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1 IN THE UNITED STATES DISTRICT COURT FOR  
2 THE NORTHERN DISTRICT OF ALABAMA  
3 SOUTHERN DIVISION  
4

5 CASE NUMBER: 2:21-cv-1291-AMM  
6

7 BOBBY SINGLETON, et al.,

8 Plaintiffs,

9 vs.

10 WES ALLEN, in his official

11 capacity as Alabama

12 Secretary of State, et al.,

13 Defendants.  
14

15 CASE NUMBER: 2:21-cv-01530-AMM  
16

17 EVAN MILLIGAN, et al.,

18 Plaintiffs,

19 vs.

20 WES ALLEN, in his official

21 capacity as Secretary of

22 State of Alabama, et al.,

23 Defendants.  
24  
25

<p style="text-align: right;">Page 2</p> <p>1 CASE NUMBER: 2:21-cv-01536-AMM</p> <p>2</p> <p>3 MARCUS CASTER, et al.,</p> <p>4 Plaintiffs,</p> <p>5 vs.</p> <p>6 WES ALLEN, in his official</p> <p>7 capacity as Alabama</p> <p>8 Secretary of State, et al.,</p> <p>9 Defendants.</p> <p>10 S T I P U L A T I O N</p> <p>11 IT IS STIPULATED AND AGREED,</p> <p>12 by and between the parties through their</p> <p>13 respective counsel, that the deposition of</p> <p>14 BENJAMIN JONES may be taken before Michelle</p> <p>15 L. Parvin, Commissioner, at the Alabama</p> <p>16 Attorney General's Office, 501 Washington</p> <p>17 Avenue, Montgomery, Alabama, 36104, on the</p> <p>18 23rd day of July, 2024.</p> <p>19 IT IS FURTHER STIPULATED AND</p> <p>20 AGREED that it shall not be necessary for any</p> <p>21 objections to be made by counsel to any</p> <p>22 questions, except as to form or leading</p> <p>23 questions, and that counsel for the parties</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 I N D E X</p> <p>2</p> <p>3 EXAMINATION BY: PAGE NUMBER:</p> <p>4 Ms. Messick 10</p> <p>5</p> <p>6 DEFENDANT'S EXHIBITS:</p> <p>7 Exhibit 1 44</p> <p>8 Complaint For Declaratory and</p> <p>9 Injunctive Relief</p> <p>10 Exhibit 2 46</p> <p>11 First Amended Complaint For Declaratory</p> <p>12 and Injunctive Relief</p> <p>13 Exhibit 3 53</p> <p>14 Map of counties in Alabama</p> <p>15 Exhibit 4 57</p> <p>16 2021 Plan (Legislature)</p> <p>17 Exhibit 5 68</p> <p>18 2023 Plan (Legislature)</p> <p>19 Exhibit 6 77</p> <p>20 Injunction, Order and Court-Ordered</p> <p>21 Remedial Map</p> <p>22 Exhibit 7 83</p> <p>23 Declaration of William S. Cooper</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 may make objections and assign grounds at the</p> <p>2 time of trial, or at the time said deposition</p> <p>3 is offered in evidence, or prior thereto.</p> <p>4 IT IS FURTHER STIPULATED AND</p> <p>5 AGREED that notice of filing of the</p> <p>6 deposition by the Commissioner is waived.</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 Exhibit 8 107</p> <p>2 2010 McClendon Congressional Plan</p> <p>3 Exhibit 9 114</p> <p>4 Excerpts from Preliminary Injunction</p> <p>5 Hearing</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 6</p> <p>1 IN THE UNITED STATES DISTRICT COURT FOR</p> <p>2 THE NORTHERN DISTRICT OF ALABAMA</p> <p>3 SOUTHERN DIVISION</p> <p>4</p> <p>5 CASE NUMBER: 2:21-cv-1291-AMM</p> <p>6</p> <p>7 BOBBY SINGLETON, et al.,</p> <p>8 Plaintiffs,</p> <p>9 vs.</p> <p>10 WES ALLEN, in his official</p> <p>11 capacity as Alabama</p> <p>12 Secretary of State, et al.,</p> <p>13 Defendants.</p> <p>14</p> <p>15 CASE NUMBER: 2:21-cv-01530-AMM</p> <p>16</p> <p>17 EVAN MILLIGAN, et al.,</p> <p>18 Plaintiffs,</p> <p>19 vs.</p> <p>20 WES ALLEN, in his official</p> <p>21 capacity as Secretary of</p> <p>22 State of Alabama, et al.,</p> <p>23 Defendants.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 8</p> <p>1 35203, appearing on behalf of the Plaintiffs.</p> <p>2 LEGAL DEFENSE FUND (LDF) by Ms.</p> <p>3 Kathryn Sadasivan, 40 Rector Street, 5th</p> <p>4 Floor, New York, New York, 10006, appearing</p> <p>5 on behalf of the Plaintiffs.</p> <p>6 OFFICE OF THE ATTORNEY GENERAL,</p> <p>7 STATE OF ALABAMA by Ms. Misty S. Fairbanks</p> <p>8 and Mr. Richard D. Mink, 501 Washington</p> <p>9 Avenue, Montgomery, Alabama, 36104, appearing</p> <p>10 on behalf of Defendant Secretary Wes Allen.</p> <p>11 BALCH &amp; BINGHAM, LLP, by Mr.</p> <p>12 Dorman Walker, 445 Dexter Avenue, Montgomery,</p> <p>13 Alabama, 36101, appearing on behalf of</p> <p>14 Defendants Representative Chris Pringle and</p> <p>15 Senator Steven Livingston.</p> <p>16</p> <p>17 Also Present:</p> <p>18 Natalie Walls</p> <p>19 Matthew Peiloff</p> <p>20 Matthew Abbott</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 7</p> <p>1 CASE NUMBER: 2:21-cv-01536-AMM</p> <p>2</p> <p>3 MARCUS CASTER, et al.,</p> <p>4 Plaintiffs,</p> <p>5 vs.</p> <p>6 WES ALLEN, in his official</p> <p>7 Capacity as Alabama</p> <p>8 Secretary of State, et al.,</p> <p>9 Defendants.</p> <p>10</p> <p>11 BEFORE:</p> <p>12 Michelle L. Parvin, Certified</p> <p>13 Court Reporter</p> <p>14 APPEARANCES:</p> <p>15 ELIAS LAW GROUP by Ms. Jyoti</p> <p>16 Jasrasaria, 250 Massachusetts Avenue NW,</p> <p>17 Suite 400, Washington, DC, 20001, appearing</p> <p>18 on behalf of the Plaintiffs.</p> <p>19 PENN &amp; SEABORN by Mr. Myron Penn,</p> <p>20 1971 Berry Chase Place, Montgomery, Alabama,</p> <p>21 36117, appearing on behalf of the Plaintiffs.</p> <p>22 JAMES BLACKSHER, Attorney at Law,</p> <p>23 300 21st Street North, Birmingham, Alabama,</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 9</p> <p>1 I, Michelle L. Parvin, a Court</p> <p>2 Reporter of Birmingham, Alabama, acting as</p> <p>3 Commissioner, certify that on this date, as</p> <p>4 provided by the Federal Rules of Civil</p> <p>5 Procedure of the United States District</p> <p>6 Court, and the foregoing stipulation of</p> <p>7 counsel, there came before me at 501</p> <p>8 Washington Avenue, Montgomery, Alabama,</p> <p>9 36104, beginning at 1:19 p.m., BENJAMIN</p> <p>10 JONES, witness in the above cause, for oral</p> <p>11 examination, whereupon the following</p> <p>12 proceedings were had:</p> <p>13</p> <p>14 BENJAMIN JONES,</p> <p>15 being first duly sworn, was examined and</p> <p>16 testified as follows:</p> <p>17</p> <p>18 THE COURT REPORTER: Okay. Usual</p> <p>19 stipulations?</p> <p>20 MS. MESSICK: Yes, please.</p> <p>21 MR. WALKER: Yes.</p> <p>22 MS. MESSICK: Would the witness</p> <p>23 like to read and sign?</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 10</p> <p>1 MS. JASRASARIA: Yes.</p> <p>2 MS. MESSICK: And are you</p> <p>3 agreeable to the usual stipulations other</p> <p>4 than --</p> <p>5 MS. JASRASARIA: Yes.</p> <p>6 MS. MESSICK: -- that?</p> <p>7 Great.</p> <p>8</p> <p>9 EXAMINATION BY MS. MESSICK:</p> <p>10</p> <p>11 Q. Good afternoon. My name is Misty</p> <p>12 S. Fairbanks Messick, and I represent Alabama</p> <p>13 Secretary of State Wes Allen --</p> <p>14 A. Uh-huh.</p> <p>15 Q. -- in the congressional</p> <p>16 redistricting lawsuit that you have filed.</p> <p>17 A. Okay.</p> <p>18 Q. Dorman Walker at the end of the</p> <p>19 table represents Representative Pringle and</p> <p>20 Senator Steve Livingston, who are also</p> <p>21 defendants in your lawsuit.</p> <p>22 A. Uh-huh.</p> <p>23 Q. And the Caster lawsuit that</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 12</p> <p>1 Q. And she is going to be creating a</p> <p>2 transcript of everything that's said.</p> <p>3 A. Absolutely.</p> <p>4 Q. And in order to help her create</p> <p>5 an accurate transcript, it is important that</p> <p>6 we not speak over each other. That's</p> <p>7 something that's easy to do in conversation.</p> <p>8 But here today, I'm going to try real hard</p> <p>9 not to start a new question until you've</p> <p>10 finished answering the last one. And I would</p> <p>11 ask you to wait for me to finish the question</p> <p>12 before you answer it.</p> <p>13 A. Okay.</p> <p>14 Q. I'll tell you, too, sometimes</p> <p>15 people think they know what they're being</p> <p>16 asked, and it's a different question. So,</p> <p>17 then, you end up with extra questions. So,</p> <p>18 it's in your interest to wait for me to ask</p> <p>19 the question.</p> <p>20 A. Okay.</p> <p>21 Q. Also it's important that we speak</p> <p>22 audibly. It's real easy to say things like</p> <p>23 uh-huh and huh-uh or to shake your head. You</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 11</p> <p>1 you're a part of is one of three.</p> <p>2 A. Uh-huh.</p> <p>3 Q. So, they are all representatives</p> <p>4 for the Milligan plaintiffs and the Singleton</p> <p>5 plaintiffs also watching remotely.</p> <p>6 A. Okay.</p> <p>7 Q. And at any time, there might be</p> <p>8 more of them or more from your team joining.</p> <p>9 A. Understand.</p> <p>10 Q. This deposition is an opportunity</p> <p>11 for us to understand your testimony in this</p> <p>12 matter.</p> <p>13 A. Uh-huh.</p> <p>14 Q. So, I will be asking you</p> <p>15 questions and --</p> <p>16 A. Okay.</p> <p>17 Q. -- you will be answering them</p> <p>18 under oath; do you understand that?</p> <p>19 A. I do.</p> <p>20 Q. And this conversation is</p> <p>21 different from a normal conversation because</p> <p>22 we have a court reporter here.</p> <p>23 A. Uh-huh.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 13</p> <p>1 can shake all you want but speak also so that</p> <p>2 she can take it down. Will you do that?</p> <p>3 A. I will. Certainly.</p> <p>4 Q. Okay. If you don't understand a</p> <p>5 question that I ask you, please let me know.</p> <p>6 I will be happy to rephrase it. And you are</p> <p>7 also always welcome to ask me or the court</p> <p>8 reporter to repeat what I've asked you.</p> <p>9 A. Okay.</p> <p>10 Q. Sometimes during the course of a</p> <p>11 deposition, a witness will realize that there</p> <p>12 was an answer that he gave earlier that could</p> <p>13 have been more clear, could have been more</p> <p>14 complete, or maybe they even just said, no,</p> <p>15 that never happens, and then, they remembered</p> <p>16 that time, it happened. If while we're</p> <p>17 sitting here today you need to go back and</p> <p>18 respond more to anything you've already</p> <p>19 answered --</p> <p>20 A. Uh-huh.</p> <p>21 Q. -- you can feel free to let me</p> <p>22 know that.</p> <p>23 You can also let your counsel</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 14</p> <p>1 know that during a break.  2 A. Sure.  3 Q. But we're going to give you an  4 opportunity to clarify or further speak to  5 that so that when you leave here today, we  6 have a good record of your best testimony as  7 you're able to perform today.  8 A. Okay.  9 Q. You may hear your lawyer object  10 from time to time. Normally, that's an  11 objection to the form where she doesn't like  12 the question I asked. When she gives an  13 objection like that, you can still answer.  14 If there's a question that I ask that she  15 thinks you shouldn't answer, she'll make that  16 clear to you.  17 And we will occasionally take  18 breaks. If you need a break, you can always  19 ask for one, and we'll try and give you one  20 quickly. There is one rule, though, for  21 breaks, and that is, that you need to answer  22 whatever question is on the table before we  23 take a break.  24  25</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. So, was that a -- was the person  2 charged with breaking into your house being  3 prosecuted?  4 A. Yes.  5 Q. When was that?  6 A. Oh, gosh. That probably was  7 twelve, fifteen years ago, somewhere in that  8 range.  9 Q. And was this in state court?  10 A. It was in Montgomery County. It  11 was in the circuit court or something like  12 that. It was criminal court.  13 THE COURT REPORTER: Speak up a  14 little bit.  15 A. It was criminal court here in  16 Montgomery County.  17 Q. (BY MS. MESSICK) Do you remember  18 which judge it was?  19 A. I do not.  20 Q. Do you remember if the person was  21 convicted?  22 A. They were not at -- it was a  23 juvenile. So, at my request, I think they  24  25</p>
<p style="text-align: right;">Page 15</p> <p>1 A. Okay.  2 Q. Is there any reason, including  3 medication or health conditions, that would  4 prevent you from being able to testify  5 truthfully and completely today?  6 A. No reason.  7 Q. Okay. And do you have any  8 questions about the process before we begin?  9 A. I do not.  10 Q. Would you please state your name  11 for the record?  12 A. Benjamin Jones.  13 Q. And before this lawsuit, have you  14 been involved in litigation?  15 A. No.  16 Q. Have you ever testified in court  17 before?  18 A. I have.  19 Q. When did you testify in court?  20 A. It was in a case where someone  21 broke into my house. It was something quick  22 here in Montgomery. I just thought about  23 that.  24  25</p>	<p style="text-align: right;">Page 17</p> <p>1 did not -- he did not get convicted.  2 Q. Okay.  3 A. Yes.  4 Q. And it was just one person who  5 was charged?  6 A. Just one person. Yes.  7 Q. Okay. Is there any other time  8 that you can recall, as you sit here today,  9 when you have testified in court?  10 A. No other time that I can recall.  11 Q. All right. Have you ever  12 testified under oath outside of a court  13 proceeding?  14 A. On my job, we've had some cases  15 of appeals for termination, and we've had  16 court reporters in on those -- with the  17 attorney just to -- when the board was doing  18 an appeal hearing, and I may have been asked  19 a question or something under oath at that  20 point in time. But it was not testimony. It  21 was just basically a question maybe.  22 Q. Were other people sworn in as  23 witnesses to testify?  24  25</p>

<p style="text-align: right;">Page 18</p> <p>1 A. Yes.</p> <p>2 Q. But you were not?</p> <p>3 A. I was not.</p> <p>4 Q. Okay. And what job is that</p> <p>5 you're speaking of?</p> <p>6 A. I work with Montgomery Community</p> <p>7 Action Agency. Or it's Montgomery Community</p> <p>8 Action Committee and CDC, Inc., is the full</p> <p>9 legal name.</p> <p>10 Q. Okay. And do you have, like, an</p> <p>11 ALJ who presides over those hearings?</p> <p>12 A. The attorney for the agency</p> <p>13 brings someone in, yes, to preside over it.</p> <p>14 Q. Who's the attorney for the</p> <p>15 agency?</p> <p>16 A. Pat Sefton.</p> <p>17 Q. What did you do to prepare for</p> <p>18 your deposition today?</p> <p>19 A. I only just met and had a</p> <p>20 conversation with the lawyer.</p> <p>21 Q. Did you speak to anybody other</p> <p>22 than your lawyer about this deposition?</p> <p>23 A. I did not.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Where were you born and raised?</p> <p>2 A. Eufaula, Alabama.</p> <p>3 Q. Where is that at?</p> <p>4 A. That is in Barbour County.</p> <p>5 Q. Is that where you spent your</p> <p>6 childhood?</p> <p>7 A. It is.</p> <p>8 Q. Okay. When did you leave Barbour</p> <p>9 County?</p> <p>10 A. Upon completing high school,</p> <p>11 1983, I went to Tuskegee University.</p> <p>12 Q. What did you study?</p> <p>13 A. Chemical engineering.</p> <p>14 Q. Did you graduate?</p> <p>15 A. I did.</p> <p>16 Q. Did you get any further</p> <p>17 education?</p> <p>18 A. I attended Jones School of Law</p> <p>19 here in Montgomery at Faulkner University.</p> <p>20 Q. When did you attend?</p> <p>21 A. 1993 to '96, something like that.</p> <p>22 Q. Did you graduate?</p> <p>23 A. I did.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Did you look at any documents to</p> <p>2 prepare for this deposition?</p> <p>3 A. I did not, no.</p> <p>4 Q. And did you look at any maps to</p> <p>5 prepare for this deposition?</p> <p>6 A. I did not, not for this.</p> <p>7 Q. Did you bring any documents with</p> <p>8 you to look at the -- for the deposition?</p> <p>9 A. I didn't, no.</p> <p>10 Q. Okay. What year were you born?</p> <p>11 A. 1965.</p> <p>12 Q. What is your address?</p> <p>13 A. 4504 Deerfield Court, Montgomery,</p> <p>14 Alabama, 36109.</p> <p>15 Q. Do you reside anywhere else?</p> <p>16 A. No.</p> <p>17 Q. How long have you lived at the</p> <p>18 Deerfield Court address?</p> <p>19 A. Thirteen years, somewhere around</p> <p>20 there.</p> <p>21 Q. Before that, did you also live in</p> <p>22 Montgomery?</p> <p>23 A. I did.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. Are you licensed in Alabama?</p> <p>2 A. I'm not.</p> <p>3 Q. Have you ever been licensed in</p> <p>4 Alabama?</p> <p>5 A. I have not, no.</p> <p>6 Q. Have you ever been licensed in</p> <p>7 another state?</p> <p>8 A. I have not.</p> <p>9 Q. After you graduated from Tuskegee</p> <p>10 University, what did you do next?</p> <p>11 A. I moved to Montgomery, Alabama,</p> <p>12 where I worked for General Electric Plastics.</p> <p>13 Q. What did you do there?</p> <p>14 A. Engineering, chemical</p> <p>15 engineering.</p> <p>16 Q. And how long were you at GE</p> <p>17 Plastics?</p> <p>18 A. I was there for ten -- I think it</p> <p>19 was twelve years.</p> <p>20 Q. And did you live in Montgomery</p> <p>21 that whole time?</p> <p>22 A. I did.</p> <p>23 Q. What was your next job?</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 22</p> <p>1 A. Engineering job with Exxon.  2 Q. Was that here in Montgomery?  3 A. No, I lived in New Jersey for  4 that job.  5 Q. So, were you going to Jones Law  6 School while you were at GE Plastics?  7 A. I was, yes.  8 Q. And what did you do for Exxon in  9 New Jersey?  10 A. Engineering, also.  11 Q. What made you go to law school?  12 A. Environmental engineering. Or  13 environmental law, basically, to complement  14 my engineering degree.  15 Q. How long were you at Exxon?  16 A. I was at Exxon for three years.  17 Q. Were you in New Jersey that whole  18 time?  19 A. I was.  20 Q. And where did you go after that?  21 A. From New Jersey, I moved back to  22 Montgomery.  23 Q. And what did you do when you got  24  25</p>	<p style="text-align: right;">Page 24</p> <p>1 student there?  2 A. I was a student there.  3 Q. What were you studying?  4 A. Public policy and administration  5 in a PhD program.  6 Q. And did you earn your PhD?  7 A. I did not complete dissertation,  8 but I did complete all of the other  9 coursework.  10 Q. And while you were working on  11 your PhD at VCU, you were also employed by  12 the Commonwealth of Virginia?  13 A. I was.  14 Q. Doing what?  15 A. I was in the department of human  16 relations.  17 Q. What do they do?  18 A. They heard situations or cases  19 that typically would be EEOC in most states,  20 complaints, employment complaints.  21 Q. What was your role?  22 A. I was an investigator. So, if  23 someone -- if someone reported something at a  24  25</p>
<p style="text-align: right;">Page 23</p> <p>1 here?  2 A. When I got here, I worked for --  3 I had my own company, and I did consulting  4 work with Alabama State and Trenholm  5 Community College.  6 Q. What kind of consulting?  7 A. I -- well, let me go back. Let  8 me make sure I get that correct. I  9 actually -- I'm trying to think of the period  10 when I worked with -- I came back here. I  11 worked first with ADECA.  12 Q. The Alabama Department of  13 Economic --  14 A. Economic and Community Affairs.  15 Q. How long were you at ADECA?  16 A. I was at ADECA for about four  17 years or so. Then, I went to Richmond,  18 Virginia, to VCU. And while there, I worked  19 for the State of Virginia.  20 Q. What is VCU?  21 A. That's Virginia Commonwealth  22 University.  23 Q. And were you employed there or a  24  25</p>	<p style="text-align: right;">Page 25</p> <p>1 worksite, I investigated that case.  2 Q. How did you get training to do  3 that? That sounds very different from  4 chemical engineering.  5 A. Well, I was working on the public  6 policy administration degree and just -- I  7 didn't really have a lot of training except  8 the training that they gave me there.  9 Q. Okay.  10 A. Yeah. In the department.  11 Q. And how long were you in  12 Virginia?  13 A. In Virginia, in the program for  14 about four years. Three years, I think it  15 was. And I should have probably brushed up  16 on the dates, so --  17 Q. That's okay.  18 A. -- I'm not sure that all of them  19 are exact, but it's about three years.  20 Q. And was it after Virginia that  21 you came back and did your own company --  22 A. That's right.  23 Q. -- consulting with ASU and  24  25</p>



<p style="text-align: right;">Page 26</p> <p>1 Trenholm?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. What is it that you did at</p> <p>4 ADECA?</p> <p>5 A. At ADECA, I worked in the energy</p> <p>6 division.</p> <p>7 Q. And what did you do there?</p> <p>8 A. I was a representative for energy</p> <p>9 projects. I dealt with the funding that came</p> <p>10 from the Department of Energy for schools,</p> <p>11 agencies in the state in terms of energy</p> <p>12 efficiency and reading grant applications,</p> <p>13 awarding, through the department, funds to</p> <p>14 different universities, local schools,</p> <p>15 hospitals, things of that nature --</p> <p>16 Q. Were you --</p> <p>17 A. -- for energy efficiency.</p> <p>18 Q. I'm sorry. I didn't mean to</p> <p>19 interrupt.</p> <p>20 Were you the final decision-maker</p> <p>21 about which grants for energy were --</p> <p>22 A. No.</p> <p>23 Q. -- approved?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 28</p> <p>1 than are money available to serve them.</p> <p>2 A. Yeah. Well, with each grant,</p> <p>3 there are guidelines that are established</p> <p>4 ahead of the grant going out. The</p> <p>5 announcement of the grant, it has the</p> <p>6 guidelines. And there are a number of</p> <p>7 things, but they are different for each grant</p> <p>8 based on what the use might be or the usage</p> <p>9 might be. So, things like the amount of</p> <p>10 savings that it would be in terms of energy</p> <p>11 because these are energy grants or the size</p> <p>12 of the facilities or, you know, the economic</p> <p>13 impact that it would have on that community</p> <p>14 or the number of people that would be served</p> <p>15 by it, things of that nature.</p> <p>16 Q. Are some of those guidelines set</p> <p>17 by the Federal Government?</p> <p>18 A. Some were set by the Federal</p> <p>19 Government, some were set by the state.</p> <p>20 Q. What made you leave ADECA?</p> <p>21 A. I left ADECA to go to -- ADECA</p> <p>22 was before -- I'm trying to make sure I've</p> <p>23 got it correct. ADECA was before VCU.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 27</p> <p>1 A. It was -- it was a team effort,</p> <p>2 but the department head would make the final</p> <p>3 decision, yes. I was -- I was not the final</p> <p>4 decision-maker.</p> <p>5 Q. Who served as department head</p> <p>6 while you were there?</p> <p>7 A. Terri Adams.</p> <p>8 Q. Is that T-e-r-r-i or y?</p> <p>9 A. It was T-e-r-r-i.</p> <p>10 Q. Is that a woman?</p> <p>11 A. It is.</p> <p>12 Q. Is Ms. Adams Black or white?</p> <p>13 A. She's white.</p> <p>14 Q. Did she listen to your input</p> <p>15 about the different grant applications?</p> <p>16 A. She did. Sometimes I'm sure.</p> <p>17 Not always.</p> <p>18 Q. When you were at ADECA, were you</p> <p>19 treated differently than white colleagues?</p> <p>20 A. No. Not necessarily.</p> <p>21 Q. What kinds of criteria go into</p> <p>22 deciding who gets a grant? I assume there's</p> <p>23 limited resources and more people who want it</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. Okay.</p> <p>2 A. Yeah. So, I left to go back to</p> <p>3 school.</p> <p>4 Q. Okay. And then, when you</p> <p>5 finished school in Virginia, what did you do?</p> <p>6 A. That's when I came back here, and</p> <p>7 I've been here ever since.</p> <p>8 Q. And that's when you started your</p> <p>9 own company doing consulting?</p> <p>10 A. Right.</p> <p>11 Q. Okay. What kind of consulting</p> <p>12 were you doing for ASU?</p> <p>13 A. I was working with a number of</p> <p>14 federal programs with the department of --</p> <p>15 with the highway department, DOT, things of</p> <p>16 that nature. It was a grants-based project</p> <p>17 as well.</p> <p>18 Q. Okay. And was your consulting</p> <p>19 with Trenholm similar?</p> <p>20 A. My consulting with Trenholm was</p> <p>21 based on some programs -- I was helping them</p> <p>22 with programs for fathers -- a fatherhood</p> <p>23 program, basically.</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 30</p> <p>1 Q. Okay. And what was your company 2 called? 3 A. It was DaPaul, D-a-P-a-u -- 4 D-a-P-a-u-l. 5 Q. We found some stuff at the 6 Secretary of State's office that was a little 7 bit confusing on that. 8 A. Uh-huh. 9 Q. Are there multiple entities that 10 you've created over time with a similar name? 11 A. My family has a DaPaul and a 12 DanPaul, I think, corporation. 13 Q. And what is that? 14 A. It's just a corporation that 15 entails the property that belonged to my 16 parents in Eufaula. 17 Q. Well, what is -- what does DaPaul 18 mean? 19 A. DaPaul is an abbreviation for my 20 parents' name, David, D-a, Pauline, P-a-u-l. 21 Q. And DanPaul is similar? 22 A. Dan is my brother, Daniel. 23 Q. Okay. 24 25</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. How large is that church? 2 A. The membership is about three 3 hundred. 4 Q. What is the racial makeup of the 5 congregation? 6 A. The congregation since I've been 7 there has been a mixed congregation. Some of 8 the congregants have moved away, some have 9 passed away. At this moment, it is 10 ninety-eight percent Black, maybe two percent 11 others. 12 Q. Did you have any further 13 education after VCU? 14 A. No. 15 Q. Are you married? 16 A. I'm not. 17 Q. Did you have any children? 18 A. One daughter. 19 Q. Is she an adult? 20 A. She is. 21 Q. Where does she live? 22 A. Birmingham. 23 Q. Do you have adult grandchildren? 24 25</p>
<p style="text-align: right;">Page 31</p> <p>1 A. And all three of them are 2 deceased, so that was the reason those names 3 were used. 4 Q. Okay. Is your consulting firm 5 still an ongoing entity? 6 A. No. 7 Q. Okay. When did that end? 8 A. Actually, I -- when I went to 9 work at Montgomery Community Action, I 10 haven't since done anything under the 11 consulting. 12 Q. Okay. And is that where you went 13 to next? 14 A. Yes. That's where I am now. 15 Q. And how long have you been there? 16 A. I'm working on my eleventh year 17 now. And I also pastor a church that I have 18 been pastoring for twenty years. 19 Q. And which church is that? 20 A. St. James Missionary Baptist 21 Church. It's in Pike Road area. 22 Q. How large is that church? 23 A. I'm sorry? 24 25</p>	<p style="text-align: right;">Page 33</p> <p>1 A. I do not. 2 Q. Are you currently a member of any 3 professional organizations? 4 A. A fraternity, yes. 5 Q. Which fraternity? 6 A. Alpha Phi Alpha Fraternity, 7 Incorporated. 8 Q. Have you been -- you said you've 9 been with your current church for twenty 10 years -- 11 A. I have. 12 Q. -- is that right? 13 A. Yes. 14 Q. Are you currently engaged in any 15 civic organizations? 16 A. No. 17 Q. Tell me about your work with the 18 Montgomery Community Action Agency. 19 A. I am the executive director of 20 Montgomery Community Action Agency. I 21 guess -- when you say tell me about my work, 22 you mean -- can you restate that? What would 23 you like to know exactly? 24 25</p>

<p style="text-align: right;">Page 34</p> <p>1 Q. Tell me what the agency does.</p> <p>2 A. Oh, okay. Montgomery Community</p> <p>3 Action is a nonprofit organization that</p> <p>4 provides assistance to communities or the</p> <p>5 County of Montgomery residents who need</p> <p>6 assistance with utilities, rent, medicine.</p> <p>7 We have adult programs. We have youth</p> <p>8 programs. We also have the Head Start</p> <p>9 program. As well, it has a CDC. And we own</p> <p>10 some houses in the Narrow Lane area.</p> <p>11 Q. What is a CDC?</p> <p>12 A. Community development</p> <p>13 corporation.</p> <p>14 Q. Why do you own houses?</p> <p>15 A. It's a part of the outreach for</p> <p>16 the agency. They're low income to assist</p> <p>17 those persons in need of housing.</p> <p>18 Q. Is that something where people</p> <p>19 live permanently or is that a transitional</p> <p>20 sort of thing?</p> <p>21 A. They can live permanently, but</p> <p>22 it's a rental low income subsidized housing,</p> <p>23 seventy-two homes.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 36</p> <p>1 coming from HHS to the state. And it is</p> <p>2 issued to us. That's Community Services</p> <p>3 Block Grant. We get LIHEAP grants. That's</p> <p>4 Low Income Heating and Cooling, that program.</p> <p>5 We get those funds from ADECA as well.</p> <p>6 Q. What does the Community Services</p> <p>7 Block Grant fund?</p> <p>8 A. Assist in housing, but we can</p> <p>9 do -- we have some flexibility with that.</p> <p>10 So, we do rental assistance and we also do a</p> <p>11 self-sufficiency program where we have people</p> <p>12 that we support to go through training where</p> <p>13 they won't have to depend on funding from</p> <p>14 Montgomery Community Action Agency. So, we</p> <p>15 help them with training. And with the</p> <p>16 program that we've spent the most time with</p> <p>17 is our CDL program, but we've also had a</p> <p>18 phlebotomy class recently. So, we're</p> <p>19 trying -- we're trying to have programs for</p> <p>20 self-sufficiency that will get people out of</p> <p>21 the need for assistance from the agency but</p> <p>22 to be self-sufficient in their work.</p> <p>23 Q. So, teach a man to fish rather</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 35</p> <p>1 Q. Do the homes stay full?</p> <p>2 A. Pretty much, yeah. It fluctuates</p> <p>3 a little bit but pretty much.</p> <p>4 Q. I think in your earlier testimony</p> <p>5 at the preliminary injunction hearing in this</p> <p>6 case, you said that most of the people that</p> <p>7 you help through the Montgomery Community</p> <p>8 Action Agency is Black -- are Black. Is that</p> <p>9 true?</p> <p>10 A. Most of them would be, but we</p> <p>11 have about -- probably about twenty percent</p> <p>12 of our clientele -- maybe even more than</p> <p>13 that, twenty, twenty-five percent would be</p> <p>14 white or others. So, it's not exclusively</p> <p>15 Black.</p> <p>16 Q. And is the Montgomery Community</p> <p>17 Action Agency a beneficiary of grants from</p> <p>18 ADECA?</p> <p>19 A. It is.</p> <p>20 Q. Okay. What grants do you</p> <p>21 routinely get?</p> <p>22 A. We get CSBG, Community Services</p> <p>23 Block Grant, from ADECA, which is actually</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 37</p> <p>1 than give them fish only?</p> <p>2 A. Absolutely.</p> <p>3 Q. And CDLs, you're talking about</p> <p>4 commercial driver's licenses?</p> <p>5 A. Commercial driver's license,</p> <p>6 correct.</p> <p>7 Q. What is phlebotomy?</p> <p>8 A. Phlebotomy is those persons who</p> <p>9 work with -- as a tech in the medical field</p> <p>10 that maybe go and draw blood for the nurse or</p> <p>11 something like that in the hospital and do</p> <p>12 different things for patients that nurses</p> <p>13 would need assistance with.</p> <p>14 Q. Okay. And LIHEAP is the Low</p> <p>15 Income Heat and Energy Assistance Program?</p> <p>16 A. Uh-huh.</p> <p>17 Q. And what do you do with those</p> <p>18 moneys?</p> <p>19 A. We assist residents of Montgomery</p> <p>20 County that are in need of assistance with</p> <p>21 their utilities for whatever reason as long</p> <p>22 as they meet the guidelines, federal</p> <p>23 guidelines.</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 38</p> <p>1 Q. So, you're, like, helping them 2 pay their bills? 3 A. We do pay their bill if they meet 4 the federal guidelines. 5 Q. Do you know generally what the 6 guidelines are? 7 A. Well, the poverty guidelines, 8 basically, whatever the poverty rate is 9 for -- I mean, and they rate the household, 10 one person in the house, up to four, to ten, 11 however many people is in the household, 12 whatever the income is. So, that will 13 determine whether or not that person or that 14 household is qualified to receive assistance. 15 Q. How do people find out that you 16 guys are out there to help them? 17 A. Well, we do -- in the past, I 18 suppose it's just been word of mouth, but we 19 do put advertisements out. We -- I've been 20 on the radio and we've -- we tend to send out 21 flyers, but we try to make it known through 22 our partnerships as well. We have 23 collaborative partnerships with other 24 25</p>	<p style="text-align: right;">Page 40</p> <p>1 might go into a place and somebody say, what 2 do you all do? When I tell them, they'll 3 say, okay, well, I know somebody who needs 4 some assistance. And I give them my card and 5 say have them to call me and we will work 6 with them. But that person would be a 7 candidate if they're asking for assistance. 8 Q. Do you have any social media 9 accounts for you personally? 10 A. I have a Facebook account that I 11 almost never visit and I have a Twitter 12 account, I think, if I'm not mistaken, but I 13 don't post to any of them, actually. I just 14 have them. I think they were developed by 15 somebody at work for me. So, I have them, 16 but I don't really. 17 Q. So, you don't remember ever 18 posting on either one of them? 19 A. I may have posted to the Facebook 20 account before, but I've never posted on -- I 21 don't think I've ever posted on the Twitter 22 account. And if I posted anything on 23 Facebook, it was a family function. But I 24 25</p>
<p style="text-align: right;">Page 39</p> <p>1 agencies throughout the county. And so, we 2 try to make sure that through our partnership 3 collaborations that the information gets out 4 into every community. 5 We also go to the county 6 commission, we go to the city, we report out 7 on things that are going on just to go in 8 different venues to make sure that we're 9 getting the message out. 10 Q. So, it's Alabama. It can get 11 hot. And power bills go up -- 12 A. They do. 13 Q. -- in the summertime. 14 A few months ago, I saw somebody 15 standing by the side of the road with a sign 16 begging for help to pay a power bill. 17 A. Uh-huh. 18 Q. Is that the sort of thing that 19 you would be able to help with, like, a 20 one-time issue, or are people, like, enrolled 21 in programs and have to -- 22 A. Oh, absolutely. I mean, like, 23 sometimes I -- with my agency shirt on, I 24 25</p>	<p style="text-align: right;">Page 41</p> <p>1 don't use it enough to understand it as well 2 as I should, but I just know it's there. I 3 might look at it. 4 Q. Do you remember ever posting on 5 any social media about this litigation? 6 A. I didn't. Now, somebody might 7 have posted on my Facebook page about it who 8 were family or something of that nature, but 9 I don't recall posting anything myself about 10 it. 11 Q. Tell me in your own words what 12 you understand this lawsuit to be about. 13 A. Well, I understand it to be about 14 the need to have a district where people from 15 a community of low income or of color perhaps 16 to have someone to represent their interest 17 to a degree that perhaps they haven't had in 18 the past, in this area as well. 19 Q. How did you get involved in this 20 lawsuit? 21 A. I have a cousin that was working 22 with the group that was doing the lawsuit as 23 well. And I was talking to her about the 24 25</p>

<p style="text-align: right;">Page 42</p> <p>1 issues in Alabama and what my members at 2 church or sometime the constituents from the 3 agency would share with me. And she was 4 sharing with me about the case. And I said I 5 would be interested in learning more about it 6 and being a part of it. 7 Q. And who's your cousin? 8 A. Whigham. 9 Q. How do you spell that? 10 A. W-h-i-g-h-a-m. 11 Q. And I'm sorry. What's the rest 12 of her name? 13 A. She's -- let me see. I don't 14 think Whigham -- oh, no, I turned my phone 15 off. It's Covington, but she's -- she may 16 have a married name. I'm not exactly sure 17 what that is but -- 18 Q. So, Whigham is her first name? 19 A. Yeah, that's her first name. 20 Q. And Covington -- 21 A. Uh-huh. 22 Q. -- is her birth -- 23 A. Right. That's her birth name. 24 25</p>	<p style="text-align: right;">Page 44</p> <p>1 A. Yeah, I know him. 2 Q. You know that one. 3 Do you know Rodney Allen Love? 4 A. I do not. 5 Q. Do you Manasseh Powell? 6 A. I do not. 7 Q. Do you know Wendell Thomas? 8 A. I do not. 9 Q. Okay. And you might have just 10 met Ronald Smith while you've been here 11 today. 12 A. I met him as he was leaving out 13 the door today. 14 Q. Had you ever met him before that? 15 A. I have not, no. 16 Q. Did you recruit anybody to be a 17 plaintiff in any of the congressional 18 redistricting lawsuits? 19 A. I did not. 20 Q. I am going to hand you a document 21 which I am marking as Exhibit 1. 22 23 (Whereupon, Defendant's Exhibit 1 24 25</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. -- birth last name? 2 A. Uh-huh. 3 Q. Okay. Do you know Marcus Caster? 4 A. Just from what I've read, yes. 5 Q. You don't remember ever meeting 6 him in person? 7 A. No. 8 Q. Do you know LaKeisha Chestnut? 9 A. Who is that? 10 Q. LaKeisha Chestnut. 11 A. I know LaKeisha Chestnut. 12 Q. How do you know her? 13 A. Just by the name, the familiarity 14 with the name. 15 Q. Okay. 16 A. We're not -- I don't know her 17 personally. 18 Q. Okay. 19 A. Yes. 20 Q. Do you know Bobby Lee DuBose? 21 Bobby Lee DuBose? 22 A. I do not. 23 Q. Do you know Ben -- strike that. 24 25</p>	<p style="text-align: right;">Page 45</p> <p>1 was marked for identification and 2 copy of same is attached hereto.) 3 4 Q. (BY MS. MESSICK) This is the 5 complaint that your lawyers originally filed 6 to start this lawsuit. Do you recognize this 7 document? 8 A. Yes. 9 Q. What is your understanding of 10 what this complaint is about? What does it 11 allege? 12 A. It allege that the citizens in 13 Alabama in this local area is not having the 14 opportunity to be represented in their needs 15 or concerns to the degree that they feel, or 16 we feel, are meeting our objectives, I would 17 say, or being properly represented. 18 Q. Do you know which congressional 19 map this complaint challenges? 20 A. I'm not familiar with the old map 21 necessarily. I know that it was in Mike 22 Rogers' district. And I've seen the maps 23 just looking at them but not that I am 24 25</p>

<p style="text-align: right;">Page 46</p> <p>1 knowledgeable of all of the details of the</p> <p>2 maps.</p> <p>3</p> <p>4 (Whereupon, Defendant's Exhibit 2</p> <p>5 was marked for identification and</p> <p>6 copy of same is attached hereto.)</p> <p>7</p> <p>8 Q. (BY MS. MESSICK) I'm now handing</p> <p>9 you what I'm marking as Defendant's Exhibit</p> <p>10 2. This is an amended complained, which your</p> <p>11 lawyers filed earlier this year. And you'll</p> <p>12 see there's a date stamp at the top. Do you</p> <p>13 recognize this document?</p> <p>14 A. Yes.</p> <p>15 Q. Did you see a draft of this</p> <p>16 document before it was filed?</p> <p>17 A. It was sent to me. If the</p> <p>18 question -- I've seen it. If the question is</p> <p>19 did I read it all the way through, I did not</p> <p>20 all of it, but I've seen it.</p> <p>21 Q. Okay. Do you have any</p> <p>22 understanding of what the difference is</p> <p>23 between these two complaints?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. Okay.</p> <p>2 A. So, I mean, I know the general</p> <p>3 outcome.</p> <p>4 Q. What was the general outcome?</p> <p>5 A. That it was in our favor --</p> <p>6 Q. Okay. Was it --</p> <p>7 A. -- for drawing a new district.</p> <p>8 Q. Okay. It was -- okay. Do you</p> <p>9 know which maps it is that you've looked at</p> <p>10 in this case?</p> <p>11 A. I don't, no.</p> <p>12 Q. What do you want the court to do</p> <p>13 in this lawsuit?</p> <p>14 A. Well, my desire for it was to</p> <p>15 just have a district that would have a person</p> <p>16 who would have the interest of the citizens</p> <p>17 of this area or the community interest and</p> <p>18 their needs properly represented on the</p> <p>19 congressional level.</p> <p>20 Q. Can you expand upon that?</p> <p>21 A. Well, let's say if I'm -- because</p> <p>22 I work with Community Action, I see that</p> <p>23 there is a lot of issues with housing, needs</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 47</p> <p>1 A. Huh. I will say that I'm</p> <p>2 familiar with the fact that they both speak</p> <p>3 to the original issue that I just mentioned.</p> <p>4 Q. Okay. That they're both about</p> <p>5 whether citizens in the area are getting</p> <p>6 proper representation?</p> <p>7 A. Correct.</p> <p>8 Q. Have you read any expert reports</p> <p>9 in this case?</p> <p>10 A. I have not.</p> <p>11 Q. Have you read any court opinions</p> <p>12 in this case?</p> <p>13 A. I have.</p> <p>14 Q. Which ones do you remember</p> <p>15 reading?</p> <p>16 A. I read the opinion of the three</p> <p>17 panel judge that I spoke before previously</p> <p>18 and I read the Supreme Court opinion.</p> <p>19 Q. Do you remember what the opinion</p> <p>20 by the three judge district court was about?</p> <p>21 A. Vaguely. I mean, I can't tell</p> <p>22 you that I remember all of that because I do</p> <p>23 a lot of reading and --</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 49</p> <p>1 with -- for the homeless or needs for</p> <p>2 veterans, needs for assistance for let's just</p> <p>3 say even the utilities. You know, for</p> <p>4 LIHEAP, we need an increase in those funds.</p> <p>5 But there's been situations and cases of talk</p> <p>6 about decreasing.</p> <p>7 So, you know, I'm interested in</p> <p>8 making sure that there's someone that will</p> <p>9 willingly take those needs and concerns of</p> <p>10 this area and this community and be engaged</p> <p>11 in working toward meeting those needs.</p> <p>12 Q. What community are you talking</p> <p>13 about? Who's in it?</p> <p>14 A. Well, anyone who's low income</p> <p>15 that we serve, that would be the community</p> <p>16 I'm speaking of. Low income to poverty level</p> <p>17 community.</p> <p>18 Q. What is your understanding of</p> <p>19 what redistricting is?</p> <p>20 MR. WALKER: Understanding of</p> <p>21 what? I'm sorry.</p> <p>22 MS. MESSICK: Of what</p> <p>23 redistricting is.</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 50</p> <p>1 MR. WALKER: Okay. Thank you.</p> <p>2 A. My understanding is every ten</p> <p>3 years, we do the census count and districts</p> <p>4 are drawn up to properly represent the</p> <p>5 interest and the needs of those persons who</p> <p>6 have been counted in the census so everybody</p> <p>7 who's been counted would get proper</p> <p>8 representation.</p> <p>9 Q. (BY MS. MESSICK) And what do you</p> <p>10 mean by proper representation?</p> <p>11 A. Well, I would say by that, I</p> <p>12 mean, if my concern is that I need something</p> <p>13 for my community in terms of housing or</p> <p>14 health, like, hospitals, or if there's</p> <p>15 something that is missing or needed to</p> <p>16 upgrade the community I'm a part of, like</p> <p>17 internet for rural areas, things of that</p> <p>18 nature, having someone to represent those</p> <p>19 needs would be proper representation, in my</p> <p>20 mind.</p> <p>21 Q. When did you become interested in</p> <p>22 redistricting?</p> <p>23 A. I've always had an interest in</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 52</p> <p>1 number of districts that we would have in the</p> <p>2 state, whether there's growth, or if there's</p> <p>3 a decrease in the population, we would lose</p> <p>4 some districts. So, I'm very much aware of</p> <p>5 that.</p> <p>6 Q. So, for the 2020 Census, there</p> <p>7 was a concern that Alabama might lose a seat</p> <p>8 in Congress, right?</p> <p>9 A. That's correct.</p> <p>10 Q. Once you know how many seats</p> <p>11 Alabama's going to have, does population play</p> <p>12 any role in actually drawing the districts?</p> <p>13 A. Oh, yes. I mean, where the</p> <p>14 population has grown, the district -- I mean,</p> <p>15 you would -- if my understanding of</p> <p>16 redistricting is correct, you try to equal</p> <p>17 out the population across the state and have</p> <p>18 the districts be as closely populated as</p> <p>19 possible in terms of numbers.</p> <p>20 Q. Okay. I'm going to give you a</p> <p>21 document that I'm referred -- that I'm</p> <p>22 marking as Defendant's Exhibit 3, which you</p> <p>23 may find helpful to reference at various</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 51</p> <p>1 representation, so I'd say probably as a --</p> <p>2 as an adult, teenager to an adult, especially</p> <p>3 when I started voting.</p> <p>4 Q. Did you follow the 2020 Census?</p> <p>5 A. I paid attention to it, yeah.</p> <p>6 When you say follow, I mean, I didn't do</p> <p>7 extra work to look at it, but I kind of paid</p> <p>8 attention to it.</p> <p>9 Q. Did you do anything to encourage</p> <p>10 people to respond?</p> <p>11 A. I did. We had a grant through --</p> <p>12 that came to our church to work to help get</p> <p>13 people to respond to the census.</p> <p>14 Q. Did you do anything through the</p> <p>15 Montgomery Community Action Agency?</p> <p>16 A. We did things through the</p> <p>17 Montgomery Community Action. With our</p> <p>18 clientele who came through, we would give</p> <p>19 them a brochure or encourage them to fill out</p> <p>20 the census information.</p> <p>21 Q. What role, if any, does</p> <p>22 population play in redistricting?</p> <p>23 A. Well, population determines the</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 53</p> <p>1 points in the deposition.</p> <p>2</p> <p>3 (Whereupon, Defendant's Exhibit 3</p> <p>4 was marked for identification and</p> <p>5 copy of same is attached hereto.)</p> <p>6</p> <p>7 Q. (BY MS. MESSICK) And this is</p> <p>8 just a map that I got online --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- of Alabama counties.</p> <p>11 Do you know where in Alabama</p> <p>12 Black citizens reside in large numbers?</p> <p>13 A. I -- well, I would say the Black</p> <p>14 Belt and the Jefferson County area maybe and</p> <p>15 parts of the Mobile, Washington County area,</p> <p>16 and Montgomery County, certainly.</p> <p>17 Q. Anywhere else?</p> <p>18 A. Where is Wilcox County? That's a</p> <p>19 part of the Black Belt, I guess, somewhat.</p> <p>20 Wilcox and Lowndes County.</p> <p>21 Q. Okay.</p> <p>22 A. Dallas County perhaps.</p> <p>23 Q. What is the Black Belt?</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 54</p> <p>1 A. Well, the Black Belt, my 2 understanding is an area where the soil is 3 richly black, but it's a part of the area 4 that runs through the state that is -- if my 5 understanding is correct, that's -- the soil 6 was the reason for that name.</p> <p>7 Q. Do you know which counties are in 8 the Black Belt?</p> <p>9 A. I know some of them.</p> <p>10 Q. Can you tell me the ones you 11 know?</p> <p>12 A. Lowndes, Dallas, Perry. Where is 13 Wilcox? Is it on here? I'm sure it is.</p> <p>14 Q. Wilcox is under Dallas?</p> <p>15 A. Oh, yeah. Yeah, Wilcox and 16 Perry. Greene County might be a part of that 17 as well and Pickens County. Those are the 18 ones I know right off the top.</p> <p>19 Q. Is there --</p> <p>20 A. I may be incorrect on some of 21 them, but those are the ones that I think are 22 in the Black Belt.</p> <p>23 Q. So, you said, Dallas, Greene, 24 25</p>	<p style="text-align: right;">Page 56</p> <p>1 who, I'm not sure.</p> <p>2 Q. Right. Well, and that's exactly 3 what I meant, is the legislature passes the 4 map --</p> <p>5 A. Right.</p> <p>6 Q. -- just like any other act --</p> <p>7 A. Uh-huh.</p> <p>8 Q. -- and then, it's either signed 9 by the governor or she could veto it?</p> <p>10 A. Right.</p> <p>11 Q. Did you follow the legislative 12 proceedings in 2021 when the congressional 13 map was drawn that prompted this lawsuit to 14 be filed?</p> <p>15 A. I did.</p> <p>16 Q. Did you attend any legislative 17 hearings?</p> <p>18 A. I did not.</p> <p>19 Q. Did you submit any maps to the 20 legislature at that time?</p> <p>21 A. I did not.</p> <p>22 Q. Did you submit any other 23 documents to the legislature at that time? 24 25</p>
<p style="text-align: right;">Page 55</p> <p>1 Lowndes, Perry, Pickens, and Wilcox?</p> <p>2 A. Uh-huh.</p> <p>3 Q. What is your understanding of 4 what happened with regard to redistricting 5 once the census results were out?</p> <p>6 A. Well, my understanding -- you 7 mean the old map or the new one?</p> <p>8 Q. I mean when the -- when the 9 census came out, we knew the new population 10 numbers, a new map needed to be drawn.</p> <p>11 A. Oh, yeah.</p> <p>12 Q. So, what is your understanding of 13 what happened there?</p> <p>14 A. My understanding is that the new 15 map would have allowed for the one district 16 that exists now to continue to exist that had 17 the possibility of electing a minority 18 candidate.</p> <p>19 Q. Do you know who drew the map?</p> <p>20 A. I do not.</p> <p>21 Q. All right. So --</p> <p>22 A. I mean, the legislature typically 23 do the map. That much, I know. When you say 24 25</p>	<p style="text-align: right;">Page 57</p> <p>1 A. I did not.</p> <p>2 Q. What do you remember about those 3 hearings?</p> <p>4 A. Basically, I followed that by the 5 news or reading articles online, something of 6 that nature. And all I can recall, as I 7 said, is just basically the new map would 8 have allowed for there to remain at least one 9 district where a person, a minority perhaps, 10 could have been elected.</p> <p>11</p> <p>12 (Whereupon, Defendant's Exhibit 4 13 was marked for identification and 14 copy of same is attached hereto.) 15</p> <p>16 Q. (BY MS. MESSICK) I'm going to 17 hand you a document that I have marked as 18 Defendant's Exhibit 4 and represent to you 19 that this is the map that the legislature 20 passed in 2021.</p> <p>21 A. Uh-huh.</p> <p>22 Q. The map's on the last page there. 23 Do you know which district in this map is the 24 25</p>

<p style="text-align: right;">Page 58</p> <p>1 one which you're referring to?</p> <p>2 A. District 7.</p> <p>3 Q. Do you know who represents</p> <p>4 District 7?</p> <p>5 A. Terri Sewell.</p> <p>6 Q. Do you know which district you</p> <p>7 live in under this map?</p> <p>8 A. Under this map, I was in Mike</p> <p>9 Rogers' district. So, that would be District</p> <p>10 2. I think he's District 3.</p> <p>11 Q. Yeah, I think Mike Rogers is</p> <p>12 District 3. District 2 is Barry Moore?</p> <p>13 A. Yeah. Well, it's Barry Moore</p> <p>14 now. I was in Mike Rogers', but that was</p> <p>15 before. So, Barry Moore, yes. Because I was</p> <p>16 not --</p> <p>17 Q. Were you --</p> <p>18 A. -- in Terri Sewell's.</p> <p>19 Q. I'm sorry. Say that last part.</p> <p>20 A. I was not in Terri Sewell's</p> <p>21 district.</p> <p>22 Q. Okay. Were you in Mike Rogers'</p> <p>23 district maybe after the 2010 Census?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 60</p> <p>1 Q. (BY MS. MESSICK) So, you're</p> <p>2 looking to have another district where Blacks</p> <p>3 could elect a candidate --</p> <p>4 A. A minority --</p> <p>5 Q. -- of choice?</p> <p>6 A. -- or -- it doesn't have to be</p> <p>7 necessarily -- the candidate doesn't have to</p> <p>8 be Black, but the majority of the</p> <p>9 constituents, because I figure if your</p> <p>10 constituents -- if you're going to do what is</p> <p>11 best for your constituents, then, the base of</p> <p>12 the constituents would matter to you.</p> <p>13 And if they have concerns with</p> <p>14 hospitals, no matter what color you are, if</p> <p>15 you're counting on their votes, then, you're</p> <p>16 going to be subject to doing what is good for</p> <p>17 their interest.</p> <p>18 Q. So, it doesn't matter what color</p> <p>19 the candidate is --</p> <p>20 A. Correct.</p> <p>21 Q. -- so long as the candidate is</p> <p>22 responsive to the needs of the district?</p> <p>23 A. That's correct.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 59</p> <p>1 A. I was.</p> <p>2 Q. Okay.</p> <p>3 A. That was some time ago.</p> <p>4 Q. Yeah, I think Montgomery was</p> <p>5 split three ways at one point.</p> <p>6 A. Yeah.</p> <p>7 Q. So, what do you think about this</p> <p>8 map?</p> <p>9 A. I'm not sure I understand that</p> <p>10 question.</p> <p>11 Q. Why did you sue the state to</p> <p>12 get -- or sue the Secretary of State to try</p> <p>13 to change the map?</p> <p>14 MS. JASRASARIA: Objection to the</p> <p>15 extent it calls for a legal conclusion, but</p> <p>16 you may answer.</p> <p>17 A. Well, my thinking was that in the</p> <p>18 district that I live in, we were not</p> <p>19 getting -- I mean, because of the population</p> <p>20 of minority or Blacks -- Blacks per se is</p> <p>21 twenty-seven or twenty something percent,</p> <p>22 that perhaps we should have more</p> <p>23 representation than just that one person.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 61</p> <p>1 Q. And are you saying you wanted the</p> <p>2 district to be majority Black or just</p> <p>3 majority not white?</p> <p>4 A. Well, just the majority of</p> <p>5 minorities in that sense.</p> <p>6 Q. Do you have an opinion about what</p> <p>7 role race played in the drawing of this map?</p> <p>8 MS. JASRASARIA: Objection.</p> <p>9 Form. But you may answer it.</p> <p>10 A. I don't really have an opinion</p> <p>11 necessarily. It is -- it is a similar map to</p> <p>12 what typically would have represented</p> <p>13 Alabama, from my knowledge, for a number of</p> <p>14 years since there's only one district on this</p> <p>15 map, as have been on previous maps, that will</p> <p>16 allow for a minority to be elected.</p> <p>17 And, again, I state that the</p> <p>18 person doesn't have to be a minority that</p> <p>19 represents it, but the fact that the</p> <p>20 population would allow for only one minority</p> <p>21 to be elected would mean that there would be</p> <p>22 concerns and issues of the other districts</p> <p>23 for minorities. They're kind of not visible</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 62</p> <p>1 because we're not needed to.</p> <p>2 Q. (BY MS. MESSICK) Does the person</p> <p>3 who represents the district you're talking</p> <p>4 about have to be a Democrat?</p> <p>5 A. They do not.</p> <p>6 Q. Can the person who represents the</p> <p>7 district you're talking about be a</p> <p>8 Republican?</p> <p>9 A. They can.</p> <p>10 Q. How is that?</p> <p>11 A. Well, in this state, typically,</p> <p>12 Republicans would hold most of the</p> <p>13 congressional seats. So, it would -- say</p> <p>14 that in a district where a Republican could</p> <p>15 win would have to be a district where the</p> <p>16 majority of the constituents would have to be</p> <p>17 Republicans, basically. But if you vote</p> <p>18 independent or you vote candidate versus</p> <p>19 party, then, you vote for the person who you</p> <p>20 feel will represent your interest.</p> <p>21 I'm not sure that when you --</p> <p>22 when you ask that question, I'm not sure</p> <p>23 whether there is a place where a Republican</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 64</p> <p>1 testifying before that three judge court?</p> <p>2 A. I do.</p> <p>3 Q. Did you ever study theology?</p> <p>4 A. I did, Birmingham Theological</p> <p>5 Seminary. It just slipped my mind.</p> <p>6 Q. Okay. Was that in person in</p> <p>7 Birmingham?</p> <p>8 A. It was here in Montgomery --</p> <p>9 Q. Okay.</p> <p>10 A. -- in classes that was outreach.</p> <p>11 Q. When did you do that?</p> <p>12 A. Oh, gosh. Back when I was</p> <p>13 working at GE.</p> <p>14 Q. Okay.</p> <p>15 A. Sometime during that time period.</p> <p>16 Q. Did you get any kind of degree?</p> <p>17 A. I did not.</p> <p>18 Q. Is that the kind of</p> <p>19 organization -- do they offer a degree?</p> <p>20 A. They do --</p> <p>21 Q. Okay.</p> <p>22 A. -- yes.</p> <p>23 Q. What is the address of your</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 63</p> <p>1 could be elected to represent those interests</p> <p>2 based on history and voting patterns perhaps</p> <p>3 of Republicans who have represented</p> <p>4 districts.</p> <p>5 Q. Would you agree that the</p> <p>6 Republican Party and the Democratic Party</p> <p>7 disagree on a lot of policy issues?</p> <p>8 A. Yes, I think they do.</p> <p>9 Q. And which party is more</p> <p>10 reflective of the issues that are important</p> <p>11 to the community you're thinking about?</p> <p>12 A. The Democratic Party.</p> <p>13 Q. So, after this map, Exhibit 4,</p> <p>14 was drawn, you sued?</p> <p>15 A. Uh-huh.</p> <p>16 Q. Do you know what happened in the</p> <p>17 lawsuit next?</p> <p>18 A. You mean from the three panel</p> <p>19 judge?</p> <p>20 Q. Yes.</p> <p>21 A. Yeah. Well, I know that they</p> <p>22 upheld the -- to the need to change the map.</p> <p>23 Q. Okay. And do you remember</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 65</p> <p>1 church?</p> <p>2 A. 491 -- 491 St. James Church Loop,</p> <p>3 Pike Road, Alabama.</p> <p>4 Q. Are you aware that your lawsuit</p> <p>5 reached the Supreme Court?</p> <p>6 A. Yes.</p> <p>7 Q. Did you attend the oral argument?</p> <p>8 A. I did not.</p> <p>9 Q. Did you make any public</p> <p>10 statements about the lawsuit when it was</p> <p>11 filed?</p> <p>12 A. I did not.</p> <p>13 Q. Did you make any public</p> <p>14 statements about the lawsuit when the three</p> <p>15 judge court first ruled in your favor that</p> <p>16 there would need to be a new map?</p> <p>17 A. I did not.</p> <p>18 Q. And did you make any public</p> <p>19 statements about the case when it was before</p> <p>20 the Supreme Court?</p> <p>21 A. I did not.</p> <p>22 Q. Did you make any public</p> <p>23 statements about the case after the Supreme</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 66</p> <p>1 Court ruled?</p> <p>2 A. I did not.</p> <p>3 Q. And did you make any public</p> <p>4 statements about the case when the</p> <p>5 legislature was drawing a new map after the</p> <p>6 Supreme Court ruled?</p> <p>7 A. I did not.</p> <p>8 Q. And did you make any public</p> <p>9 statements about the case when the district</p> <p>10 court put a new map in place for the 2024</p> <p>11 elections?</p> <p>12 A. No, I did not.</p> <p>13 Q. Do you know what the Supreme</p> <p>14 Court ruled?</p> <p>15 A. They ruled in favor of the new</p> <p>16 map.</p> <p>17 Q. So, do you know what happened</p> <p>18 after that?</p> <p>19 A. I mean, the -- well, of course,</p> <p>20 now, we're in an election cycle that has the</p> <p>21 new map in place.</p> <p>22 Q. Okay.</p> <p>23 A. Yeah.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 68</p> <p>1 A. I did not.</p> <p>2 Q. And did you attend any of the</p> <p>3 hearings?</p> <p>4 A. I did not.</p> <p>5 Q. Do you remember seeing the map</p> <p>6 that the legislature drew in 2023?</p> <p>7 A. I recall seeing it, yes.</p> <p>8 Q. I'm handing you what I'm going to</p> <p>9 mark as Defendant's Exhibit 5 and represent</p> <p>10 to you that the last page of this exhibit is</p> <p>11 the map that the legislature drew in 2023.</p> <p>12</p> <p>13 (Whereupon, Defendant's Exhibit 5</p> <p>14 was marked for identification and</p> <p>15 copy of same is attached hereto.)</p> <p>16</p> <p>17 Q. (BY MS. MESSICK) Do you</p> <p>18 recognize this map?</p> <p>19 A. I do.</p> <p>20 Q. What do you think of this 2023</p> <p>21 map?</p> <p>22 A. I mean, I'm not sure how to --</p> <p>23 maybe restate that question in the sense</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 67</p> <p>1 Q. So, how did we get to a new map?</p> <p>2 After the Supreme Court ruled, what happened?</p> <p>3 A. I'm not sure I'm -- I'm not</p> <p>4 familiar with that --</p> <p>5 Q. Okay.</p> <p>6 A. -- per se.</p> <p>7 Q. So, the legislature drew a new</p> <p>8 map. Did you follow those proceedings?</p> <p>9 A. Now, I remember what you're</p> <p>10 saying. Yes.</p> <p>11 Q. Okay. And do you remember</p> <p>12 looking at maps that were submitted to the</p> <p>13 legislature in 2023 when it was drawing a new</p> <p>14 map after the Supreme Court ruled?</p> <p>15 A. I do recall looking at them, yes.</p> <p>16 Q. Do you remember which maps you</p> <p>17 looked at?</p> <p>18 A. I don't.</p> <p>19 Q. Do you remember submitting any</p> <p>20 map to the legislature to consider?</p> <p>21 A. I did not.</p> <p>22 Q. Did you submit any other</p> <p>23 documents to the legislature?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 69</p> <p>1 of --</p> <p>2 Q. Do you have any concerns about</p> <p>3 the 2023 map?</p> <p>4 MS. JASRASARIA: Objection to the</p> <p>5 extent it calls for a legal conclusion, but</p> <p>6 you may answer.</p> <p>7 A. My understanding is it evened out</p> <p>8 the numbers more in allowing what -- evened</p> <p>9 out the numbers somewhat. I did -- I -- the</p> <p>10 concern I had perhaps is that it didn't</p> <p>11 include enough, but that would be it, even</p> <p>12 out the numbers some in terms of the</p> <p>13 population.</p> <p>14 Q. (BY MS. MESSICK) Do you have any</p> <p>15 opinion about what role, if any, race played</p> <p>16 in the drawing of the 2023 map?</p> <p>17 MS. JASRASARIA: Objection.</p> <p>18 Calls for speculation, but you may answer.</p> <p>19 A. I don't know. I don't have an</p> <p>20 opinion.</p> <p>21 Q. (BY MS. MESSICK) Do you have any</p> <p>22 opinion about what role, if any, race should</p> <p>23 have played in drawing the 2023 map?</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 70</p> <p>1 MS. JASRASARIA: Objection to the 2 extent it calls for a legal conclusion, but 3 you may answer. 4 A. I don't I have an opinion. 5 Q. (BY MS. MESSICK) And do you have 6 any opinion about what role politics played 7 in the drawing of the 2023 map? 8 MS. JASRASARIA: Objection to the 9 extent it calls for a legal conclusion, but 10 you may answer. 11 A. I don't have an opinion. 12 Q. (BY MS. MESSICK) Do you know 13 what factors Alabama considers when drawing 14 districts? 15 A. To my knowledge, it would be, 16 again, back to what I said about making the 17 district even in population. 18 Q. Is there anything else that 19 you're aware of that the legislature 20 considers when it's drawing districts? 21 A. Typically, I would say they 22 consider the racial makeup and perhaps 23 even -- and this is just speculation on my 24 25</p>	<p style="text-align: right;">Page 72</p> <p>1 Q. Who are the people who you're 2 trying to get improved representation for? 3 A. The people that I would say would 4 be low income, people who need Medicaid, 5 Medicare, something of that nature, need 6 assistance, those who are on kind of the 7 margin of poverty and in need of assistance 8 on whatever level. 9 There are some areas in the state 10 where people may be forty, fifty, maybe even 11 more miles away from a hospital. So, there 12 is a need for medical care in so many areas. 13 There is food deserts where 14 people may be miles and miles and miles away 15 from a grocery store or a farmer's market or 16 something of that nature. So, all of those 17 interests. 18 And as I go back and said this 19 earlier, there are people who don't have 20 access to the internet because of their 21 location in the rural area. So, there -- 22 those are the persons that I'm speaking to 23 when I say community of interest, that 24 25</p>
<p style="text-align: right;">Page 71</p> <p>1 part -- parties' affiliations. 2 Q. Do you know what a community of 3 interest is in the context of redistricting? 4 A. Can you restate that question? 5 Q. Well, the question is, do you 6 know what a community of interest is as that 7 term is used in redistricting? 8 A. I think I do, but I'm not one 9 hundred percent sure. 10 Q. Right. Would you please tell me 11 what you think it means? 12 A. The group -- the community of 13 interest would be looking at districts 14 according to making sure all of the interests 15 of that community would be met and even out 16 if a -- if there's an interest for, let's 17 say, hospitals in District 1, then, is there 18 a community of interest for hospitals in 19 District 2 to spread it over the seven 20 districts or making sure that all of those 21 interests are met in each district. 22 Unemployment, any other areas that would be 23 of interest to any community in any district. 24 25</p>	<p style="text-align: right;">Page 73</p> <p>1 community anyway. 2 Q. Does race play any role in 3 determining who's in that community or it's 4 just based on need? 5 A. It's based on need. I mean, it 6 may be -- it can be any race, but, certainly, 7 it's based on need. 8 MS. MESSICK: Let's take a 9 ten-minute break. 10 11 (Whereupon, a brief recess was 12 taken.) 13 14 MS. MESSICK: Let's go back on 15 the record. 16 Q. Sir, have you spent any time in 17 the Black Belt outside of Montgomery? 18 A. I've been to the Black Belt, yes. 19 When you say spent any time, do you mean -- 20 Q. Substantial time, not just 21 passing through or meeting here or there. 22 A. No. 23 Q. Okay. 24 25</p>



<p style="text-align: right;">Page 74</p> <p>1 A. No.</p> <p>2 Q. Have you spent substantial time</p> <p>3 in Mobile?</p> <p>4 A. No.</p> <p>5 Q. Do you know if there are areas in</p> <p>6 Mobile where more Black citizens live?</p> <p>7 A. No.</p> <p>8 Q. Do you have any views on where</p> <p>9 the district lines ought to be drawn or are</p> <p>10 you more just focused on you want the result</p> <p>11 to be a better representation?</p> <p>12 A. Mine would be about the results</p> <p>13 being a better representation.</p> <p>14 Q. Okay. Do you have any view about</p> <p>15 whether Dallas County is in one district or</p> <p>16 another, for instance?</p> <p>17 A. Do I -- can you repeat that?</p> <p>18 Q. Do you have any views about which</p> <p>19 district particular counties are in?</p> <p>20 A. From looking at the map, knowing</p> <p>21 where they are, but if you mean views as to</p> <p>22 whether they should be in a district not, I</p> <p>23 do not.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 76</p> <p>1 A. The map -- my understanding, the</p> <p>2 last map that was sent up was sent back for</p> <p>3 revisions. Then, it was approved with</p> <p>4 revisions.</p> <p>5 Q. What do you mean sent up?</p> <p>6 A. I'm not sure was it the 2023 map,</p> <p>7 but the map that went before the three panel</p> <p>8 had to be revised.</p> <p>9 Q. Okay.</p> <p>10 A. And then, my understanding, when</p> <p>11 it went to the Supreme Court, it had to be</p> <p>12 revised. So --</p> <p>13 Q. Okay. Are you aware that the</p> <p>14 court appointed a special master?</p> <p>15 A. I am.</p> <p>16 Q. What can you tell me about that?</p> <p>17 A. I mean, I was -- I was aware from</p> <p>18 the news that the special master had been</p> <p>19 appointed to draw the map.</p> <p>20 Q. The special master put together a</p> <p>21 report that included three proposed maps for</p> <p>22 the court --</p> <p>23 A. Uh-huh.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 75</p> <p>1 Q. Okay. Exhibit 5 in front of you,</p> <p>2 that again --</p> <p>3 A. Uh-huh.</p> <p>4 Q. -- is the 2023 map that the</p> <p>5 legislature drew.</p> <p>6 Do you have any information about</p> <p>7 what the legislature's intent was when it</p> <p>8 drew that map?</p> <p>9 A. I do not have any information</p> <p>10 other than what I've stated previously, that</p> <p>11 it was to balance the population.</p> <p>12 Q. Okay. Do you have any</p> <p>13 information about the intent of any</p> <p>14 individual legislator in drawing the 2023 map</p> <p>15 beyond to equalize population?</p> <p>16 A. I do not.</p> <p>17 Q. Do you have any information about</p> <p>18 the governor's intent in signing the 2023 map</p> <p>19 into law?</p> <p>20 A. I do not.</p> <p>21 Q. Do you know what happened after</p> <p>22 the legislature passed the 2023 map, like,</p> <p>23 what happened in the litigation?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. -- to choose from.</p> <p>2 Is that a document that you</p> <p>3 remember seeing?</p> <p>4 A. Only in the news or on -- what</p> <p>5 I've seen online.</p> <p>6 Q. Okay. The court then entered an</p> <p>7 order agreeing that a new map was needed for</p> <p>8 2024 --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- and imposing a map.</p> <p>11 Have you seen that map?</p> <p>12 A. I have.</p> <p>13 Q. Have you seen the court's order?</p> <p>14 A. I haven't, to my knowledge, no.</p> <p>15 I mean, I might have read something about it</p> <p>16 online but not the full order, just articles</p> <p>17 about it.</p> <p>18 Q. I'm going to give you what I'm</p> <p>19 marking as Exhibit 6.</p> <p>20</p> <p>21 (Whereupon, Defendant's Exhibit 6</p> <p>22 was marked for identification and</p> <p>23 copy of same is attached hereto.)</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 78</p> <p>1 Q. (BY MS. MESSICK) This is the 2 court's injunction order and court-ordered 3 map. This is the document where the three 4 judge court adopted one of the special 5 master's maps and said that we would have to 6 use that -- 7 A. Uh-huh. 8 Q. -- for the 2024 elections. 9 You just told me you don't 10 believe you've seen this document before. 11 Does having an opportunity to look at it 12 change your answer? 13 A. I have seen this in part, yes. I 14 didn't read through the full document. 15 Q. The last page of the document is 16 labeled Appendix A, Remedial Map 3 or Plan 3. 17 If this is the map that the court imposed for 18 the 2024 elections -- 19 A. Uh-huh. 20 Q. -- do you remember seeing this 21 map before? 22 A. Yes. 23 Q. What do you think of this map? 24 25</p>	<p style="text-align: right;">Page 80</p> <p>1 on top of District 1, which also runs from 2 Mississippi to Georgia? 3 A. Can you state that question 4 again. 5 Q. Do you see that District 2 now 6 runs from Mississippi -- 7 A. Oh. 8 Q. -- to Georgia? 9 A. Yes. 10 Q. And District 2 sits on top of 11 District 1, which also runs from Mississippi 12 to Georgia? 13 A. Uh-huh. 14 Q. Do you see on the eastern side of 15 District 2 where it goes down into Mobile? 16 A. Uh-huh. 17 Q. Do you have any knowledge about 18 who lives in the area of Mobile that has been 19 added to District 2? 20 A. Well, my understanding from just 21 reading that it was meant to touch a 22 population that is similarly situated as 23 perhaps in the Black Belt of persons who are 24 25</p>
<p style="text-align: right;">Page 79</p> <p>1 A. Well, my initial thoughts were 2 that it balances it out to a certain degree, 3 but it is not -- it did not provide the 4 overwhelming population for electing a 5 minority. It just kind of balanced out the 6 population and gave it greater opportunity. 7 Q. When you say balanced, are you 8 talking about the number of total residents 9 of people in a district or are you talking 10 about -- 11 A. In a district, yes. 12 Q. -- how many Black people are in a 13 district or minorities? 14 A. Just total number of people in a 15 district. 16 Q. Okay. So, all of the maps that 17 I've shown you today are within a handful of 18 people -- 19 A. Right. That's what I'm saying. 20 Q. -- of completely balanced. 21 A. Uh-huh. 22 Q. Do you -- do you see District 2 23 now runs from Mississippi to Georgia and sits 24 25</p>	<p style="text-align: right;">Page 81</p> <p>1 impoverished that would have similar 2 interests as the persons in other parts of 3 the state that this district meets or touch. 4 Q. Do you know what interests the 5 people of Mobile might share with the other 6 people in District 2 other than being 7 impoverished? 8 A. I think that that in itself would 9 be possibly one of the more -- I mean, other 10 interests would be perhaps in jobs or for 11 employment, for medical care in the areas if 12 they're in rural areas or outside of the 13 actual city limits of Mobile. But more or 14 less their main interests would be based on 15 similar issues that they might have that 16 deals with poverty or lack of or need for 17 some service. 18 Q. Okay. Does race play any role in 19 joining that area of Mobile to the rest of 20 District 2? 21 A. There may be some race related. 22 I'm not sure. I would think that the main 23 thing would be of similar issues and 24 25</p>

<p style="text-align: right;">Page 82</p> <p>1 concerns, but it may be that race may play a 2 part in that as well. 3 Q. And in this map, what district do 4 you live in? 5 A. I'm in District 2 on this map. 6 Q. So, you said that this -- if I 7 understood you right, this map is a step in 8 the right direction, but maybe it doesn't 9 provide all the relief you were looking for; 10 is that right? 11 A. Well, it provides an opportunity 12 for a person to be elected that would have to 13 be subject to the constituents of the 14 district. 15 Q. Bill Cooper is an expert that 16 your team has hired in this case. 17 A. Uh-huh. 18 Q. Are you familiar with Mr. Cooper? 19 A. Not personally, no. 20 Q. He prepared a report that he 21 provided to us in May that includes seven 22 illustrative maps as part of the proof that 23 plaintiffs are offering in this case. Does 24 25</p>	<p style="text-align: right;">Page 84</p> <p>1 you're not sure that you've read it. 2 Beginning on Page 27 of this 3 document, there are eight illustrative plans. 4 There's one on Page 27, then, there's another 5 one a couple of pages later on Page 29, and 6 it continues all the way through Page 44 with 7 Plan Number 8. Can you just glance at these 8 for a second and tell me if you think that 9 you've seen these plans before? 10 A. I have not. I have not seen it. 11 Q. Okay. As you were just looking 12 at the plans, did you have any preferences 13 among them? 14 A. They all seem very similar, but I 15 would have to study them to see the major 16 difference. So, no, no preference. 17 Q. If Alabama were to draw two 18 congressional districts in which Black voters 19 can elect their candidate of choice, does it 20 address your concerns in filing this lawsuit 21 if you personally do not live in one of those 22 districts? 23 A. I mean, I didn't have to 24 25</p>
<p style="text-align: right;">Page 83</p> <p>1 that sound like a document that you would 2 have seen? 3 A. I'd have to say that I've 4 received a lot of documents by mail or email, 5 I think, but I'm not sure that I've seen it. 6 I cannot say. 7 8 (Whereupon, Defendant's Exhibit 7 9 was marked for identification and 10 copy of same is attached hereto.) 11 12 Q. (BY MS. MESSICK) I'm marking as 13 Defendant's Exhibit 7 -- 14 A. Uh-huh. 15 Q. -- the declaration for Mr. Cooper 16 from May of this year. 17 Would you take a look and tell me 18 if you recognize this document? 19 A. I have not read it, but that does 20 not mean that I do not have it -- 21 Q. I understand. 22 A. -- unfortunately. 23 Q. It might be in your email, but 24 25</p>	<p style="text-align: right;">Page 85</p> <p>1 personally live in a district, no, for it to 2 be satisfactory. 3 Q. And why is that? 4 A. I mean, I just think that the 5 representation should be fair. I'm not sure 6 that it has to include -- well, it can't 7 include everybody in a district. So, if I'm 8 outside of a district that allows minorities 9 to be elected or -- but I would rather stress 10 that I'm not necessarily as concerned about 11 what color the person is that's elected in a 12 district as I am about the concerns of the 13 district being considered and fairly 14 represented. 15 Q. Is your goal in this litigation 16 to get a second Democrat elected to Congress 17 from Alabama? 18 A. Not my goal, no. 19 Q. Can you think of a Republican who 20 could meet the needs of the district that 21 you're thinking about? 22 A. I mean, I'm not sure that I can. 23 That would -- that's kind of a tough one for 24 25</p>

<p style="text-align: right;">Page 86</p> <p>1 me.</p> <p>2 Q. Okay. Do you believe that if the</p> <p>3 State of Alabama can draw a congressional</p> <p>4 district with a Black majority that it should</p> <p>5 draw a congressional district with a Black</p> <p>6 majority?</p> <p>7 MS. JASRASARIA: Objection to the</p> <p>8 extent it calls for a legal conclusion, but</p> <p>9 you can answer.</p> <p>10 A. I don't know that I would say it</p> <p>11 should or have to, but I would say that -- I</p> <p>12 refer back, then, to if it can draw a</p> <p>13 district that would provide for minorities to</p> <p>14 have a significant amount of input into the</p> <p>15 election of a candidate, it would have their</p> <p>16 interest -- their interest and the interest</p> <p>17 of any other low income person in a district</p> <p>18 as top priority, then, I think that that</p> <p>19 should be the case.</p> <p>20 Q. (BY MS. MESSICK) We talked about</p> <p>21 earlier that you're currently represented by</p> <p>22 Barry Moore.</p> <p>23 A. That's correct.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 88</p> <p>1 to reach out to the constituent offices where</p> <p>2 they will know that our services are</p> <p>3 available for people who reach out to them</p> <p>4 for services, meaning Montgomery Community</p> <p>5 Action Agency. That's one of the things that</p> <p>6 we're doing this year, too. And we have --</p> <p>7 maybe my assistant has already reached out</p> <p>8 because that's something that we're doing.</p> <p>9 But I haven't reached out personally.</p> <p>10 Q. And would you, for that purpose,</p> <p>11 be reaching out to Mike Rogers' office or to</p> <p>12 Barry Moore's?</p> <p>13 A. To Barry Moore's office.</p> <p>14 Q. Okay. Is there federal</p> <p>15 legislation that you wanted your</p> <p>16 representative in Congress, your House</p> <p>17 member, your congressman, to represent that</p> <p>18 he did not? I'm sorry. To support. Is</p> <p>19 there federal legislation that you wanted</p> <p>20 your congressman to support that he did not</p> <p>21 support?</p> <p>22 A. There have been, yes.</p> <p>23 Q. Can you give me examples of some</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 87</p> <p>1 Q. Have you ever contacted</p> <p>2 Representative Moore?</p> <p>3 A. I have not.</p> <p>4 Q. And you said before that, you</p> <p>5 were represented by Congressman Mike Rogers;</p> <p>6 is that right?</p> <p>7 A. That's correct.</p> <p>8 Q. And have you ever contacted</p> <p>9 Congressman Rogers for something?</p> <p>10 A. I went to some, I guess it's</p> <p>11 called Egg &amp; Issues sessions, or something of</p> <p>12 that nature, when Mike Rogers was a</p> <p>13 representative. I did do that, and I've gone</p> <p>14 to some others, but I haven't been to</p> <p>15 anything with Barry Moore. But I have been</p> <p>16 to some sessions where Mike Rogers spoke or</p> <p>17 was in town to speak to his constituents.</p> <p>18 Q. Have you ever reached out to his</p> <p>19 office to ask for help with something?</p> <p>20 A. We have -- I haven't personally,</p> <p>21 no. We have -- we're working -- let me just</p> <p>22 say we're working now to reach out to -- and</p> <p>23 we were just looking at doing that this year,</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 89</p> <p>1 of those?</p> <p>2 A. I think during the time that</p> <p>3 the -- what is termed Obamacare was good for</p> <p>4 the constituents. In the community that we</p> <p>5 served, there was no representation or</p> <p>6 support to that except for the congressperson</p> <p>7 that was in District 7.</p> <p>8 Q. So, you're talking about when it</p> <p>9 was first passed --</p> <p>10 A. First passed, yeah.</p> <p>11 Q. -- Congresswoman Sewell was the</p> <p>12 only --</p> <p>13 A. Uh-huh.</p> <p>14 Q. -- only one who supported it?</p> <p>15 A. That's correct. That's just an</p> <p>16 example.</p> <p>17 Q. Wasn't Artur Davis actually in</p> <p>18 that district at that time?</p> <p>19 A. No. I think he had already</p> <p>20 gotten out. Well, it may have been Artur</p> <p>21 Davis, but it -- but it -- if it was, then,</p> <p>22 District -- I think it was Congresswoman</p> <p>23 Sewell. I'm almost sure Artur was out</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 90</p> <p>1 already by the time it passed.</p> <p>2 Q. I was thinking he got some heat</p> <p>3 for not supporting it.</p> <p>4 A. He got some heat, but he was out</p> <p>5 of the position, if I'm not mistaken --</p> <p>6 Q. Okay.</p> <p>7 A. -- before that time.</p> <p>8 Q. Is there any other legislation,</p> <p>9 federal legislation that you can think of at</p> <p>10 this time that you would have wanted your</p> <p>11 representative in the House of</p> <p>12 Representatives to support that he did not?</p> <p>13 A. I can't think of it at the</p> <p>14 moment, but there's other legislative actions</p> <p>15 that I've read or seen that would have been</p> <p>16 good for constituents in this area but was</p> <p>17 not supported.</p> <p>18 Q. Could any of it have been</p> <p>19 COVID-related legislation?</p> <p>20 A. Possibly, yes.</p> <p>21 Q. Do you remember having -- well,</p> <p>22 do you remember the American Rescue Plan?</p> <p>23 A. I do remember that.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 92</p> <p>1 I know a small infrastructure bill was</p> <p>2 passed, but that one was much larger.</p> <p>3 Q. And did you support the Build</p> <p>4 Back Better Act?</p> <p>5 A. I did.</p> <p>6 Q. And do you remember if your</p> <p>7 representative supported it?</p> <p>8 A. He did not.</p> <p>9 Q. What does the phrase "candidate</p> <p>10 of choice" mean to you?</p> <p>11 A. To me, it would be the candidate</p> <p>12 who would be most likely to support your</p> <p>13 concerns and needs.</p> <p>14 Q. What does it mean for elections</p> <p>15 to be racially polarized?</p> <p>16 A. That would be to have an election</p> <p>17 that is responded to in a sense by -- along</p> <p>18 racial lines, polarized to the degree that</p> <p>19 Blacks are voting in one direction, whites</p> <p>20 are voting in another direction, or others</p> <p>21 are voting in other directions.</p> <p>22 Q. Do you know who Black voter --</p> <p>23 which political party, if any, Black voters</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 91</p> <p>1 Q. What do you remember about it?</p> <p>2 A. I mean, I remember it being a</p> <p>3 part of the plan that was put together during</p> <p>4 COVID to assist with those persons who would</p> <p>5 be in need of assistance because of the --</p> <p>6 really, basically, the shutdown of the</p> <p>7 country.</p> <p>8 Q. Do you remember if you wanted it</p> <p>9 to pass or not?</p> <p>10 A. I certainly did, yes.</p> <p>11 Q. And do you remember if your</p> <p>12 representative in the House of</p> <p>13 Representatives supported that?</p> <p>14 A. I don't know but -- I'm not sure.</p> <p>15 Q. Do you know what the Build Back</p> <p>16 Better legislation is?</p> <p>17 A. Yes.</p> <p>18 Q. And what is your understanding of</p> <p>19 that legislation?</p> <p>20 A. It was an infrastructure style</p> <p>21 legislation that was attempted. It did not</p> <p>22 have the support to pass. I mean, I think a</p> <p>23 small infrastructure bill was passed -- well,</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 93</p> <p>1 in Alabama generally support?</p> <p>2 A. Generally, it would be the</p> <p>3 Democratic Party.</p> <p>4 Q. Do you know if that's true</p> <p>5 nationally, that Black voters across the</p> <p>6 country generally support the Democratic</p> <p>7 Party?</p> <p>8 A. I don't know that it's true</p> <p>9 across the country to the degree that is in</p> <p>10 Alabama. I'm not sure.</p> <p>11 Q. Okay. Do you have any</p> <p>12 information about the extent to which voting</p> <p>13 in Alabama is racially polarized?</p> <p>14 A. No.</p> <p>15 Q. Do you have any information about</p> <p>16 the extent to which voting in the southern</p> <p>17 half of Alabama is racially polarized?</p> <p>18 A. No.</p> <p>19 Q. Do you know what a racial appeal</p> <p>20 in a campaign is?</p> <p>21 A. Yes.</p> <p>22 Q. And would you please tell me what</p> <p>23 it is?</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 94</p> <p>1 A. I would say that it is using race 2 to -- or some racial overtone to appeal to 3 one group over the other. 4 Q. Can you think of a time where 5 you've seen racial appeals in campaigns in 6 Alabama in the last five years? 7 A. I can say that when I've seen a 8 campaign advertisements in perhaps the past 9 five years, there's been a lot of dogma or 10 suggestions that immigrants, or something of 11 that nature, is the problem with whatever 12 issues we might have. I've seen that 13 stressed tremendously. I'm not sure that 14 that's a appeal necessarily, but, I mean, I 15 sense that it is. It is racially targeted. 16 Q. Okay. Looking back now to the 17 last ten years, is there anything that you 18 can think of other than campaign materials 19 dealing with immigration that you think might 20 qualify as a racial appeal? 21 A. I've heard campaign ads that in 22 the sense immigration is one thing, but, 23 then, there has been others that in some ways 24 25</p>	<p style="text-align: right;">Page 96</p> <p>1 it probably was even more. But, you know, 2 now, in my mind, I'm not sure that all of 3 those ads that I'm thinking about would have 4 all been Alabama, but I've just seen a lot of 5 political ads that would lend itself to that. 6 Q. Okay. When you testified during 7 the preliminary injunction proceedings in 8 late 2021 or early 2022, one of the things 9 that you talked about was your parents and 10 how voting is important to them and they 11 taught you that it should be important to 12 you. Can you tell me more about that? 13 A. Well, I grew up in Barbour 14 County. And I think I might have referred to 15 the fact that voting was extremely critical 16 to my parents. And so, I'm one of sixteen 17 children. And they were very much concerned 18 about us being a part of the political 19 process in voting. And I don't -- since I've 20 become of voting age, I haven't missed an 21 election voting even when I lived out of town 22 but wasn't fully out of town because I still 23 had a residency here. I was kind of away on 24 25</p>
<p style="text-align: right;">Page 95</p> <p>1 suggested racial concerns, yes. 2 Q. Okay. Tell me what you're 3 remembering. I'd like whatever details you 4 can recall. 5 A. And it may just be a 6 advertisement that would suggest a crime is 7 up and the subject that is shown in the 8 commercial may be someone Black or something 9 of that nature or someone being locked up or 10 handcuffed or something of that nature, and 11 it would be a Black person. I would say that 12 that's somewhat racially leaning or bias. 13 Q. Can you remember which candidates 14 had those ads? 15 A. I do not, no. 16 Q. Can you think of any other 17 campaign ads or materials from the last 18 twenty years now that might have involved a 19 racial appeal, putting aside anything about 20 immigration? 21 A. I think that the further you go 22 back, the more -- the more it probably 23 existed. I think it's -- twenty years ago, 24 25</p>	<p style="text-align: right;">Page 97</p> <p>1 sabbatical more or less. And so, I would fly 2 back to make sure I was participating in the 3 voting process. 4 Q. So, you would fly back to vote in 5 person rather than voting absentee? 6 A. I would. And to be a part of the 7 process. 8 Q. Were your parents -- were either 9 of your parents active in the Civil Rights 10 marches of the 1960s? 11 A. My father, yes. 12 Q. Were you active? 13 A. I was not. I was too young. 14 Some of my siblings were, but I was not. 15 Q. So, you were too young for the 16 1960s, but what about after that? Was 17 your -- were you or your family engaged in 18 any similar activities in the '70s or the 19 '80s? 20 A. Just always a part of the 21 political process, not necessarily marching. 22 That was pretty much not done in the '70s and 23 '80s too much that I recall. 24 25</p>



<p style="text-align: right;">Page 98</p> <p>1 Q. And do you remember Martha Roby?</p> <p>2 A. I do.</p> <p>3 Q. Do you have an opinion about how</p> <p>4 well she served Congressional District 2 when</p> <p>5 she held that office?</p> <p>6 A. I thought she did a fairly decent</p> <p>7 job, although there were times when I didn't</p> <p>8 agree with her support or nonsupport of</p> <p>9 issues.</p> <p>10 Q. Can you think of the specifics of</p> <p>11 any of those times?</p> <p>12 A. Not at the moment.</p> <p>13 Q. I've read your earlier testimony</p> <p>14 in this case to say that you didn't believe</p> <p>15 that Martha Roby represented the interests of</p> <p>16 Blacks in the Montgomery area.</p> <p>17 A. It would be those times when I</p> <p>18 thought that she didn't vote in our best</p> <p>19 interest.</p> <p>20 Q. Can you think of any of the</p> <p>21 specifics of those times?</p> <p>22 A. I'm thinking that there were</p> <p>23 bills that came up -- and it might have been</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 100</p> <p>1 Blacks.</p> <p>2 Q. And who was the president at that</p> <p>3 time?</p> <p>4 A. That would be Trump in the 2020</p> <p>5 area. Well, before -- it would have been --</p> <p>6 he had just -- Trump had just gotten out of</p> <p>7 office, but he had voted with Trump on some</p> <p>8 things in the past that I thought were not in</p> <p>9 the best interest of Blacks, let me say that.</p> <p>10 And then -- so, I'm not sure. I can't be</p> <p>11 specifically sure. I'd have to go back and</p> <p>12 look and see. But I tend to follow those</p> <p>13 voting things, you know, in terms of bills.</p> <p>14 But I can't remember all of them at this</p> <p>15 point in time, so --</p> <p>16 Q. I understand.</p> <p>17 A. -- I'd have to go back and look.</p> <p>18 Q. Do you have any views about the</p> <p>19 Montgomery public schools?</p> <p>20 A. Montgomery public schools?</p> <p>21 Q. Uh-huh.</p> <p>22 A. I view them as being schools that</p> <p>23 can be improved, yeah.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 99</p> <p>1 during the Obama years -- that were things</p> <p>2 that would have increased perhaps even</p> <p>3 medical care. I would have to look back and</p> <p>4 see exactly what I was referring to at that</p> <p>5 time. But there were -- there were bills</p> <p>6 that would have been good for the</p> <p>7 constituency in this district, maybe not in</p> <p>8 some other districts. But she was -- she was</p> <p>9 opposed to it.</p> <p>10 Q. And I understand your earlier</p> <p>11 testimony to say that judging from the</p> <p>12 campaign for Barry Moore, you don't see where</p> <p>13 he would represent the interests of Blacks.</p> <p>14 Do you remember giving that testimony?</p> <p>15 A. I do.</p> <p>16 Q. Do you know what you might have</p> <p>17 meant by the interests of Blacks?</p> <p>18 A. I think, at that time, if I'm not</p> <p>19 mistaken, his campaign rhetoric talked about</p> <p>20 his support for the president or the -- for</p> <p>21 issues that were important to the president</p> <p>22 at that time, which many of those issues did</p> <p>23 not include what was the best interest for</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 101</p> <p>1 Q. Did your daughter go to the</p> <p>2 Montgomery public schools?</p> <p>3 A. She did not. She went to school</p> <p>4 in the Auburn, Opelika area.</p> <p>5 Q. For, like, grade school and</p> <p>6 junior high school and high school, she went</p> <p>7 to --</p> <p>8 A. Uh-huh.</p> <p>9 Q. -- school in Auburn, Opelika?</p> <p>10 A. Yeah. And then, she went to</p> <p>11 Auburn University.</p> <p>12 Q. Okay.</p> <p>13 A. Uh-huh.</p> <p>14 Q. Were you living in Montgomery at</p> <p>15 that time?</p> <p>16 A. Uh-huh.</p> <p>17 Q. Okay. Was she going to school</p> <p>18 outside of Montgomery because you made an</p> <p>19 effort to put her there because of the</p> <p>20 Montgomery schools or was it for family</p> <p>21 reasons? And I'm trying not to pry, but --</p> <p>22 A. Her mother --</p> <p>23 Q. -- you said you weren't --</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 102</p> <p>1 A. Her mother lived there, and I'm</p> <p>2 not married to her. So --</p> <p>3 Q. Okay.</p> <p>4 A. -- she went to school there</p> <p>5 because that's where her mother was.</p> <p>6 Q. Okay. I've always heard they</p> <p>7 have very good schools in Auburn and Opelika.</p> <p>8 Is that your experience?</p> <p>9 A. Yeah, they were really good</p> <p>10 schools.</p> <p>11 I have nieces and nephews -- a</p> <p>12 niece and a nephew who went to school here in</p> <p>13 Montgomery County, and their education was</p> <p>14 just fine, I think. They were in the -- they</p> <p>15 were in the magnet schools, which all schools</p> <p>16 should be magnet, but they went to school</p> <p>17 here in Montgomery County.</p> <p>18 Q. Which schools did your niece go</p> <p>19 to?</p> <p>20 A. She went to George Washington</p> <p>21 magnet school and my nephew went to the one</p> <p>22 off of Bell Road. I can't call the name of</p> <p>23 it at the moment. Brew Tech Magnet.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 104</p> <p>1 that range.</p> <p>2 Q. And approximately when would your</p> <p>3 nephew have graduated from high school?</p> <p>4 A. About two years after she did.</p> <p>5 Q. Okay. Did your niece go on to</p> <p>6 college?</p> <p>7 A. She did.</p> <p>8 Q. Where at?</p> <p>9 A. Auburn University.</p> <p>10 Q. And did your nephew go on to</p> <p>11 college?</p> <p>12 A. He did.</p> <p>13 Q. And where at?</p> <p>14 A. Auburn University.</p> <p>15 Q. Did they -- did your -- what did</p> <p>16 your niece do after she graduated from</p> <p>17 college?</p> <p>18 A. She's working, but she's -- well,</p> <p>19 immediately after, she went back to get her</p> <p>20 master's, and she's working.</p> <p>21 Q. Is she in Montgomery?</p> <p>22 A. She is now, yes.</p> <p>23 Q. Okay. What did she get a</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. And are those high schools?</p> <p>2 A. High schools, yes.</p> <p>3 Q. Do you remember where they went</p> <p>4 for elementary?</p> <p>5 A. They were in the magnet programs</p> <p>6 in elementary, too. Forrest Avenue and</p> <p>7 Carver Magnet and -- yeah, they were -- they</p> <p>8 were -- they were in magnet school from</p> <p>9 elementary through high school.</p> <p>10 Q. Do you know if there were a lot</p> <p>11 of Black students in the magnet schools that</p> <p>12 they attended?</p> <p>13 A. That was a number -- a</p> <p>14 representative number. They were not the</p> <p>15 majority but -- in the magnet schools, I</p> <p>16 don't think. But they were -- there was a</p> <p>17 representative amount, you know.</p> <p>18 Q. Approximately, when did your</p> <p>19 niece graduate?</p> <p>20 A. Say that again.</p> <p>21 Q. Approximately, when did your</p> <p>22 niece graduate from high school?</p> <p>23 A. About 2010, 2012, somewhere in</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 105</p> <p>1 master's in?</p> <p>2 A. Marketing, something on that</p> <p>3 level.</p> <p>4 Q. Okay. Your nephew, did he get</p> <p>5 any higher education after college?</p> <p>6 A. He is working on his master's</p> <p>7 now.</p> <p>8 Q. Do you know in what field?</p> <p>9 A. I think it's accounting.</p> <p>10 Q. And do you know where he is</p> <p>11 attending school now?</p> <p>12 A. He is doing a satellite program.</p> <p>13 I can't think of the school at the moment.</p> <p>14 Q. Where does he live?</p> <p>15 A. He lives here also in Montgomery.</p> <p>16 Q. In Montgomery?</p> <p>17 A. Yes.</p> <p>18 Q. What do you know about how the</p> <p>19 Montgomery public schools are funded?</p> <p>20 A. I know that it's funded through</p> <p>21 property tax and other taxation that takes</p> <p>22 place to -- and then, there's federal funding</p> <p>23 as well for all public schools, so --</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 106</p> <p>1 Q. Are you aware of any changes in 2 the funding for Montgomery public schools in 3 recent years? 4 A. Yes. 5 Q. Tell me what you know, please. 6 A. There was an increase in the 7 property tax to support Montgomery public 8 schools. 9 Q. And how was that -- I'm sorry. I 10 didn't mean to cut you off. 11 A. No problem. 12 Q. How was that increase put in 13 place? 14 A. I think it was voted by the 15 constituents through a amendment on the 16 ballot, I think, at some point in time. 17 Q. Do you know if that was a local 18 election in the Montgomery area or if that 19 was a statewide change? 20 A. It was a local -- it was a local 21 vote on a statewide election time, I believe 22 it was. 23 Q. So, that was an issue voted on 24 25</p>	<p style="text-align: right;">Page 108</p> <p>1 was marked for identification and 2 copy of same is attached hereto.) 3 4 Q. (BY MS. MESSICK) And I'll 5 represent to you that I understand this to be 6 the 2011 congressional map, so the map that 7 was put in place after the 2010 Census. 8 A. Uh-huh. 9 Q. Do you recognize this map? 10 A. I don't. Not right off. 11 Q. Do you see that in this map, 12 Montgomery County is in multiple districts? 13 A. Uh-huh. 14 Q. Do you see that Montgomery County 15 is partially in District 3? 16 A. I do. 17 Q. Does that look like the area of 18 Montgomery County where you would have lived 19 if you're able to say? 20 A. Yes, that's possibly true. Yes. 21 Q. And do you see that District 7, 22 Terri Sewell's district, also comes into 23 Montgomery -- 24 25</p>
<p style="text-align: right;">Page 107</p> <p>1 locally on a ballot that also had statewide 2 issues; is that what you're saying? 3 A. Yes. 4 Q. Okay. Have you ever reached out 5 to Terri Sewell's office for help with 6 anything? 7 A. I haven't reached out to her 8 office necessarily for help, but her office 9 reached out to us. 10 Q. About what? 11 A. The Community Action Agency and 12 the things that we do in the state. And they 13 came to do a view of the agency. She came to 14 the state and done a tour of Community Action 15 agencies. 16 Q. At the time that that -- well, do 17 you remember when that was? 18 A. It's probably been just before 19 COVID, maybe 2018, somewhere in that range. 20 Q. I'm going to hand you what I'm 21 marking as Defendant's Exhibit 8. 22 23 (Whereupon, Defendant's Exhibit 8 24 25</p>	<p style="text-align: right;">Page 109</p> <p>1 A. Uh-huh. 2 Q. -- on this map? 3 A. Yes. 4 Q. Can you tell, looking at this 5 map, if the Montgomery Community Action 6 Agency would have been in District 7 under 7 this map? 8 A. I cannot tell for sure. 9 Q. Whether the agency itself was or 10 wasn't, did the agency serve people in all of 11 Montgomery County, so in all -- 12 A. It did. 13 Q. -- three districts? 14 A. It did. And it still does. 15 Q. Okay. Did Terri Sewell just come 16 the one time? 17 A. Well, when Terri Sewell came, she 18 reached out to the state Community Action 19 Association. So, she visited a number of 20 agencies but mostly in her district, yes. 21 Q. Okay. 22 A. Yeah. 23 Q. When you testified in this case 24 25</p>

<p style="text-align: right;">Page 110</p> <p>1 during the preliminary injunction proceedings</p> <p>2 in late 2021 or early 2022, you testified</p> <p>3 that you've seen a lot more people coming in</p> <p>4 needing assistance.</p> <p>5 A. Uh-huh.</p> <p>6 Q. And that would have also been</p> <p>7 after COVID had hit?</p> <p>8 A. That's correct.</p> <p>9 Q. Has that increase -- does that</p> <p>10 continue to this day or are you seeing a</p> <p>11 return to normalcy?</p> <p>12 A. I would say that it's pretty much</p> <p>13 close to the same today, not necessarily</p> <p>14 based on anything other than how high the</p> <p>15 prices have gone on things. Like, utility</p> <p>16 bills are extremely high. So, some of those</p> <p>17 same people might be seeking assistance today</p> <p>18 that was seeking it then. But really it is a</p> <p>19 matter of the economy at the -- at the time,</p> <p>20 I think, that causes -- that has caused that.</p> <p>21 So, yeah, the numbers are pretty much the</p> <p>22 same.</p> <p>23 Q. So, pretty much the same as while</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 112</p> <p>1 A. I mean, I think in Montgomery</p> <p>2 County, from a voting perspective, the</p> <p>3 majority would be Black. And then, you have</p> <p>4 from a just perspective of people, it's</p> <p>5 probably about the same, the majority would</p> <p>6 be Black. But there is a mixture of not only</p> <p>7 whites but others that are nonwhite and</p> <p>8 non-Black in Alabama.</p> <p>9 Q. And what do the others include?</p> <p>10 A. It would include people who have</p> <p>11 come for education, things of that nature,</p> <p>12 from other countries. But -- and there's</p> <p>13 also a Hispanic, Korean presence here in this</p> <p>14 area.</p> <p>15 Q. What do you want to see changed</p> <p>16 in terms of healthcare?</p> <p>17 A. I would like to see the state</p> <p>18 expand the Medicare, Medicaid plan to allow</p> <p>19 for citizens to get medical attention that is</p> <p>20 needed. And probably a number of rural</p> <p>21 hospitals that are suffering from the need of</p> <p>22 cash flow, something of that nature, that</p> <p>23 they can be helped and perhaps saved because</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 111</p> <p>1 COVID was more active and higher than before</p> <p>2 COVID?</p> <p>3 A. Right.</p> <p>4 Q. Okay.</p> <p>5 A. Higher than before COVID.</p> <p>6 Q. The additional people coming in</p> <p>7 for resources, are the majority of them</p> <p>8 Black?</p> <p>9 A. Right now, it probably is about</p> <p>10 close to half not being Black. We're getting</p> <p>11 more constituents that are -- that are not</p> <p>12 Black that's coming into our agency now.</p> <p>13 Q. Are those constituents white or</p> <p>14 are they a variety of -- Hispanic or a</p> <p>15 variety of other things?</p> <p>16 A. It's a variety. Some are white,</p> <p>17 some are others.</p> <p>18 Q. Okay. Is Montgomery's population</p> <p>19 diverse?</p> <p>20 A. Is the population diverse?</p> <p>21 Q. (Counsel nods head.)</p> <p>22 A. To a fairly decent degree, yes.</p> <p>23 Q. Can you expand upon that?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 113</p> <p>1 that puts a lot of miles between individuals</p> <p>2 who might be sick and medical facilities.</p> <p>3 Q. Do you think Montgomery County is</p> <p>4 lacking in sufficient medical facilities?</p> <p>5 A. I think Montgomery County is</p> <p>6 covered better than most. Montgomery city</p> <p>7 more, I should say. There are places in the</p> <p>8 county where they have no real medical care</p> <p>9 as well. So, the county could use some help</p> <p>10 in some areas where people are still a long</p> <p>11 ways from the hospital in Montgomery.</p> <p>12 Q. Do you think a member of the</p> <p>13 United States House of Representatives can</p> <p>14 impact state policy?</p> <p>15 A. I think that they could work with</p> <p>16 the state delegation as well as the</p> <p>17 congressional delegation to have an</p> <p>18 influence. I don't know how much impact it</p> <p>19 would be, but I think that they could</p> <p>20 collaborate for certain.</p> <p>21 Q. Have you seen your representative</p> <p>22 in Congress do that?</p> <p>23 A. Not on the level -- well, I can't</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 114</p> <p>1 say for sure because I don't know all of  2 their collaborations -- collaborative  3 efforts. But I would say that I don't see it  4 necessarily reported in the news or talked  5 about if it's going on. And as I said  6 earlier, I've gone to some reportings or  7 constituent meetings, and, you know, I  8 don't -- I don't see that necessarily  9 happening.  10 Q. Well, do you think that  11 Representative Terri Sewell has used her  12 political capital as a federal legislator to  13 impact state policy in a way that has been  14 beneficial to the Black community?  15 A. I don't know the answer to that  16 one hundred percent. I mean, I think that  17 she spends a bit of her time calling on the  18 state delegation, but I don't know how much  19 influence that it's had over -- or how much  20 of her time she spends doing it.  21  22 (Whereupon, Defendant's Exhibit 9  23 was marked for identification and  24  25</p>	<p style="text-align: right;">Page 116</p> <p>1 impact state policy that's been beneficial to  2 the Black community? Do you see that  3 question?  4 A. Uh-huh.  5 Q. All right. Beginning at Line 21,  6 and it starts with A for answer. Do you see  7 where it says, oh, absolutely?  8 A. Uh-huh.  9 Q. I think that she's taken every  10 opportunity to collaborate with state  11 officials and state government and do what  12 she could from her position to assist in  13 those things that are of interest to Blacks  14 in her district and throughout the state.  15 A. Uh-huh.  16 Q. Do you see that?  17 A. I do.  18 Q. Do you remember giving that  19 testimony?  20 A. I do.  21 Q. I'm hoping that this may have  22 refreshed your recollection a little bit. Do  23 you remember anything you might have been  24  25</p>
<p style="text-align: right;">Page 115</p> <p>1 copy of same is attached hereto.)  2  3 Q. (BY MS. MESSICK) I'm handing you  4 what I have marked as Defendant's Exhibit 9.  5 These are excerpts of a transcript of your  6 earlier testimony in this case.  7 A. Uh-huh.  8 Q. This is not the entire -- so, let  9 me rephrase that.  10 This hearing went on for days,  11 and many people other than you testified,  12 including other people the same day.  13 A. Uh-huh.  14 Q. What this is supposed to be is  15 a -- is an excerpt of just your testimony.  16 And I'm going to ask you to turn to the page  17 that is labeled 237 at the top. And if  18 you'll go to Line 16, you see it says Q,  19 which means question. And you spoke earlier  20 about Representative Sewell who represents  21 District 7, which is a majority Black  22 district. Do you think she has used her  23 political capital as a federal legislator to  24  25</p>	<p style="text-align: right;">Page 117</p> <p>1 thinking when you gave that answer? Could  2 you give me some examples of what  3 Representative Sewell has done?  4 A. I think, at that time, I was  5 thinking of the fact that, as I just stated,  6 that she had come for community action, that  7 she -- she would have job fairs and things of  8 that nature. And I knew that she was  9 collaborating with the Montgomery delegation,  10 as I'm reminded of it, to do things to  11 increase the employment or to reduce the  12 unemployment rate. And so, I knew of those  13 things at that time. I'm reminded of them,  14 of course.  15 And she -- she would -- she was  16 very present frequently because she had a  17 constituent office here in Montgomery. And,  18 at the time, one person had previously worked  19 in her office was now working for the agency  20 and was very much making me aware of things  21 that she was doing through her office, which  22 I think her job fair thing continues to  23 happen even at -- to this day, even though  24  25</p>

<p style="text-align: right;">Page 118</p> <p>1 she -- I don't think she has a constituent  2 office. But I think she still comes to  3 Montgomery and do a job fair and try to  4 assist with employment. Those would have  5 been the things that I was thinking about at  6 the time that I had made this testimony.  7 Q. Do you ever collaborate with the  8 Alabama Department of Labor on job fairs?  9 A. We do.  10 Q. Tell me about that.  11 A. Because we are constantly looking  12 for employees and mainly teachers at  13 Community Action, our human resource  14 department collaborates with the -- all of  15 the resources here in the -- in the county,  16 but they have reached out to Alabama -- the  17 unemployment agency here to work with them.  18 And so, we participated from an agency  19 perspective in a number of job fairs, but  20 we've also -- we post our jobs on -- we've  21 posted them on their websites and things of  22 that nature.  23 Q. So, it sounds like you've  24  25</p>	<p style="text-align: right;">Page 120</p> <p>1 A. State agencies? We work with --  2 and that's federal, though, Housing  3 Authority, I guess, for county -- each county  4 and state and federal maybe differently. But  5 we work with the Housing Authority pretty  6 strongly. We work with -- we collaborate  7 with a number of other organizations, but I'm  8 not sure about other state agencies. ADECA  9 is our greatest -- the person that we -- or  10 the agency that we have the strongest  11 relationship with, and we do a lot of work  12 with them because our funding comes from  13 them.  14 Q. Do you have a good relationship  15 with them?  16 A. With ADECA?  17 Q. Yes.  18 A. I would say it's fairly decent,  19 yes.  20 Q. Has it been better in the past  21 than it is now?  22 A. Well, I guess I'm not sure about  23 that. I guess -- I mean, we've always had a  24  25</p>
<p style="text-align: right;">Page 119</p> <p>1 participated as an employer; is that right?  2 A. That's correct.  3 Q. So, do you ever do anything with  4 the job fairs in terms of helping the people  5 who you're trying to serve, like, helping  6 them find work?  7 A. We try to help them find work,  8 yes. We have people that work with them on  9 that, also.  10 Q. Do you work with the Alabama  11 Department of Labor on that at all?  12 A. There are some collaborations  13 with our human resource department that we'll  14 refer people to them.  15 Q. Can you tell me any more about  16 that?  17 A. I probably should say that the  18 human resource director handles that for the  19 most part. I'm given reports about it. So,  20 I don't know all of the details firsthand.  21 Q. Okay. Are there other state  22 agencies that the Montgomery County Action  23 Agency works with?  24  25</p>	<p style="text-align: right;">Page 121</p> <p>1 decent relationship, working relationship.  2 Q. Okay.  3 A. So, I don't know that it's been  4 any better or worse.  5 MS. MESSICK: I think now would  6 be a good time to take a ten-minute break.  7  8 (Whereupon, a brief recess was  9 taken.)  10  11 MS. MESSICK: Okay. Let's go  12 back on the record.  13 THE WITNESS: Okay.  14 Q. (BY MS. MESSICK) When did you  15 first register to vote?  16 A. When I was eighteen. Yeah.  17 Q. Have you been continuously  18 registered in Alabama since then?  19 A. I have.  20 Q. And are you currently registered  21 to vote in Montgomery County?  22 A. I am.  23 Q. Have you ever been registered to  24  25</p>



<p style="text-align: right;">Page 122</p> <p>1 vote in a different county in Alabama?</p> <p>2 A. Barbour County.</p> <p>3 Q. Okay. Are those the only two?</p> <p>4 A. Yes.</p> <p>5 Q. When you first registered to vote</p> <p>6 in Barbour County, did you have any problems</p> <p>7 registering?</p> <p>8 A. No.</p> <p>9 Q. When you first registered in</p> <p>10 Montgomery County, did you have any problems</p> <p>11 registering?</p> <p>12 A. I did not.</p> <p>13 Q. Have you had to update your</p> <p>14 registration in Montgomery County to reflect,</p> <p>15 for instance, a change in address?</p> <p>16 A. I have, yes.</p> <p>17 Q. Have you ever had any problems</p> <p>18 doing that?</p> <p>19 A. I did not.</p> <p>20 Q. Has your daughter -- is your</p> <p>21 daughter registered to vote?</p> <p>22 A. She is.</p> <p>23 Q. Are you aware of her having any</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 124</p> <p>1 A. No.</p> <p>2 Q. Have you ever helped somebody do</p> <p>3 that?</p> <p>4 A. I haven't, but I've told someone</p> <p>5 that they can do it.</p> <p>6 Q. Are you aware of anybody having</p> <p>7 problems doing that?</p> <p>8 A. I am but only because they don't</p> <p>9 do online very well.</p> <p>10 Q. Okay. So, you think it was an</p> <p>11 end user kind of problem?</p> <p>12 A. Yes, it was, actually.</p> <p>13 Q. Do you vote in most every</p> <p>14 election that you're eligible to vote in?</p> <p>15 A. I have voted in every election</p> <p>16 since the day I registered to vote.</p> <p>17 Q. Is that even runoff elections?</p> <p>18 A. Even runoff elections.</p> <p>19 Q. Even special elections?</p> <p>20 A. Even special elections.</p> <p>21 Q. Where do you vote now? Where is</p> <p>22 your current polling place?</p> <p>23 A. Elam Baptist Church on</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 123</p> <p>1 problems registering?</p> <p>2 A. No, I'm not.</p> <p>3 Q. Are you aware of her having any</p> <p>4 problems updating her registration if she had</p> <p>5 to do that?</p> <p>6 A. I do not have any idea. I mean,</p> <p>7 she hadn't told me of any issues she's had.</p> <p>8 I'm sorry.</p> <p>9 Q. Do you ever help other people</p> <p>10 register to vote?</p> <p>11 A. I have, yes.</p> <p>12 Q. How do you go about helping other</p> <p>13 people register?</p> <p>14 A. Basically, just either taking</p> <p>15 them to the registrar's office or speaking to</p> <p>16 them about voting or getting them in contact</p> <p>17 with persons who work with the registrar's</p> <p>18 office.</p> <p>19 Q. Are you aware that with a</p> <p>20 driver's license, you can register to vote</p> <p>21 online in Alabama?</p> <p>22 A. Yes.</p> <p>23 Q. Have you ever done that?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 125</p> <p>1 Congressman Dickinson Drive.</p> <p>2 Q. And is that polling place</p> <p>3 convenient for you?</p> <p>4 A. It is.</p> <p>5 Q. Have you ever gotten there to</p> <p>6 vote between the hours of 7:00 a.m. and 7:00</p> <p>7 p.m. and found that it's closed?</p> <p>8 A. I have not.</p> <p>9 Q. Have you had problems voting in</p> <p>10 person at that voting location?</p> <p>11 A. I have not.</p> <p>12 Q. How long have you been -- has</p> <p>13 that been your polling location?</p> <p>14 A. It's only been the polling</p> <p>15 location for a couple of years now.</p> <p>16 Q. Okay. Where did you vote before</p> <p>17 that?</p> <p>18 A. Fire station in Lagoon Park.</p> <p>19 Q. Okay. And has -- was that a</p> <p>20 convenient location for you?</p> <p>21 A. It was. Yeah, it was convenient.</p> <p>22 Q. And do you remember ever having</p> <p>23 any problems voting there?</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 126</p> <p>1 A. I did not, I mean, other than 2 perhaps sometime, there might have been a 3 long line but -- at either one but no 4 problems. 5 Q. What is the longest you remember 6 ever waiting in line to vote? 7 A. Me, probably thirty minutes at 8 max. 9 Q. Okay. 10 A. Maybe thirty, thirty-five 11 minutes, but that wasn't at either one of 12 those polling location. That was at Frazer 13 Church when I was living in a different 14 location. 15 Q. Okay. Would that have been a 16 presidential election? 17 A. Yes. Most definitely. 18 Q. I see things on the news about 19 other people waiting two hours. 20 A. Uh-huh. 21 Q. That has never been my experience 22 in Montgomery. Has that been your 23 experience? 24 25</p>	<p style="text-align: right;">Page 128</p> <p>1 something of that nature. 2 Q. Okay. 3 A. I just needed to vote because I 4 couldn't go. 5 Q. Do you remember having any -- 6 having any problems voting absentee? 7 A. I do not, no. 8 Q. Are you aware of your daughter 9 having any problems voting? 10 A. I'm not, no. 11 Q. Is she married? 12 A. She's not. 13 Q. Okay. Are there any ways in 14 which you believe that voting is hard for you 15 because you're Black? 16 A. No. 17 Q. When you decide which candidate 18 you personally support, is race a significant 19 consideration? 20 A. It is not. 21 Q. Are there policy issues which 22 drive your selection of a candidate? 23 A. Always. 24 25</p>
<p style="text-align: right;">Page 127</p> <p>1 A. It has not. 2 Q. Okay. 3 A. No. 4 Q. In the last few years, we have -- 5 I have had a different polling place for 6 municipal elections than for county, state, 7 and federal elections. Has that been your 8 experience as well? 9 A. I have had that before, yes. 10 Q. Okay. So, in the last ten years, 11 have you voted anywhere other than the Elam 12 Church on Congressman Dickinson, the Lagoon 13 Park, and the Frazer United Methodist Church 14 locations? 15 A. No. 16 Q. Okay. You mentioned earlier that 17 you have actually flown back to vote in 18 person before. 19 A. Uh-huh. 20 Q. Have you ever voted absentee in 21 Alabama? 22 A. I voted absentee, I think, once 23 or twice maybe because of illness or 24 25</p>	<p style="text-align: right;">Page 129</p> <p>1 Q. And what are those issues? 2 A. I tend to look at voting records. 3 I tend to look at what people say in their 4 ads or campaigns, what their stance or 5 positions are on issues that would include 6 things like -- and I mentioned this more 7 times than one because medical becomes 8 extremely important to our -- for everyone, 9 basically. It doesn't matter who you are. 10 One medical situation can wipe you out 11 completely. So, a need for having medical 12 care close by is extremely important to me. 13 That's for everybody. 14 Other issues would include the 15 issue of just dealing with employment, 16 dealing with support for the community in 17 things like the homeless, for law 18 enforcement, support of law enforcement, and 19 things of that nature. 20 Q. What position do you take on law 21 enforcement? 22 A. The position that I take on it -- 23 I guess restate that for me. 24 25</p>

<p style="text-align: right;">Page 130</p> <p>1 Q. So, in the last few years,  2 there's been a defund the police movement.  3 And so, when you say support for law  4 enforcement, that sounds pro law enforcement.  5 And I'm just trying to --  6 A. Oh.  7 Q. -- make sure --  8 A. Yeah.  9 Q. -- I understand.  10 A. I think that law enforcement  11 should be supported. And so, yeah, it would  12 be a pro law enforcement stance.  13 Q. Okay. Are there any other top  14 issues for you that you haven't just  15 mentioned?  16 A. I'm a bit concerned about gun  17 control. I think that that is an issue  18 that -- I think gun safety, gun control is  19 extremely important. And I think it's pretty  20 much out of hand in that everybody can openly  21 carry a gun. And there's more guns now than  22 ever, more crime involving guns.  23 Q. And so, are you referring to the  24  25</p>	<p style="text-align: right;">Page 132</p> <p>1 that in a number of elections.  2 Q. Okay. It sounds like those were  3 organized efforts? That's not just you  4 helping out somebody you know?  5 A. Sometime it's just me helping out  6 some people I know. Other times, it might be  7 an organized effort by the church or by an  8 organization or something that we might join  9 in with because we were asked to assist with  10 their effort to get people to the poll.  11 Q. Okay. Do you consider yourself  12 to be politically active?  13 A. I consider myself to be  14 politically engaged. I'm -- I don't know --  15 when you say active, do you mean am I working  16 in some political capacity at this time? I  17 don't -- in my job, I haven't really done  18 very much political activity. I try to stay  19 neutral because I'm going to ask everybody  20 for money.  21 Q. Okay. So, you get a lot of money  22 from grants that go through ADECA. Do you  23 also get money from the county commission?  24  25</p>
<p style="text-align: right;">Page 131</p> <p>1 fact that crime seems to be soaring in  2 Montgomery?  3 A. Not necessarily just Montgomery,  4 but just the fact that seemingly, all over  5 the country, everybody is opening up a gun to  6 just open carry. And if everybody's got a  7 gun, then, every temper is going to cause a  8 shooting. That's just my opinion, but, you  9 know, I don't know.  10 Q. Okay. Have you ever worked at a  11 polling place on election day?  12 A. I have not.  13 Q. Have you ever helped other people  14 go vote on election day?  15 A. I've carried people to vote, yes.  16 Q. Okay. Tell me about that.  17 A. Just that in many elections,  18 we've voluntarily from our church maybe used  19 a van or something to just drive people to  20 vote if they needed to vote, or I might use  21 my own personal van to drive people, elderly  22 who need some assistance to get out of the  23 vehicle, that type things. I've assisted in  24  25</p>	<p style="text-align: right;">Page 133</p> <p>1 A. We get money from the county,  2 from the city, and other grants that we get,  3 banks and other places.  4 Q. When you get money from the  5 Montgomery County Commission, is that the  6 sort of thing where the Commission is voting  7 as a whole to give you money --  8 A. Yes.  9 Q. -- or is that the -- okay.  10 Do you ever have a situation  11 where a county commissioner has discretionary  12 funds that they give you some of those?  13 A. We have that, too.  14 Q. Okay.  15 A. Yes.  16 Q. Same questions for city council.  17 Is it the council as a body or is it a  18 discretionary fund sort of situation?  19 A. For the city, it's more council  20 as a body.  21 Q. Okay.  22 A. We very rarely get anything  23 discretionary. Very -- sometimes we get a  24  25</p>

<p style="text-align: right;">Page 134</p> <p>1 little bit --</p> <p>2 Q. Okay.</p> <p>3 A. -- discretionary from city</p> <p>4 council persons, but it's mostly by the body,</p> <p>5 the city itself, city.</p> <p>6 Q. Okay. For the County Commission,</p> <p>7 which commissioners can you think of as you</p> <p>8 sit here today have been responsive to your</p> <p>9 requests?</p> <p>10 A. All of them have been in some way</p> <p>11 responsive.</p> <p>12 Q. Okay.</p> <p>13 A. Yeah.</p> <p>14 Q. So, Black and white, Republican</p> <p>15 and Democrat?</p> <p>16 A. Oh, absolutely. Absolutely.</p> <p>17 Q. Okay.</p> <p>18 A. The Republican female, she has</p> <p>19 voted with the other commissioners to give us</p> <p>20 funding, but she has stated that she didn't</p> <p>21 think her constituents used our services,</p> <p>22 which is not true.</p> <p>23 Q. Is that the one who is leaving</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 136</p> <p>1 Sankey's. So, it must be Dan, Dan's --</p> <p>2 Q. Okay.</p> <p>3 A. -- district.</p> <p>4 Q. Are you speaking of Dan Harris?</p> <p>5 A. Uh-huh.</p> <p>6 THE COURT REPORTER: I didn't</p> <p>7 hear you.</p> <p>8 THE WITNESS: I said I think it</p> <p>9 might be Dan Harris' district.</p> <p>10 MS. MESSICK: Now, for the</p> <p>11 record, I am on the big screen computer where</p> <p>12 the witness and his counsel can see I'm</p> <p>13 bringing up a website with the County</p> <p>14 Commission districts. And actually --</p> <p>15 MS. JASRASARIA: Yeah, could we</p> <p>16 save this as a PDF and turn it into an</p> <p>17 exhibit, please?</p> <p>18 MS. MESSICK: Maybe. It's an</p> <p>19 interactive map. So, let's get what we're</p> <p>20 looking at and then see if we can do that.</p> <p>21 Let's see. Okay. I have</p> <p>22 attempted to share my screen for the people</p> <p>23 joining remotely.</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 135</p> <p>1 office --</p> <p>2 A. It's --</p> <p>3 Q. -- and is going to be replaced by</p> <p>4 Justin Castanza?</p> <p>5 A. Correct.</p> <p>6 Q. I believe her name's Rhonda?</p> <p>7 A. Rhonda. Rhonda Walker I believe</p> <p>8 it is.</p> <p>9 Q. Okay.</p> <p>10 A. Yeah. Ms. Walker. But she has</p> <p>11 voted to give us funding --</p> <p>12 Q. Okay.</p> <p>13 A. -- in the past, so, yes.</p> <p>14 Q. Well, and you said you own a</p> <p>15 bunch of houses in the Wares Ferry area; is</p> <p>16 that right?</p> <p>17 A. It's Narrow Lane.</p> <p>18 Q. Narrow Lane?</p> <p>19 A. Yeah.</p> <p>20 Q. Okay. So, that is not her</p> <p>21 district?</p> <p>22 A. No. I think it is -- it's not</p> <p>23 her district. It might be -- well, it's not</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 137</p> <p>1 Q. I am looking for Narrow Lane.</p> <p>2 Mr. Jones, looking at this map, can you see</p> <p>3 the area where your housing is at?</p> <p>4 A. Narrow Lane is just before you</p> <p>5 get to McInnis Road, basically. I might do</p> <p>6 better without these.</p> <p>7 Q. Okay. Here's Woodley Road</p> <p>8 (indicating).</p> <p>9 A. Uh-huh.</p> <p>10 Q. And isn't that over there</p> <p>11 (indicating)? Okay. And here's East</p> <p>12 Fairview. And I was thinking that the area</p> <p>13 that you're talking about is near there.</p> <p>14 A. Actually, it is parallel with</p> <p>15 Woodley Road because Woodley Road goes over</p> <p>16 to Virginia Loop. And --</p> <p>17 Q. Okay. So, right now, I've got my</p> <p>18 cursor on Narrow Lane Road.</p> <p>19 A. Uh-huh.</p> <p>20 Q. Are you --</p> <p>21 A. It's on Narrow Lane Road near --</p> <p>22 well, you're going away from the Southern</p> <p>23 Boulevard going toward McInnis Road.</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 138</p> <p>1 Q. Okay. So, here's Southern 2 Boulevard (indicating). And here's where it 3 meets Narrow Lane (indicating). So, if I 4 want to find the houses you're talking about, 5 do I need to go further north or south? 6 A. North -- I mean, actually, south 7 of the boulevard. 8 Q. Okay. So, is it in this green 9 area (indicating)? 10 A. Yes. Down in that green area, 11 that would be correct. 12 Q. I'm sorry. I'm trying to put 13 cancel on this because I don't see the area 14 that you're trying -- 15 MS. JASRASARIA: I think it's on 16 the second page. Oh, never mind. 17 MS. MESSICK: Yeah, the second 18 page went blank. I think it just got a 19 nearby area. And I'm trying to hit cancel. 20 A. The community is called Community 21 Village. 22 Q. (BY MS. MESSICK) Community 23 Village? 24 25</p>	<p style="text-align: right;">Page 140</p> <p>1 mistaken. 2 Q. Okay. And Mr. Harris you 3 mentioned earlier. He's also Black? 4 A. He's Black. 5 Q. And is he a Republican or a 6 Democrat? 7 A. He's a Democrat. 8 Q. Okay. Has Mr. Harris been 9 responsive to requests from your agency for 10 support? 11 A. I would say that he either votes 12 with the other commissioners. He have sent 13 discretionary funds to the agency, yes. 14 Q. Okay. What about Ms. 15 Moore-Zeigler? 16 A. She has been responsive, and she 17 has sent -- 18 Q. Okay. 19 A. -- some of her discretionary 20 funds to the agency. 21 I think they all would have been 22 with the exception of Ms. Rhonda Walker. 23 They all would have, at some point in time, 24 25</p>
<p style="text-align: right;">Page 139</p> <p>1 A. Yes. It's a development called 2 Community Village. 3 Q. The area that we were in -- I've 4 exited the map, and I'm going back to it. I 5 think we had identified that it was in the 6 green area, the green district. And I'm 7 looking to see -- it looks like the green 8 district is District 2; do you agree? 9 A. Or maybe Commissioner Zeigler. 10 THE COURT REPORTER: I didn't 11 hear that. I'm sorry. I didn't hear the -- 12 THE WITNESS: Or maybe 13 Commissioner Zeigler. I think she's District 14 2. 15 Q. (BY MS. MESSICK) Okay. Carmen 16 Moore dash Zeigler? 17 A. Uh-huh. 18 Q. Okay. And is she African 19 American? 20 A. She is. 21 Q. And do you know if she's a 22 Republican or a Democrat? 23 A. She's a Republican if I'm not 24 25</p>	<p style="text-align: right;">Page 141</p> <p>1 sent some discretionary funding, including 2 Mr. Singleton, Doug Singleton, but I don't 3 recall a time when Ms. Rhonda Walker sent any 4 discretionary funds to the agency. 5 Q. Okay. 6 A. She has voted with the Commission 7 to give funding from the Commission itself to 8 the agency but not from her discretionary 9 funds. 10 Q. Okay. Are you a member of any 11 political party at the state or county level? 12 A. I am registered -- I'm a 13 registered Democrat, yes -- 14 Q. Okay. 15 A. -- for a long time anyway. 16 Q. What do you mean by that? 17 A. Well, I haven't -- from the time 18 when I registered with the Democratic Party 19 many, many years ago, I haven't changed that, 20 but I'm pretty much an independent voter. I 21 vote candidate versus party. 22 Q. Okay. 23 A. Yes. 24 25</p>

<p style="text-align: right;">Page 142</p> <p>1 Q. Do you vote in primary elections?</p> <p>2 A. I vote in primary elections.</p> <p>3 Q. When you do that, do you</p> <p>4 generally vote in the Democratic primary?</p> <p>5 A. Generally, I do, yes. Sometimes</p> <p>6 I don't.</p> <p>7 Q. Do you remember ever voting in</p> <p>8 the Republican primary?</p> <p>9 A. I have, but it would have been a</p> <p>10 long time ago.</p> <p>11 Q. Okay. A long time ago, like,</p> <p>12 five years ago or, like, twenty years ago?</p> <p>13 A. Twenty years ago maybe.</p> <p>14 Q. Okay. Do you remember ever</p> <p>15 voting in a primary in Alabama that was not</p> <p>16 for either the Democratic or the Republican</p> <p>17 Party?</p> <p>18 A. No.</p> <p>19 Q. Are you involved in the</p> <p>20 Montgomery County Democratic Party?</p> <p>21 A. I have not participated in</p> <p>22 anything with the Montgomery County</p> <p>23 Democratic Party in probably fifteen, twenty</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 144</p> <p>1 Q. Okay.</p> <p>2 A. I mean, with the party at this</p> <p>3 time.</p> <p>4 Q. So, you don't hold a leadership</p> <p>5 role in the state or local Democratic</p> <p>6 Parties?</p> <p>7 A. I don't.</p> <p>8 Q. Are you engaged with the national</p> <p>9 Democratic Party?</p> <p>10 A. I have not had any engagement</p> <p>11 with the national Democratic Party in any --</p> <p>12 I mean, I get -- I get emails from or text</p> <p>13 messages from the national Democratic Party</p> <p>14 and the Republican Party. I get them from</p> <p>15 both, so --</p> <p>16 Q. Okay.</p> <p>17 A. So, I guess my name is somewhere</p> <p>18 in both parties.</p> <p>19 Q. I was about to say, how did the</p> <p>20 Republicans get your name?</p> <p>21 A. I don't know.</p> <p>22 Q. Why do you -- you said you</p> <p>23 registered with the Democratic Party a long</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 143</p> <p>1 years as well, so -- well, maybe fifteen</p> <p>2 years. I don't know. It's been a long time.</p> <p>3 Q. Did you use to attend the</p> <p>4 meetings on a regular basis?</p> <p>5 A. I won't say regular, but I have</p> <p>6 attended meetings before, yes.</p> <p>7 Q. Okay. And has it been about</p> <p>8 fifteen years since you attended any</p> <p>9 meetings?</p> <p>10 A. I don't know that it's been that</p> <p>11 long. I don't recall the last time I</p> <p>12 attended a meeting.</p> <p>13 Q. Okay.</p> <p>14 A. I can't tell you that because I</p> <p>15 don't recall it.</p> <p>16 Q. Are you engaged with the Alabama</p> <p>17 Democratic Party?</p> <p>18 A. I've been to some of their</p> <p>19 meetings.</p> <p>20 Q. Okay.</p> <p>21 A. But I have not -- I mean, I</p> <p>22 don't -- I don't do anything with those</p> <p>23 parties.</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 145</p> <p>1 time ago.</p> <p>2 A. Uh-huh.</p> <p>3 Q. Why is it that you stay</p> <p>4 registered with that particular party?</p> <p>5 A. Well, the party itself perhaps</p> <p>6 probably come closer to a number of views</p> <p>7 that I perhaps have but not exclusively.</p> <p>8 So --</p> <p>9 Q. You're more likely to agree with</p> <p>10 them on various issues, but you're still</p> <p>11 going to vote the candidate --</p> <p>12 A. That's correct.</p> <p>13 Q. -- is that about right?</p> <p>14 A. That's correct.</p> <p>15 Q. How often would you say that you</p> <p>16 vote for a candidate who's not a Democrat?</p> <p>17 A. I've done that frequently</p> <p>18 throughout my voting history.</p> <p>19 Q. Some municipal elections are</p> <p>20 nonpartisan.</p> <p>21 A. That's correct.</p> <p>22 Q. Do you actually ever vote for</p> <p>23 Republicans?</p> <p>24</p> <p>25</p>



<p style="text-align: right;">Page 146</p> <p>1 A. I have voted for Republicans, 2 yes. 3 Q. Have you voted for Republicans in 4 the last five years? 5 A. In the last five years? I voted 6 for a Republican in the last ten years, I 7 know, because -- I'm not sure when the last 8 time. But, yeah, I have voted for a 9 Republican. 10 Q. Okay. Have you ever run for 11 office yourself? 12 A. I have not. 13 Q. Do you have any plans to run for 14 office? 15 A. I do not. 16 Q. Have you ever been involved in 17 helping somebody else run for office? 18 A. I have. 19 Q. Okay. Which candidates have you 20 helped? 21 A. I've worked with some County 22 Commission candidates, I've worked with some 23 school board candidates, just local 24 25</p>	<p style="text-align: right;">Page 148</p> <p>1 A. I haven't done it. 2 Q. When you did work to help people 3 with their campaigns for County Commission, 4 were you helping Democrats? 5 A. I've helped Democrats, yeah, but 6 I've helped Republicans, also. 7 Q. You have? 8 A. Yes. 9 Q. Which Republicans have you 10 publicly supported? 11 A. I've supported Doug Singleton 12 before and I've supported Todd Strange 13 before. 14 Q. Now, Todd Strange, you're talking 15 about when he was running for mayor? 16 A. Uh-huh. 17 Q. Okay. So, that's nonpartisan, 18 but people -- 19 A. Yes. 20 Q. -- would assume he leans 21 Republican? 22 A. Yeah. Well, I mean, he was also 23 county commission before he was city council. 24 25</p>
<p style="text-align: right;">Page 147</p> <p>1 candidates, not -- 2 Q. So, the county school board, not 3 the state school board? 4 A. County school board, that's 5 correct. 6 Q. Okay. 7 A. County Commission, city council, 8 I've worked with some of those -- some of 9 those campaigns in the past. But that's been 10 a while as well. I haven't worked for any 11 campaigns in the last eleven years since I've 12 been at Montgomery Community Action Committee 13 and CDC, Inc. 14 Q. Okay. 15 A. But prior to -- 16 Q. I was about to ask you how -- 17 A. Prior to that, I worked for some 18 of them. 19 Q. -- how you reconcile asking for 20 money from everybody with running against 21 some of them. 22 A. Yeah. 23 Q. Okay. 24 25</p>	<p style="text-align: right;">Page 149</p> <p>1 Q. Okay. I'd forgotten that. So, 2 was he a Republican when he was on the County 3 Commission? 4 A. He was. 5 Q. Okay. And did you ever support 6 him in an election for County Commission? 7 A. I have. 8 Q. Okay. 9 A. Yes. Judge Reese McKinney, and 10 that was a probate judge. So, it was -- 11 Q. So, he's a white Republican? 12 A. Uh-huh. 13 Q. Do you know who your current 14 probate judge is? 15 A. J. Love. Uh-huh. 16 Q. J.C. love? 17 A. Uh-huh. 18 Q. And Judge Love is Black, right? 19 A. He is. 20 Q. And do you know his background at 21 all? 22 A. I know that he's a lawyer and I 23 know his wife and her family. Not that much 24 25</p>

<p style="text-align: right;">Page 150</p> <p>1 more about him that I know.  2 Q. Okay. She's a lawyer as well,  3 isn't she?  4 A. She's a doctor.  5 Q. A doctor. Okay.  6 A. Uh-huh.  7 Q. Who did you support publicly for  8 county school board?  9 A. County school board would be  10 Beverly Ross. I worked with her campaign in  11 the past. And Roberta Collins.  12 Q. And was Beverly Ross -- is she a  13 Democrat?  14 A. She was, yes.  15 Q. Has she passed?  16 A. Uh-huh.  17 Q. Okay. Roberta Collins, is she a  18 Democrat?  19 A. She is.  20 Q. Okay. Did you publicly support  21 any other people campaigning for school  22 board?  23 A. No.  24  25</p>	<p style="text-align: right;">Page 152</p> <p>1 A. I worked for Elton Dean for  2 County Commission as well.  3 Q. Okay. And he was a Democrat?  4 A. He was.  5 Q. And he was elected?  6 A. Uh-huh.  7 Q. Have you helped anybody outside  8 of Montgomery County with their elections?  9 A. I've worked on a judge's campaign  10 in Lowndes County, but she was not elected.  11 Q. Do you remember who that was?  12 A. Debra Caldwell.  13 Q. What's the first name?  14 A. Debra Caldwell.  15 Q. Did she lose in the primary or  16 the general if you remember?  17 A. She lost in the general.  18 Q. And was she a Democrat or  19 Republican?  20 A. She was a Democrat.  21 Q. Okay. I don't want to take your  22 time to ask you about each individual  23 election, but can you tell me generally some  24  25</p>
<p style="text-align: right;">Page 151</p> <p>1 Q. And who do you remember  2 supporting for -- actually, strike that.  3 Was it Montgomery County School  4 Board for both?  5 A. Montgomery County School Board  6 for both.  7 Q. Okay. Who do you remember  8 publicly supporting for Montgomery City  9 Council?  10 A. James Knuckles.  11 Q. And was he a Democrat or  12 Republican?  13 A. He is a Democrat.  14 Q. Did he win?  15 A. He did.  16 Q. Okay. Is there anybody else  17 you've supported in the campaign for City  18 Council in Montgomery?  19 A. No. No. Not the campaign that I  20 worked for. I'm sorry. I need to speak up.  21 Q. Have you helped candidates --  22 we've talked about county commission, school  23 board, and city council.  24  25</p>	<p style="text-align: right;">Page 153</p> <p>1 of the things that you did to support these  2 campaigns?  3 A. Basically, worked as a volunteer.  4 Q. Okay. Did you knock on doors?  5 A. We've -- some cases, we knocked  6 on doors, other cases, we put out flyers or  7 maybe made financial contributions.  8 Q. Okay.  9 A. So, basically, that would have  10 been what I've done with most of them.  11 Q. Did you do any phone banking?  12 A. Not very much phone banking  13 myself. The campaign would have done it.  14 But I didn't do very much of that.  15 Q. And did you ever stand outside of  16 a polling place with a sign or a tee shirt or  17 anything like that on election day --  18 A. I never --  19 Q. -- for any of these candidates?  20 A. I never done that on election  21 day, but I have been in a role where I would  22 go from precinct to precinct carrying things  23 to those persons who stood outside. But I've  24  25</p>

<p style="text-align: right;">Page 154</p> <p>1 never done that myself.</p> <p>2 Q. Okay. Did you support Doug Jones</p> <p>3 when he ran for United States Senate in 2017?</p> <p>4 A. I did.</p> <p>5 Q. Did you support him when he ran</p> <p>6 for reelection?</p> <p>7 A. I did.</p> <p>8 Q. Do you know who the current</p> <p>9 leaders of the Alabama Democratic Party are?</p> <p>10 A. I really don't, actually.</p> <p>11 Q. Okay. Are you aware of any</p> <p>12 leadership struggles that that party's had --</p> <p>13 A. I've heard some things in the</p> <p>14 news, but I'm not familiar with the persons</p> <p>15 who are engaged, unless, of course, Joe Reed,</p> <p>16 whose name is very popular in the area. He's</p> <p>17 the father of the mayor. But I don't know</p> <p>18 who the other persons are that are in the</p> <p>19 struggle.</p> <p>20 Q. Okay. And when you're referring</p> <p>21 to Joe Reed's son, the mayor, you're</p> <p>22 referring to Steven Reed, the mayor of</p> <p>23 Montgomery?</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 156</p> <p>1 but I've heard her name before.</p> <p>2 Q. Do you know who Ruth Page-Nelson</p> <p>3 is?</p> <p>4 A. Sound like persons who have run</p> <p>5 against some of the representatives that won</p> <p>6 in the district.</p> <p>7 Q. Okay. Do you know who Will Boyd</p> <p>8 is?</p> <p>9 A. William Boyd?</p> <p>10 Q. I said Will, but, sure.</p> <p>11 A. Yeah, I know who William Boyd is.</p> <p>12 Q. Okay. Who is he?</p> <p>13 A. He's local here in Montgomery.</p> <p>14 He's run for a number of offices. But, I</p> <p>15 mean, I don't know him personally. I just</p> <p>16 know the name --</p> <p>17 Q. Okay.</p> <p>18 A. -- from seeing or hearing him.</p> <p>19 Q. Do you know who Wendell Major is?</p> <p>20 A. Wendell Major. I've heard that</p> <p>21 name before. Don't know him personally.</p> <p>22 Q. Okay. Are you aware that in</p> <p>23 2022, there were elections for state</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 155</p> <p>1 A. I am, yes.</p> <p>2 Q. Do you feel like your knowledge</p> <p>3 of the leadership struggles is limited to</p> <p>4 what you've seen in the paper?</p> <p>5 A. It is.</p> <p>6 Q. Okay. What is your perception of</p> <p>7 the strength of the Alabama Democratic Party</p> <p>8 at this time?</p> <p>9 A. Basically, weak would be my</p> <p>10 opinion.</p> <p>11 Q. Do you know if the Democratic</p> <p>12 Party is doing a good job of fielding</p> <p>13 candidates for office?</p> <p>14 A. I don't know what efforts are</p> <p>15 being put into that. I do not know.</p> <p>16 Q. Do you know what the results are?</p> <p>17 A. Well, if you look at the state,</p> <p>18 the top positions, the results are not that</p> <p>19 great.</p> <p>20 Q. Do you know who Yolanda Flowers</p> <p>21 is?</p> <p>22 A. Yolanda Flowers, I've heard that</p> <p>23 name. I'm just -- I'd have to be refreshed,</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 157</p> <p>1 officials where the Libertarian Party was</p> <p>2 able to field candidates and the Democrats</p> <p>3 did not?</p> <p>4 A. I heard that.</p> <p>5 Q. Do you have any idea why that</p> <p>6 would have been?</p> <p>7 A. No, I do not.</p> <p>8 Q. Do you know if anything's changed</p> <p>9 since then?</p> <p>10 A. I do not.</p> <p>11 Q. Do you have a prediction about</p> <p>12 who's going to win the Congressional District</p> <p>13 2 race between Shomari Figures and Caroleene</p> <p>14 Dobson?</p> <p>15 MS. JASRASARIA: Object to form,</p> <p>16 but you can answer.</p> <p>17 A. Well, I mean, I don't know. I</p> <p>18 suspect that one of them will win, but I</p> <p>19 don't know which one.</p> <p>20 Q. (BY MS. MESSICK) That's a pretty</p> <p>21 safe bet.</p> <p>22 MR. WALKER: That's the opposite</p> <p>23 of splitting the baby.</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 158</p> <p>1 A. I really don't know. I really 2 don't know. I guess if I had to pick one, it 3 would probably be that Shomari Figures would 4 win. 5 Q. (BY MS. MESSICK) Okay. But it 6 doesn't sound like you feel really strongly 7 about his chances versus hers? 8 A. I think they're probably pretty 9 even on -- as it relates to chances. So, I'm 10 not really sure. 11 Q. Okay. Are you aware of any Black 12 citizens who have wanted to run for office as 13 a Democrat who have been prevented from doing 14 so by the Democratic Party at any level? 15 A. I'm not aware, no. 16 Q. Okay. Do you have any thoughts 17 on a Vice President Kamala Harris as the 18 presidential nominee for the Democratic 19 Party? 20 A. Do I have any thoughts, you say? 21 Q. Yeah. 22 A. I would think that she would be a 23 very decent candidate, I guess, considering 24 25</p>	<p style="text-align: right;">Page 160</p> <p>1 A. When you say -- 2 Q. -- and Tommy Tuberville. 3 A. Yeah. 4 Q. I'm asking about in the state -- 5 A. Oh, in the state -- 6 Q. -- Alabama State Senate. 7 A. Alabama Senate. Kirk Hatcher. 8 Q. Okay. And is Senator Hatcher 9 Black or white? 10 A. He's Black. 11 Q. Do you know who your state house 12 member is? 13 A. State house member is -- yes. 14 You would get me with all of those. Uh. I 15 know the name. I just can't call it. 16 Q. Okay. Could it be Phillip 17 Ensler? 18 A. Phillip; is that what you said? 19 Q. Ensler. 20 A. Ensler. 21 Q. E-n-s -- 22 A. It is. That is -- 23 Q. -- l-e-r. 24 25</p>
<p style="text-align: right;">Page 159</p> <p>1 that she's younger than both of the other two 2 candidates would have been. 3 Q. Do you think that she will get a 4 different reception in Alabama than President 5 Joe Biden would have gotten? 6 MS. JASRASARIA: Objection. 7 Calls for speculation but feel free to 8 answer. 9 A. Yeah, I don't know. 10 Q. (BY MS. MESSICK) Okay. 11 A. I mean, I'm not sure. 12 Q. Do you know who your state 13 senator is? 14 A. (Witness nods head.) 15 Q. And who is that? 16 A. It done got late in the day. Her 17 name is -- well, I know the two state 18 senators. 19 Q. Okay. I'm not asking for the 20 United States Senate. Maybe you're 21 thinking -- 22 A. Oh, oh. 23 Q. -- Katie Britt -- 24 25</p>	<p style="text-align: right;">Page 161</p> <p>1 A. That is it, yeah. 2 Q. And he's a white Democrat -- 3 A. He's -- 4 Q. -- is that right? 5 A. He's white, yes. 6 Q. And you've already told me the 7 current mayor is Steven Reed, right? 8 A. That is correct. 9 Q. Do you know who the Montgomery 10 County Sheriff is? 11 A. Derrick Cunningham. 12 Q. And what race is he? 13 A. He's Black. 14 Q. Are you familiar with any of the 15 circuit judges here in Montgomery? 16 A. I am. 17 Q. Okay. Would you tell me the 18 names of the ones that you can think of at 19 this time and their race? 20 A. Judge Pamela Higgins. She's 21 Black. The next female. Wow. It's -- it 22 really has got late in the day. I can't even 23 think of their names. You call them for me. 24 25</p>

<p style="text-align: right;">Page 162</p> <p>1 I can tell you whether they're Black or 2 white. 3 Q. Tiffany McCord? 4 A. Tiffany. That's who I was trying 5 to think of. Tiffany is Black. 6 Q. Monet Gaines? 7 A. Monet Gaines is Black. 8 Q. J.R. Gaines? 9 A. J.R. Gaines is Black. 10 Q. Jimmy Pool? 11 A. Jimmy Pool is white. 12 Q. Greg Griffin? 13 A. Greg Griffin is Black. 14 Q. Johnny Hardwick? 15 A. Johnny Hardwick is Black. 16 And I know all of them, but I 17 just drew -- 18 Q. Yes. 19 A. -- a blank all of a sudden. 20 Q. James Anderson? 21 A. Anderson is white. 22 Q. Okay. The Montgomery County 23 Circuit Clerk, do you know who that is? 24 25</p>	<p style="text-align: right;">Page 164</p> <p>1 A. I would say from the -- from the 2 results of elections, yes, that would be 3 true. I don't know that, but from the 4 results of the election, I can come to that 5 conclusion. 6 Q. Do you have any thoughts about 7 why some white voters might prefer Republican 8 candidates? 9 MS. JASRASARIA: Objection. 10 Form. 11 You may answer. 12 A. I do not. 13 Q. (BY MS. MESSICK) Okay. In the 14 last twenty years, can you think of any time 15 where you've experienced any barriers to 16 fully participating in the political process 17 in Alabama? 18 A. I can't think of any personally 19 other than maybe once I had to vote a 20 challenge ballot because my name didn't 21 appear on the list. And I think that was at 22 Frazer. I had been voting there on each 23 voting -- each election, but, then, one 24 25</p>
<p style="text-align: right;">Page 163</p> <p>1 A. And she's Black, also. 2 Q. Okay. Is that Gina Ishman? 3 A. Gina -- yeah. 4 Q. Okay. 5 A. Ishman. 6 Janet Buskey is Black, and she's 7 the -- 8 Q. She's revenue -- 9 A. -- revenue -- 10 Q. -- is that right? 11 A. -- commissioner, yes. 12 Q. Yeah. Do you know if white 13 voters in Alabama usually prefer Republican 14 candidates? 15 A. You said -- 16 Q. White voters in Alabama. 17 A. Do they prefer -- 18 Q. Yes. 19 A. -- Republicans? 20 Q. Republican. 21 A. Rephrase that question. 22 Q. Do you know if white voters in 23 Alabama usually prefer Republican candidates? 24 25</p>	<p style="text-align: right;">Page 165</p> <p>1 election -- and it was only once that my name 2 did not appear, and I had to vote the 3 challenge ballot. I mean, I was able to vote 4 it, but it's just for some reason, it did not 5 appear. 6 Q. Had you moved recently? 7 A. At that time, I had not. 8 Q. Okay. Do you -- did you ever 9 find out why your name wasn't on the list? 10 A. I went to the registrar's office 11 immediately after that election, and they 12 just said it was an oversight on their part. 13 Q. Do you know if your ballot 14 ultimately counted? 15 A. It did count is my understanding. 16 Q. When you were growing up in 17 Alabama, did you experience discrimination? 18 A. There have been times when I 19 perhaps had -- was stopped by police or state 20 trooper that I felt it was not necessarily 21 justifiable because I didn't -- they didn't 22 have a -- they didn't state a reason or they 23 didn't give me a ticket or a warning. It 24 25</p>



<p style="text-align: right;">Page 166</p> <p>1 was -- I mean, it was more or less like just  2 why are you driving, where are you going,  3 that type thing. I've experienced that  4 but --  5 Q. When was the last time something  6 like that happened to you?  7 A. It's been a while. Probably ten  8 years ago maybe, a little bit longer.  9 Q. Do you think that things are  10 better in Alabama today than they were when  11 you were a young man?  12 MS. JASRASARIA: Objection.  13 Form.  14 Feel free to answer.  15 A. Well, that's an interesting  16 question. Yeah, I'd say they're better, I  17 mean, as things change, but I'm not sure that  18 they're always better for everyone. They may  19 be better for me because of where I am  20 situated and what I do. But I don't know  21 that that's true for everyone or everyone who  22 looks like me.  23 Q. (BY MS. MESSICK) Okay. Do you  24  25</p>	<p style="text-align: right;">Page 168</p> <p>1 (Whereupon, a brief recess was  2 taken.)  3  4 MS. MESSICK: Back on the record.  5 And we do not have any further questions. I  6 understand Mr. Walker --  7 MR. WALKER: No further  8 questions. Or no questions at all, rather.  9 MS. MESSICK: Do you have any  10 questions?  11 MS. JASRASARIA: No questions for  12 me.  13 MS. MESSICK: Do the Singleton  14 plaintiffs have any questions?  15 MR. BLACKSHER: No questions.  16 MS. MESSICK: And do the Milligan  17 plaintiffs --  18 MS. SADASIVAN: No questions for  19 the Milligan plaintiffs either. Thank you.  20 MS. MESSICK: Thank you very much  21 for your time today. I appreciate it.  22 THE WITNESS: Thank you.  23 MS. MESSICK: It was good to meet  24  25</p>
<p style="text-align: right;">Page 167</p> <p>1 have any information that we haven't already  2 talked about today that concerns any kind of  3 official discrimination in Alabama with  4 respect to voting?  5 A. I have none, no.  6 Q. Do you have any information that  7 we've not already talked about today that  8 concerns any voting practices that you  9 believe Alabama has used to discriminate  10 against Black voters?  11 A. I have none.  12 Q. Are there ways that the State of  13 Alabama has been unresponsive to your needs?  14 A. Personally, no.  15 Q. As you sit here today, is there  16 anything that you can think of that you want  17 to tell the judges at trial that we haven't  18 talked about?  19 A. As I sit here today, I can't say.  20 I can't think of anything.  21 MS. MESSICK: Can we take a  22 three-minute break?  23 MS. JASRASARIA: Sure.  24  25</p>	<p style="text-align: right;">Page 169</p> <p>1 you.  2 THE WITNESS: All right. You,  3 too. Thanks.  4 FURTHER DEPONENT SAITH NOT.  5  6  7  8  9  10  11  12  13  14  15  16  17  18  19  20  21  22  23  24  25</p>

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<div style="text-align: center;"> <h2 style="margin: 0;">C E R T I F I C A T E</h2> <p style="margin: 5px 0;">STATE OF ALABAMA    )</p> <p style="margin: 5px 0;">JEFFERSON COUNTY    )</p> <p style="margin: 5px 0;">I hereby certify that the above</p> <p style="margin: 5px 0;">and foregoing deposition was taken down by me</p> <p style="margin: 5px 0;">in stenotype, and the questions and answers</p> <p style="margin: 5px 0;">thereto were transcribed by means of</p> <p style="margin: 5px 0;">computer-aided transcription, and that the</p> <p style="margin: 5px 0;">foregoing represents a true and correct</p> <p style="margin: 5px 0;">transcript of the testimony given by said</p> <p style="margin: 5px 0;">witness upon said hearing.</p> <p style="margin: 5px 0;">I further certify that I am</p> <p style="margin: 5px 0;">neither of counsel, nor of kin to the parties</p> <p style="margin: 5px 0;">to the action, nor am I an anywise interested</p> <p style="margin: 5px 0;">in the result of said cause.</p> <div style="text-align: center; margin: 10px 0;"> <p><b>MICHELLE L. PARVIN</b></p> <p><b>Certified Court Reporter</b></p> <p><b>License Number 126</b></p> <p><b>Commission expires 9/30/24</b></p> <p><b>Notary Public expires 1/26/26</b></p> </div> </div>	<p>1 ERRATA for ASSIGNMENT #6776826</p> <p>I, the undersigned, do hereby certify that I have read the</p> <p>2 transcript of my testimony, and that</p> <p>3 ___ There are no changes noted.</p> <p>   ___ The following changes are noted:</p> <p>4</p> <p>5 Pursuant to Civil Procedure, Rule 30. ALA. CODE § 5-30(e)</p> <p>6 (2017). Rule 30(e) states any changes in form or</p> <p>7 substance which you desire to make to your testimony shall</p> <p>8 be entered upon the deposition with a statement of the</p> <p>9 reasons given for making them. To assist you in making any</p> <p>10 such corrections, please use the form below. If additional</p> <p>11 pages are necessary, please furnish same and attach.</p> <p>12</p> <p>13 Page ___ Line ___ Change _____</p> <p>14 _____</p> <p>15 Reason for change _____</p> <p>16 Page ___ Line ___ Change _____</p> <p>17 _____</p> <p>18 Reason for change _____</p> <p>19 Page ___ Line ___ Change _____</p> <p>20 _____</p> <p>21 Reason for change _____</p> <p>22 Page ___ Line ___ Change _____</p> <p>23 _____</p> <p>24 Reason for change _____</p> <p>25 Page ___ Line ___ Change _____</p>
<div style="text-align: center;"> <p>Page 171</p> <p>1 To: Jyoti Jasrasaria, Esq.</p> <p>Re: Signature of Deponent Benjamin Jones</p> <p>2 Date Errata due back at our offices: 30 days</p> <p>3 Greetings:</p> <p>This deposition has been requested for read and sign by</p> <p>4 the deponent. It is the deponent's responsibility to</p> <p>review the transcript, noting any changes or corrections</p> <p>5 on the attached PDF Errata. The deponent may fill</p> <p>out the Errata electronically or print and fill out</p> <p>6 manually.</p> <p>7 Once the Errata is signed by the deponent and notarized,</p> <p>8 please mail it to the offices of Veritext (below).</p> <p>9</p> <p>10 When the signed Errata is returned to us, we will seal</p> <p>11 and forward to the taking attorney to file with the</p> <p>12 original transcript. We will also send copies of the</p> <p>13 Errata to all ordering parties.</p> <p>14</p> <p>15 If the signed Errata is not returned within the time</p> <p>16 above, the original transcript may be filed with the</p> <p>17 court without the signature of the deponent.</p> <p>18</p> <p>19 Please Email the completed errata/witness cert page</p> <p>20 to CS-SOUTHEAST@VERITEXT.COM</p> <p>21 or mail to</p> <p>22 Veritext Production Facility</p> <p>23 2000A Southbridge Parkway, Suite 400</p> <p>24 Birmingham, AL 35209</p> <p>25 800-808-4958</p> </div>	<div style="text-align: center;"> <p>Page 173</p> <p>1 Page ___ Line ___ Change _____</p> <p>2 Reason for change _____</p> <p>3 Page ___ Line ___ Change _____</p> <p>4 _____</p> <p>5 Reason for change _____</p> <p>6 Page ___ Line ___ Change _____</p> <p>7 _____</p> <p>8 Reason for change _____</p> <p>9 Page ___ Line ___ Change _____</p> <p>10 _____</p> <p>11 Reason for change _____</p> <p>12 Page ___ Line ___ Change _____</p> <p>13 _____</p> <p>14 Reason for change _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 <b>DEPONENT'S SIGNATURE</b></p> <p>19 _____</p> <p>20 Sworn to and subscribed before me this ___ day of</p> <p>21 _____</p> <p>22 _____, _____.</p> <p>23 _____</p> <p>24 _____</p> <p>25 <b>NOTARY PUBLIC / My Commission Expires: _____</b></p> </div>

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Alabama Rules of Civil Procedure

Part V. Depositions and Discovery

Rule 30

(e) Submission to witness; changes; signing. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within thirty (30) days of its submission to the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the

court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(F) Certification and filing by officer; exhibits; copies; notice of filing.

(1) The officer shall certify on the deposition that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. Unless otherwise ordered by the court, the officer shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]" and shall promptly file it with the court in which the action is pending or send it by registered or certified mail to the clerk thereof for filing.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at [www.veritext.com](http://www.veritext.com).