pringle, and
7 he is going to give you some guidelines for how we carry
8 out these hearings.

9 MR. PRINGLE: Thank you so much, Senator.
10 Again, I'm Representative Chris Pringle from House
11 district 101, and I do believe my friend and colleague,
12 Mr. England, is in the room with you from Tuscaloosa
13 County. Welcome, Chris, glad to have you.

14 Today, you will be asked to speak in the order
15 in which you signed up. Please limit your remarks to
16 three minutes. At the end of the meeting, if we have
17 time, we will come back around to you. When you're
18 called, please come to the microphone, state your name,
19 the community you represent and the district or districts
20 you want to speak about. If you decide to speak but did
21 not sign up, we'll ask at the end if anyone who hasn't
22 spoken wants to speak.

23 If you're participating remotely, send your
24 question, and we'll read it into the record and answer
25 it.

1 This hearing is being transcribed by a court
2 reporter working remotely. If you have something you
3 would like to introduce into the record as an exhibit,
4 bring it to the microphone when you speak and let the
5 hearing officer know, and we'll get it put into the
6 permanent record.

7 This hearing deals solely with redistricting, no
8 other legislative issue. We're not here to talk about
9 any other legislative issue, so please keep your comments
10 germane to the redistricting issue.

11 Thank you so much. Now it's Mr. Walker's turn.

12 MR. WALKER: I'm Dorman Walker, and good
13 morning. I'll go over the rules the legislature has for
14 itself for drawing districts. They can't draw them just
15 any way they want. The first rule, of course, is they
16 have to comply with the Federal Constitution and
17 principally the one person, one vote and
18 nondiscrimination requirements of the Constitution.

19 With regard to one person, one vote, that's a
20 requirement that all districts that have to be
21 redistricted be roughly equal in population, if they're
22 board of education or legislative districts, and be
23 almost precisely equal in population if they are a
24 Congressional district. The amount of deviation allowed
25 for the state districts, which I mean to exclude the

1 Congressional districts, is five percent above or below
2 the ideal population, and Senator McClendon gave you the
3 ideal populations.

4 No plan adopted by the legislature can have
5 either the purpose or the effect of diluting minority
6 voting streams, and all plans must comply with section
7 two of the Voting Rights Act.

8 No district can be drawn in a manner that
9 subordinates race-neutral districting criteria to
10 considerations of race, color or membership in a language
11 minority group -- that term, race, color or membership in
12 a language minority group, is taken from section two of
13 the Voting Rights Act -- except when race, color or
14 membership in a language minority group may predominate
15 over race-neutral districting criteria is necessary to
16 comply with section two of the Voting Rights Act,
17 provided there is a strong basis in evidence in support
18 of such a race-based choice. A strong basis of evidence
19 exists when there is good reason to believe that race
20 must be used in order to comply with the Voting Rights
21 Act.

22 Districts should be reasonably compact, and all
23 districts should reflect the democratic will of the
24 people concerning how their government should be
25 restructured, and that's one of the purposes of the

1 hearing today, to hear what people have to say about how
2 the districts should be redrawn.

3 Districts are drawn on the basis of total
4 population. The census bureau gives us population in a
5 number of different forms. Total population is everyone
6 who was in the district on census day, which was April 1,
7 2020, and recorded as of that date. That includes a lot
8 of people who can't vote, such as children or certain
9 people who are incarcerated or people who are not
10 residents of the state or people who are not citizens.

11 But, nevertheless, we base redistricting and
12 have always based redistricting on total population,
13 although at times we may look at voting age population or
14 BVAP, black voting age population, in particular in order
15 to ensure that we're complying with section two of the
16 Voting Rights Act.

17 The number of Alabama Senate districts is set by
18 statute at 35. And the number of House districts is set
19 by statute at 105. The Constitution would allow us to
20 have an additional district, 107 -- 106, excuse me. All
21 districts are single-member districts, which means that
22 only one person is elected from each district. Contests
23 between incumbents will be avoided whenever possible with
24 drawing districts.

25 Districts must be contiguous; that is, they must

1 contact all other districts -- At every point, they must
2 be in contact with another district or with one of the
3 boundaries of the state. Contiguity across water is
4 allowed such as across rivers or lakes or Mobile Bay.

5 Districts shall respect communities of interest,
6 neighborhoods and political subdivisions to the extent
7 practicable. A community of interest is identified as an
8 area with recognized similarities of interest, including,
9 but not limited to, ethnic, racial, economic, tribal,
10 social, geographic and historic identities. The term
11 "community of interest" may in certain circumstances
12 include political subdivisions such as counties, voting
13 precincts, municipalities, tribal land and reservations,
14 and school districts.

15 The discernment, weighing and balancing of the
16 very interests or factors that contribute to communities
17 of interest is an intensely political process best
18 carried out by the elected representatives of the people.

19 Districts are required to be reasonably compact,
20 and the legislature shall try to minimize the number of
21 counties in each district.

22 In establishing legislative districts and,
23 really, all of the districts, the reapportionment
24 committee will give due consideration to all the criteria
25 herein. However, priority is to be given to the

1 compelling state interest requiring equality of
2 population among districts and compliance with the Voting
3 Rights Act of 1965 as amended should the requirements
4 conflict with any other criteria.

5 So those are the rules, and, particularly, we'd
6 like to hear -- The legislature would like to hear about
7 communities of interest that need to be respected. We
8 have 29 people signed up today, but we have only one
9 person who has signed up to speak. I'll call on that
10 person, and then I'll see if there's anybody else who
11 wants to speak, and then I'll see if we have any
12 questions submitted by the people who are participating
13 remotely. And then, after that, I'll see once again if
14 anyone wants to speak, and if no one does, I'll close the
15 hearing.

16 So Carol Prickett has signed up to speak from
17 Tuscaloosa. Ms. Prickett, please come forward.

18 MS. PRICKETT: Hello. My name is Carol
19 Prickett. I've lived in Tuscaloosa County for 38 years,
20 and my Alabama family roots go back five generations.
21 I'm here today as the spokesperson for the League of
22 Women Voters of Greater Tuscaloosa, and I'm speaking to
23 the issue of Congressional redistricting.

24 As I'm sure you know, the League of Women Voters
25 is a nonpartisan organization. We do not endorse

1 specific candidates or parties, but we stand solidly
2 behind issues that affect all citizens, such as voting
3 and, here and now, creating fair Congressional districts.

4 Our issues: Substantially equal in population,
5 geographically connected, equally representing racial and
6 language minorities, and respecting communities of
7 interest and the integrity of municipalities and
8 counties, as has been referenced in the underscoring
9 things that the entire legislature will be considering.
10 These are also our league's concerns as Alabama faces the
11 issue of redistricting.

12 The current district divisions meet many of
13 these goals but not all and, most importantly, not the
14 last one, respecting communities of interest,
15 municipalities and counties. Tuscaloosa County
16 represents a large, diverse hub of energy for West
17 Alabama, which is a community of interest. But the
18 current Congressional districts do not allow us to speak
19 with a unified voice, do not receive the Congressional
20 attention our unique needs require from one
21 representative held accountable at our ballot boxes and
22 buries our concerns by homogenizing them with those of
23 very different areas of Alabama life. The northern part
24 of our county is not like Albertville or Fort Payne, and
25 the southern part of our county is not urban Birmingham.

1 It is our league's understanding that
2 legislation will be proposed that maintains counties'
3 integrity in drawing up Congressional districts and
4 maintains all other requirements for redistricting, and
5 I'm here to speak in favor of this whole-county
6 philosophy. A plan for this has already been put on
7 record at more than one of these hearings that began last
8 week. We of the League of Women Voters of Greater
9 Tuscaloosa stand behind and support this whole-county
10 plan that preserves all our redistricting goals,
11 including maintaining counties' integrity in
12 Congressional districts.

13 Our state Constitution and long traditions
14 support bolstering counties as the embodiment of
15 communities of interest. As the leading force behind
16 West Alabama's present and future, Tuscaloosa County
17 needs to speak with one elected voice in Congress, and a
18 whole-county philosophy needs to be part of this
19 redistricting creed. It has been in the past, and if our
20 future is to be all it can be, it should be again as
21 difficult redistricting decisions are being made.

22 Thank you.

23 MR. WALKER: Ms. Prickett, did you bring with
24 you, by any chance, any of these maps to hand out to the
25 people at the hearing?

1 MS. PRICKETT: I do not have those maps with me.
2 They've been submitted at other hearing, and we
3 understand they're part of the record so far.

4 MR. WALKER: No, they are. I was just curious
5 because Jim Blacksher asked me to reference a place where
6 they can be found, but I think it's going to be hard --
7 If anybody is interested in looking at the map that the
8 League of Women Voters has proposed, and it has some
9 interesting features, let me give you this website. Get
10 your pens ready because it's a little bit complicated,
11 [HTTPS://drive.google.com/file/d/1asnciqalQKVmKv7LjHX_7082](https://drive.google.com/file/d/1asnciqalQKVmKv7LjHX_7082zve-wVaQX/view)
12 [zve-wVaQX/view](https://drive.google.com/file/d/1asnciqalQKVmKv7LjHX_7082zve-wVaQX/view). And, Jim, we've got to have a better way
13 to get that information out than to read that.

14 MS. PRICKETT: I believe there was a link that
15 was put into chat while you were speaking that's a little
16 bit more concise.

17 MR. WALKER: Okay. Good.

18 MS. PRICKETT: And I will also mention, if
19 anyone wants to email the League of Women Voters of
20 Greater Tuscaloosa, we will make sure that you get that
21 link in that.

22 We understand there are negotiations that will
23 happen, but this is the proposal that Mr. Singleton is
24 going to be backing, as we understand, and several other
25 people in the legislature. Thank you for mentioning

1 that, and the link will be in the chat, and you can get
2 that link from the League of Women Voters of Greater
3 Tuscaloosa.

4 MR. WALKER: And I will point out there are two
5 interesting characteristics of this plan, and I state I
6 have no opinion on them one way or the other at this
7 hearing. One is that it does not have a minimal
8 deviation. It has a deviation of, I think, 2.46 total
9 deviation from ideal population. And another thing is
10 that it does not have a majority black district. It has
11 two districts that are opportunity districts, district
12 seven, which is Representative Sewell's district, has a
13 BVAP, which means the population of black voters, in that
14 district is 45.82 percent of the district, and then it
15 also has a second district, which is district six, which
16 is the counties of Jefferson, Bibb, Hale and Perry, which
17 is 40.55 percent black. So those are two interesting
18 features in that plan.

19 Is there anyone else at Shelton State in the
20 auditorium who wishes to speak? And I can only see the
21 podium. I can't see the crowd. So if there's anyone who
22 wants to speak, please come up and just start speaking or
23 somehow let us know.

24 Do we have any questions submitted remotely?
25 Yes. Are these people participating remotely?

1 Catherine Meadows. Catherine, you need to
2 unmute yourself.

3 MS. MEADOWS: Yes. Can you hear me?

4 MR. WALKER: We can hear you now. Thank you.

5 MS. MEADOWS: It is actually me and my husband
6 both attending remotely.

7 I wanted to know, is the committee going to use
8 an algorithm to help determine how to properly balance
9 the districts and prevent gerrymandering? Alabama has
10 recently been in several articles where even a middle
11 school student was featured in Forbes, and Alabama was
12 pointed out as one of the worst gerrymandered states in
13 the country, and our lines are not drawn to balance. You
14 keep talking about balancing the racial and other
15 interests of everyone, and I think the most logical and
16 the best way to do that would be to use an algorithm
17 rather than, you know, an opinion of people.

18 And I've looked at the total -- the whole-county
19 plan, and I agree that doesn't look like it balances the
20 districts when I compare to information put out in
21 articles that have called us out. Alabama is being
22 repeatedly called out in the media for our issues, and we
23 need to address those issues, and this is one of them and
24 one of the ways to address those issues.

25 MR. WALKER: I'm not aware of a plan to use an

1 algorithm. If you're aware of an algorithm that you want
2 to suggest to the legislature -- and I realize you're
3 probably not an expert in redistricting -- that would be
4 fine, but I'm not aware of a plan to use an algorithm. I
5 know some states use algorithms. Those tend to be states
6 that have redistricting commissions that are outside of
7 the legislature in some way or another. Each state is
8 set up in a different way, but there's not, so far as I
9 know as the lawyer for the Redistricting Committee, a
10 plan to use an algorithm.

11 MS. MEADOWS: Okay. Well, I am a computer
12 programmer, so that technology is something of interest to
13 me, so I will send in suggestions for possible sources of
14 algorithms.

15 MR. WALKER: Thank you for doing that.

16 Mike Altman. That's you right there. Okay.
17 Mr. Altman, unmute yourself and speak, please.

18 MR. ALTMAN: Thank you. I'm from Tuscaloosa. I
19 wanted to take a second to talk about the city itself in
20 terms of how it's carved up in terms of districts right
21 now. One of the things you mentioned is municipalities
22 are considered communities of interest for redistricting
23 purposes, but Tuscaloosa is cracked by a number of
24 districts.

25 I have a friend, we used to be neighbors. Our

1 kids go to the same school. We go to the same church.
2 We take our kids to the same parks. We go to lunch
3 regularly. But we do not share a single state
4 representative, and we have a different congressperson.
5 We're part of the same community, except for our
6 (inaudible) two U.S. senators. It makes absolutely no
7 sense.

8 Instead of being part of the same district, our
9 community is divided at both the state House and state
10 Senate levels. Communities in the City of Tuscaloosa are
11 districted with rural areas that are not the same kinds
12 of communities. This means that our representatives are
13 often distant from us in rural communities and do not
14 share the concerns as a mid-sized city like Tuscaloosa.

15 If you look at the numbers you just put forth, a
16 state Senate number was 143,000 and change. That's more
17 than the population of the city of Tuscaloosa. You said
18 the House number is like 47,850, around there. That's
19 about half. So we should theoretically have maybe one
20 state senator and two House members. And I'm looking at
21 a map right now, and we've got four, depending on where
22 you live in the city, state senators -- three state
23 senators and four state House districts within the city
24 limits.

25 My district is 71, a lovely district, happy to

1 live there. It trenches all the way to Livingston. I
2 couldn't drive to the farthest southwest corner of my
3 district and back and be here in time for lunch. I can
4 have lunch with my buddy and get back to work, but we're
5 not in the same district. If I was going to go to lunch
6 with somebody in my district, I couldn't get back to work
7 on time.

8 So I'd like to know what the committee can do as
9 we draw these lines because the communities of a mid-size
10 city share very little in common with the committees of
11 the rural areas southwest of here or far north
12 (inaudible).

13 MR. WALKER: As the hearing officer, I try to
14 tread a line between commenting on comments or expressing
15 an opinion, which I don't want to do, and providing
16 information that might be helpful to people at the
17 hearing in responding to questions. So don't interpret
18 my comments as a statement of opinion one way or the
19 other on what you said.

20 What happens, particularly with Tuscaloosa, and
21 also the same thing happens with Lee County, if that
22 makes you feel better, it's not just Alabama, it's
23 Auburn, too, is they're densely populated counties in the
24 middle of areas that are more sparsely populated and,
25 worse than that, losing population.

1 So remember that the first overarching
2 requirement that the legislature has to meet in order to
3 comply with the Constitution is equality of population of
4 districts. The only way to repopulate and get equal
5 population for those sparsely populated counties around
6 Tuscaloosa is to come in to Tuscaloosa and,
7 unfortunately, parcel out some of its population to those
8 counties. Otherwise, those districts would be huge. So
9 that's probably why the legislature has done what it has
10 done.

11 And I hear what you're saying about respecting
12 communities of interest, but the priority has to be
13 equality of population.

14 MR. ALTMAN: I appreciate that, but I guess I
15 also noted -- I'm looking at a redistricting map right
16 now, and when you click the minority age voting
17 population filter, you quickly see that the minority
18 voting age population numbers match pretty much exactly
19 with the district line in ways that crack and then
20 connect basically black voters on the west side of
21 Tuscaloosa limits with voters down in Livingston, which
22 creates one district; whereas, if you had the city in the
23 middle, say, and you had those rural areas you're talking
24 about moving out from those population centers or if you
25 had (inaudible) talking about the House district, cut it

1 in half and go out that way, you would have competitive
2 districts in terms of partisan lines and then have 55
3 percent African-American (inaudible) minority district as
4 opposed to 65 for district 71 right now. So there's some
5 packing happening (inaudible) with that population
6 requirement used as an excuse, it sounds like.

7 MR. WALKER: All right. Anyone else who wants
8 to speak? Thank you for those comments, Mr. Altman.

9 Kathy Jones.

10 MS. JONES: Hi. This is Kathy Jones. I spoke
11 to you last Wednesday at Drake State and really
12 appreciate the hearings that you've been holding, and I'm
13 just really in awe of all the people participating.

14 The one thing I did want to ask you, and I put
15 it into the chat, was some references. We're not really
16 sure why you keep saying that the Congressional districts
17 have to balance by no more than one person because there
18 is -- you know, there is a lot of precedent that says
19 that's not a requirement, and it seems to be misleading,
20 and I'm just trying to get you to -- I don't know if I
21 leave this in the chat, if it's going to become part of
22 the record or what else do I need to do to make sure that
23 the concerns about the statements you're making about the
24 one person difference in the Congressional district seems
25 to be -- from what I'm getting advised, is not completely

1 accurate.

2 MR. WALKER: Thank you, Ms. Jones. I understand
3 that Mr. Blacksher has an argument that the whole-county
4 plan that the League of Women Voters has proposed with
5 2.46 deviation meets the constitutional requirements. I
6 don't fully know what that argument is. I know there are
7 circumstances in which deviation has been allowed in
8 Congressional plans, but I'm not sure that those
9 circumstances apply in Alabama. The statements that you
10 have submitted by chat are part of the record.

11 There's someone at the podium now. Would you
12 identify yourself, please, and tell us what you have to
13 say.

14 MS. TAYLOR: My name is Judy Taylor. I'm part
15 of the County of Tuscaloosa, and I want to take the
16 discussion a little different slope, and that is the
17 standing committee that oversees the redistricting. Can
18 you tell me when that committee was seated and how long
19 those members have served on that committee?

20 MR. WALKER: Gosh. The committee was created by
21 the legislature in the '70s, I think. '89, sorry. And
22 during non-redistricting sessions, it is a small
23 committee. During redistricting sessions, it is a large
24 committee of, I believe, 22 people. It has membership
25 from the House and from the Senate and, as you know from

1 sitting through our introduction, it has a Senate chair
2 and a House co-chair.

3 I don't know that I have any information about
4 the tenure of the people who have served on the
5 committee. I know that Senator McClendon was the House
6 co-chair last time, so he has good experience on the
7 committee, which, trust me, it's a very -- it's not an
8 easy task.

9 MS. TAYLOR: I was going to say a thankless job.

10 MR. WALKER: I'm sure they would agree with you
11 that it is a thankless job.

12 I don't know -- I know there are members of the
13 committee that have served for a long time, but I
14 couldn't tell you exactly who they are and how long
15 they've served. I'm sorry.

16 (Inaudible) This is a redistricting time. So
17 there's 11 in the House and 11 in the Senate that are
18 appointed. During years that redistricting is not going
19 on, there's three members in the House and three members
20 in the Senate that serve.

21 MS. TAYLOR: I was just curious about the
22 appointment and the continuing service in those
23 committees.

24 Thank you very much.

25 MR. WALKER: Thank you, ma'am.

1 Is there anyone else at Shelton State in the
2 auditorium who wishes to speak? If you do, please come
3 to the podium.

4 Ms. Jones, you still have your hand up. Do you
5 have anything else you want to say?

6 MS. JONES: No. I guess I did not see it up.
7 Thank you.

8 MR. WALKER: Okay. Thank you.

9 Yes, sir.

10 MR. TURNER: I'm Albert Turner from Perry
11 County. I'm very interested in the Congressional makeup
12 of the Alabama delegation. Currently, we only have one
13 democrat in that delegation, and I am curious to know
14 what is the objective of the committee, as well as what
15 is the proposed deviation that you all are going to put
16 forth to the full legislature.

17 As you know, a question earlier was presented
18 that -- Someone made the statement that one person is the
19 only deviation. We know that the Constitution allows up
20 to a five percent deviation, and it ensures that
21 African-Americans are represented in Congress. And from
22 the State of Alabama, are you all making sure that
23 African-Americans have representation in our
24 Congressional delegations?

25 We know that, currently, with seven districts,

1 six are held by Republicans and one by a Democrat, and in
2 central Alabama, there is a cluster of the population
3 that are what we call the Black Belt population of which
4 I'm from, Perry County. The population is leaving. So,
5 therefore, Congressional district number seven is going
6 to be expanded to make sure that we get the number of
7 people that's required to have an equalization of
8 districts.

9 So what is your deviation? We know one or zero
10 is not going to work to make sure that African-Americans
11 are adequately represented in the Congressional makeup.
12 So what is the deviation or what is the target that you
13 all are going for?

14 MR. DORMAN: My understanding of the law is that
15 with Congressional districts, we're pretty much bound to
16 minimal deviation. The Supreme Court cases discussing
17 deviation for non-Congressional districts and from which
18 the safe harbor, if you will, of plus or minus five
19 percent comes from (inaudible), and the Supreme Court has
20 therefore additionally allowed more latitude for those
21 districts in terms of deviation while being more strict,
22 typically, in the deviation from ideal population for
23 Congressional districts. I understand that, again, the
24 counsel for the League of Women Voters has a different
25 argument on that. I think that it's likely that after

1 the legislature has drawn districts -- and, again, the
2 legislature will do its best to make sure the districts
3 it draws comply with the Federal Constitution, the equal
4 protection clause and with the Voting Rights Act -- I
5 think it's likely that we will have two competing
6 lawsuits, based on what I've been told, (inaudible)
7 whatever is drawn.

8 You may know, Mr. Turner, that in November of
9 20 -- well, actually, in 2018, the Democratic Party filed
10 a lawsuit alleging that the state should have drawn two
11 majority black districts, and that was tried in federal
12 court, and in order to draw two majority black districts
13 instead of just the one district we have now, which is
14 Terri Sewell's district -- I can't recall exactly what
15 her BVAP is, but in order to draw two majority black
16 districts, the BVAP of her district and a new majority
17 black district two were taken down to from about 50 --
18 between 50 and 52 percent BVAP, so just barely over the
19 line.

20 Whether or not that's sufficient or not, I'm
21 sure, is something that will be litigated again if that
22 lawsuit is refiled, and my understanding is that the
23 people who want to file that lawsuit has said they're
24 going to file it again if the state doesn't draw two
25 majority black Congressional districts.

1 On the other hand, there's the plan proposed by
2 the League of Women Voters which doesn't have any
3 majority black Congressional districts but has two what
4 are called opportunity districts with, I think, 45 and 40
5 percent BVAP that would cover districts -- The district
6 seven under that plan is basically all of the Black Belt
7 except for Barbour County and with some Black Belt
8 adjacent counties like Washington, Clarke, Monroe and
9 Conecuh. But then district six would be a second
10 majority black district consisting of Jefferson, Bibb,
11 Perry and Hale, and those last three, of course, are
12 Black Belt -- or at least Perry and Hale are Black Belt
13 counties.

14 MR. TURNER: I just wanted to make sure you know
15 that I'm going to be objecting to Perry being taken out
16 of the seventh district, and I want to make sure that the
17 record shows that I object to any plan that does not have
18 a majority black voting age population. We're not
19 talking about population itself because in some of those
20 counties, we have prisons. Prisoners are included in the
21 data. So those numbers would not be adequately
22 representing the African-America community.

23 So I want the record to show that I'm opposed to
24 any plan that takes Perry County out of the seventh
25 district, and I'm opposed to any plan that does not have

1 a voting age population of African-Americans above 55
2 percent. History has shown that that is the only way
3 that we can guarantee that we have an opportunity to have
4 representation in Washington. Just to say that we've got
5 black population does not guarantee black representation.
6 So I want to make sure that the committee understands
7 that the voting age population needs to be in excess of
8 55 percent in any district that is created.

9 Thank you very much.

10 MR. WALKER: Mr. Turner, please don't leave.
11 Just to make sure that I was clear, I don't want to
12 misrepresent the League of Women Voter's plan. The
13 percentages that I was talking about, 40.55 and 42.8
14 percent for their district plan, six and seven, those are
15 BVAPs, not total black population. So if I misspoke on
16 that, I apologize. I didn't mean to do that.

17 I'd like to ask you to expound, though, if you
18 can, because it's helpful to the committee on the
19 statement that at least 55 percent BVAP is required for a
20 successful Congressional district. Anything else you can
21 tell the committee about why you believe it should be 55
22 would be very helpful.

23 MR. TURNER: Well, 55 percent ensures that the
24 population base would be above 55 percent. So the
25 population that would be represented would be an African-

1 American district with the general population being above
2 55 and the voting age being above 55, that would ensure
3 us that you have a nine-and-a-half out of 10 chance of
4 having an African-American to represent that particular
5 district. And that should be the objective, to make
6 sure --

7 We want to skirt around the issue, but race and
8 politics go hand in hand. Very few minority districts
9 are represented by majority people, and that goes
10 black/white, white/black. So in dealing with
11 redistricting in the past and with my father, 55 percent
12 voting age population has always been guaranteed to make
13 sure that we have someone of African-American descent
14 representing that district.

15 And I heard her say something about Senator
16 Singleton is going to be supporting a plan. Senator
17 Singleton is not going to be representing any plan that's
18 got 40-something percent voting age black population and
19 think that's going to pass. That's not going to pass,
20 and blacks sure aren't supporting that. I'll make sure
21 that blacks understand that 55 percent or somewhere in
22 that neighborhood is what's needed to ensure African-
23 Americans being represented in Congress. If you take a
24 40 percent black voting age population in a district and
25 put in Congress, that district will be represented by a

1 white and most likely represented by a Republican, and
2 there's no way that anyone can understand or should
3 understand that our politics in Alabama is not issue
4 based, per se.

5 So we want to make sure that the committee
6 understands that we have to make sure that we have
7 African-American representation in Congress. We only
8 have one. We only have one Democrat, and it's because of
9 the way the district lines were drawn before. To say
10 you've got two districts with overall population being 50
11 or 51 percent African-American, the voting age
12 population -- which we are younger in our population. We
13 have more people under the age of 18 than any other. So
14 although you have a population of people amount, voting
15 age population, which (inaudible) determines who can cast
16 that vote should be the determination of 55 plus to
17 ensure -- and if someone gets to a 55 plus population,
18 you know, they deserve to win. We need to make sure that
19 the cards are not stacked against, one, African-Americans
20 and, two, Democrats in this upcoming redistricting
21 process.

22 I'm satisfied we don't have enough black people
23 in Alabama to create two 55 percent districts, but I'm
24 satisfied to make sure we have one African-American in
25 Congress that can speak on our behalf because we do have

1 different issues that need to be addressed by our own
2 people.

3 Thank you.

4 MR. WALKER: Thank you, Mr. Turner. Is there --

5 MS. OVERTON: There's a question from -- I'm not
6 sure of the name. It says, "I'm not familiar with racial
7 makeup of the counties of Alabama, so does the LWV map
8 not address racial packing?"

9 MR. WALKER: The question is does the League of
10 Women Voters' map address racial packing, and packing is
11 a term that's used, for those of you who are not
12 familiar -- You may have heard two terms being used by
13 speakers, "cracking" and "packing." Packing is when --
14 and let's speak in terms of black populations, since
15 that's principally what we're dealing with in Alabama.

16 When more black voters are put into a district
17 than are necessary to elect a -- or to give blacks in
18 that district the opportunity to elect the candidate of
19 their choice and the, if you will, the excess black
20 voters could be combined with black voters in other
21 places to create another majority minority district, then
22 that's what's called packing because those are wasted
23 votes.

24 Cracking is where -- the opposite of packing, is
25 where the minority community is spread among a variety of

1 districts so that it never has the chance to have the
2 opportunity to elect the candidate of choice in the
3 presence of racially polarized voting.

4 And I can't speak for the League of Women
5 Voters' plan, but given that it's the League of Women
6 Voters, I'm sure that they have thought about cracking
7 and packing and have done their best to avoid that, but I
8 think you would have to ask them about that.

9 Anybody else?

10 Mr. Altman, you have your hand up again?

11 MR. ALTMAN: Yes, just real fast. I heard what
12 the gentleman said a second ago, and I just want to say
13 it's not just the 55 percent minimum. That's like a
14 perfect line, but you don't want to get above 60 percent
15 because that's when you start getting into the packing
16 you were just describing. The target would be between 55
17 and 60 percent for a successful district. It doesn't
18 have to be African-American, but someone they chose in
19 that community is chosen. Even in our county, currently
20 district 71 is over 50 percent African-American, hence my
21 statement about packing earlier.

22 MR. WALKER: Thank you, Mr. Altman.

23 There's someone at the podium, if you want to
24 introduce yourself and speak.

25 MS. WARD: My name is Lisa Ward. I am with

1 Tuscaloosa County, and my comment is just basically for
2 the powers that be who are out there making these
3 decisions to consider something, the representation, when
4 you are redrawing these lines, the distance of where
5 these representatives have to go to get to these people
6 to have town halls or to be able to speak to them, in my
7 case, touched on how far it is for him to go. I can only
8 talk from experience, being somebody who is out in the
9 field all of the time. For example, and I'm just going
10 to give this one example right now because it's our most
11 recent, but if everybody would look at district four in
12 the U.S. Congressional district, it took us from sunup to
13 sundown just to get from one location to another.
14 There's no broadband. There's no cell services. There
15 is no GPSs in most of these areas. So you spend a lot of
16 time getting lost when you're up here trying to serve
17 your community and do the things that you need to do.

18 And when you literally create these district
19 lines from Mississippi to Georgia, there's a problem
20 because there's only 24 hours in a day. So, please, when
21 you're doing this, consider the representation, whoever
22 they are, how far they have to go and what they have to
23 do to get to their communities and their people that
24 they're supposed to be representing. It was impossible
25 for us, literally. I mean, there was some places it took

1 me 17 minutes to get from one house to the next. Can you
2 imagine being a representative and trying to get to
3 these? So just be consciencous of the borders of our
4 state when you're doing this as well.

5 Packing and cracking and all of that is
6 relevant. Population is relevant, but so is the funding.
7 When you're splitting these counties up, there's also
8 funding that goes up that way and how the representatives
9 are supposed to be delegating these discretionary funds
10 to their counties. So consider that, too, if you would.

11 Thank you.

12 MR. WALKER: Thank you.

13 Is there anyone else in the auditorium who
14 wishes to speak? We don't have anybody who wants to
15 speak remotely.

16 Thank you for attending this hearing. This
17 hearing is closed.

18 (Exhibits 1 through 5 were marked.)
19
20

21 *****
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23
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25

C E R T I F I C A T E

STATE OF ALABAMA)

COUNTY OF MOBILE)

I hereby certify that the above and foregoing was taken down remotely by me in stenotype and transcribed by means of computer-aided transcription, and that the foregoing is a true and correct transcript to the best of my ability.

I further certify that I am neither of counsel nor of kin to any of the parties, nor am I in anywise interested in the result of said cause.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ACCR number following my name found below.



KATHLEEN F. CAVAZOS, RPR, ACCR302

NOTARY PUBLIC

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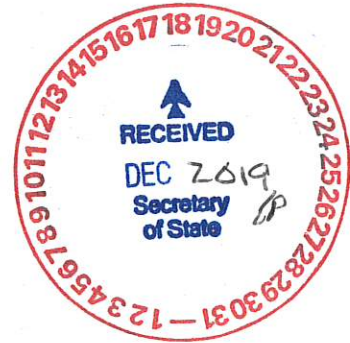
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Alabama Democratic Party

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The Honorable John H. Merrill
Secretary of State
State Capitol Building
600 Dexter Avenue - Suite S-105
Montgomery, AL 36130



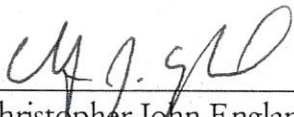
CERTIFICATION

Pursuant to Section 17-13-5, Code of Alabama, 1975, I hereby certify that the persons whose names appear on the following schedules have filed qualifications for the March 3, 2020 Democratic primary election as candidates for the office indicated.

Subject to the provisions therein, I declare that unopposed candidates are nominated.

This certificate is subject to such disqualifications or corrective action as hereafter may be made.

Given under my hand, this eighteen day of December, 2019.

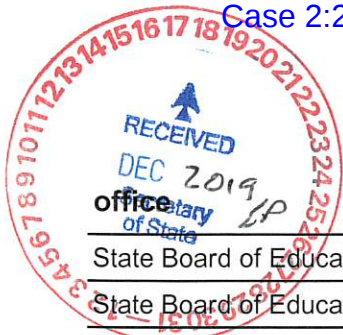


Christopher John England
Alabama Democratic Party Chair



March 3, 2020 Alabama Democratic primary election

	name as it appears on ballot	status
President of the United States	Michael Bennet	Primary
President of the United States	Joseph R. Biden	Primary
President of the United States	Michael R. Bloomberg	Primary
President of the United States	Cory Booker	Primary
President of the United States	Pete Buttigieg	Primary
President of the United States	Julián Castro	Primary
President of the United States	John K. Delaney	Primary
President of the United States	Tulsi Gabbard	Primary
President of the United States	Amy Klobuchar	Primary
President of the United States	Bernie Sanders	Primary
President of the United States	Tom Steyer	Primary
President of the United States	Elizabeth Warren	Primary
President of the United States	Marianne Williamson	Primary
President of the United States	Andrew Yang	Primary
President of the United States	Uncommitted	Primary
United States Senator	Doug Jones	Nominee
United States Representative, District 1	James Averhart	Primary
United States Representative, District 1	Rick Collins	Primary
United States Representative, District 1	Kiani A. Gardner	Primary
United States Representative, District 2	Phyllis Harvey-Hall	Primary
United States Representative, District 2	Nathan Mathis	Primary
United States Representative, District 3	Adia Winfrey	Nominee
United States Representative, District 4	Rick Neighbors	Nominee
United States Representative, District 7	Terri A. Sewell	Nominee
President of the Public Service Commission	Laura Casey	Primary
President of the Public Service Commission	Robert L. Mardis, III	Primary
State Board of Education 1	Tom Holmes	Nominee
State Board of Education 3	Jarralynne Agee	Nominee
State Board of Education 5	Fred Bell	Primary
State Board of Education 5	Tonya Smith Chestnut	Primary
State Board of Education 5	Ron Davis	Primary
State Board of Education 5	Pamela J. Laffitte	Primary



March 3, 2020 Alabama Democratic primary election

	name as it appears on ballot	status
State Board of Education 5	Patrice "Penni" McClammy	Primary
State Board of Education 5	Woodie E. Pugh Jr.	Primary
State Board of Education 5	Joanne Shum	Primary
State Board of Education 5	Billie Jean Young	Primary
<hr/>		
Circuit Judge, 10th Circuit, Place 02, Jefferson County	Shanta Owens	Nominee
Circuit Judge, 10th Circuit, Place 03, Jefferson County	Kechia Davis	Primary
Circuit Judge, 10th Circuit, Place 03, Jefferson County	Sandy E. Lee	Primary
Circuit Judge, 10th Circuit, Place 03, Jefferson County	Everett W. Wess	Primary
Circuit Judge, 10th Circuit, Place 10, Jefferson County	Patrick James Ballard	Nominee
Circuit Judge, 10th Circuit, Place 16, Jefferson County	Linda Hall	Nominee
Circuit Judge, 15th Circuit, Place 02, Montgomery County	Madeline Hinson Lewis	Primary
Circuit Judge, 15th Circuit, Place 02, Montgomery County	Brooke E. Reid	Primary
Circuit Judge, 15th Circuit, Place 04, Montgomery County	J. R. Gaines	Nominee
Circuit Judge, 15th Circuit, Place 07, Montgomery County	LLoria Munnerlyn James	Primary
Circuit Judge, 15th Circuit, Place 07, Montgomery County	Vicky U. Toles	Primary
Circuit Judge, 15th Circuit, Place 09, Montgomery County	Johnny Hardwick	Nominee
Circuit Judge, 26th Circuit, Place 02, Russell County	David Johnson	Nominee
<hr/>		
District Judge, 02nd Circuit, Butler County	Brandon Eugene Collins	Nominee
District Judge, 05th Circuit, Macon County	Deborah Hill Biggers	Nominee
District Judge, 08th Circuit, Place 03, Morgan County	Paul R. Holland	Nominee
District Judge, 10th Circuit, Place 01, Jefferson County	Martha R. Cook	Primary
District Judge, 10th Circuit, Place 01, Jefferson County	Gerri Robinson	Primary
District Judge, 10th Circuit, Place 02, Jefferson County	Maria Fortune	Nominee
District Judge, 10th Circuit, Place 07, Jefferson County	Ruby Yvette Davis	Primary
District Judge, 10th Circuit, Place 07, Jefferson County	Terrika Shaw	Primary
District Judge, 10th Circuit, Place 07, Jefferson County	Angeline J. Sperling	Primary
District Judge, 13th Circuit, Place 03, Mobile County	Alan Colvin	Nominee
District Judge, 14th Circuit, Walker County	Seth L. Diamond	Nominee
District Judge, 15th Circuit, Place 01, Montgomery County	Monet McCorvey Gaines	Primary
District Judge, 15th Circuit, Place 01, Montgomery County	Angela Starr	Primary
District Judge, 17th Circuit, Greene County	Lillie Jones-Osborne	Nominee
District Judge, 17th Circuit, Sumter County	Steve Boyd	Primary
District Judge, 17th Circuit, Sumter County	Tammy Jackson Montgomery	Primary

1st Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than five (5) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than five (5) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, FIRST DISTRICT (VOTE FOR NO MORE THAN FIVE)

Colin Sanders Al-Greene

Napoleon Bracy, Jr.

John F. Butler

Adline C. Clarke, Jr.

William M. Cunningham Jr.

Barbara Drummond

Patricia G. Edington

Virginia Edington

Jason Fisher

Ben H. Harris, III

Willie A. James, III

Nicholas Martin

Mary Morris

Barbara Turner

Ann White-Spunner



FOR CORY BOOKER DELEGATES, FIRST DISTRICT (VOTE FOR NO MORE THAN FIVE)

Alison Gay Wood

FOR PETE BUTTIGIEG DELEGATES, FIRST DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Mary Ann Chapman

Mary H. Johnson

Theodore F. Kearley

Skylar L. Rutledge

Stephanie "Michele" Walker-Harmon

FOR BERNIE SANDERS DELEGATES, FIRST DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Kris Adkison

Jason "JJ" James

Jennifer James

Sandi Johnston

Henry Juzan Perkins

Marian Hope Ponder



FOR ELIZABETH WARREN DELEGATES, FIRST DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Wesley J. Funes

Jesse McDaniel

Simone Normand

Nathaniel Robertson

Claire W. Taylor-Davis

Slade Watson

Elizabeth Williams

FOR ANDREW YANG DELEGATES, FIRST DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Stacey Yim

FOR UNCOMMITTED DELEGATES, FIRST DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Robert (Bob) Adams

Ron Davis

Patricia A. Lewis

Phylis A. Logsdon



2nd Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than five (5) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than five (5) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, SECOND DISTRICT (VOTE FOR NO MORE THAN FIVE)

John Anzalone

William Wilson Blount

Lycurgus Hatcher

Harriet Jay Hubbard

Nolan Ivy Jackson

Julian McPhillips

Joe Reed

Joel Lee Williams



FOR PETE BUTTIGIEG DELEGATES, SECOND DISTRICT (VOTE FOR NO MORE THAN FIVE)

William Alverson

Ronnie Garrett Exum

Madison Faile

Elaine Stopp Mullins

3rd Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than four (4) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than four (4) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, THIRD DISTRICT (VOTE FOR NO MORE THAN FOUR)

Lindsey Bickerstaff

Zack Buckner

Dolores (Dee) Crumly

Lamar Crumly

Kay King Davis

Johnny Ford

Sheila Degan Gilbert

Harry Gilliam

Jeremy Gray

R. Jaime Lowe

Rebecca Marion



FOR CORY BOOKER DELEGATES, THIRD DISTRICT (VOTE FOR NO MORE THAN FOUR)

Al Allenback

FOR PETE BUTTIGIEG DELEGATES, THIRD DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Glenn L. Allen

Michelle Cely

Aaron Fox

Grant Garber

Mary Lynn Higgins

Grace O'Connor

Eli O'Connor

Michael Shelton

Donna Young

FOR AMY KLOBUCHAR DELEGATES, THIRD DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Adam Jortner

FOR BERNIE SANDERS DELEGATES, THIRD DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Jesse T. Smith

Carla Smith

Daniel Storey

FOR TOM STEYER DELEGATES, THIRD DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Robert E. Hergenroeder



FOR ELIZABETH WARREN DELEGATES, THIRD DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Terri Chapman

Kristina Michel

Samantha Smoot

FOR UNCOMMITTED DELEGATES, THIRD DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Terry D. Adamson Jr

Joanne Shum

Ronald Marvin Shum

Mary E. Williams

Donald J. Williams



4th Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than three (3) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than three (3) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, FOURTH DISTRICT (VOTE FOR NO MORE THAN THREE)

Robert Avery

Maudie Bedford

Roger Bedford

Charles E. Ohare Jr

Nicholas J. Shabel

Jim Spearman

Robert T. (Bob) Wilson, Jr.



FOR PETE BUTTIGIEG DELEGATES, FOURTH DISTRICT (VOTE FOR NO MORE THAN THREE)

Phillip Chandler

Laura K. Gregory

William Smith

FOR BERNIE SANDERS DELEGATES, FOURTH DISTRICT (VOTE FOR NO MORE THAN THREE)

Stan Glasscox

Jared D. Vaughn

Tabatha Vaughn

C "CiCe" Whiteside-Curry

FOR ELIZABETH WARREN DELEGATES, FOURTH DISTRICT
(VOTE FOR NO MORE THAN THREE)

Peggy Baker

John C. Brown

Kyah Harris

Tom Johnson

Dakota Nichols

FOR ANDREW YANG DELEGATES, FOURTH DISTRICT
(VOTE FOR NO MORE THAN THREE)

Dax Atkins

FOR UNCOMMITTED DELEGATES, FOURTH DISTRICT
(VOTE FOR NO MORE THAN THREE)

Yvonne Gist Foster

James Parker



5th Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than five (5) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than five (5) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, FIFTH DISTRICT (VOTE FOR NO MORE THAN FIVE)

Susan C. Brown

Amy King Burks

John Cady

Rex Cheatham

Parker Griffith

Laura Hall

Bonnie F. Harrison

William L. Krause

Pam Miles

John Lawson Robinson

Michael L. Smith



FOR CORY BOOKER DELEGATES, FIFTH DISTRICT (VOTE FOR NO MORE THAN FIVE)

Amanda Schenker

FOR PETE BUTTIGIEG DELEGATES, FIFTH DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Rachael Damiani

Nora F. Hickman

Vinaya Kulkarni

Ruth Marie Oliver

Jacob Oswalt

Edie Ryan

Wade Shaw

Robert F. Smith

FOR BERNIE SANDERS DELEGATES, FIFTH DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Tara Bailey

Ava Caldwell

Andrew Cryer

Patrick Doyle

Jessie Doyle

Heather Mailman



FOR ELIZABETH WARREN DELEGATES, FIFTH DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Nicholas Anderson

Elaine Atha

Shelby Agnew Britt

Allison Lee Brock

Barbara Bryant Cady

Sarah Campbell

Jordan Cozby

Michael F. Nunes

Wesley Torain

FOR ANDREW YANG DELEGATES, FIFTH DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Shalin H. Mody

FOR UNCOMMITTED DELEGATES, FIFTH DISTRICT
(VOTE FOR NO MORE THAN FIVE)

Sara M. Bradley

Cindi Cassis Branham

Gregory S. Burns

Mark F. Cagle

Marsha Gillis

Lauren Martinson

Tom Ryan

Eddie C. Sherrod

Michelle L. Watkins

Nancy Worley



6th Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than four (4) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than four (4) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, SIXTH DISTRICT (VOTE FOR NO MORE THAN FOUR)

Richard L. Anderson

Brooke Battle

Carrie J. Buntain

Steven Andrew Burns

Charlene Cannon

Rhonda Chambers

Major R. Click

Carolyn (CiCi) Culpepper

Earl F. Hilliard Sr.

Dontrel Mosely

Felix Parker

Lashunda Scales

Teresa Smiley

George A. (Tony) Thompson

Doug Turner



FOR MICHAEL BLOOMBERG DELEGATES, SIXTH DISTRICT (VOTE FOR NO MORE THAN FOUR)

Ken King

FOR PETE BUTTIGIEG DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Matthew Alan Buchanan

Charles R. Evans Jr.

Sherri Friday

Tyler R. Hinton

Samantha Humphries

Wilfred Hunt

Kathleen Lowe

Mayen Ma

Louise McPhillips

Frank McPhillips

Kristy Mosolino

Sam J. Mosolino

John W. Odum

Aahil M. Rajpari

Gloria E. Tyson

Catherine Vinson

Misha Mullins Whitman

Ralph Yeilding

Ralph Young



FOR AMY KLOBUCHAR DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Linda Verin

FOR BERNIE SANDERS DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Virginia Teague Applebaum

Caleb Burnett

Julia Juarez

Haley Mack

Robert L. Mardis, III

FOR TOM STEYER DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Patricia Bennett

FOR ELIZABETH WARREN DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Fontaine Carpenter

Merika Coleman

Alan Friday

Barbara McElroy

Christopher Mosley

Taylor Iman Packer

Karen Templeton

Will Wilder

Charmella Williams



FOR ANDREW YANG DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Ian Prado

Jessica Pruitt

FOR UNCOMMITTED DELEGATES, SIXTH DISTRICT
(VOTE FOR NO MORE THAN FOUR)

Josh Carpenter

Andrew Gelderman

Toni Kornegay Vaughn



7th Congressional District

DELEGATE TO THE 2020 DEMOCRATIC NATIONAL CONVENTION

After selecting your Presidential candidate, vote for not more than eight (8) delegate candidates pledged to that candidate. If you selected uncommitted, vote for not more than eight (8) uncommitted delegate candidates.

Votes for delegate candidates pledged to someone other than your Presidential selection ARE NOT ALLOWED UNDER DEMOCRATIC PARTY RULES.

FOR JOSEPH R. BIDEN DELEGATES, SEVENTH DISTRICT (VOTE FOR NO MORE THAN EIGHT)

Linda Coleman-Madison

Christopher Davis

Myisha Davis

Pat Davis

Richard E. Franklin Jr.

Juandalynn Givan

Alexandria Hilliard

John Hilliard

Earl Hilliard, Jr.

Devore Jones

Sherry McClain

Gregg McCormick

Terri Michal

Michael Miller

William "Bill" Minor

TaShina Morris

Nancy Gardner Sewell

Shelia Smoot

Erica Turner

Sheila D. Tyson

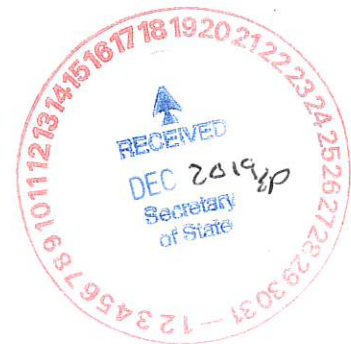


FOR PETE BUTTIGIEG DELEGATES, SEVENTH DISTRICT
(VOTE FOR NO MORE THAN EIGHT)

T. Jason Colburn
Rose Crocker
Stephen Curry
Michael Fierman
Russell C. Howard
Tyler Mercer
Wayne Rogers
Lauri Rogers
Cassandra Leigh Williamson

FOR BERNIE SANDERS DELEGATES, SEVENTH DISTRICT
(VOTE FOR NO MORE THAN EIGHT)

Samuel Badger
Madelaine Bowie
Starr Culpepper
Quang Do
Jennifer Freehling
Bert McLelland
Jilisa Milton
D. Anthony "Tony" Parker
Qunelius "Cory" Pettway
Richard Allan Rice
Joi L. Travis
Sharron A. Williams
Keith O. Williams



FOR ELIZABETH WARREN DELEGATES, SEVENTH DISTRICT
(VOTE FOR NO MORE THAN EIGHT)

William M. Benton

Josh Coleman

Tasha Coryell

Whitman Miller

Nayirah A. Muhammad

FOR ANDREW YANG DELEGATES, SEVENTH DISTRICT
(VOTE FOR NO MORE THAN EIGHT)

Andrew K. Hyder

Anna Richardson

FOR UNCOMMITTED DELEGATES, SEVENTH DISTRICT
(VOTE FOR NO MORE THAN EIGHT)

Monica L. Arrington

Fred Bell

Caleb Florence

Greg Griffin Jr.

LaTanya Millhouse

Brenda J. Smothers



No. A-_____

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 1992

BILLY JOE CAMP,

Appellant,

v.

PAUL CHARLES WESCH,

Appellee.

Appeal From The United States District Court
For The Southern District of Alabama

APPLICATION OF APPELLANT BILLY JOE
CAMP, SECRETARY OF STATE OF ALABAMA,
FOR STAY OF JUDGMENT PENDING APPEAL

To the Honorable Anthony Kennedy, Associate Justice of the
United States and Circuit Justice for the Eleventh Circuit:

Pursuant to Rule 23 of the Supreme Court Rules, Appellant
Billy Joe Camp, Secretary of State of Alabama ("Secretary Camp"),
respectfully applies for a stay of the final judgment entered on

March 9, 1992 by the three-judge court in Wesch v. Hunt, Civil Action No. 91-0787 (S.D. Ala.). That judgment (Exhibit A hereto) ordered into effect a reapportionment plan re-drawing Alabama's seven congressional districts for the 1992 primary and general elections. The judgment enjoins Secretary Camp and other State officials with responsibility for administering Alabama's elections from "failing to conduct congressional elections in 1992 in accordance with a redistricting plan adopted by the court," unless the Alabama Legislature "duly enacts a redistricting plan for the conduct of congressional elections in 1992 and has the same precleared [under Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. § 1973c] no later than 12:00 noon, Central Time, March 27, 1992" Exhibit A at 2.¹

The three-judge court entered this judgment even though the Alabama State Legislature had already enacted its own congressional redistricting plan and asked the court to adopt it on March 6, 1992. (The Legislature submitted this plan to the Department of Justice for preclearance on March 10, 1992.)² In

¹ Under Section 5 of the Voting Rights Act, before Alabama may implement any new redistricting plan or other change in laws affecting voting, the State must obtain "preclearance," i.e., a determination from either a three-judge federal court in the District of Columbia or the United States Attorney General that the plan does not have the purpose and will not have the effect of discriminating against minorities. 42 U.S.C. § 1973c.

² Pursuant to 28 C.F.R. § 51.34, the State has asked for expedited consideration of its preclearance submission. Section 5, however, expressly gives the Attorney General 60 days to decide whether to preclear the plan, 42 U.S.C. § 1973c, and thus there can be no assurance that the Attorney General will be able to

(Footnote continued)

prohibiting the use of this plan unless the Legislature obtains preclearance by March 27, the three-judge court disregarded this Court's precedents. These decisions establish

(a) that redistricting is primarily a task for State Legislatures, and not the federal courts;

(b) that even when a federal court is called upon to draw a redistricting plan or choose from among plans proposed by the parties, that court must adhere as closely as possible to the State Legislature's plan, except where doing so would violate federal constitutional or statutory requirements; and

(c) that, if it is necessary to modify a State Legislature's plan in order to satisfy such requirements, the federal court must do so in a way that makes the fewest modifications to the Legislature's plan.

Because the three-judge court gave short shrift to these principles, there is a substantial likelihood that this Court will note probable jurisdiction and reverse the final judgment of the three-judge court.³ Moreover, unless stayed, the final judgment will result in irreparable harm to both the State and its citizens. Accordingly, Secretary Camp respectfully submits that this application should be granted and that the final judgment entered by the three-judge court on March 9, 1992 should

(Footnote continued)

respond before the three-judge court's March 27 deadline. See also 28 C.F.R. § 51.34(b) ("the Attorney General cannot guarantee that such consideration can be given").

³ Secretary Camp will be filing a Jurisdictional Statement within a few days, together with a motion for expedited consideration.

be stayed pending a disposition by this Court of the merits of this appeal.

STATEMENT OF FACTS

This case arises from the efforts of the Alabama State Legislature to enact new districts for the upcoming congressional elections. (The primary is scheduled for June 2, 1992 and the general election for November 3, 1992.) Following the receipt of the 1990 census data on February 8, 1991, which showed that Alabama's existing congressional districts (i.e., those drawn in 1981 and now codified in Ala. Code § 17-20-1) were no longer equal in population, the State set about drawing new congressional district lines. Wesch v. Hunt, Civil Action No. 91-0787, Memorandum Opinion at 3-5, (S.D. Ala. March 9, 1992) (Exhibit B hereto).

On April 2, 1991, the Legislature's Permanent Joint Legislative Committee on Reapportionment ("Reapportionment Committee") adopted a set of guidelines for redistricting. Exhibit B at 6.⁴ These guidelines included compliance with the "one person, one vote" rule and the Voting Rights Act of 1965, as amended, 42 U.S.C. §§ 1971 et seq. Exhibit B at 6. The guidelines also directed that congressional districts be composed of "contiguous and reasonably compact geography"; that, where possible, districts "should attempt to preserve communities of

⁴ The Reapportionment Committee was made up of both blacks and whites. Exhibit B at 9.

interest, including without limitation municipalities and concentrations of blacks and other ethnic minorities"; that counties "should be used as district building blocks where possible"; and that cores of existing districts be preserved consistent with the other criteria. Id. The three-judge court expressly found that the guidelines "set forth a fair set of criteria for congressional redistricting." Id.

Having developed these guidelines, the Reapportionment Committee and its staff proceeded to hold a series of hearings on congressional redistricting issues. Id. at 9. These hearings were open to the public, and the three-judge court expressly found that the Reapportionment Committee received public input from both blacks and whites. Id.

Despite its prompt start on the task of redistricting, the Legislature could not, as a practical matter, begin drawing districts until the United States Secretary of Commerce decided whether to adjust the census figure to compensate for possible "undercounting" of certain segments of the population. It was not until July 15, 1991, that the Secretary of Commerce announced that the 1990 census figures would not be adjusted. Exhibit B at 5. At that point there were only two weeks left before the scheduled adjournment date of the Legislature's 1991 regular session. This two-week period was not sufficient for plans to be drawn, checked for statistical accuracy, and presented to the Reapportionment Committee; for the Committee to complete public hearings, consider

such plans, and report them to the floor; and for the Legislature as a whole to debate and vote upon them. Consequently, the Legislature adjourned its 1991 regular session on July 29, 1991, without having enacted a congressional redistricting plan. See Exhibit B at 6.

It was the understanding of the Legislature, however, that the Governor had agreed to call a special session in the fall of 1991 in order for the Legislature to take up the matter of congressional redistricting. Indeed, a State court later found, based on the uncontradicted testimony of James Clark, the Speaker of the Alabama House of Representatives, that Governor Hunt had "promised" Clark and other members of the Legislature's leadership that he "would call a special session of the Legislature in October, 1991, to deal with the question of Congressional Redistricting." Morris v. Hunt, Case No. CV-91-145, Order at 2 (Barbour County Cir. Ct. Dec. 19, 1991) (Exhibit C hereto).⁵ The court further found that Governor Hunt had subsequently "breached his promise" and "failed to call a special session of the Legislature." Exhibit C at 2. On December 19, 1991, the State court issued an order requiring the Governor to call a special session of the Legislature to address congressional redistricting. Id. at 3. The court subsequently issued a final order reaffirming its earlier direction that the Governor call a special session. See Exhibit E hereto. On January 7, 1992, however, the Alabama

⁵ The relevant pages of Speaker Clark's testimony are contained in Exhibit D hereto.

Supreme Court stayed this order, pending appeal. See Exhibit F hereto. That appeal has not yet been resolved, and the result of the Alabama Supreme Court's stay order was that no special session was called. Thus, the State Legislature was unable to take up congressional redistricting until it reconvened for its next regular session, on February 4, 1992.

Meanwhile, on September 23, 1991, Plaintiff-Appellee Paul Charles Wesch brought the present case. The complaint named as defendants the Governor, the Attorney General, the Secretary of State, and several Probate Judges, all of whom were alleged to have responsibilities for the administration of congressional elections in Alabama. Complaint ¶¶ 7-17 (Exhibit G hereto). Wesch alleged that the existing congressional districts (i.e., those enacted in 1981 and presently codified in Alabama Code § 17-20-1) had become substantially unequal in population and therefore violated the one person, one vote principle. Exhibit G ¶¶ 19, 23-24. The complaint further alleged that the State Legislature had the duty to draw new congressional districts but that it had adjourned its regular session without doing so and that the Governor had no intention of calling a special session for the purpose of adopting a redistricting plan. Id. ¶¶ 21-22. As a result, Wesch alleged, there was little or no likelihood that the Legislature would adopt a valid redistricting plan in time for use in the June 2, 1992 primary. Id. ¶ 22. The complaint sought a declaration that the existing congressional districts were unconstitutional, an injunction against their further use, and an

order redistricting the State into seven congressional districts of substantially equal population pursuant to a plan offered by Wesch.

The Wesch case was tried on January 3-4, 1992. The parties offered six plans for the three-judge court's consideration. Exhibit B at 8. By stipulation, all parties agreed that any plan adopted by the three-judge court should contain a district that was at least 65 % black. Id. at 5.

The Legislature convened its 1992 regular session on February 4, 1992. Legislators almost immediately began an effort to forge a legislative consensus on a congressional districting plan. By February 27, 1992, barely three weeks after coming into session, the Legislature passed a new congressional redistricting plan, known as Senate Bill 73. Senate Bill 73 was vetoed by the Governor on March 5, 1992, but the Legislature overrode the veto that same day and the bill, therefore, became law, under the designation Act No. 92-63. (A copy of Act No. 92-63 is contained in Exhibit H hereto.)

The Legislature's plan achieves virtually precise population equality among Alabama's congressional districts.⁶

⁶ Three of the seven districts in the plan contain the ideal district population, rounded, of 577,227. Two districts contain one person more than ideal, one district contains one person less than ideal, and the remaining district contains three people less than the ideal. See page 2 of Exhibit B to the Motion to Adopt State of Alabama's Congressional Redistricting Plan, Wesch v. Hunt, Civil Action No. 91-0787 (S.D. Ala., filed March 6, 1992). This Motion is Exhibit H to the present application.

Significantly, the plan also creates a 66.66 % black district (District 7). (See page 3 of Exhibit B to Exhibit H hereto.) This district is an "open" one, i.e., one with no incumbent. To make the district "open," the Legislature paired two incumbent members of Congress, Claude Harris and Ben Erdreich (both of whom are Democrats), in an adjacent district (District 6).⁷

On March 6, the day after the Legislature's plan became law, Secretary Camp filed a motion (Exhibit H) with the three-judge court asking it to adopt that plan as an interim congressional redistricting plan until such time as preclearance could be obtained from the United States Department of Justice. On March 9, 1992, however, the three-judge court denied the motion. (The court's order is Exhibit I hereto.)

That same day, the three-judge court also entered the final judgment that is the subject of this application for stay. In the final judgment, the three-judge court adopted a modified version of a plan known as the "Sam Pierce Zero Plan" as the interim plan for the 1992 congressional elections. Like the Legislature's plan, the plan chosen by the three-judge court

⁷ Representative Harris lives in Tuscaloosa County, Tract 123.01, Block 143, and Representative Erdreich lives in Jefferson County, Tract 47.01, Block 723. See Appendix E to Exhibit B. Under the Legislature's plan, both of these census tracts are located within District 6. See page 31, line 28, of Exhibit A to Exhibit H (indicating that all of Tuscaloosa County is within District 6); id. at page 16, lines 27-30 (indicating that Jefferson County, Tract 47.01, Block 723 is within District 6).

achieves population equality among districts and creates one district that is over 65 % black. Exhibit B at 10.

Notwithstanding these similarities, however, the three-judge court's plan is quite different from the plan enacted by the Legislature. Indeed, the court found that the Legislature's plan "substantially differs from any plan that was submitted to this Court." Exhibit B at 9-10. Unlike the Legislature's plan, the court's plan places an incumbent (Representative Harris, who is white) in the predominantly black district. The presence of a white incumbent in this district in all likelihood will reduce the opportunity for the black community to elect a candidate of its choice.⁸ Moreover, during the Wesch trial, several prominent black political leaders testified to their reservations about the lack of minority input in the drawing of this plan.⁹

In addition, the Legislature's plan configures the minority district in a different manner from the court's plan. In the Legislature's plan, Macon and Bullock Counties (two predominantly black counties located directly to the east of Montgomery, the state capital) are included in District 7 (the

⁸ In hearings held by the Reapportionment Committee, minority witnesses expressed the concern that placing a white incumbent in a predominantly black district would reduce the opportunity of the minority community to elect a candidate from that district. Transcript, Reapportionment Committee hearing, at 20-21 (October 2, 1991) (Exhibit J hereto).

⁹ See Trial Transcript at 125 (testimony of State Senator Michael Figures); id. at 216 (testimony of Carol Zippert) (Exhibit K hereto).

predominantly minority district), while Sumter, Choctaw and Marengo Counties in western Alabama are placed within the adjacent District 6. By contrast, the court's plan includes the latter three counties in the predominantly minority district, while placing Macon County in District 3 and Bullock County in District 2. The two plans also differ in the way they configure Alabama's other congressional districts. Compare Exhibit A to Exhibit H hereto (listing the various counties and census tracts contained within each district in the Legislature's plan) with Appendix A to Exhibit A (listing the same information for each district in the court's plan).

The final judgment enjoins Secretary Camp and the other defendants from failing to conduct congressional elections in 1992 in accordance with the plan adopted by the court, unless the Legislature enacts and obtains preclearance of a congressional redistricting plan by 12:00 Noon, Central Time, on March 27, 1992. Exhibit A at 2. The final judgment further enjoins the defendants from failing to conduct subsequent congressional elections in accordance with the plan adopted by the court, provided that, if the Legislature enacts and obtains preclearance of a congressional redistricting plan in time for these congressional elections to proceed without delay, the Legislature's plan will be used. Id.

In its Memorandum Opinion (Exhibit B), the three-judge court sought to explain the reasoning underlying its final judgment. The court acknowledged repeatedly that "[c]ongressional

districting is primarily and foremost a state legislative responsibility." Exhibit B at 14; see also id. at 22 ("this court recognizes that congressional redistricting is properly a matter to be determined by the legislature"). The court also conceded that "[i]f it is possible under constitutional restrictions, a court should consider expressed state policies and preferences." Id. at 16. Finally, the court admitted that the Legislature's plan "substantially differs" (id. at 9) from any of the other plans submitted to the court and that the plan adopted by the court "does not reflect the policy choices of the elected representatives of the people." Id. at 20. Nonetheless, the court apparently felt compelled to disregard the Legislature's plan because it has not yet been precleared by the United States Department of Justice pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973c. (As noted above, the Legislature's plan has been submitted to the Department for preclearance on an expedited basis.)

As we now show, the fact that the Legislature's plan has not been precleared did not justify the court's decision to impose a wholly different plan for use in the 1992 elections. To the contrary, the court should have accepted the Legislature's plan as the interim plan, even though it has not been precleared, because of the exigent circumstances created by the impending congressional primary. Alternatively, the court could have modified the Legislature's plan so as to eliminate any perceived constitutional or statutory flaws. By failing to follow either of

these sensible courses, the three-judge court committed reversible error. Unless stayed, the court's final judgment will cause irreparable harm to the State of Alabama and its citizens. Accordingly, Secretary Camp respectfully submits that this application for stay should be granted.

ARGUMENT

The rules governing a determination on this application for stay are set forth in Rule 23 of the Supreme Court Rules and in Justice Brennan's opinion as Circuit Justice in Karcher v. Daggett, 455 U.S. 1303 (1982). Rule 23 requires as a prerequisite to any application for stay that the applicant first seek a stay in the court below. Once an applicant has done so, he must then demonstrate to this Court that a stay is warranted using the four-part analysis outlined in Karcher.

A. Secretary Camp Has Requested Relief in the Court Below

Rule 23.3 provides in relevant part as follows:

An application for a stay must set forth with particularity why the relief sought is not available from any other court or judge thereof. Except in the most extraordinary circumstances, an application for a stay will not be entertained unless the relief requested has first been sought in the appropriate court or courts below or from a judge or judges thereof.

Because the present case is a direct appeal from a three-judge panel pursuant to 28 U.S.C. § 1253, that panel is the only court

below to which a motion for stay could be directed.¹⁰ Secretary Camp filed such a motion on March 16, 1992 (Exhibit L hereto), and the court denied it the following day (Exhibit M hereto).

B. Secretary Camp's Application For Stay Meets
The Four-Part Test of Karcher v. Daggett

In Karcher, 455 U.S. 1303, Justice Brennan restated the four controlling principles that guide a decision regarding an application for stay:

First, it must be established that there is a 'reasonable probability' that four justices will consider the issue sufficiently meritorious . . . to note probable jurisdiction. Second, the applicant must persuade [the Circuit Justice] that there is a fair prospect that the majority of the Court will conclude that the decision below was erroneous. . . . Third, there must be a demonstration that irreparable harm is likely to result from the denial of the stay. And fourth, in a close case it may be appropriate to 'balance the equities' -- to explore the relative harms to applicant and respondent, as well as the interests of the public at large.

¹⁰ 28 U.S.C. § 1253 provides in relevant part as follows:

[A]ny party may appeal to the Supreme Court from an order granting or denying, after notice and hearing, an interlocutory or permanent injunction in any civil action, suit or proceeding required by any Act of Congress to be heard and determined by a district court of three judges.

The three-judge panel in this case was appointed pursuant to 28 U.S.C. § 2284(a), because plaintiff in this case challenged "the constitutionality of the apportionment of congressional districts." Id. The panel has enjoined the Secretary of State of Alabama from holding elections based on any plan other than the congressional plan adopted by the three-judge court. Thus, this application is properly before this Court.

Id. at 1305-06 (quoting Rostker v. Goldberg, 448 U.S. 1306, 1308 (1980)). Irreparable harm is the single most important factor in this analysis. As Justice Blackmun noted in Ruckleshaus v. Monsanto Co., 463 U.S. 1315, 1317 (1983): "An applicant's likelihood of success on the merits need not be considered . . . if the applicant fails to show irreparable injury from the denial of the stay." Due to the significance of the "irreparable harm" factor, it will be discussed first.

1. Both the State and its Citizens Will Suffer Irreparable Harm if the 1992 Elections Are Held under the Three-Judge Court's Plan

Chief Justice Rehnquist has observed that "any time a State is enjoined by a court from effectuating statutes enacted by representatives of its people, it suffers a form of irreparable injury." New Motor Vehicle Board v. Orrin W. Fox Co., 434 U.S. 1345, 1351-52 (1977). The irreparable harm that Alabama will suffer in this case, unless a stay is granted, is all the greater because of the fundamental nature of the rights at stake. Article I, Section 4, of the United States Constitution provides that "the Times, Places and Manner of holding Elections for . . . Representatives, shall be prescribed in each State by the Legislature thereof. . . ."

Consistent with this express constitutional mandate and with basic principles of federalism, this Court consistently has recognized that "state legislatures have 'primary jurisdiction' over legislative reapportionment." White v. Weiser, 412 U.S. 783,

795 (1973); accord, e.g., Reynolds v. Sims, 377 U.S. 533, 586 (1964) ("reapportionment is primarily a matter for legislative consideration and determination"). Given the magnitude of the State Legislature's interests in redistricting, and the three-judge court's disregard for those interests when it refused to adopt the Legislature's congressional plan, there can be little doubt that Alabama will suffer irreparable harm if the final judgment of that court is not stayed.

In addition to the injury incurred by the State, the citizens of Alabama will suffer a related but distinct injury if a stay is not granted. Because redistricting is in the first instance the prerogative of State Legislatures -- the people's elected representatives -- it is the citizens of a State who ultimately suffer irreparable harm when a federal court interferes with that prerogative.

If Alabama's 1992 congressional elections are held under the plan adopted by the three-judge court, the citizens of Alabama will be prohibited from voting in congressional districts drawn by the Legislature duly elected by those citizens. Cf. Reynolds, 377 U.S. at 555 (any restrictions on the right to vote "strike at the heart of representative government"). The people of Alabama cannot be compensated for this injury through monetary damages or any other form of relief. Accordingly, they will suffer irreparable harm if the State is forced to hold elections under the three-judge court's plan. See Karcher, 455 U.S. at 1306; see

also Wise v. Lipscomb, 434 U.S. 1329, 1334 (1977) (Powell, Circuit Justice) (irreparable harm would result if stay not granted because issue would be mooted by the time Supreme Court ruled on merits of appeal); Georgia v. United States, 411 U.S. 526, 541 (1973) (noting that State held elections under non-precleared legislative plan in light of Supreme Court stay).

2. There is a Reasonable Probability that Four Justices Will Consider the Issues on Appeal Sufficiently Meritorious to Note Probable Jurisdiction and that Secretary Camp Will Succeed on the Merits

This appeal raises issues of significant importance to both the State of Alabama and the nation as a whole. By adopting a non-legislative plan despite the Alabama Legislature's express preference for its own plan, the three-judge court ignored established precedent of this Court holding that "a district court should . . . honor state policies in the context of congressional reapportionment." White, 412 U.S. at 795.

As discussed above, the rule that State Legislatures should have primary jurisdiction over legislative reapportionment is rooted in basic principles of comity and federalism and arises out of the express mandate of Article I, Section 4, of the Constitution. When, due to exigent circumstances, a district court is forced to intervene in the apportionment process, the court should, to the extent possible, "follow the policies and preferences of the State, as expressed in statutory and constitutional provisions or in the reapportionment plans proposed

by the state legislature. . . ." See White, 412 U.S. at 795; accord Terrazas v. Clements, 537 F. Supp. 514, 528 (N.D. Tex. 1982); Burton v. Hobbie, 543 F. Supp. 235, 238 (M.D. Ala.), aff'd, 459 U.S. 961 (1982). "The only limits on judicial deference to state apportionment policy . . . [are] the substantive constitutional and statutory standards to which such state plans are subject." Upham v. Seamon, 456 U.S. 37, 42 (1982). Thus, "[i]n choosing among plans for implementation, a court should select the plan most nearly adhering to the district configurations in the state's enactment to the extent such adherence does not detract from constitutional requirements." Terrazas, 537 F. Supp. at 528; see White, 412 U.S. at 797 ("the District Court should defer to state policy in fashioning relief . . . where that policy is consistent with constitutional norms and is not itself vulnerable to legal challenge.").

In White, this Court reversed a three-judge court for doing exactly what the three-judge court did here, i.e., adopting a plan that did not reflect, to the extent possible, the policy choices of the State Legislature. In White, the lower court, having struck down the Texas Legislature's congressional redistricting plan on one person, one vote grounds, proceeded to choose among proposed remedial plans. The court rejected a proposal known as "Plan B," which "represented an attempt to adhere to the districting preferences of the state legislature while eliminating population variances." 412 U.S. at 796. Instead, the court adopted "Plan C," which "ignored legislative

districting policy and constructed districts solely on the basis of population considerations." Id. at 796. This Court stayed the lower court's order, id. at 789, and then reversed on the merits, holding that the lower court "should have implemented Plan B, which most clearly approximated the reapportionment plan of the state legislature, while satisfying constitutional requirements." Id. at 796.

Contrary to White and the other precedents discussed above, the three-judge court did not even consider, much less defer to, the Alabama Legislature's plan. The court conceded that "congressional redistricting is properly a matter to be determined by the legislature and that the federal courts should intervene only if the legislature fails to act in a constitutional manner." Exhibit B at 22. The court determined, however, that it had "no legal authority . . . [to] adopt this expression of the legislative will as the court's plan," id., because the Legislature's plan had not been precleared. Id. at 23.

When faced with facts nearly identical to those in the instant case, the court in Burton v. Hobbie, 543 F. Supp. at 239, held that it was compelled to adopt the Alabama Legislature's redistricting plan, on an interim basis, notwithstanding the fact that the Justice Department was still considering at that time whether to preclear certain of Alabama's legislative districts. This Court affirmed, 459 U.S. 961 (1982), even though the Attorney General ultimately interposed an objection to those districts

while the case was pending on appeal. See Burton v. Hobbie, No. 82-360, Motion to Dismiss or Affirm at 8 (U.S.). Similarly, in Terrazas, 537 F. Supp. at 537-40, the court adopted a legislative plan, to which the Department of Justice had entered formal objections, as an interim plan for use in the 1982 elections. The district court adopted wholesale the portions of the plan to which no objections had been made and re-drew the districts to which the Department had objected. Id. at 539-40; cf. Georgia v. United States, 411 U.S. at 541 (holding that elections held under plan not precleared by the Department need not be set aside).

The three-judge court here ignored this established line of cases and consequently failed to adhere to its duty to defer to the express policies and preferences of the Alabama Legislature.¹¹ To do so, the lower court should have used the Legislature's plan as its starting point. The court should then have analyzed the substantive merits of the legislative plan and modified it only to the extent "necessary to cure any constitutional or statutory defect." See Upham, 456 U.S. at 43 (holding that lower court erred in re-drawing not only district to which the Attorney General had objected but also other districts to which no objection had been interposed). Absent a finding that the Alabama Legislature's plan did not comport with applicable substantive legal standards, the court was obligated to use the legislative plan as its interim plan.

¹¹ In fact, the three-judge court did not address the substantive merits of the legislative plan at all.

In light of the three-judge court's clear abdication of its duty to defer to legislative policy regarding the reapportionment of Alabama's congressional districts, there is a high likelihood that at least four Justices will note probable jurisdiction of this case and that Secretary Camp will succeed on the merits of his appeal.

3. The Balance of Equities Weighs in
Favor of Granting a Stay

The district court's March 9, 1992 Order imposes a plan for Alabama's congressional districts on the citizens of that State that does not reflect the will of the Alabama Legislature and thus deprives the citizens of the State of Alabama of a fundamental right guaranteed by the Constitution of the United States and prior decisions of this Court. The citizens of Alabama will have but one opportunity to vote on congressional representation in the 1992 elections. If forced to elect representatives using the three-judge court's plan, these citizens will lose irretrievably their right to elect representatives from legislatively drawn districts during the upcoming election cycle. Therefore, the equities weigh heavily in favor of permitting the people of Alabama to elect representatives from districts that were drawn pursuant to constitutional mandate.

In contrast, the factors favoring immediate implementation of the three-judge court's interim plan carry little weight. That court expressly stated that it adopted its interim plan based on

an erroneous belief that the court could not consider the Legislature's plan because it had not been precleared. As discussed in Section 3, supra, the court's analysis is completely without merit and is in direct contradiction to this Court's prior decisions on this point. Moreover, the three-judge court did not identify any constitutional or statutory deficiencies in the Alabama Legislature's plan that would prevent its implementation. Finally, the court's concern that the primary elections go forward on schedule is not affected regardless of which plan is used. See Exhibit B at 14 n.4, 23.¹² It is clear, therefore, that the equities weigh heavily in favor of staying implementation of the district court's plan.

CONCLUSION

The facts of this case meet all of the Karcher criteria for granting a stay: there is a likelihood of irreparable harm to Alabama and its citizens if the stay is not granted; there is a reasonable likelihood that this Court will note probable jurisdiction and that appellant will succeed on the merits; and the equities weigh in favor of granting the stay.

¹² Absent a ruling by this Court on the merits of this appeal, if this stay is granted and the Legislature's plan is precleared subsequent to March 27, 1992, Alabama's 1992 elections will be held pursuant to that plan. By contrast, if a stay is not granted and preclearance is eventually obtained, the 1992 elections will be held under the court's plan and the 1994 elections under the Legislature's plan. This change in district lines would result not only in substantial additional cost to the State but also in voter confusion that will decrease turnout, which would impact disproportionately on the prospects for minority candidates. See Terrazas, 537 F. Supp. at 527.

WHEREFORE, Secretary Camp respectfully requests that his Application for Stay of Judgment Pending Appeal be granted.

Dated: March 19, 1992

Respectfully submitted,

JAMES H. EVANS
ATTORNEY GENERAL
STATE OF ALABAMA



Andrew P. Miller
Mark A. Packman
Melinda Burrows
DICKSTEIN, SHAPIRO & MORIN
2101 L Street, N.W.
Washington, D.C. 20037
(202) 785-9700

Attorneys for
Secretary of State Camp

REQUEST FOR ORAL ARGUMENT

Secretary Camp hereby requests oral argument on the issues addressed by this Application for Stay.

CERTIFICATION OF RESULTS

Primary Election
June 4, 1996
Constitutional Amendments

I, Jim Bennett, Secretary of State of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that pursuant to Chapter 17 of the Code of Alabama, 1975, we, the undersigned, hereby certify that the results of the constitutional amendment election held in Alabama on Tuesday, June 4, 1996, were opened and counted by us and that the results so tabulated are recorded on the following pages.

In Testimony Whereby, I have hereunto set me hand and affixed the Great Seal of the State of Alabama, at the Alabama State House, in the City of Montgomery on this day.



Fob James, Jr. 6/19/96
Fob James Governor Date

Jeff Sessions 6/19/96
Jeff Sessions Attorney General Date

Jim Bennett 6/19/96
Jim Bennett Secretary of State Date

CONSTITUTIONAL AMENDMENTS

Primary Election
June 4, 1996

Amendment 1 -

Proposing an amendment of the Constitution of Alabama of 1901, repealing Article VIII, relating to suffrage and elections. The amendment would repeal the existing Article VIII, and provide that, in accordance with constitutional requirements, suffrage would extend to residents who are citizens, 18 years of age or older who have not been convicted of a felony involving moral turpitude. This amendment would further provide that the Legislature would provide for certain voting procedures by statute. (Proposed by Act 95-443)

*Yes - 297,261
No - 95,612

Amendment 2 -

Proposing an amendment of the Constitution of Alabama of 1901, to provide for the addition of impeachment under Article VII, Section 173, in addition to proceedings by the Judicial Inquiry Commission and the Court of the Judiciary as a means for removal of Supreme Court Justices and appellate judges. (Proposed by Act 95-646)

*Yes - 286,462
No - 110,707

Amendment 3 -

Proposing an amendment of the Constitution of Alabama of 1901, to provide further for the composition and powers of the Judicial Inquiry Commission and the Court of the Judiciary; and to provide further for appealing a decision of the Court of the Judiciary. (Proposed by Act 95-647)

*Yes - 238,337
No - 139,766

Amendment 4 -

Proposing an amendment to the Constitution of Alabama of 1901, to require the approval of both houses of the Legislature before an order of a state court which requires disbursement of state funds is binding on the state or on any state official. (Proposed by Act 95-651)

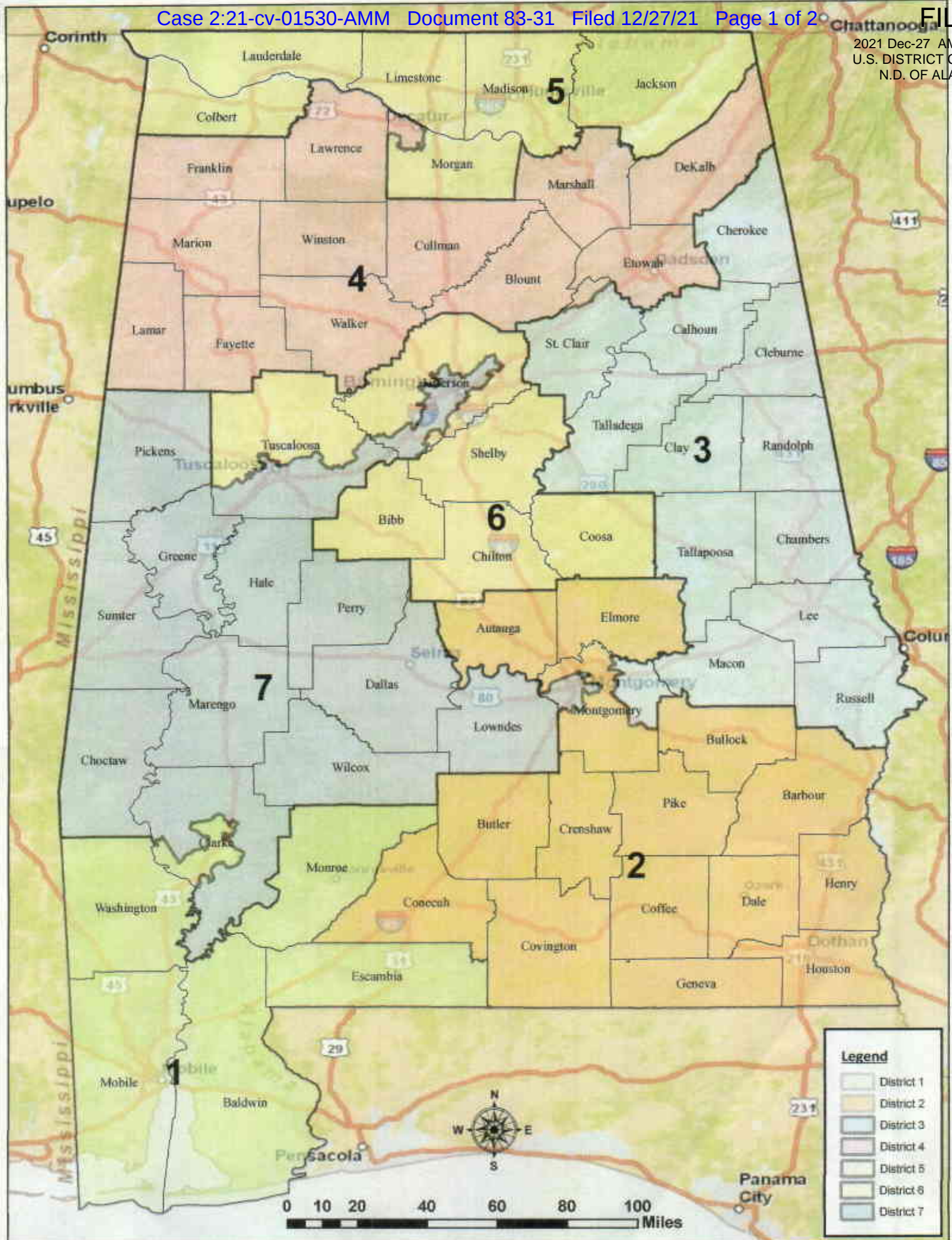
*Yes - 257,845
No - 136,517

UNITED STATES REPRESENTATIVE, 1ST CONGRESSIONAL DISTRICT (DEM)

	James Averhart	Kiani A. Gardner	Rick Collins
Autauga			
Baldwin	2040	6158	2126
Barbour			
Bullock			
Butler			
Clarke	312	329	63
Coffee			
Conecuh			
Covington			
Crenshaw			
Dale			
Elmore			
Escambia	737	782	243
Geneva			
Henry			
Houston			
Mobile	15498	14802	5205
Monroe	1661	321	226
Montgomery			
Pike			
Washington	774	570	256
Grand Total	21022	22962	8119

UNITED STATES REPRESENTATIVE, 2ND CONGRESSIONAL DISTRICT (DEM)
--

	Nathan Mathis	Phyllis Harvey-Hall
Autauga	1315	1722
Baldwin		
Barbour	764	1163
Bullock	1318	478
Butler	1230	667
Clarke		
Coffee	945	1181
Conecuh	404	1361
Covington	495	572
Crenshaw	481	238
Dale	941	1125
Elmore	1586	2383
Escambia		
Geneva	516	231
Henry	502	563
Houston	2315	2627
Mobile		
Monroe		
Montgomery	5323	11786
Pike	763	1302
Washington		
Grand Total	18898	27399

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U.S. DISTRICT COURT
N.D. OF ALABAMA

User: bpsban3501
Plan: US Congress Final

Date: Mon May 16 10:18:23 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.86%)	7,889 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,836 (1.46%)
2	682,820	1	0.00	24,612 (3.60%)	446,880 (65.45%)	201,339 (29.49%)	3,398 (0.50%)	7,531 (1.10%)	516 (0.08%)	12,103 (1.77%)	11,053 (1.62%)
3	682,819	0	0.00	17,885 (2.62%)	482,509 (70.66%)	171,775 (25.16%)	2,354 (0.34%)	7,837 (1.15%)	410 (0.06%)	7,977 (1.17%)	9,957 (1.46%)
4	682,819	0	0.00	48,391 (7.09%)	584,856 (85.85%)	46,708 (6.84%)	6,013 (0.88%)	2,719 (0.40%)	667 (0.10%)	30,412 (4.45%)	11,444 (1.68%)
5	682,819	0	0.00	26,053 (3.82%)	527,664 (77.28%)	112,088 (16.42%)	5,056 (0.74%)	10,532 (1.54%)	522 (0.08%)	12,602 (1.85%)	14,355 (2.10%)
6	682,819	0	0.00	30,485 (4.46%)	549,160 (80.43%)	96,447 (14.12%)	1,987 (0.29%)	11,423 (1.67%)	285 (0.04%)	15,249 (2.23%)	8,268 (1.21%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

Exhibit 4

Reapportionment Committee's Guidelines

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

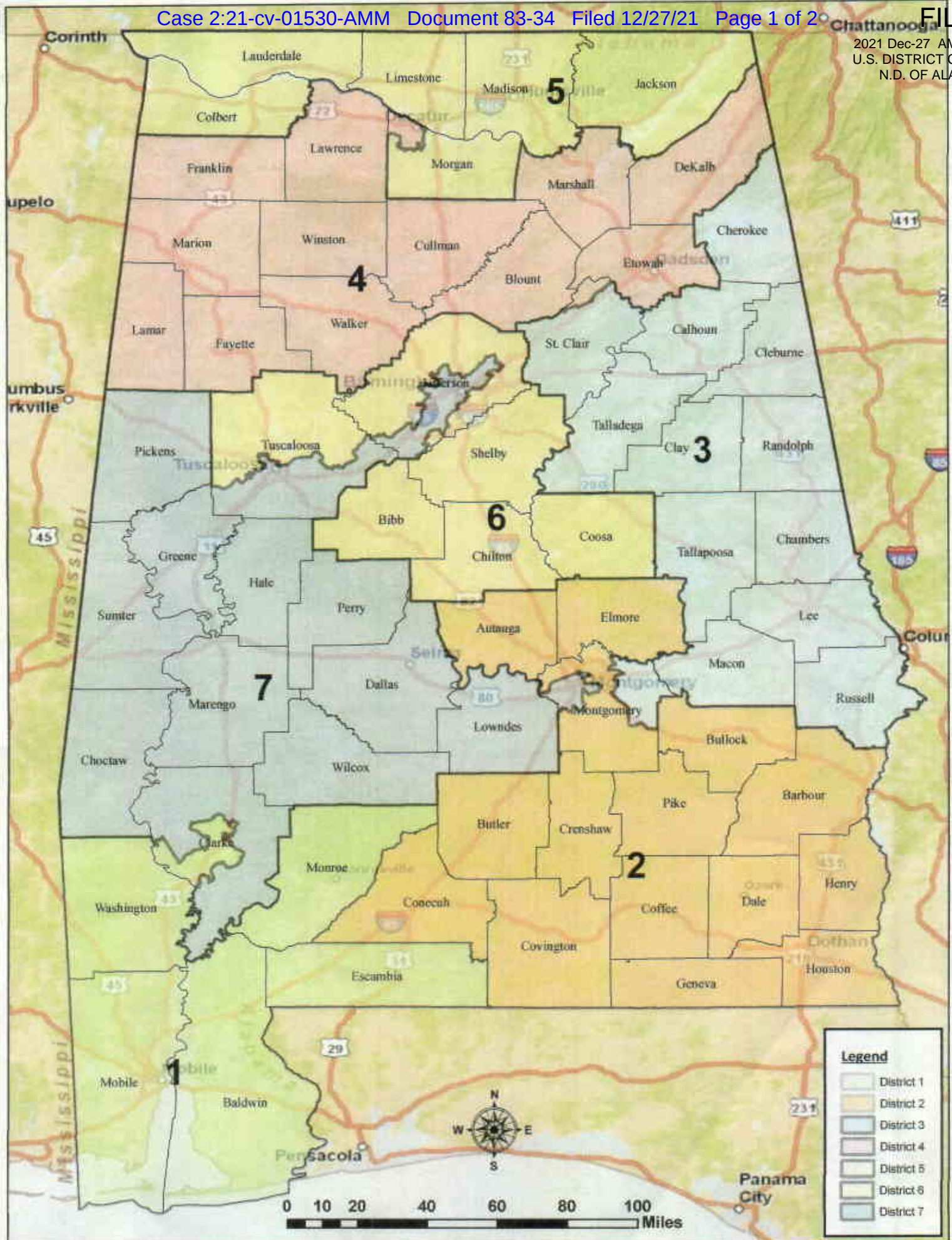
4 donna.overton@alsenate.gov

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.

EXHIBITS TO CONGRESSIONAL SUBMISSION

- A Act No. 2011-518
 - A-1 Copy of Act No. 2011-518
 - A-2 Map of plan adopted in Act No. 2011-518
 - A-3 Demographic data for plan adopted in Act No. 2011-518 showing both total and voting age population for each district
 - A-4 Compactness and contiguity scores for plan adopted in Act No. 2011-518
 - A-5 Vote on Final Version of SB484 (Act No. 2011-518) in Alabama Senate
 - A-6 Vote on Final Version of SB484 (Act No. 2011-518) in Alabama House of Representatives
- B 2010 Census demographic data for Act No. 2002-57 districts
- C Packages for 14 alternate congressional plans, containing map, demographic data showing both total population and voting age population, and compactness and contiguity scores
 - C-1 2010 Allen Congressional Plan 4
 - C-2 2010 Allen Congressional Plan 6
 - C-3 2010 Beason Congressional Plan
 - C-4 2010 Hammon Congressional Plan
 - C-5 2010 McClendon Congressional Plan 1
 - C-6 2010 Poole Congressional Plan 4
 - C-7 Buskey Congressional Plan
 - C-8 Congressional Plan – Allen
 - C-9 Greer Congressional 2
 - C-10 McClammy 2010 US Congressional Plan
 - C-11 McClammy Congress 2M

- C-12 McClammy Congress PPB
- C-13 Poole–Hubbard Congressional
- C-14 State Congressional 1
- D Block Assignment Files for Act No. 2011-518
- E Membership of Permanent Joint Legislative Committee on Reapportionment for 2011-2014 quadrennium
- F State of Alabama Reapportionment Committee Guidelines for Congressional, Legislative, and State Board of Education Redistricting
- G Minutes of Committee Meetings
 - G-1 Minutes of Committee Meeting on March 23, 2011
 - G-2 Minutes of Committee Meeting on March 30, 2011
 - G-3 Minutes of Committee Meeting on May 3, 2011
 - G-4 Minutes of Committee Meeting on May 4, 2011
 - G-5 Minutes of Committee Meeting on May 18, 2011
 - G-6 Minutes of Committee Meeting on May 19, 2011
- H Public Hearings
 - H-1 Notice Package for Public Hearings
 - H-2 Transcript of Public Hearing on May 9, 2011, in Huntsville, AL
 - H-3 Transcript of Public Hearing on May 10, 2011, in Birmingham, AL
 - H-4 Transcript of Public Hearing on May 11, 2011, in Mobile, AL
 - H-5 Transcript of Public Hearing on May 12, 2011, in Montgomery, AL
 - H-6 Transcript of Public Hearing on May 13, 2011, in Selma, AL
 - H-7 Transcript of Public Hearing on May 18, 2011, in Montgomery, AL
 - H-8 Transcript of Public Hearing on April 1, 2011, in Troy, AL
- I Press releases and news clippings

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N.D. OF ALABAMA

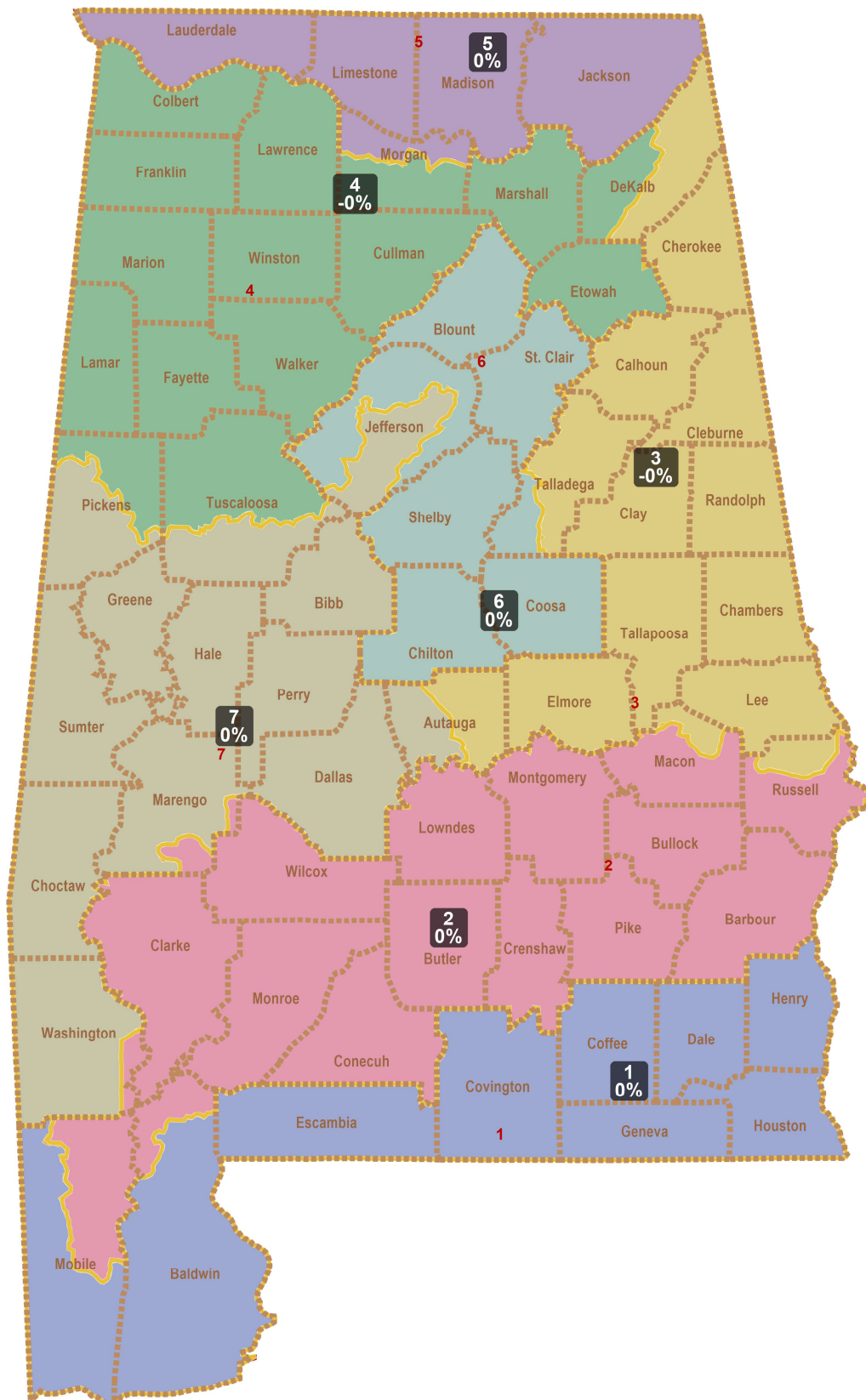
User: bpsban3501
Plan: US Congress Final

Date: Mon May 16 10:18:23 GMT-0500 2011

District Statistics Report

District No.	Total Population	Deviation	Deviation (%)	Total Hispanic (%)	White (%)	Black (%)	American Indian/Alaskan Native (%)	Asian (%)	Hawaiian or Other Pacific Islander (%)	Other (%)	Two or more races (%)
1	682,820	1	0.00	19,087 (2.80%)	458,705 (67.18%)	188,859 (27.86%)	7,889 (1.16%)	9,106 (1.33%)	326 (0.05%)	7,999 (1.17%)	9,836 (1.46%)
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5	682,819	0	0.00	26,053 (3.82%)	527,664 (77.28%)	112,088 (16.42%)	5,056 (0.74%)	10,532 (1.54%)	522 (0.08%)	12,602 (1.85%)	14,355 (2.10%)
6	682,819	0	0.00	30,485 (4.46%)	549,160 (80.43%)	96,447 (14.12%)	1,987 (0.29%)	11,423 (1.67%)	285 (0.04%)	15,249 (2.23%)	8,268 (1.21%)
7	682,820	1	0.00	19,089 (2.80%)	225,620 (33.04%)	434,095 (63.57%)	1,521 (0.22%)	4,447 (0.65%)	331 (0.05%)	10,568 (1.55%)	6,238 (0.91%)

Hatcher Congressional Plan 1



User:

Plan Name: **Hatcher Congressional Plan 1**Plan Type: **Congressional**

District Statistics

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District 1

Population Statistics

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	532,712	110,991	0.00%	74.22%	15.46%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	425,119	81,856		76.42%	14.71%

District 1 Counties (* indicates the county is not entirely within the district)

Dale AL, Houston AL, Henry AL, Mobile AL*, Baldwin AL*, Escambia AL, Covington AL, Coffee AL, Geneva AL

District Statistics

Hatcher Congressional Plan 1

District 2**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	1
Actual Population:	717,755	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
1	287,581	371,889	0.00%	40.07%	51.81%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	239,685	280,213		42.81%	50.05%

District 2 Counties (* indicates the county is not entirely within the district)

Pike AL, Bullock AL, Macon AL*, Barbour AL, Russell AL*, Mobile AL*, Washington AL*, Baldwin AL*, Conecuh AL, Clarke AL, Marengo AL*, Monroe AL, Wilcox AL, Butler AL, Lowndes AL, Crenshaw AL, Montgomery AL

District Statistics

Hatcher Congressional Plan 1

District 3**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	-1
Actual Population:	717,753	Relative Deviation:	0.00%

Total Population

	Deviation	White	Black	% Deviation	% White	% Black
	-1	495,903	154,149	0.00%	69.09%	21.48%

Voting Age Population

	Deviation	White	Black	% Deviation	% White	% Black
		399,342	118,142		70.90%	20.98%

District 3 Counties (* indicates the county is not entirely within the district)

Macon AL*, Russell AL*, Tallapoosa AL, Clay AL, Randolph AL, Lee AL, Chambers AL, Calhoun AL, Cleburne AL, DeKalb AL*, Cherokee AL, Autauga AL*, Elmore AL, Talladega AL*

District Statistics

Hatcher Congressional Plan 1

District 4**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	-1
Actual Population:	717,753	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
-1	587,941	51,453	0.00%	81.91%	7.17%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	466,236	39,156		83.96%	7.05%

District 4 Counties (* indicates the county is not entirely within the district)

Lamar AL, Fayette AL, Marion AL, Franklin AL, Walker AL, Winston AL, Lawrence AL, Colbert AL, Cullman AL, Morgan AL*, Etowah AL, Marshall AL, DeKalb AL*, Pickens AL*, Tuscaloosa AL*

District Statistics

Hatcher Congressional Plan 1

District 5**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	1
Actual Population:	717,755	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
1	493,215	130,660	0.00%	68.72%	18.20%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	399,585	100,311		71.04%	17.83%

District 5 Counties (* indicates the county is not entirely within the district)

Lauderdale AL, Morgan AL*, Limestone AL, Madison AL, Jackson AL

District Statistics

Hatcher Congressional Plan 1

District 6**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	--
Actual Population:	717,754	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
	554,318	85,877	0.00%	77.23%	11.96%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	437,384	64,483		78.99%	11.65%

District 6 Counties (* indicates the county is not entirely within the district)

Blount AL, St. Clair AL, Chilton AL, Jefferson AL*, Shelby AL, Coosa AL, Talladega AL*

District Statistics

Hatcher Congressional Plan 1

District 7**Population Statistics**

Ideal Population:	717,754	Absolute Deviation:	1
Actual Population:	717,755	Relative Deviation:	0.00%

Total Population

Deviation	White	Black	% Deviation	% White	% Black
1	268,782	391,143	0.00%	37.45%	54.50%

Voting Age Population

Deviation	White	Black	% Deviation	% White	% Black
	227,695	297,562		40.21%	52.55%

District 7 Counties (* indicates the county is not entirely within the district)

Washington AL*, Choctaw AL, Sumter AL, Pickens AL*, Marengo AL*, Dallas AL, Greene AL, Hale AL, Perry AL, Bibb AL, Tuscaloosa AL*, Autauga AL*, Jefferson AL*

User:

Plan Name: **Hatcher Congressional Plan 1**Plan Type: **Congressional**

Population Summary

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District	Population	Deviation	% Devn.	White	[% White]	Black	[% Black]	[18+ _Pop]
1	717,754	0	0.00%	532,712	74.22%	110,991	15.46%	556,317
2	717,755	1	0.00%	287,581	40.07%	371,889	51.81%	559,876
3	717,753	-1	0.00%	495,903	69.09%	154,149	21.48%	563,228
4	717,753	-1	0.00%	587,941	81.91%	51,453	7.17%	555,304
5	717,755	1	0.00%	493,215	68.72%	130,660	18.2%	562,504
6	717,754	0	0.00%	554,318	77.23%	85,877	11.96%	553,734
7	717,755	1	0.00%	268,782	37.45%	391,143	54.5%	566,203

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,753 to 717,755

Ratio Range: 0.00

Absolute Range: -1 to 1

Absolute Overall Range: 2

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.71

Relative Mean Deviation: 0.00%

Standard Deviation: 0.83

User:

Plan Name: **Hatcher Congressional Plan 1**Plan Type: **Congressional**

Population Summary

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District	Population	Deviation	% Devn.	[18+_Pop]	[% 18+_Pop]	[18+_Wht]	[% 18+_Wht]	[18+_Blk]	[% 18+_Blk]
1	717,754	0	0.00%	556,317	77.51%	425,119	76.42%	81,856	14.71%
2	717,755	1	0.00%	559,876	78%	239,685	42.81%	280,213	50.05%
3	717,753	-1	0.00%	563,228	78.47%	399,342	70.9%	118,142	20.98%
4	717,753	-1	0.00%	555,304	77.37%	466,236	83.96%	39,156	7.05%
5	717,755	1	0.00%	562,504	78.37%	399,585	71.04%	100,311	17.83%
6	717,754	0	0.00%	553,734	77.15%	437,384	78.99%	64,483	11.65%
7	717,755	1	0.00%	566,203	78.89%	227,695	40.21%	297,562	52.55%

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,753 to 717,755
Ratio Range: 0.00
Absolute Range: -1 to 1
Absolute Overall Range: 2
Relative Range: 0.00% to 0.00%
Relative Overall Range: 0.00%
Absolute Mean Deviation: 0.71
Relative Mean Deviation: 0.00%
Standard Deviation: 0.83

User:

Plan Name: **Hatcher Congressional Plan 1**Plan Type: **Congressional**

Population Summary

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District	Population	Deviation	% Devn.	[18+ _AP_Wht]	[% 18+ _AP_Wht]	[18+ _AP_Blkl]	[% 18+ _AP_Blkl]	[18+ _Pop]	[% 18+ _Pop]
1	717,754	0	0.00%	450,234	80.93%	86,113	15.48%	556,317	77.51%
2	717,755	1	0.00%	254,846	45.52%	286,698	51.21%	559,876	78%
3	717,753	-1	0.00%	419,791	74.53%	122,319	21.72%	563,228	78.47%
4	717,753	-1	0.00%	489,767	88.2%	41,937	7.55%	555,304	77.37%
5	717,755	1	0.00%	428,956	76.26%	106,140	18.87%	562,504	78.37%
6	717,754	0	0.00%	460,961	83.25%	67,699	12.23%	553,734	77.15%
7	717,755	1	0.00%	244,043	43.1%	303,466	53.6%	566,203	78.89%

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,753 to 717,755

Ratio Range: 0.00

Absolute Range: -1 to 1

Absolute Overall Range: 2

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.71

Relative Mean Deviation: 0.00%

Standard Deviation: 0.83

User:

Plan Name: **Hatcher Congressional Plan 1**Plan Type: **Congressional**

Population Summary

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District	Population	Deviation	% Devn.	White	Black	AP_Wht	[% AP_Wht]	AP_Blkl	[% AP_Blkl]
1	717,754	0	0.00%	532,712	110,991	572,696	79.79%	121,355	16.91%
2	717,755	1	0.00%	287,581	371,889	311,037	43.33%	383,401	53.42%
3	717,753	-1	0.00%	495,903	154,149	527,940	73.55%	163,967	22.84%
4	717,753	-1	0.00%	587,941	51,453	624,396	86.99%	58,822	8.2%
5	717,755	1	0.00%	493,215	130,660	539,692	75.19%	143,250	19.96%
6	717,754	0	0.00%	554,318	85,877	590,911	82.33%	93,167	12.98%
7	717,755	1	0.00%	268,782	391,143	292,178	40.71%	400,774	55.84%

Total Population: 5,024,279

Ideal District Population: 717,754

Summary Statistics:

Population Range: 717,753 to 717,755

Ratio Range: 0.00

Absolute Range: -1 to 1

Absolute Overall Range: 2

Relative Range: 0.00% to 0.00%

Relative Overall Range: 0.00%

Absolute Mean Deviation: 0.71

Relative Mean Deviation: 0.00%

Standard Deviation: 0.83