

Chris Pringle
December 17, 2021UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

EVAN MILLIGAN, et al.,)	
)	CIVIL CASE NO.
Plaintiffs,)	2:21-CV-01530-AMM
VS.)	VIDEO DEPOSITION OF:
JOHN MERRILL, et al.,)	CHRIS PRINGLE
)	
Defendants.)	

S T I P U L A T I O N S

IT IS STIPULATED AND AGREED, by and between
the parties through their respective counsel, that
the deposition of:

CHRIS PRINGLE,
may be taken before LeAnn Maroney, Notary Public,
State at Large, at the law offices of Balch &
Bingham, 105 Tallapoosa Street, Montgomery, Alabama,
36104, on December 17, 2021, commencing at 9:14 a.m.

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 2</p> <p>1 IT IS FURTHER STIPULATED AND AGREED that the</p> <p>2 signature to and reading of the deposition by the</p> <p>3 witness is waived, the deposition to have the same</p> <p>4 force and effect as if full compliance had been had</p> <p>5 with all laws and rules of Court relating to the</p> <p>6 taking of depositions.</p> <p>7</p> <p>8 IT IS FURTHER STIPULATED AND AGREED that it</p> <p>9 shall not be necessary for any objections to be made</p> <p>10 by counsel to any questions, except as to form or</p> <p>11 leading questions, and that counsel for the parties</p> <p>12 may make objections and assign grounds at the time</p> <p>13 of the trial, or at the time said deposition is</p> <p>14 offered in evidence, or prior thereto.</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 4</p> <p>1 JULIE A. EBENSTEIN</p> <p>2 DAVIN M. ROSBOROUGH</p> <p>3 Attorneys at Law</p> <p>4 American Civil Liberties Union Foundation</p> <p>5 125 Broad Street</p> <p>6 New York, New York 10004</p> <p>7 drosborough@aclu.org</p> <p>8</p> <p>9 KAITLIN WELBORN</p> <p>10 LATISHA GOTELL FAULKS</p> <p>11 Attorneys at Law</p> <p>12 American Civil Liberties Union of Alabama</p> <p>13 P.O. Box 6179</p> <p>14 Montgomery, Alabama 36106</p> <p>15 kwelborn@aclualabama.org</p> <p>16</p> <p>17 FOR THE SINGLETON PLAINTIFFS: (Via Zoom)</p> <p>18 JAMES URIAH BLACKSHER</p> <p>19 Attorney at Law</p> <p>20 825 Linwood Road</p> <p>21 Birmingham, Alabama 35222</p> <p>22 jublacksher@gmail.com</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 FOR THE MILLIGAN PLAINTIFFS:</p> <p>4 MICHAEL L. TURRILL</p> <p>5 Attorney at Law</p> <p>6 Hogan Lovells US LLP</p> <p>7 1999 Avenue of the Stars, Ste. 1400</p> <p>8 Los Angeles, California 90067</p> <p>9 michael.turrill@hoganlovells.com</p> <p>10</p> <p>11 KATHRYN SADASIVAN</p> <p>12 Attorney at Law</p> <p>13 NAACP Legal Defense & Educational Fund</p> <p>14 40 Rector Street, FL 5</p> <p>15 New York, New York 10006</p> <p>16 ksadasivan@naacpldf.org</p> <p>17</p> <p>18 DEUEL ROSS (Via Zoom)</p> <p>19 Attorney at Law</p> <p>20 NAACP Legal Defense & Educational Fund</p> <p>21 700 14th Street N.W., Ste. 600</p> <p>22 Washington, DC 20005</p> <p>23 dross@naacpldf.org</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 FOR THE CASTER PLAINTIFFS: (Via Zoom)</p> <p>2 DAN OSHER</p> <p>3 Attorney at Law</p> <p>4 Elias Law Group</p> <p>5 10 G Street NE, Ste. 600</p> <p>6 Washington, DC 20002</p> <p>7 dosher@elias.law</p> <p>8</p> <p>9 FOR DEFENDANT JOHN H. MERRILL:</p> <p>10 JIM DAVIS</p> <p>11 Assistant Attorney General</p> <p>12 Office of the Attorney General</p> <p>13 501 Washington Avenue</p> <p>14 Montgomery, Alabama 36130</p> <p>15 jim.davis@alabamaag.gov</p> <p>16</p> <p>17 FOR THE DEFENDANTS JIM McLENDON & CHRIS PRINGLE:</p> <p>18 DORMAN WALKER</p> <p>19 Attorney at Law</p> <p>20 Balch & Bingham</p> <p>21 105 Tallapoosa Street, Ste. 200</p> <p>22 Montgomery, Alabama 36104</p> <p>23 dwalker@balch.com</p> <p>24</p> <p>25</p>

Chris Pringle
December 17, 2021

<p>Page 6</p> <p>1 ALSO PRESENT:</p> <p>2 Paige Ali, Videographer</p> <p>3 Elizabeth Baggett</p> <p>4</p> <p>5</p> <p>6 I N D E X</p> <p>7 MS. WELBORN: 9-120</p> <p>8 MR. OSHER: 120-125</p> <p>9 MR. BLACKSHER: 125-140</p> <p>10 MR. DAVIS: 140-141</p> <p>11</p> <p>12 E X H I B I T L I S T</p> <p>13</p> <table border="0"> <tr> <td></td> <td>PAGE</td> </tr> <tr> <td>14 Plaintiff's Exhibit 1 -</td> <td>12</td> </tr> <tr> <td>15 (Depo notice)</td> <td></td> </tr> <tr> <td>16 Plaintiff's Exhibit 2 -</td> <td>52</td> </tr> <tr> <td>17 (Reapportionment Guidelines)</td> <td></td> </tr> <tr> <td>18 Plaintiff's Exhibit 3 -</td> <td>55</td> </tr> <tr> <td>19 (Proposed guidelines handout)</td> <td></td> </tr> <tr> <td>20 Plaintiff's Exhibit 4 -</td> <td>104</td> </tr> <tr> <td>21 (Transcript of 10-26-21)</td> <td></td> </tr> <tr> <td>22 Plaintiff's Exhibit 5 -</td> <td>116</td> </tr> <tr> <td>23 (Transcript of 11-1-21)</td> <td></td> </tr> <tr> <td>24 Plaintiff's Exhibit 6 -</td> <td>119</td> </tr> <tr> <td>25 (2021 Congressional map)</td> <td></td> </tr> </table>		PAGE	14 Plaintiff's Exhibit 1 -	12	15 (Depo notice)		16 Plaintiff's Exhibit 2 -	52	17 (Reapportionment Guidelines)		18 Plaintiff's Exhibit 3 -	55	19 (Proposed guidelines handout)		20 Plaintiff's Exhibit 4 -	104	21 (Transcript of 10-26-21)		22 Plaintiff's Exhibit 5 -	116	23 (Transcript of 11-1-21)		24 Plaintiff's Exhibit 6 -	119	25 (2021 Congressional map)		<p>Page 8</p> <p>1 Senator Jim McClendon and Representative Chris</p> <p>2 Pringle.</p> <p>3 MR. DAVIS: Jim Davis, Alabama Attorney</p> <p>4 General's office, representing Secretary of State</p> <p>5 John Merrill.</p> <p>6 THE VIDEOGRAPHER: All attorneys on</p> <p>7 Zoom.</p> <p>8 MS. SADASIVAN: This is Kathryn</p> <p>9 Sadasivan from LDF for the Milligan plaintiffs.</p> <p>10 MR. ROSS: Deuel Ross for the Milligan</p> <p>11 plaintiffs.</p> <p>12 MR. TURRILL: Michael Turrill for the</p> <p>13 Milligan plaintiffs.</p> <p>14 MR. OSHER: Hi. This is Dan Osher from</p> <p>15 Elias Law Group representing the Caster plaintiffs.</p> <p>16 Good to see you all.</p> <p>17 MR. WALKER: Good to see you, Dan.</p> <p>18 MR. ROSBOROUGH: Good morning. I'm</p> <p>19 Davin Rosborough for the Milligan plaintiffs.</p> <p>20 MS. EBENSTEIN: Julie Ebenstein for the</p> <p>21 Milligan plaintiffs.</p> <p>22 MR. BLACKSHER: Jim Blacksher for the</p> <p>23 Singleton plaintiffs.</p> <p>24 MS. BAGGETT: Elizabeth Baggett. I'm a</p> <p>25 law clerk with the ACLU, not an attorney, for the</p>
	PAGE																										
14 Plaintiff's Exhibit 1 -	12																										
15 (Depo notice)																											
16 Plaintiff's Exhibit 2 -	52																										
17 (Reapportionment Guidelines)																											
18 Plaintiff's Exhibit 3 -	55																										
19 (Proposed guidelines handout)																											
20 Plaintiff's Exhibit 4 -	104																										
21 (Transcript of 10-26-21)																											
22 Plaintiff's Exhibit 5 -	116																										
23 (Transcript of 11-1-21)																											
24 Plaintiff's Exhibit 6 -	119																										
25 (2021 Congressional map)																											
<p>Page 7</p> <p>1 1, LeAnn Maroney, a Court Reporter of</p> <p>2 Birmingham, Alabama, and a Notary Public for the</p> <p>3 State of Alabama at Large, acting as commissioner,</p> <p>4 certify that on this date, pursuant to the Federal</p> <p>5 Rules of Civil Procedure and the foregoing</p> <p>6 stipulation of counsel, there came before me on</p> <p>7 December 17, 2021, CHRIS PRINGLE, witness in the</p> <p>8 above cause, for oral examination, whereupon the</p> <p>9 following proceedings were had:</p> <p>10 * * * * *</p> <p>11 THE VIDEOGRAPHER: This marks the</p> <p>12 beginning of the deposition of Chris Pringle in the</p> <p>13 matter of Evan Milligan, et al., versus John H.</p> <p>14 Merrill, et al., Civil Case Number 2:21-CV-01530-AMM</p> <p>15 filed in the United States District Court for the</p> <p>16 Northern District of Alabama. The date is December</p> <p>17 17, 2021. The time is 9:14 a.m.</p> <p>18 All attorneys present, will you please</p> <p>19 state your names and whom you represent.</p> <p>20 MS. WELBORN: Kaitlin Welborn from the</p> <p>21 ACLU of Alabama representing the plaintiffs.</p> <p>22 MS. FAULKS: LaTisha Gotell Faulks, ACLU</p> <p>23 of Alabama, representing the plaintiffs.</p> <p>24 MR. WALKER: Dorman Walker, Balch &</p> <p>25 Bingham, representing the intervenor defendants,</p>	<p>Page 9</p> <p>1 Milligan plaintiffs.</p> <p>2 THE VIDEOGRAPHER: Court reporter, will</p> <p>3 you please swear in the witness.</p> <p>4 CHRIS PRINGLE,</p> <p>5 having been duly sworn, was examined and testified</p> <p>6 as follows:</p> <p>7 THE REPORTER: Usual stipulations?</p> <p>8 MS. WELBORN: Yes.</p> <p>9 MR. WALKER: Yeah. Kaitlin, that means</p> <p>10 -- okay.</p> <p>11 MS. WELBORN: Yes, I understand.</p> <p>12 EXAMINATION BY MS. WELBORN:</p> <p>13 Q. Representative Pringle, my name is</p> <p>14 Kaitlin Welborn from the ACLU of Alabama. I</p> <p>15 represent the Milligan plaintiffs.</p> <p>16 Could you please state your full name</p> <p>17 for the record?</p> <p>18 A. Christopher Paul Pringle.</p> <p>19 Q. And do you understand that you're</p> <p>20 testifying under oath right now?</p> <p>21 A. I do.</p> <p>22 Q. Is there anything that might prevent you</p> <p>23 from understanding my questions or answering</p> <p>24 truthfully today?</p> <p>25 A. No.</p>																										

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 10</p> <p>1 Q. Are you represented by a lawyer today?</p> <p>2 A. Yes.</p> <p>3 Q. And who is that lawyer?</p> <p>4 A. Dorman Walker.</p> <p>5 Q. And is he the same lawyer who represents</p> <p>6 plaintiffs -- or defendants in this lawsuit?</p> <p>7 A. Yes.</p> <p>8 Q. And --</p> <p>9 MR. WALKER: I'm not sure what the</p> <p>10 question is.</p> <p>11 A. The defendants are --</p> <p>12 MS. WELBORN: That's okay.</p> <p>13 Q. The intervenors. He represents the</p> <p>14 intervenors --</p> <p>15 A. Yes.</p> <p>16 Q. -- is that correct? Okay.</p> <p>17 And are you paying Mr. Walker to be your</p> <p>18 lawyer today?</p> <p>19 A. No.</p> <p>20 Q. And do you assume that the State of</p> <p>21 Alabama is paying Mr. Walker to be your lawyer?</p> <p>22 A. Yes.</p> <p>23 Q. Have you ever been deposed before?</p> <p>24 A. One time.</p> <p>25 Q. And when was that?</p>	<p style="text-align: right;">Page 12</p> <p>1 MR. WALKER: Are you -- are you</p> <p>2 numbering these sequentially from the last --</p> <p>3 MS. WELBORN: We'll start over. So this</p> <p>4 will be Plaintiff's Exhibit Number 1.</p> <p>5</p> <p>6 (Plaintiff's Exhibit 1 was</p> <p>7 marked for identification.)</p> <p>8</p> <p>9 Q. So have you seen this document before?</p> <p>10 A. Yes, ma'am.</p> <p>11 Q. And without disclosing the content of</p> <p>12 any discussions with your attorney, what did you do</p> <p>13 to prepare for your deposition today?</p> <p>14 A. We met yesterday to discuss the</p> <p>15 deposition.</p> <p>16 Q. With Mr. Walker?</p> <p>17 A. Yes.</p> <p>18 Q. With anybody else?</p> <p>19 A. Mr. Davis and Senator McClendon.</p> <p>20 Q. Okay. And for how long did you meet?</p> <p>21 A. An hour an 45 minutes, two hours maybe.</p> <p>22 It wasn't long.</p> <p>23 Q. Okay. And other than Senator McClendon,</p> <p>24 did you meet with anyone who's not an attorney?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 11</p> <p>1 A. 2003.</p> <p>2 Q. And what was the case?</p> <p>3 A. Mr. Blacksher, redistricting.</p> <p>4 Q. Okay. And what was it -- it was about</p> <p>5 redistricting. Do you know what the result of that</p> <p>6 case was?</p> <p>7 A. No.</p> <p>8 Q. So I'll just go over some key rules of</p> <p>9 the road as a refresher. I'll ask the questions.</p> <p>10 And if you don't understand a question, let me know,</p> <p>11 just like you did just now. And if you answer a</p> <p>12 question, I will assume that you understood that</p> <p>13 question. Is that fair?</p> <p>14 A. Yes.</p> <p>15 Q. The court reporter is here, and she's</p> <p>16 typing everything you and I say and everybody else</p> <p>17 says. And she'll type everything said by anyone in</p> <p>18 the room or on Zoom.</p> <p>19 It's really important that only one</p> <p>20 person speaks at a time. So if you could just allow</p> <p>21 me to finish my questions and sentences, and I'll do</p> <p>22 my best to allow you to finish your answers before</p> <p>23 jumping on to the next question. Okay?</p> <p>24 I'd like to introduce my first exhibit,</p> <p>25 which is the deposition notice.</p>	<p style="text-align: right;">Page 13</p> <p>1 MS. WELBORN: I'm sorry. I don't know</p> <p>2 if you're an attorney or not.</p> <p>3 MR. MCCLENDON: No.</p> <p>4 MS. WELBORN: I'm from DC. I just</p> <p>5 assume everybody is an attorney.</p> <p>6 MR. WALKER: He's an eye doctor, if you</p> <p>7 have any issues there. But he's not an attorney.</p> <p>8 MS. WELBORN: Well, clearly, I do.</p> <p>9 Q. Okay. And did you review any documents</p> <p>10 for today?</p> <p>11 A. No.</p> <p>12 Q. Okay. You didn't review the complaint</p> <p>13 for this case?</p> <p>14 A. No.</p> <p>15 Q. And have you discussed this case with</p> <p>16 anyone other than your attorney, Mr. Davis, and</p> <p>17 Senator McClendon?</p> <p>18 A. No.</p> <p>19 Q. And have you discussed your deposition</p> <p>20 with anyone?</p> <p>21 A. I told people I was being deposed. But</p> <p>22 that was the extent of it.</p> <p>23 Q. Okay. And who first told you that this</p> <p>24 lawsuit had been filed?</p> <p>25 A. Was this the one that was filed before</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 14</p> <p>1 we even introduced a bill?</p> <p>2 Q. No.</p> <p>3 A. Okay. So I have no recollection.</p> <p>4 Q. And who first told you that your</p> <p>5 deposition had been requested?</p> <p>6 A. My attorney.</p> <p>7 Q. And when was that? Do you remember?</p> <p>8 A. Shortly after y'all noticed it.</p> <p>9 Q. Okay. Which was --</p> <p>10 A. Just a couple of days ago.</p> <p>11 Q. Just a few days ago.</p> <p>12 Are you being compensated by anyone to</p> <p>13 be here today?</p> <p>14 A. I'm getting my usual legislative per</p> <p>15 diem for travel, which all state employees are</p> <p>16 entitled to.</p> <p>17 Q. Right. And do you expect to be</p> <p>18 compensated in any way if you testify at trial?</p> <p>19 A. I will receive the same compensation for</p> <p>20 travel that all state employees are entitled to.</p> <p>21 Q. Okay. Do you have an email account?</p> <p>22 A. Yes.</p> <p>23 Q. And what is that email account?</p> <p>24 A. My private personal is</p> <p>25 chrispringle@southerntimberlands.com. My state</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And have you been involved in any</p> <p>3 lawsuits other than the redistricting one with</p> <p>4 Mr. Blacksher?</p> <p>5 A. No.</p> <p>6 Q. Okay. What's the highest level of</p> <p>7 education that you've completed?</p> <p>8 A. A graduate of the University of Alabama.</p> <p>9 Q. And when was that?</p> <p>10 A. August 11th 1984.</p> <p>11 Q. And what degree did you obtain?</p> <p>12 A. I got a degree in communications with a</p> <p>13 minor in political science.</p> <p>14 Q. Okay. Do you have any certificates or</p> <p>15 any specialties, any certifications in anything?</p> <p>16 A. I'm a licensed realtor. I'm a licensed</p> <p>17 homebuilder. I'm a licensed general contractor.</p> <p>18 And until I let it expire, I was a certified control</p> <p>19 burn specialist.</p> <p>20 THE REPORTER: Control what?</p> <p>21 A. Control burn. You know when you see the</p> <p>22 woods on fire? Guys like me are burning it on</p> <p>23 purpose.</p> <p>24 Q. Okay. Well, if I need to fix anything</p> <p>25 in my apartment, it sounds like you're the person to</p>
<p style="text-align: right;">Page 15</p> <p>1 government, I couldn't even tell you.</p> <p>2 Q. And that's your legislative --</p> <p>3 A. Yes.</p> <p>4 Q. --- email address?</p> <p>5 Do you have any other email accounts?</p> <p>6 A. No.</p> <p>7 Q. Do you have an email account for any</p> <p>8 PAC, for example?</p> <p>9 A. No.</p> <p>10 Q. So everything goes to either your</p> <p>11 legislative account or your personal account?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. Do you have any personal social</p> <p>14 media accounts?</p> <p>15 A. I have a Facebook page.</p> <p>16 Q. So Twitter, anything like that, for</p> <p>17 personal use?</p> <p>18 A. Not for me, no.</p> <p>19 Q. Okay.</p> <p>20 A. I mean, there -- there are Twitter</p> <p>21 accounts for me, but I didn't use them. I didn't --</p> <p>22 they had my name on them, but I never used them.</p> <p>23 Q. Okay. And on your personal Facebook</p> <p>24 account, it's just your name on the account; is that</p> <p>25 correct?</p>	<p style="text-align: right;">Page 17</p> <p>1 come to.</p> <p>2 A. I don't fight fires.</p> <p>3 Q. Well, no fires. I hope there's not a</p> <p>4 fire in my apartment.</p> <p>5 So what do you do for a living other</p> <p>6 than burn things?</p> <p>7 A. I actually quit doing that. I am a real</p> <p>8 estate agent with Southern Timberlands. We</p> <p>9 specialize in timberland sales and acquisitions.</p> <p>10 And I am a licensed homebuilder and a licensed</p> <p>11 general contractor. I build houses, hunting camps,</p> <p>12 and I do commercial remodeling work.</p> <p>13 Q. Who so is your employer? I'm sorry.</p> <p>14 A. Southern Timberlands.</p> <p>15 Q. Okay. And so all of those, the realtor</p> <p>16 and being a contractor, et cetera, that's all for</p> <p>17 that company, correct?</p> <p>18 A. No.</p> <p>19 Q. No?</p> <p>20 A. My real estate license is held at</p> <p>21 Southern Timberlands, a division of Cooper &</p> <p>22 Company, Incorporated.</p> <p>23 Q. Okay.</p> <p>24 A. My contracting license are held under</p> <p>25 Chris Pringle, Incorporated.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 18</p> <p>1 Q. Okay. Any other employers?</p> <p>2 A. Alabama House of Representatives.</p> <p>3 Q. Right. And at Southern Timberlands,</p> <p>4 what's your title?</p> <p>5 A. Realtor, agent.</p> <p>6 Q. Right. Okay. And how long have you</p> <p>7 worked there?</p> <p>8 A. 27 plus years.</p> <p>9 Q. Okay. And how long have you been a</p> <p>10 contractor?</p> <p>11 A. Since about 2007.</p> <p>12 Q. And what's your current role in the</p> <p>13 legislature?</p> <p>14 A. I'm a state representative from House</p> <p>15 District 101 in Mobile.</p> <p>16 Q. I'm sorry. Could you repeat that?</p> <p>17 A. State representative from House District</p> <p>18 101.</p> <p>19 Q. Okay. And what portion of the state is</p> <p>20 that?</p> <p>21 A. Mobile.</p> <p>22 Q. Okay. And how long have you been in</p> <p>23 office?</p> <p>24 A. I was elected in 1994. I served two</p> <p>25 terms. I left in 2002. I was re-elected in '14.</p>	<p style="text-align: right;">Page 20</p> <p>1 A. Yes.</p> <p>2 Q. And were you on any committees then?</p> <p>3 A. Yes.</p> <p>4 Q. Do you remember which ones?</p> <p>5 A. I know I served on reapportionment. I</p> <p>6 served on boards and commissions, I served on</p> <p>7 health, I served on constitution, campaigns, and</p> <p>8 elections, I served on contract review. And that's</p> <p>9 all I can remember right now.</p> <p>10 Q. Okay. Did you chair any of those</p> <p>11 committees?</p> <p>12 A. No.</p> <p>13 Q. Okay. I'm sorry.</p> <p>14 A. We were in the superminority at that</p> <p>15 time.</p> <p>16 Q. Right. Well, were you the ranking</p> <p>17 member in any of the committees?</p> <p>18 A. No.</p> <p>19 Q. And why did you leave office?</p> <p>20 A. I decided not to run and sought higher</p> <p>21 office and was defeated.</p> <p>22 Q. And other than serving in the house of</p> <p>23 representatives, have you served in any other public</p> <p>24 office?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 19</p> <p>1 So seven years now. I mean seven years my second</p> <p>2 term.</p> <p>3 Q. Okay.</p> <p>4 A. So about 15 years.</p> <p>5 Q. And currently are you on any committees?</p> <p>6 A. Yes.</p> <p>7 Q. Which ones?</p> <p>8 A. I chair the committee on state</p> <p>9 government. I am cochairman of the house --</p> <p>10 cochairman of the reapportionment committee. I</p> <p>11 serve on constitution, campaigns, and elections;</p> <p>12 internal affairs; the oversight committee of public</p> <p>13 examiners; contract review. I believe that's all.</p> <p>14 Q. Okay. And during your first stint in</p> <p>15 the legislature -- so that's your first two terms.</p> <p>16 I'll just refer to it as your first stint. Is that</p> <p>17 okay?</p> <p>18 A. That's fine.</p> <p>19 Q. Or is there a different term that you --</p> <p>20 A. That works.</p> <p>21 Q. -- prefer?</p> <p>22 Okay. And what district did you</p> <p>23 represent at that time?</p> <p>24 A. 101.</p> <p>25 Q. Okay. So the same district?</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. Okay. And you mentioned that you were</p> <p>2 on the reapportionment committee during your</p> <p>3 first --</p> <p>4 A. Yes.</p> <p>5 Q. -- stint in the legislature. So you</p> <p>6 were involved in the redistricting process, correct?</p> <p>7 A. Yes.</p> <p>8 Q. And what role did you have in the</p> <p>9 redistricting process?</p> <p>10 A. I was the ranking minority party member</p> <p>11 in the house, not the senate.</p> <p>12 Q. Okay. For the republicans, the minority</p> <p>13 party, correct?</p> <p>14 A. Yes.</p> <p>15 Q. And why did you become involved in</p> <p>16 redistricting?</p> <p>17 A. Congressman Sonny Callahan, who I had</p> <p>18 previously worked for in Washington, wanted me to</p> <p>19 serve on the committee because they were trying to</p> <p>20 draw him out of his district. He believed they were</p> <p>21 trying to draw him out of his district. Let me --</p> <p>22 Q. I see. Any other reason?</p> <p>23 A. No, ma'am. I like serving.</p> <p>24 Q. And so that redistricting process ended</p> <p>25 in 2001; is that correct?</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 22</p> <p>1 A. January of 2002.</p> <p>2 Q. Of 2002. Okay.</p> <p>3 A. In the special session.</p> <p>4 Q. Okay. So the special session was in</p> <p>5 January of 2002?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. Okay. And what was the result of that</p> <p>8 redistricting?</p> <p>9 A. The democratic leadership drew the plans</p> <p>10 and passed them.</p> <p>11 Q. And how did you become a cochair -- I'm</p> <p>12 sorry. What is your role in the 2021 redistricting</p> <p>13 process?</p> <p>14 A. I'm the house cochairman.</p> <p>15 Q. Okay. And is that a nonpartisan role?</p> <p>16 A. I was elected by the members of the --</p> <p>17 the house members of the committee.</p> <p>18 Q. Okay. And why did you decide to seek</p> <p>19 that role?</p> <p>20 A. The house member that chaired it prior</p> <p>21 to me was leaving, and we needed somebody with</p> <p>22 experience to step up and be the house chairman.</p> <p>23 Q. And other than currently and the 2002</p> <p>24 redistricting cycle, have you been involved in any</p> <p>25 other redistricting process?</p>	<p style="text-align: right;">Page 24</p> <p>1 A. We were in contact with Congressman</p> <p>2 Callahan. And he was in contact with the other</p> <p>3 members of the congressional delegation who had</p> <p>4 actually -- this is my memory, now.</p> <p>5 Q. Sure.</p> <p>6 A. The members of congress hired</p> <p>7 Mr. Hinaman to represent them on drawing --</p> <p>8 redrawing the congressional maps in 2002.</p> <p>9 Q. And so ultimately do you know who drew</p> <p>10 the 2002 map?</p> <p>11 A. I do not know who the democrats</p> <p>12 retained, no, ma'am.</p> <p>13 Q. Okay. But it was the democratic party</p> <p>14 of Alabama?</p> <p>15 A. They had somebody, yes. I don't know</p> <p>16 who.</p> <p>17 Q. Do you know the general method that was</p> <p>18 used to draw the map?</p> <p>19 A. I would -- I'm assuming that the</p> <p>20 guidelines we adopted in 2002 were used by them to</p> <p>21 draw the 2002 plan.</p> <p>22 Q. Do you know the software that was used</p> <p>23 to draw the maps?</p> <p>24 A. No, ma'am.</p> <p>25 Q. Do you know the data that was used to</p>
<p style="text-align: right;">Page 23</p> <p>1 A. No.</p> <p>2 Q. So the 2002 congressional map, can you</p> <p>3 be a little more specific about what your</p> <p>4 involvement was in helping to draw that map?</p> <p>5 A. Virtually none.</p> <p>6 Q. Okay.</p> <p>7 A. Those maps were drawn off -- what we</p> <p>8 call off campus. They were not drawn in the state</p> <p>9 house.</p> <p>10 Q. Can you explain more about what that</p> <p>11 means?</p> <p>12 A. They were drawn by somebody off -- they</p> <p>13 were not drawn in the reapportionment office in the</p> <p>14 state house.</p> <p>15 Q. Okay. So they were drawn by somebody</p> <p>16 other than someone in the legislature?</p> <p>17 A. Yes.</p> <p>18 Q. Do you know who that was?</p> <p>19 A. No.</p> <p>20 Q. Did you work with anyone to change the</p> <p>21 map at all?</p> <p>22 A. Yes.</p> <p>23 Q. Who was that?</p> <p>24 A. Randy Hinaman.</p> <p>25 Q. Okay. And what did you do with him?</p>	<p style="text-align: right;">Page 25</p> <p>1 draw the maps?</p> <p>2 A. No, ma'am.</p> <p>3 Q. So the 1992 congressional map created</p> <p>4 the first majority black congressional district in</p> <p>5 Alabama history. That's District 7. Do you know if</p> <p>6 that map served as the starting point for the 2002</p> <p>7 congressional map?</p> <p>8 A. You are -- that is the Reed Buskey plan,</p> <p>9 correct?</p> <p>10 Q. To be honest, I don't know. I don't</p> <p>11 know the answer to that question.</p> <p>12 A. I'm pretty sure that's what we refer to</p> <p>13 as the Reed Buskey plan.</p> <p>14 Q. Okay.</p> <p>15 A. That was -- that was the first time that</p> <p>16 a map was drawn where a majority minority</p> <p>17 congressional district was created.</p> <p>18 Q. And so --</p> <p>19 A. And I know that the guidelines in 2002</p> <p>20 said we shall use the core of existing districts and</p> <p>21 not -- use the core of existing districts.</p> <p>22 Q. Okay. So is it fair to say that Reed --</p> <p>23 well, who drew the 1992 map? You don't know?</p> <p>24 A. I just know it's referred as the Reed</p> <p>25 Buskey plan because Representative Buskey and I</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 26</p> <p>1 served together, and he's a personal friend of mine. 2 Q. Okay. So you said that it was in the 3 legislative guidelines to maintain the cores of 4 prior districts? 5 A. If I remember the 2002 guidelines 6 correctly, that's been a longstanding tradition of 7 the Alabama legislature. 8 Q. Okay. Do you know if it was -- and 9 we're talking still about the 2002 redistricting 10 process -- if it was a primary goal of the 11 legislature to keep the racial demographics of each 12 district the same? 13 A. I couldn't answer that. I don't know. 14 Q. Okay. So you wouldn't know if it was a 15 primary goal to keep about a 60 percent black 16 population in District 7? 17 A. I don't remember. I have no -- no 18 recollection of that. 19 Q. Do you know if the legislature took into 20 account any other characteristics other than keeping 21 the core of each district the same? 22 A. In 2002? 23 Q. Yes. 24 A. No, ma'am. 25 Q. Okay.</p>	<p style="text-align: right;">Page 28</p> <p>1 District 7? 2 A. In 2001? 3 Q. That's right. 4 A. Those maps were drawn off campus. 5 That's the reason that ten-day rule comes into -- 6 into play. If you draw a map outside of the 7 legislature reapportionment office, you have to 8 submit it ten days before it can be introduced into 9 the legislature so it can be put into the computer 10 and analyzed. 11 And those maps were drawn exactly ten 12 days out at the last minute before the special 13 session in 2020 -- in 2002. 14 Q. And when did that rule come into play? 15 A. It was there in 2002. Now, when it came 16 into the guidelines, I don't know. 17 Q. Okay. Do you know if in -- during the 18 2001-2002 process if any legislators advocated for 19 two majority black districts? 20 A. Not to my recollection. 21 Q. And if the 2000 -- well, did you vote 22 for the 2002 congressional map? Did you vote to 23 approve it? 24 A. Yes. 25 Q. And if --</p>
<p style="text-align: right;">Page 27</p> <p>1 A. Now, we're talking just the 2 congressional plan, correct? 3 Q. Yes. That's right. And that's 4 throughout this -- throughout the deposition we're 5 referring to the congressional plans. If we refer 6 to any other plans, I'll make sure to be more 7 specific. 8 MR. OSHER: I'm sorry to interrupt. 9 Would it be possible to move the microphone a little 10 closer to the witness? 11 (Discussion held off the record.) 12 Q. Okay. So for the 2001 congressional 13 map, do you know the -- did you know the racial 14 makeup of districts other than District 7? 15 A. No. 16 Q. Did you know the racial makeup of 17 District 7? 18 A. No. I mean, after the maps were passed, 19 yes, we knew it. 20 Q. Okay. 21 A. But going into it -- 22 Q. Do you recall what they were? 23 A. No. 24 Q. And do you know if the legislature 25 considered race in drawing any districts other than</p>	<p style="text-align: right;">Page 29</p> <p>1 A. To the best of my recollection, I did. 2 It protected Congressman Sonny Callahan and his 3 district, so I'm assuming I voted for it. 4 Q. Okay. And all of this is to the best of 5 your -- 6 A. Yes. 7 Q. -- recollection. 8 A. Yes. 9 Q. If the 2002 map had contained two 10 majority black districts, would you have voted for 11 it? 12 A. I can't answer that. 13 Q. Why not? 14 A. Because I didn't look at how they would 15 have drawn it. 16 Q. Okay. 17 A. It was never presented to me. So I 18 can't tell you how I would vote on something I've 19 never seen. 20 Q. Do you think that the legislature as a 21 whole would have approved a congressional map like 22 that? 23 A. I'm not going to speak to that. 24 Q. Did you play a role in the 2011 25 congressional redistricting process?</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 30</p> <p>1 A. No.</p> <p>2 Q. Okay. And do you happen to know, even</p> <p>3 though you weren't there, if the 2001 congressional</p> <p>4 map or 2002 congressional map was considered as the</p> <p>5 starting point for the 2011 congressional map?</p> <p>6 A. No.</p> <p>7 Q. So you are the cochair of the</p> <p>8 reapportionment committee for this year's</p> <p>9 congressional redistricting process. What does it</p> <p>10 mean to be the cochair of the reapportionment</p> <p>11 committee?</p> <p>12 A. I work with members of the Alabama house</p> <p>13 on drawing their districts, their legislative</p> <p>14 districts.</p> <p>15 Q. And for congress, as well?</p> <p>16 A. No.</p> <p>17 Q. So who works on the congressional map?</p> <p>18 A. Mr. Hinaman worked with members of</p> <p>19 congress to help -- for them to draw the maps.</p> <p>20 Q. Okay.</p> <p>21 A. To have input from the members of</p> <p>22 congress on their districts, what they wanted.</p> <p>23 Q. So what is the role of the</p> <p>24 reapportionment committee with respect to</p> <p>25 congressional maps or the congressional map?</p>	<p style="text-align: right;">Page 32</p> <p>1 them in committee.</p> <p>2 Q. Okay. And anything else?</p> <p>3 A. Not that I can remember right now.</p> <p>4 Q. Okay. And what are your</p> <p>5 responsibilities as the cochair of the</p> <p>6 reapportionment committee?</p> <p>7 A. We -- we set -- we oversaw the public</p> <p>8 hearings, the 28 public hearings we had dealing with</p> <p>9 congressional, state board of education, state</p> <p>10 senate, and state house maps and districts.</p> <p>11 And I worked with members of the Alabama</p> <p>12 house to work on their districts and what they</p> <p>13 wanted and how we could address communities of</p> <p>14 interest.</p> <p>15 But on congressional, I allowed</p> <p>16 Mr. Hinaman to meet with members of congress and</p> <p>17 take the information we gathered in the public</p> <p>18 hearings that was available to him and the</p> <p>19 guidelines.</p> <p>20 Q. Any other responsibilities?</p> <p>21 A. Not that I can think of right now.</p> <p>22 Q. And so what was the starting point for</p> <p>23 drawing the 2021 congressional map?</p> <p>24 A. I would say the guidelines. And part of</p> <p>25 our guidelines are preserve the core of the existing</p>
<p style="text-align: right;">Page 31</p> <p>1 A. We adopted the guidelines. If you read</p> <p>2 the guidelines, they lay out what we expect the</p> <p>3 committee and the plans to look like, to respect</p> <p>4 communities of interest, not to pit incumbents</p> <p>5 against each other. There's a whole list of things</p> <p>6 that we put into the guidelines that we wanted to</p> <p>7 see in our plans.</p> <p>8 And Mr. Hinaman was given those</p> <p>9 guidelines and instructed to draw those plans in a</p> <p>10 race-neutral manner following the guidelines and</p> <p>11 work with members of congress in how they wanted</p> <p>12 their districts drawn.</p> <p>13 Q. And as a member of the reapportionment</p> <p>14 committee, do you have any input on how the</p> <p>15 congressional maps are drawn?</p> <p>16 A. We voted on the guidelines.</p> <p>17 Q. Okay. You voted on --</p> <p>18 A. We gave -- we gave Mr. Hinaman the</p> <p>19 guidelines and told him to follow those guidelines</p> <p>20 and to draw those -- those maps in a race-neutral</p> <p>21 manner.</p> <p>22 Q. Okay. Any other way that the members of</p> <p>23 the reapportionment committee are involved in</p> <p>24 drawing the congressional map?</p> <p>25 A. Once they were finished, we looked at</p>	<p style="text-align: right;">Page 33</p> <p>1 districts and not pit incumbents against each other.</p> <p>2 Q. And so is it fair to say that the 2011</p> <p>3 congressional map served as the starting point for</p> <p>4 the 2021 congressional map?</p> <p>5 A. I would assume it would. But I wasn't</p> <p>6 there when Mr. Hinaman started drawing them.</p> <p>7 Q. Did you instruct him to use the 2011 map</p> <p>8 as a starting point?</p> <p>9 A. I mean, the guidelines say preserve the</p> <p>10 core of the existing districts. So I would assume</p> <p>11 that if the committee told him to start with the</p> <p>12 core of the existing districts, he would start with</p> <p>13 the core of the existing districts.</p> <p>14 Q. Which is the 2011 congressional map,</p> <p>15 correct?</p> <p>16 A. Yes, ma'am.</p> <p>17 Q. And just really quickly going back to</p> <p>18 the 2001, 2002 redistricting process. You mentioned</p> <p>19 that it was a priority to protect Senator Callahan's</p> <p>20 district, correct?</p> <p>21 A. For Sonny Callahan, yes, and me.</p> <p>22 Q. And for you?</p> <p>23 A. Yes.</p> <p>24 Q. Right. Did you have any other</p> <p>25 priorities for the 2002 congressional map?</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 34</p> <p>1 A. No. Just protect the congressman --</p> <p>2 Q. Okay.</p> <p>3 A. -- who I worked for at one time.</p> <p>4 Q. Right. So you were -- you worked for</p> <p>5 him before you were in the --</p> <p>6 A. Yes.</p> <p>7 Q. -- Alabama legislature. So when you</p> <p>8 were in the Alabama legislature, you wanted to</p> <p>9 protect his seat, correct?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. So that was really your</p> <p>12 motivation?</p> <p>13 A. Yes.</p> <p>14 Q. Anything else?</p> <p>15 A. I was trying to see if we could draw</p> <p>16 legislative districts. But that's not the point</p> <p>17 today.</p> <p>18 Q. I'm sorry?</p> <p>19 A. State legislative districts, also.</p> <p>20 Q. Right.</p> <p>21 A. But that was a different story.</p> <p>22 Q. Okay. Thank you.</p> <p>23 So now back to today's redistricting</p> <p>24 process. When did you first start planning for the</p> <p>25 2021 redistricting process?</p>	<p style="text-align: right;">Page 36</p> <p>1 hearings and how we were going to address public</p> <p>2 hearings, which all changed because of COVID-19.</p> <p>3 We began the process of laying out</p> <p>4 those -- talking about those meetings and where we</p> <p>5 were going to have them and how we were going to</p> <p>6 publicize them and conduct them.</p> <p>7 Q. Okay. So do you recall when you first</p> <p>8 started thinking about updating the reapportionment</p> <p>9 guidelines?</p> <p>10 A. 2019, 2000. I can't remember the exact</p> <p>11 date. But that was one of the first things we</p> <p>12 addressed, making sure our guidelines were updated</p> <p>13 based on the current reapportionment law and court</p> <p>14 cases.</p> <p>15 Q. Is it required to update the guidelines</p> <p>16 every redistricting cycle?</p> <p>17 A. Well, the law changes. So yes, you have</p> <p>18 to update your guidelines. I mean, the courts are</p> <p>19 constantly telling us -- handing down their rulings.</p> <p>20 And we have to update based on those rulings.</p> <p>21 Q. But it's not required by Alabama law or</p> <p>22 by any legislative rule to update the guidelines</p> <p>23 every -- you know, every cycle?</p> <p>24 A. I can't imagine not updating the</p> <p>25 guidelines going into this process if you know the</p>
<p style="text-align: right;">Page 35</p> <p>1 A. Probably 2019. You know, we were</p> <p>2 working on trying to come up with some type of</p> <p>3 schedule. But with the census being delayed and</p> <p>4 getting the numbers so late, we were working on a</p> <p>5 schedule of public hearings and working on the</p> <p>6 guidelines.</p> <p>7 Q. Do you remember when in 2019 you</p> <p>8 started?</p> <p>9 A. No, ma'am.</p> <p>10 Q. So what was your first step?</p> <p>11 A. We had a -- the first step was actually</p> <p>12 getting me reelected house chairman after the 2018</p> <p>13 election. Because I was -- I assumed -- I came on</p> <p>14 the committee in 2000 and, I want to tell you, 17</p> <p>15 when Mr. Davis stepped down. And then after the</p> <p>16 election, I had to be reelected by my colleagues to</p> <p>17 serve as the house -- the house cochairman.</p> <p>18 Then we began the process of updating</p> <p>19 the guidelines to conform with what we considered to</p> <p>20 be the law dealing with reapportionment and</p> <p>21 redistricting to make sure our guidelines complied</p> <p>22 with the law.</p> <p>23 Then we had extensive conversations,</p> <p>24 Mr. Davis and Mr. Dorman and Senator McClendon and</p> <p>25 I, in the reapportionment office about public</p>	<p style="text-align: right;">Page 37</p> <p>1 law has changed. You have to.</p> <p>2 Q. If you could just give a broad overview</p> <p>3 or a timeline of the 2021 redistricting process for</p> <p>4 me.</p> <p>5 A. We were supposed to receive our initial</p> <p>6 numbers at the end of January. Then they -- then we</p> <p>7 were going to get our finals in April.</p> <p>8 Q. I'm sorry?</p> <p>9 A. We were supposed to get our initial --</p> <p>10 if I remember this correctly, we were supposed to</p> <p>11 get our initial census numbers in, I think, January.</p> <p>12 Yeah, January. And then we would get our final</p> <p>13 numbers in April.</p> <p>14 That all got bumped to -- we didn't get</p> <p>15 any numbers until the middle of the August. And we</p> <p>16 were trying to work out a schedule of public</p> <p>17 hearings from the spring and the summer. But we</p> <p>18 couldn't -- we couldn't engage in those public</p> <p>19 hearings because we had no numbers.</p> <p>20 And when we finally got our numbers in</p> <p>21 the middle of August, we immediately -- we laid out</p> <p>22 a series of public hearings, sent a notice to all</p> <p>23 the members of the committee. I think it was 22</p> <p>24 public hearings we had -- we proposed.</p> <p>25 Representative Hall sent us a letter</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 38</p> <p>1 requesting six additional public hearings in various 2 parts of the state. We accepted her request and 3 added the six additional public hearings Ms. Hall 4 asked for, then published a list to everybody in the 5 media and advertised that those are the public 6 hearings we would be holding all over the state. As 7 soon as we could get it to, we got it to. 8 And as soon as those meetings were over, 9 we took that information and began drawing 10 districts. Because the secretary of state had given 11 us a deadline of the 1st of November to have our 12 plans passed in order for all the work behind the 13 scenes that has to be done to get ready for the next 14 election to occur. 15 Q. So you started drawing the maps after 16 the public hearings; is that correct? 17 A. Yes, ma'am. 18 Q. Okay. And when you said "we," who do 19 you mean? 20 A. Well, Randy Hinaman. And we began 21 meeting with the individual house members about 22 their -- their individual districts. 23 Q. Okay. But for the congressional map, 24 you mean primarily Mr. Hinaman? 25 A. Yes.</p>	<p style="text-align: right;">Page 40</p> <p>1 meetings. 2 Q. And what happened -- I'm just trying to 3 get like a timeline of events rather than the 4 specifics. 5 So after the reapportionment committee 6 met on, I think, October 26th of 2020, what happened 7 after that point? 8 A. We adopted the plans. And we were in 9 special session dealing with the prisons. So we 10 went -- we went straight into special session 11 dealing with the prison system. 12 I was not there that week. I was only 13 there one day. I had a prior contractual obligation 14 to finish a construction project that I had to stay 15 on. So I came one day that week, and that was it. 16 Q. Okay. And regarding redistricting, what 17 was the first thing that happened for redistricting 18 after the reapportionment committee on October 26th? 19 A. I don't understand the question. 20 Q. Well, what happened next? How -- 21 eventually the maps were passed and signed by the 22 governor, including the congressional map. So they 23 made it out of the reapportionment committee. Then 24 what happened? 25 A. They made it out of the committee. They</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. And then what happened after that point? 2 A. We worked right up to the last possible 3 minute drawing those -- meeting with members, trying 4 to adjust the districts to make sure the members 5 were happy with them. 6 But I'm talking about the state 7 legislature. 8 Q. Right. Right. 9 A. The congressional, Mr. Hinaman met with 10 the members of congress, and he worked on that. He 11 -- I didn't. I was busy working on the state house. 12 Q. Okay. For the congressional districts, 13 what happened for you in between the public hearings 14 and the reapportionment committee meeting at the end 15 of October? 16 A. Mr. Hinaman met with the members of 17 congress. I did not. 18 Q. Did you do anything else during that 19 time with respect to the congressional map? 20 A. No, ma'am. The closest I came, I walked 21 in the room and he was on a team call with a member 22 of congress. I picked up my paper and walked out of 23 the room. I wasn't there but just a minute. 24 Q. Okay. 25 A. I didn't participate in any of those</p>	<p style="text-align: right;">Page 41</p> <p>1 became public. And when we went into the special 2 session for redistricting, they were introduced in 3 bill form. 4 Q. Okay. And can you explain in sort of a 5 Schoolhouse Rock way how that bill became a law? 6 A. It was brought up -- it was introduced 7 into the house. It passed. It was assigned to the 8 state government committee where it passed. It was 9 given a second reading on the floor. It was put on 10 the calendar. It was brought up on the floor, and 11 it was passed by the members of the Alabama house of 12 representatives. 13 Q. And then what happened? 14 A. It was sent to the senate -- 15 Q. Okay. 16 A. -- where it went to committee, went to 17 the floor, and passed, was signed by the governor. 18 Q. So I just wanted to make sure that I had 19 the full -- the full process. 20 A. All nine steps occurred. 21 Q. Okay. Well, I'm glad that I paid 22 attention to Schoolhouse Rock, then. 23 I'm sorry to keep jumping back and 24 forth, but I'm just going to go back to the 2001, 25 2002 process really quickly.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 42</p> <p>1 Which district did Representative 2 Callahan represent? 3 A. The 1st congressional district. 4 Q. And what area of the state is that? 5 A. At that time, it was Mobile, Washington, 6 Clarke, Monroe, Escambia, and Baldwin County. 7 Q. Okay. 8 A. I believe it lost Wilcox County in -- I 9 believe the Buskey Reed plan took Wilcox County out 10 of the 1st congressional district, I believe. 11 Q. Okay. And do you remember the racial 12 makeup of Representative Callahan's district? 13 A. No, ma'am. 14 Q. Do you have any sense at all? 15 A. No, ma'am. 16 Q. 10 percent black, 90 percent black? 17 A. No, ma'am. 18 Q. None at all? 19 A. No. 20 Q. Let's say that Representative Callahan's 21 district had -- previously had 40 percent black 22 population. If, in the redistricting cycle, his 23 district had an increase of black voters in the 24 district to 50 percent, would that be something that 25 you would have supported?</p>	<p style="text-align: right;">Page 44</p> <p>1 A. We kept the core of the existing 1st 2 Congressional District intact. We kept Washington, 3 Clarke, Mobile, Monroe, Escambia, and Baldwin 4 County. 5 Q. Okay. And what about Representative 6 Callahan's house? 7 A. All of Mobile County was in the 8 district. 9 Q. Okay. 10 A. All of Mobile, all of Baldwin, all of 11 Washington, all of Monroe, all of Escambia. And I 12 believe that was the first time Clarke County was 13 split to achieve zero deviation. 14 Q. So your aim was -- is it fair to say 15 that your aim was to keep Senator Callahan's 16 residence within his district? 17 A. Yes, ma'am. 18 Q. Okay. Is that what you mean by 19 protecting his district? 20 A. Well, I mean, to draw just the lot his 21 house is on out of the district using a ship channel 22 or a boat channel, we didn't consider that to be 23 reasonable. 24 Q. So what would be reasonable? 25 A. Well, I mean, they didn't have the</p>
<p style="text-align: right;">Page 43</p> <p>1 A. I can't answer that. That's 2 speculation. I don't know. 3 Q. Okay. When you said that you were 4 protecting Representative Callahan's seat, what does 5 that mean? 6 A. There was a plan produced that used the 7 Mobile ship channel to come up. They turned and 8 used the Dog River channel. And they hit 9 Congressman Callahan's property line, and they came 10 down his property line to the road and went up the 11 road to the other side and back down his property 12 line and back out into the Dog River ship channel 13 and back out into the Mobile ship channel. They 14 carved just his house into the 1st congressional 15 district and sent it all the way to Dothan. 16 Q. So what was your -- what was your 17 response to that? 18 A. It's quicker to drive to Huntsville, 19 Alabama, from Mobile than it is to drive to Dothan. 20 Think about that. It's quicker for us to get in a 21 car and drive to Huntsville, Alabama, than it is to 22 drive to Dothan or Henry County. The congressman 23 was adamant that we would not do that to him. 24 Q. So what was the ideal outcome of the -- 25 of that situation?</p>	<p style="text-align: right;">Page 45</p> <p>1 Gingles test then. But we didn't consider that to 2 be compact, concise, or a community of interest to 3 send one lot in Mobile County and share it with 4 Dothan in Houston and Henry County. 5 Q. Do you mean -- were there any other ways 6 that you wanted to protect Representative Callahan's 7 seat? 8 A. Well, of course. He was elected by the 9 people in that district, and they -- he wanted to 10 continue to represent those people. That's why he 11 won reelection so overwhelmingly every time he ran. 12 Q. Is it fair to say that you wanted to 13 make sure that Representative Callahan remained in 14 the 1st District so that he could win reelection? 15 A. I wanted to make sure he continued to 16 represent the people that had elected him, yes. And 17 they continued to reelect him overwhelmingly for 18 years. 19 Q. So you mentioned that one of the first 20 steps of the 2021 redistricting cycle were updating 21 the reapportionment committee redistricting 22 guidelines; is that correct? 23 A. (Witness nods head). 24 Q. When did that happen? 25 A. I'm going to yield to the attorneys.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 46</p> <p>1 But I remember sitting at a table with Mr. Davis, 2 Representative McClendon, and Mr. Walker, and we 3 began the process of working on those guidelines to 4 update. 5 MR. OSHER: We can't hear you. 6 A. I remember sitting at a table in the 7 reapportionment office with Mr. Davis, Senator 8 McClendon, Mr. Walker, and myself, and we began 9 reviewing the guidelines from the past 10 redistricting. And the discussion to update them 11 based on new -- the current law and court rulings. 12 I think the Gingles test came into play 13 first. Because I don't think Gingles was in effect 14 in 2011. But I'm not an attorney. 15 MR. WALKER: I'm going to instruct you, 16 given that Mr. Davis and I were there, not to 17 discuss what we discussed at that meeting because it 18 was an attorney-client meeting. 19 THE WITNESS: Okay. 20 Q. When did that meeting occur? 21 A. 2019 or '20. 22 Q. Do you have any sense of what time of 23 the year? 24 A. No, ma'am, I don't remember. 25 Q. And did you bring any materials to that</p>	<p style="text-align: right;">Page 48</p> <p>1 A. I would -- I would say that, yes. 2 Q. Okay. And who was at those meetings? 3 A. I remember Mr. Davis, Senator McClendon, 4 Mr. Walker, and myself. 5 Q. Anybody else? 6 A. I'm going to say maybe a member of the 7 reapportionment staff was there. 8 Q. From the reapportionment office? 9 A. Yes. 10 Q. And do you know who that was? 11 A. To err on the safe side, I would say 12 Ms. Overton. 13 Q. And what's her role? 14 A. She is the director of the 15 reapportionment staff. 16 Q. And do you remember when that meeting 17 occurred? 18 A. No, ma'am. 19 Q. And what was the goal of these meetings? 20 A. To write committee guidelines that we 21 thought would conform with the existing 22 reapportionment law. 23 Q. So on May 5th 2001 there was a meeting 24 of the reapportionment committee; is that right? 25 A. I believe you.</p>
<p style="text-align: right;">Page 47</p> <p>1 meeting? 2 A. No, ma'am. 3 Q. And was anybody in -- was anybody else 4 in attendance other than Mr. Walker, Mr. Davis, and 5 Senator McClendon? 6 A. Not to my recollection, no. 7 MS. SADASIVAN: The audio has stopped 8 again. 9 MS. WELBORN: Can you hear me, Kathryn? 10 MS. SADASIVAN: I can hear you now. But 11 the audio keeps coming in and out. 12 Q. Did you -- was that your only meeting to 13 talk about revising the reapportionment committee 14 redistricting guidelines? 15 A. No. 16 Q. How many other meetings did you have, if 17 you recall? 18 A. I don't recall. 19 Q. Do you have a sense of how many meetings 20 you had? 21 A. I would hate to put a number on it. But 22 it was several. 23 Q. Five, let's say? 24 A. It was several meetings. 25 Q. Okay. But less than ten?</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Okay. Well, when were there meetings of 2 the reapportionment committee since 2019? 3 A. I -- I couldn't answer that. I just 4 don't remember. 5 Q. Do you remember any -- 6 MR. ROSBOROUGH: I'm sorry. Everyone's 7 audio has completely dropped out again. 8 MS. FAULKS: We should take a break. 9 MS. SADASIVAN: I think we should break 10 possibly to resolve the audio issues quickly because 11 we keep going in and out. 12 THE VIDEOGRAPHER: We are off the 13 record. The time is 10:03 a.m. 14 (Recess was taken.) 15 THE VIDEOGRAPHER: We are back on the 16 record. The time is 10:22 a.m. 17 THE WITNESS: Can they hear me now? Is 18 this better? 19 MS. SADASIVAN: Right. Thank you so 20 much. 21 Q. So before the break, we were talking 22 about the reapportionment committee. How many times 23 has the reapportionment committee met in 2021, if 24 you can recall? 25 A. I don't remember. 20 --</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 50</p> <p>1 Q. This year.</p> <p>2 A. I don't remember the exact number.</p> <p>3 Q. A handful?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. Is there a regular schedule for</p> <p>6 the reapportionment committee to have meetings?</p> <p>7 A. No reapportionment committee I've ever</p> <p>8 served on had a regular schedule.</p> <p>9 Q. So how --</p> <p>10 A. I mean, like my state government</p> <p>11 committee meets every Wednesday at 3:00 o'clock.</p> <p>12 Q. Right.</p> <p>13 A. Reapportionment doesn't do that.</p> <p>14 Q. So how do you decide when you have to</p> <p>15 have a meeting?</p> <p>16 A. When we have something to discuss.</p> <p>17 Q. Okay.</p> <p>18 MS. WELBORN: So if there -- so we know</p> <p>19 that there was a reapportionment committee meeting</p> <p>20 on May 5th and one on October 26th. Mr. Walker, if</p> <p>21 there were any other committee meetings for the</p> <p>22 reapportionment committee, we would request any</p> <p>23 records or recordings of those.</p> <p>24 MR. WALKER: Let me represent to you</p> <p>25 that I'm not aware of any other reapportionment</p>	<p style="text-align: right;">Page 52</p> <p>1 prior to the meeting for their review and input.</p> <p>2 And at the meeting, we talked about the guidelines.</p> <p>3 And if I remember correctly, the attorney explained</p> <p>4 them to the members of the committee, and we passed</p> <p>5 them. We adopted them.</p> <p>6 Q. And do you remember when the proposed</p> <p>7 guidelines were sent to members of the committee?</p> <p>8 A. No, ma'am. I know it was prior to the</p> <p>9 meeting.</p> <p>10 Q. And did you take any notes at the</p> <p>11 meeting?</p> <p>12 A. No, ma'am.</p> <p>13</p> <p>14 (Plaintiff's Exhibit 2 was</p> <p>15 marked for identification.)</p> <p>16</p> <p>17 Q. So I would like to introduce as</p> <p>18 Plaintiff's Exhibit 2 the reapportionment committee</p> <p>19 redistricting guidelines from May 5th of 2021.</p> <p>20 There's a copy.</p> <p>21 And did you have any role in drafting</p> <p>22 this document?</p> <p>23 A. It was reviewed with me by Mr. Walker,</p> <p>24 and we discussed it.</p> <p>25 Q. Okay. Did you have any other role in</p>
<p style="text-align: right;">Page 51</p> <p>1 committee meetings in 2021 except for the May 5th</p> <p>2 and the October 26th meetings.</p> <p>3 MS. WELBORN: Okay. Thank you. I just</p> <p>4 wanted to double-check.</p> <p>5 Q. So for the May 5th meeting, do you --</p> <p>6 did you do anything to prepare for the meeting that</p> <p>7 you recall?</p> <p>8 A. Nothing out of the -- that's -- that's</p> <p>9 the day we voted on the guidelines.</p> <p>10 Q. That's correct.</p> <p>11 A. Yes. I mean, I read the proposed</p> <p>12 guidelines and went over them with the attorney.</p> <p>13 Q. Okay. Did you do anything else to</p> <p>14 prepare?</p> <p>15 A. No, ma'am.</p> <p>16 Q. And other than the meetings with the</p> <p>17 attorneys and Senator McClendon to talk about the</p> <p>18 revised guidelines, did you talk to anyone else</p> <p>19 about the May 5th meeting ahead of time?</p> <p>20 A. I may have talked to the committee</p> <p>21 members in the house, but I don't recall any</p> <p>22 specific conversations.</p> <p>23 Q. So at the May 5th meeting, what</p> <p>24 happened?</p> <p>25 A. The guidelines were sent to the members</p>	<p style="text-align: right;">Page 53</p> <p>1 drafting the document?</p> <p>2 A. No, ma'am.</p> <p>3 Q. Who drafted the document?</p> <p>4 A. I would say Mr. Walker. Now, who he was</p> <p>5 in conjunction with, I do not know.</p> <p>6 Q. And is that normal to have an attorney</p> <p>7 draft the guidelines, would you say?</p> <p>8 A. Attorneys draft about everything we do.</p> <p>9 I'm not an attorney. I make no bones about it.</p> <p>10 Q. So the members of the reapportionment</p> <p>11 committee did not draft this document; is that</p> <p>12 correct?</p> <p>13 A. They were -- they reviewed it and the</p> <p>14 attorneys explained it to them.</p> <p>15 Q. Okay. Did anyone on the reapportionment</p> <p>16 committee make any changes to the document at that</p> <p>17 -- at the May 5th meeting?</p> <p>18 A. Not that I remember.</p> <p>19 Q. Do you know if they made any changes</p> <p>20 after the meeting? I guess they couldn't have if</p> <p>21 you voted on them.</p> <p>22 A. Right.</p> <p>23 Q. Sorry. I answered my own question for</p> <p>24 you.</p> <p>25 So what are these guidelines?</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 54</p> <p>1 A. That's the parameters that we used in 2 order to draw districts we thought complied with the 3 Voting Rights Act and the 14th amendment to the 4 Constitution and the court rulings that the courts 5 had handed down in redistricting. 6 Q. And so what is your understanding -- 7 when you say "comply" with the Voting Rights Act or 8 the constitution and court rulings, what do you mean 9 by that? 10 A. I mean, it deals with drawing districts 11 on a race neutral -- race neutral. We didn't look 12 at race while we were drawing the districts. And it 13 complies with not putting incumbents together and 14 respecting single-member districts and eliminating 15 contests between incumbents. Everything is spelled 16 out here. That was just a few of the highlights. 17 Q. And other than compliance with federal 18 laws, are there any other reasons why you have the 19 guidelines? 20 A. Just a road map for everybody to follow 21 when we're drawing lines. It's agreed to by the 22 committee and the members of the committee and what 23 we prioritize as what we need to do. 24 Q. And do you recall what updates there 25 were to the law that needed to be put into the</p>	<p style="text-align: right;">Page 56</p> <p>1 A. It looks like the one I saw earlier, 2 yes, ma'am, back in May. 3 Q. And when you say you saw it earlier, 4 could you explain? 5 A. Back during the discussion of the 6 guidelines. 7 Q. And who provided this document to you? 8 A. Mr. Walker. 9 Q. And do you know when he provided it to 10 you? 11 A. Prior to -- I believe every member of 12 the committee saw these -- the existing, the 13 proposed changes, and the enrolled changes prior to 14 the meeting for their review. 15 Q. And did you see it before -- as a 16 cochair, did you see it before any of the other 17 members of the reapportionment committee? 18 A. Yes, ma'am. 19 Q. Did you have any role in drafting this 20 document? 21 A. No, ma'am, other than it was reviewed 22 with me prior to that. 23 Q. Okay. But you did discuss revisions to 24 the guidelines prior to this document -- 25 A. Yes, ma'am.</p>
<p style="text-align: right;">Page 55</p> <p>1 guidelines? 2 A. I don't recall any specifics. But there 3 were a -- there were a handful of changes to update. 4 But I don't remember the exact specifics. 5 Q. And who provided you with those 6 specifics? 7 A. Our attorney. 8 Q. Mr. Walker? 9 A. Yes. 10 Q. And do you know -- do you know why those 11 specifics were chosen? 12 A. It was my understanding that the courts 13 had handed down additional rulings since the last 14 reapportionment guidelines were adopted. And we 15 updated them to reflect those changes in the law. 16 Q. And do you know how those specifics were 17 chosen? 18 A. Changes in the law in courtrooms. 19 20 (Plaintiff's Exhibit 3 was 21 marked for identification.) 22 23 Q. Let me introduce Plaintiff's Exhibit 3. 24 This is the proposed guidelines handout. 25 Do you recognize this document?</p>	<p style="text-align: right;">Page 57</p> <p>1 Q. -- being drafted? 2 A. Yes, ma'am. 3 Q. Do you know if any of your discussions 4 went into the creation of this document? 5 A. I couldn't answer that question. 6 Q. Okay. Do you know if any of the updates 7 that you wanted to make to the guidelines made it 8 into this document? 9 A. I know I was in favor of the 5 percent 10 deviation. 11 Q. And that's for the state -- 12 A. Yes. 13 Q. -- legislative maps, correct? 14 Anything else? 15 A. Not that I recall. 16 Q. Okay. Do you know what the process was 17 for drafting this document? 18 A. Our attorney met with us and we went 19 over the old guidelines, some proposed changes, and 20 what we thought we needed to update to comply with 21 the law. 22 Q. And did you suggest any changes? 23 A. The 5 percent. 24 Q. Anything else? 25 A. Not that I recall.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 58</p> <p>1 Q. And just to make sure, other than 2 Mr. Walker, Mr. Davis, and Senator McClendon, and 3 perhaps one member of the reapportionment committee, 4 did you speak to anyone else about revising the 5 guidelines prior to the May 5th meeting? 6 A. I can't recall. 7 Q. Were the -- so on this document there 8 are the 2010 guidelines. Would you say that it's 9 fair -- is it fair to say that those were the basis 10 for the 2021 guidelines? 11 A. I would say that, yes. 12 Q. Why did you choose to rely on the 2010 13 guidelines rather than starting from scratch? 14 A. Because the 2010 were based off the 2002 15 guidelines, I would assume. I wasn't there. 16 Q. Right. 17 A. But I would just assume that they used 18 the 2002 as the basis for the 2010, and we used them 19 for the 2020. 20 Q. Is there a reason why you would want to 21 rely on the past documents? 22 A. Because we had passed plans that were 23 approved by the justice department under Section 5. 24 In 2002, remember our plan -- our congressional plan 25 was precleared by the United States Department of</p>	<p style="text-align: right;">Page 60</p> <p>1 based the 2021 guidelines off of the 2010 guidelines 2 other than that you think that it would -- that they 3 would have complied with federal law? 4 A. Well, when I read the 2010, they were 5 very similar to what I remember the 2002 guidelines. 6 I remember specifically the ten-day rule was there 7 in 2002. 8 Q. Is it a principle that the committee 9 follows to generally use what has come before, use 10 materials that have come before? 11 A. Yes. 12 Q. Out of ease of use or out of tradition 13 or because the -- you know, because you believe that 14 they comply with the law? What -- what is the 15 reason for reusing? 16 A. I would say all three of those. 17 Q. Is anything more important, any of those 18 more important than the other? 19 A. Complying with the law. 20 Q. That's pretty important, huh? 21 A. Yeah. 22 Q. I think we all can agree on that. 23 And do you know how the 2010 guidelines 24 were created -- 25 A. No.</p>
<p style="text-align: right;">Page 59</p> <p>1 Justice under Section 5. 2 Q. Okay. 3 A. And they were -- they were drawn fairly 4 closely aligned with the committee guidelines at that 5 time. 6 Q. And so you believe that the 2010 7 guidelines, then, were based on the 2002 guidelines 8 for that reason? 9 A. What I remember from 2002, when they 10 brought the 2010, I saw similarities that I 11 remembered from both of them to the -- to the 2020 12 guidelines, yes. 13 Q. Okay. So one of the reasons that the 14 2021 guidelines are based on the 2010 guidelines is 15 because you believe that they would be -- they would 16 have complied with Section 5 of the Voting Rights 17 Act had that -- if that were still in effect? 18 A. They would comply with Section 1 of the 19 Voting Rights Act. I mean Section 2. I'm sorry. 20 Section 2 of the Voting Rights Act. But they were 21 precleared under Section 5. 22 Q. Right. 23 A. And I also thought they would comply 24 with the 14th Amendment, one man, one vote. 25 Q. Okay. Is there any other reason why you</p>	<p style="text-align: right;">Page 61</p> <p>1 Q. -- other than being based off of the 2 2002? 3 A. No, ma'am. 4 Q. Who would know how the 2010 guidelines 5 were created? 6 A. I would say Mr. Walker. 7 Q. Okay. Anybody else? 8 A. I wasn't there. 9 Q. Okay. 10 A. I take that back. I said Senator 11 McClendon was there in 2010. I wasn't. 12 Q. Let's see. If you could flip to Pages 7 13 and 8. Let's start with 7. And as you'll see, that 14 third box is entirely striked out in the middle with 15 the proposed changes. 16 A. Uh-huh. 17 Q. That's the section on communities of 18 interest. If you'd like to read through those boxes 19 on Pages 7 and 8, it might be helpful. 20 A. Okay. 21 Q. So it looks to me like this subsection 22 was entirely rewritten. Do you know why? 23 A. I can't answer with certainty. But I 24 believe it goes back -- and I'm just supposing -- to 25 the Gingles test.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 62</p> <p>1 Q. And what's your understanding of the 2 Gingles test? 3 A. Compactness, contiguity, and communities 4 of interest, I would assume. I don't know. 5 Q. Can you think of any other reason why 6 the section on communities of interest would be 7 entirety rewritten? 8 A. Other than a court ruling that gave a 9 better definition, I don't know. 10 Q. Did you have any role in this particular 11 change? 12 A. No, ma'am. 13 Q. Do you know who made this particular 14 change on the document? 15 A. You would have to talk to the attorney. 16 Q. Talk to Mr. Walker? 17 A. Mr. Walker. 18 Q. In this section, if you compare the 2010 19 guidelines to the enrolled guidelines, the 2021 20 guidelines eliminate partisan interest from the 21 definition of communities of interest. 22 So in 2010, partisan interests were part 23 of the definition of community of interest. But in 24 2021, they're not. Do you know why that is? 25 A. No, ma'am.</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. Well, I guess I'm talking about at the 2 -- at the committee meeting. 3 A. I don't -- I don't remember. 4 Q. Okay. And did you talk to anyone about 5 the May 5th meeting after it happened? 6 A. I'm sure I did. But I don't recall. 7 Q. Do you recall what you would have talked 8 about? 9 A. The general guidelines that we adopted, 10 the guidelines that would control the committee's -- 11 the way we drew plans. But they were public record 12 at that point. 13 Q. So what happened next in the 14 redistricting process? 15 A. Then we began trying to work on public 16 hearings and how we were going to handle public 17 hearings with COVID-19. 18 Q. Okay. 19 A. So we had -- we had to come up with a 20 way to handle the public hearings and where we were 21 going to hold them and how we were going to hold 22 them. 23 Q. So why did you hold public meetings? 24 A. It's part of the guidelines, and it's 25 tradition. They've been held -- I've heard they did</p>
<p style="text-align: right;">Page 63</p> <p>1 Q. Who would know why? 2 A. I would suggest you talk to my attorney. 3 Q. Okay. 4 A. When you get into legal definitions -- 5 Q. I understand that lawyers are pretty 6 fond of legal definitions. 7 So in the May 5th meeting, you mentioned 8 that Mr. Walker discussed these proposed changes. 9 Do you know if there were any other changes made at 10 that meeting other than the ones proposed by 11 Mr. Walker? 12 MR. WALKER: I think the way that 13 question is asked, I need to assert the 14 attorney-client privilege. 15 Q. I guess what I'm saying is did any -- 16 are there any differences between these proposed 17 changes that were presented in the meeting and the 18 final version in Exhibit 2, the final guidelines? 19 Did anybody suggest any other changes? 20 A. Not that I recall. 21 Q. So the version that is here of these 22 proposed changes, they were accepted in whole and no 23 other changes were made? 24 A. No changes were made after the committee 25 adopted them.</p>	<p style="text-align: right;">Page 65</p> <p>1 them in 2010. I know we did them in 2002. 2 Q. And what's the purpose of the public 3 meetings? 4 A. To take input from the community at 5 large, the people that live in the communities and 6 what they like or dislike about the existing plan 7 and what they would like to see changed. 8 Q. Was there a draft -- when you say 9 "existing plan," what do you -- what do you mean by 10 that? 11 A. The plan that we were currently 12 operating under. 13 Q. So you mean the 2011 map? 14 A. Yes. 15 Q. So the purpose of the public meetings is 16 for people to express what they like or do not like 17 about the current setup? 18 A. Yes. 19 Q. Is there any other reason why public 20 meetings are held? 21 A. Well, we go to the public and show them 22 the existing plans and where the population has 23 shifted and how they would like to see the lines 24 drawn. 25 Q. So you mentioned that there were public</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 66</p> <p>1 meetings that were also held in 2001 when you were 2 part of that redistricting process. Do you think 3 that people's -- do you recall if people's -- their 4 concerns are different now than they were then? 5 A. Explain what you mean by that question. 6 Q. Well, I guess I'm not talking about the 7 nitty-gritty little, you know, this block here, this 8 block there, but general opinions about how maps 9 should be drawn or what a community of interest is 10 or anything like that. 11 Do people -- do you think that people 12 felt the same way at public meetings back in 2001 as 13 they did in the meetings this year? 14 A. I would say, generally speaking, they 15 held the same views. 16 Q. And what sorts of views are those? 17 A. I mean, some communities wanted to -- 18 I'm having -- I would have to separate congressional 19 from -- 20 Q. Right. 21 A. -- legislative. 22 Some people wanted to see maps drawn 23 differently. There was numerous people there to 24 present the map for the League of Women Voters and 25 discuss it. They asked us to look at that map. And</p>	<p style="text-align: right;">Page 68</p> <p>1 Q. The 2010? 2 A. The existing map. 3 Q. Okay. 4 A. And then after we got the numbers, we 5 knew which congressional district was over and which 6 congressional districts were underpopulated and the 7 amount of people we needed in each congressional 8 district in order to comply with one man, one vote. 9 Q. Okay. 10 A. The same thing we did in 2001. We 11 presented the existing map to the people in all the 12 public hearings. And after the public hearings, 13 then and only then was a map produced. And we had a 14 lot more time in '01. 15 Q. Right. 16 Did the public have access to the 17 numbers of people that would need to move between 18 districts, about the overpopulation and 19 underpopulation numbers? Did they have access to 20 that? 21 A. That was gone over in every public 22 hearing. 23 Q. Okay. Why was it necessary to have 24 those numbers before holding the public hearings? 25 A. So we could -- we knew how many people</p>
<p style="text-align: right;">Page 67</p> <p>1 there were people that liked their members of 2 congress and wanted the maps to stay the way they 3 were. 4 Q. Was there a draft of the congressional 5 map prepared before the public meetings occurred? 6 A. No, ma'am. 7 Q. And when did the public meetings occur? 8 Not every single one, but in general. 9 A. As soon as we had numbers from the 10 census bureau and we could tell the people whether 11 their congressional district was overpopulated or 12 underpopulated and how many people they had to gain 13 or lose based on the new -- we didn't know what the 14 number was going to be to get to zero deviation on 15 the congressional map until we had the census 16 numbers. 17 So we couldn't go out and talk to people 18 about how they wanted to see their congressional 19 district change in order to comply with one man, one 20 vote. 21 Q. Why is it -- why was it necessary to 22 have the census numbers if you don't have a map yet? 23 I guess I'm curious why the -- why the census 24 numbers are necessary to hold the public hearings. 25 A. We had a map.</p>	<p style="text-align: right;">Page 69</p> <p>1 went into a district and how many people were in the 2 current district. 3 Q. Well, I guess people have concerns about 4 -- well, did people have concerns about districts 5 other than, you know, the pure numbers? Did they 6 have opinions about how maps should be drawn period 7 regardless of the census numbers? Do you understand 8 what I'm saying? 9 A. If you are referring to the League of 10 Women Voters who sent somebody to virtually every -- 11 Q. I'm talking in general. 12 A. There were people there every -- every 13 meeting that had their talking points that basically 14 read them that all said the same thing. They wanted 15 to adopt another plan that created two majority 16 minority districts. 17 Q. Well, I assume that there were people at 18 the meetings who didn't share that view. 19 A. Yeah. 20 Q. Do you think -- I guess wouldn't it be 21 possible to have that opinion before the census 22 numbers were even out? 23 A. Well, they did have the opinion before 24 the numbers were out. 25 Q. Okay. I guess I'm just not really</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 70</p> <p>1 understanding why the -- why you had to wait to hold 2 the public hearings until the census numbers were 3 out. 4 A. Accuracy. 5 Q. Okay. So you had mentioned that at the 6 public meetings, public hearings, some people liked 7 their members of congress and wanted to keep them. 8 What did you mean by that? 9 A. They were happy with the representation 10 they were receiving from their elected 11 representatives. 12 Q. So what does that mean for those 13 representatives' districts? Would they want to keep 14 them the same or --- 15 A. Our guidelines say we try to protect the 16 core of the existing districts, yes. 17 Q. Well, I guess if you're happy with your 18 representative, that doesn't mean that -- you could 19 still live in the district and have the rest of the 20 district change and still keep your representative 21 if like, you know, they're on the margins. The rest 22 of the district could change. If you live in the 23 center of the district, you're still going to keep 24 your representative, right? 25 A. I couldn't answer that question.</p>	<p style="text-align: right;">Page 72</p> <p>1 A. Yes. I want to say I -- I don't 2 remember missing any of them, no. 3 Q. Okay. And how were the public meetings 4 held? 5 A. Virtually, just like this meeting. We 6 were -- we were in COVID and we had to get as many 7 locations as we could to get as much input as we 8 could in a very compressed time period. So we did 9 it remotely. 10 Q. And in person? 11 A. Yes. We had one in the state house. 12 Q. But 27 out of 28 were only held 13 virtually; is that right? 14 A. Just like this meeting, yes, ma'am. 15 Q. Okay. And what was your role in the 16 public meetings? 17 A. I was to go over the -- to listen to the 18 house, when they talked about the state house 19 districts. And I listened to all the house, 20 congressional, senate, state school board, yes. 21 Q. And were you just there to listen? Or 22 did you do anything else? 23 A. I listened. 24 Q. And did you answer any questions from 25 the public?</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. Well, there are people -- so the map 2 changed between 2010 and today, right? 3 A. Yes. 4 Q. And there are members who have kept 5 their -- there are citizens who have kept their 6 representatives even though the lines of the 7 districts have changed, right? 8 A. Correct. 9 Q. So you could keep your representative 10 even though the line of the district changes, 11 correct? 12 A. Correct. 13 Q. So when people are saying "I'm happy 14 with my representative," are they just saying that 15 they don't want the district to change at all? Or 16 what -- what do you think that they're saying? 17 A. I would hate to interpret what they 18 would mean by that. They said they were happy with 19 their representative. 20 Q. Okay. And how many of the public 21 hearings did you participate in? 22 A. All 28. 23 Q. Did you go in person -- 24 A. Yes. 25 Q. -- to all 28?</p>	<p style="text-align: right;">Page 73</p> <p>1 A. I believe I answered one. 2 Q. And what was that question? 3 A. I don't remember. 4 Q. Was it about the congressional map? 5 A. I don't remember. 6 Q. And was Mr. Walker present at these 7 public meetings? 8 A. He was our moderator. Yes, ma'am. 9 Q. Okay. And what does that mean? 10 A. He conducted the meeting. 11 Q. Okay. And is it fair to say that 12 Mr. Walker primarily addressed or answered audience 13 questions during the hearings? 14 A. There was a time when people could 15 either ask a question or submit a question 16 electronically. 17 Q. Okay. 18 A. And he would address those questions. 19 Q. And he addressed most of -- I'm sorry. 20 Of the questions that were answered, Mr. Walker was 21 the one who answered most of them? 22 A. Yes, ma'am. 23 Q. Okay. And did audience members ever 24 direct questions to you specifically? 25 A. I can't remember.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 74</p> <p>1 Q. And do you know if they directed 2 questions to Senator McClendon specifically? 3 A. I don't remember. 4 Q. Did you prepare for any of the public 5 meetings? 6 A. We had the maps in front of us and the 7 demographic shifts in front of us. And we would -- 8 I would read those as we went through the meetings. 9 Q. And by "the maps," you mean the 2011 -- 10 A. Yes. 11 Q. -- maps? Because you didn't have draft 12 maps of the 2021 -- 13 A. No. 14 Q. -- at that time. Okay. 15 And what demographic figures are you 16 talking about? 17 A. The over and underpopulations, whether 18 they had too many or too few people in them to stay 19 within -- of course, I'm kind of talking legislative 20 here and not congressional. Because congressional, 21 we went to zero deviation. But we looked at the 22 congressional districts to see which ones were 23 overpopulated and which ones were underpopulated. 24 Q. Okay. 25 A. And how many people would have to change</p>	<p style="text-align: right;">Page 76</p> <p>1 if I remember correctly. 2 Q. But occasionally people talked about 3 congress, right? 4 A. Yes. But we had not seen -- I had not 5 seen the numbers on any plans until after they were 6 submitted to reapportionment. 7 So until I saw the -- you know, that 8 ten-day rule kicked in and these plans that had been 9 drawn off campus were submitted to the 10 reapportionment office. Then and only then could we 11 look at the demographics, the population changes, 12 and the deviations in those districts. 13 Q. Well, you had the demographic shift 14 numbers to get to zero deviation during the public 15 meetings, right? 16 A. I had the number that we needed to get 17 to, correct. 18 Q. So you did talk to Mr. Hinaman about 19 what was brought up at the public hearings about 20 congress, correct? 21 A. We talked -- I would assume we discussed 22 it, yes. 23 Q. And do you recall any specifics of what 24 you talked about? 25 A. Just the difference -- we were trying to</p>
<p style="text-align: right;">Page 75</p> <p>1 in order to get to zero deviation. 2 Q. And who created that document? 3 A. I'm not sure. 4 Q. Do you know -- sorry. 5 Did you take any notes during any of the 6 public meetings? 7 A. Any notes I took, I turned over in my 8 evidence. They were handwritten on those -- those 9 documents. 10 Q. But you did take some -- 11 A. Very few. 12 Q. -- notes? Okay. 13 Did you take any notes after any of the 14 public meetings? 15 A. No, ma'am. 16 Q. And did you talk to anyone about the -- 17 what happened in the public hearings? 18 A. I'm sure I did. But I don't recall 19 specifics. 20 Q. Did you talk to Mr. Hinaman about what 21 happened in the public meetings? 22 A. Yes, ma'am. 23 Q. And what did you tell him? 24 A. Most of the conversations at the public 25 hearings were dealing with state legislative races,</p>	<p style="text-align: right;">Page 77</p> <p>1 get to zero deviation. 2 Q. Did you relay any specific concerns that 3 someone had at a public meeting about the 4 congressional map to Mr. Hinaman? 5 A. I was concerned about the deviations in 6 any other proposed plans. 7 Q. Well, the public, though, I'm talking 8 about, what they brought up at the public hearings. 9 Did you relay any of those specifics to Mr. Hinaman? 10 A. I don't remember. 11 Q. Do you recall discussing any of those 12 kinds of specifics that the public had about 13 congress to anyone else? 14 A. I'm sure we did. I mean, it was the 15 same talking points at every public hearing on the 16 congressional plan. 17 Q. I mean, that suggests that there was 18 really only one view about the congressional map 19 coming up at the public hearings. 20 A. Well, it was the plan produced by the 21 League of Women Voters. Every -- if I remember 22 correctly, almost every single public hearing we 23 had, somebody stood up with their talking points and 24 read them to us and entered them into the record. 25 Q. But not everybody who attended the</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 78</p> <p>1 public hearings would have known about the League of 2 Women Voters' map, right? 3 A. Somebody was there at virtually every 4 meeting that I remember to talk about it. 5 Q. Did anyone discuss anything about the 6 congressional map that wasn't related to the League 7 of Women Voters' map that you recall? 8 A. I don't recall. 9 Q. Do you know how many of the 28 meetings 10 were held on weekdays during working hours, 9:00 to 11 5:00? 12 A. Like this one here, all but one of them. 13 Q. Okay. And most people are working on 14 weekdays during working hours from 9:00 to 5:00, 15 right? 16 That's a yes? 17 A. That's -- I know a lot of people that 18 work different hours. 19 Q. But most people work on weekdays from 20 the hours of around 9:00 to 5:00, would you say? 21 A. I would say it's very common, yes. 22 Q. Okay. Do you think that that had an 23 impact on who could attend the public meetings? 24 A. I don't know. 25 Q. I mean, if I'm at work, I tend to not be</p>	<p style="text-align: right;">Page 80</p> <p>1 and watched. 2 Q. For that one meeting? 3 A. Exactly. And you could have spoken your 4 mind or emailed in your questions or your concerns 5 at that time. 6 Q. Okay. But you and others from the 7 reapportionment committee set the times of those 8 meetings, correct? 9 A. Yes, ma'am. 10 Q. Primarily you and Senator McClendon; is 11 that right? 12 A. In conjunction with the other members. 13 Like I said, we produced a list of 22. And Ms. Hall 14 asked us to add six meetings in communities she 15 thought did not have enough representation or enough 16 opportunities. So we added those additional six 17 meetings and included them in our press releases so 18 anybody could log in. 19 Q. Did you consider holding more meetings 20 in the evening other than just the one? 21 A. I couldn't answer that question. 22 Q. Before the public hearings happened, 23 Senator McClendon told the press that the new maps 24 wouldn't cause, quote, any surprises for the 25 candidates or for the voters. I'll just represent</p>
<p style="text-align: right;">Page 79</p> <p>1 doing other things that aren't work related during 2 the work hours. Do you think that that would have 3 had an impact at all on -- 4 A. Well, the schedule of the public 5 hearings was public. It was released. The links 6 were public. You might not have been able to make 7 one specific meeting, but you could have logged into 8 any of the other 28 at any given time on any given 9 day that we held them and listened and interjected 10 into the congressional plan. 11 Q. Well -- 12 A. I mean, you had 28 opportunities to log 13 on over a three-week period that you could have come 14 in and watched. It's not like you had to drive to a 15 location like in the old days when you had to drive 16 somewhere during the daytime to come hear us. You 17 were able to listen at any time. 18 Q. But even so, if you work at McDonald's 19 from 9:00 to 5:00 and you're at the cash register, 20 how are you going to attend one of those meetings? 21 A. There are 28 different meetings at all 22 different times of the day. 23 Q. Well, not -- they're all between 9:00 24 and 5:00 except for one. 25 A. Then you could have logged in that night</p>	<p style="text-align: right;">Page 81</p> <p>1 to you that that happened. 2 Do you know what the basis was for that 3 statement? 4 A. You'll have to ask Senator McClendon. 5 Q. Do you agree with that statement, that 6 even before the public hearings would have happened, 7 that there wouldn't be surprises for candidates or 8 for the voters? 9 A. I think every time you change the lines, 10 you surprise people. 11 Q. But on the whole, would you say that 12 that statement was true? 13 A. Well, when your guidelines are to keep 14 the core of the existing districts intact as much as 15 practicable, it shouldn't be too earth shattering, 16 some of the changes around the edges. 17 Q. And do you know if any work had been 18 conducted on drafting the congressional map prior to 19 the public hearings? 20 A. No, ma'am. 21 Q. Do you know if any decisions on the 22 lines for the congressional maps had been made 23 before holding the public hearings? 24 A. No, ma'am. 25 Q. Are you familiar with the black belt</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 82</p> <p>1 counties in Alabama, that term?</p> <p>2 A. I sell timberland. I work all through</p> <p>3 the black belt.</p> <p>4 Q. Okay.</p> <p>5 A. I've spent more time in the black belt</p> <p>6 than . . .</p> <p>7 Q. And what's your understanding of the</p> <p>8 black belt?</p> <p>9 A. It's a region in the middle of the state</p> <p>10 of Alabama that got its name because of the rich</p> <p>11 soils.</p> <p>12 Q. And what counties are in it?</p> <p>13 A. It's like 28 counties, I think,</p> <p>14 something like that. I spend most of my time in</p> <p>15 Wilcox, Marengo, Lowndes, Perry, Hale, those areas.</p> <p>16 Q. And if you could just describe what</p> <p>17 portion of the state are we talking about.</p> <p>18 A. Central Alabama.</p> <p>19 Q. Do you recall if anyone discussed the</p> <p>20 black belt at any of the public hearings?</p> <p>21 MR. WALKER: What was --</p> <p>22 MS. WELBORN: If anyone at the public</p> <p>23 meetings discussed the black belt.</p> <p>24 A. It's a term that's often used in</p> <p>25 Alabama. But I don't remember specifically.</p>	<p style="text-align: right;">Page 84</p> <p>1 the families in Mobile come from northern counties</p> <p>2 because of the way the river system is. We have</p> <p>3 very little to nothing in common with the people in</p> <p>4 the Wiregrass. It's not -- it's almost a totally</p> <p>5 different state over there.</p> <p>6 So I don't know -- if you're asking me</p> <p>7 do the people in Wilcox County have something in</p> <p>8 common with the people in Macon County, I can't</p> <p>9 answer that. But I know the people in Wilcox</p> <p>10 County. We go up and down the rivers.</p> <p>11 Q. Right. I guess what I'm saying is you</p> <p>12 still approve a map even though you don't have</p> <p>13 personal experience with every single community of</p> <p>14 interest, right?</p> <p>15 A. The state legislature approved the map,</p> <p>16 yes, ma'am.</p> <p>17 Q. Well, you voted for it, right?</p> <p>18 A. Yes.</p> <p>19 Q. So just going back to the black belt.</p> <p>20 Even though you don't necessarily have personal</p> <p>21 experience with every single county, can you still</p> <p>22 form an opinion about in general whether that is a</p> <p>23 community of interest?</p> <p>24 A. I know it's a very rural part of the</p> <p>25 state of Alabama.</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. Would you agree that the black belt is a</p> <p>2 community of interest?</p> <p>3 A. It's a very broad area that stretches</p> <p>4 from one side of the state to the other. I believe</p> <p>5 it has some communities of interest in it, yes.</p> <p>6 Q. But as a whole, is the black belt a</p> <p>7 community of interest?</p> <p>8 A. I couldn't answer that.</p> <p>9 Q. Why not?</p> <p>10 A. Because while I work in Wilcox and</p> <p>11 Marengo and Perry, I don't go to Macon or the</p> <p>12 counties on the other side. So I don't really know</p> <p>13 much about them.</p> <p>14 Q. But that's true for other communities of</p> <p>15 interest in other parts of the state, right?</p> <p>16 A. Explain that one to me.</p> <p>17 Q. I guess if the legislature -- if the</p> <p>18 reapportionment committee is tasked with approving a</p> <p>19 congressional map that keeps, you know, communities</p> <p>20 of interest together, you don't personally know</p> <p>21 about every community of interest in the same way</p> <p>22 that you do know about those particular counties,</p> <p>23 right?</p> <p>24 A. I mean, you know, I'm from Mobile. And</p> <p>25 we run up and -- it's the river system. So many of</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Does that make it a community of</p> <p>2 interest?</p> <p>3 A. I don't know what your definition of a</p> <p>4 community of interest is.</p> <p>5 Q. Well, the reapportionment committee has</p> <p>6 a definition of community of interest, right?</p> <p>7 A. Yes.</p> <p>8 Q. So looking at that definition, would you</p> <p>9 consider the black belt to be a community of</p> <p>10 interest?</p> <p>11 A. Our definition of community of interest</p> <p>12 is in certain circumstances to include political</p> <p>13 subdivisions such as counties, voting precincts,</p> <p>14 municipalities, tribal lands, reservations, or</p> <p>15 school districts. Those counties -- the counties</p> <p>16 are a community of interest.</p> <p>17 Q. Well, it also includes ethnic, racial,</p> <p>18 economic, tribal, social, geographic, and historical</p> <p>19 identities.</p> <p>20 A. Yes.</p> <p>21 Q. Under any of those aspects, does the</p> <p>22 black belt constitute a community of interest?</p> <p>23 A. I know it's -- it is predominantly</p> <p>24 African American.</p> <p>25 Q. And the black belt is a historical term,</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 86</p> <p>1 right?</p> <p>2 A. Based on the soil, yes, ma'am.</p> <p>3 Q. Okay. And that term goes back quite a</p> <p>4 long time?</p> <p>5 A. It was developed because of the rich</p> <p>6 soil in that area.</p> <p>7 Q. So yes or no, under these guidelines,</p> <p>8 does the black belt constitute a community of</p> <p>9 interest?</p> <p>10 A. I couldn't answer that question. I just</p> <p>11 couldn't answer that.</p> <p>12 Q. I don't understand why not.</p> <p>13 A. Because I'm not sure they are</p> <p>14 politically cohesive and compact and contiguous</p> <p>15 enough to constitute one.</p> <p>16 Q. What, if anything, did you learn or take</p> <p>17 away from the public hearings?</p> <p>18 A. What do you mean by that?</p> <p>19 Q. Well, did you learn anything from what</p> <p>20 you heard at the public hearings?</p> <p>21 A. I walked away thinking most people in</p> <p>22 the state of Alabama were happy with their</p> <p>23 representation the way it was in congress.</p> <p>24 Q. And do you recall any specifics about --</p> <p>25 about that?</p>	<p style="text-align: right;">Page 88</p> <p>1 A. We put it in the record. It's all</p> <p>2 there.</p> <p>3 Q. After -- after the meetings, what did</p> <p>4 you do with that information?</p> <p>5 A. It was put into the official record of</p> <p>6 the committee.</p> <p>7 Q. I guess I'm -- did any of what you</p> <p>8 learned at the public hearings influence how the</p> <p>9 congressional map was drawn?</p> <p>10 A. I can't answer that. I don't -- I</p> <p>11 wasn't a member -- that map was drawn by Mr. Hinaman</p> <p>12 and in conjunction with the members of congress.</p> <p>13 Q. But you did discuss what you learned</p> <p>14 about the public meetings with Mr. Hinaman with</p> <p>15 respect to the congressional meetings at some point?</p> <p>16 A. That somebody had come to every meeting</p> <p>17 and read the League of Women Voters' talking points,</p> <p>18 yes.</p> <p>19 Q. But did you express to Mr. Hinaman your</p> <p>20 sentiment that the general public was happy with</p> <p>21 their representation?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you remember telling him, about the</p> <p>24 congressional map, anything other than about the --</p> <p>25 from the public hearings other than the League of</p>
<p style="text-align: right;">Page 87</p> <p>1 A. The general public -- I mean, every</p> <p>2 committee meeting had somebody standing up and</p> <p>3 reading the talking points on the League of Women</p> <p>4 Voters' plan. So if you read the record, it's all</p> <p>5 in there. They all talked about that specific plan</p> <p>6 on their talking points.</p> <p>7 Q. But the --</p> <p>8 A. I don't remember the general public</p> <p>9 being dissatisfied with the members of congress.</p> <p>10 Q. Meaning other people at the -- at the</p> <p>11 public meetings --</p> <p>12 A. Yes.</p> <p>13 Q. -- were not --</p> <p>14 A. I don't remember them being</p> <p>15 dissatisfied, no, ma'am.</p> <p>16 Q. Okay. So how -- but you still took away</p> <p>17 the idea that the general public was happy with</p> <p>18 their current representation?</p> <p>19 A. Yes, ma'am.</p> <p>20 Q. Okay. And what did you do with that</p> <p>21 information?</p> <p>22 A. I mean, it's all part of the permanent</p> <p>23 record. I remembered it because I listened to all</p> <p>24 of it.</p> <p>25 Q. Right.</p>	<p style="text-align: right;">Page 89</p> <p>1 Women Voters' talking points?</p> <p>2 A. Not that I can recall.</p> <p>3 Q. And how much weight did you give to</p> <p>4 those -- the sentiment that the general public was</p> <p>5 happy with their representation in terms of its</p> <p>6 importance in drawing the map?</p> <p>7 A. We listened to the people. I was</p> <p>8 anxious to see what the League of Women Voters' map</p> <p>9 turned out to be.</p> <p>10 Q. Did you -- did you consider it to be</p> <p>11 more important when the congressional map was being</p> <p>12 drawn that the general public was satisfied with</p> <p>13 their representation compared to what was said about</p> <p>14 the League of Women Voters' map?</p> <p>15 A. You know, when every meeting somebody</p> <p>16 stands up and reads the same talking points and you</p> <p>17 could tell they've been prompted just to go say that</p> <p>18 to get it into the record, I put more weight on the</p> <p>19 people who came out of a true sense of wanting to</p> <p>20 express their opinion, not the opinion that was</p> <p>21 written down on a piece of paper form them by an</p> <p>22 attorney. What I assume was an attorney. I'm</p> <p>23 sorry.</p> <p>24 Q. So you gave less weight to those League</p> <p>25 of Women Voter talking points than you did the</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 90</p> <p>1 people who were discussing on their own that they</p> <p>2 were happy with their representation?</p> <p>3 A. Somebody that was put in the room to put</p> <p>4 statements into the record is not, in my opinion,</p> <p>5 the same as somebody who comes on their own free</p> <p>6 will and their own fruition to express their</p> <p>7 personal opinion about their representation.</p> <p>8 Q. So did you give any instructions to</p> <p>9 Mr. Hinaman to change anything about the</p> <p>10 congressional map because of the public hearings?</p> <p>11 A. Not that I recall.</p> <p>12 Q. Did you give instructions to anyone else</p> <p>13 about changing the map because of the public</p> <p>14 hearings?</p> <p>15 A. Not that I recall.</p> <p>16 Q. At the public hearings, do you recall</p> <p>17 anyone discussing the need to have two majority</p> <p>18 black districts for congress?</p> <p>19 A. Two majority black congressional</p> <p>20 districts, yes, ma'am.</p> <p>21 Q. Yes. Who mentioned that?</p> <p>22 A. I don't recall specifically.</p> <p>23 Q. Was it mentioned often, would you say?</p> <p>24 A. I don't remember.</p> <p>25 Q. Was it something that only came up once</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. Okay. Is something -- is one of those</p> <p>2 factors more important than the other?</p> <p>3 A. Deviations.</p> <p>4 Q. That's the most important factor, in</p> <p>5 your opinion?</p> <p>6 A. Yes, ma'am.</p> <p>7 Q. And how important are the county splits?</p> <p>8 A. Well, we tried to split as the few</p> <p>9 counties as possible in order to achieve the zero</p> <p>10 deviation.</p> <p>11 Q. Just quickly going back to talking about</p> <p>12 this sentiment that people were happy with their</p> <p>13 representation. How did you know or how did you</p> <p>14 determine who was there with their talking points</p> <p>15 and who was there, you know, coming of their own</p> <p>16 volition?</p> <p>17 A. If they're reading a piece of paper and</p> <p>18 it's the same talking points you've heard, I would</p> <p>19 assume they were sent there to read it. If they're</p> <p>20 talking extemporaneously and they don't line up with</p> <p>21 the talking points you've heard before, I would</p> <p>22 assume they were talking of their own fruition.</p> <p>23 Q. Did you ask anyone at any of the public</p> <p>24 meetings if they were part of a particular group?</p> <p>25 A. They were instructed by Mr. Dorman to</p>
<p style="text-align: right;">Page 91</p> <p>1 or twice?</p> <p>2 A. I don't remember the number of times.</p> <p>3 But it came up a few.</p> <p>4 Q. A few. But not at every meeting?</p> <p>5 A. I don't remember it coming up at every</p> <p>6 meeting, no.</p> <p>7 Q. What was your response to the suggestion</p> <p>8 that there should be two majority black</p> <p>9 congressional districts?</p> <p>10 A. If somebody could show me a plan that</p> <p>11 met the guidelines, I would be interested in looking</p> <p>12 at it.</p> <p>13 Q. And what do you mean by "interested in</p> <p>14 looking at it"?</p> <p>15 A. I mean I would give it due consideration</p> <p>16 if it met the guidelines.</p> <p>17 Q. If you have competing maps that all meet</p> <p>18 the guidelines, how do you choose one over the</p> <p>19 other?</p> <p>20 A. I would go with the one that's most in</p> <p>21 line with the guidelines.</p> <p>22 Q. How do you determine what is most in</p> <p>23 line with the guidelines?</p> <p>24 A. The number of county splits, the</p> <p>25 deviations.</p>	<p style="text-align: right;">Page 93</p> <p>1 state their name and who they represented.</p> <p>2 Q. And did you ask any of them if they were</p> <p>3 sent there by somebody else?</p> <p>4 A. No. They -- when they were called to</p> <p>5 speak, they were to state their name and who they</p> <p>6 represented.</p> <p>7 Q. Okay. And did you -- did you consider</p> <p>8 -- if someone came there, you know, with a prepared</p> <p>9 set of talking points, did you consider their</p> <p>10 opinion to be less -- less important to drawing the</p> <p>11 map than someone who came there to speak</p> <p>12 extemporaneously, like you said?</p> <p>13 A. I believe I answered that question</p> <p>14 already, didn't I?</p> <p>15 Q. Do you know if a map with two majority</p> <p>16 minority districts was proposed at any point?</p> <p>17 A. During the legislative process when we</p> <p>18 were in session, yes, ma'am.</p> <p>19 Q. Do you know if any were proposed before</p> <p>20 the special session?</p> <p>21 A. We have a rule that any plan drawn off</p> <p>22 campus, outside the reapportionment office, has to</p> <p>23 be turned over ten days before it can be introduced</p> <p>24 as a bill.</p> <p>25 So after they were turned over, at</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 94</p> <p>1 whatever point they were turned over and they were</p> <p>2 put through our computers and we could get the</p> <p>3 information on them, the deviations and the county</p> <p>4 splits, we looked at them then.</p> <p>5 Q. So if someone submitted an outside plan,</p> <p>6 let's say, 30 days before the special session, so</p> <p>7 more than ten days, when would you have had access</p> <p>8 to that plan?</p> <p>9 A. I don't remember seeing the demographics</p> <p>10 of any plan that was introduced earlier than that.</p> <p>11 Q. I'm sorry. Could you --</p> <p>12 A. I don't remember seeing a plan that was</p> <p>13 submitted before then.</p> <p>14 Q. Before the ten days?</p> <p>15 A. Ten days, yes, ma'am.</p> <p>16 Q. Okay. And once a plan is submitted by</p> <p>17 outside groups, what happens?</p> <p>18 A. It's put through the computer and turned</p> <p>19 into what we call bill form. And then you have to</p> <p>20 find a member of the legislature that's willing to</p> <p>21 introduce it.</p> <p>22 Q. Okay. But you mentioned deviation and</p> <p>23 demographic data. Does the computer program also</p> <p>24 give you that information?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 96</p> <p>1 A. I did not see a plan that had the</p> <p>2 deviations in the populations until then. There's a</p> <p>3 difference between just color coding a map and</p> <p>4 letting me see an actual plan.</p> <p>5 Q. Okay. What's the difference?</p> <p>6 A. Well, you can -- you can draw anything</p> <p>7 you want to on a map. But until you actually have</p> <p>8 the census numbers and the demographic numbers in</p> <p>9 it, I don't consider it a plan.</p> <p>10 Q. And why not?</p> <p>11 A. Because until I know the population in</p> <p>12 that district -- the whole basis of redistricting is</p> <p>13 the 14th Amendment to the Constitution, equal</p> <p>14 protection, that my vote for a member of congress</p> <p>15 counts the same as another person in the state of</p> <p>16 Alabama's vote. That's the reason why we go through</p> <p>17 this process. It's one man, one vote. And until I</p> <p>18 look at a plan and the numbers associated with that</p> <p>19 plan, I don't consider it a full plan.</p> <p>20 Q. So I just want to make sure that I'm</p> <p>21 getting this right. I'm not trying to ask you over</p> <p>22 and over and over again.</p> <p>23 Is it right that you did not look at</p> <p>24 what you considered to be a plan, so an analyzed,</p> <p>25 you know, map with all that demographic information</p>
<p style="text-align: right;">Page 95</p> <p>1 Q. What --</p> <p>2 A. Until it -- until it reaches that bill</p> <p>3 form and we can analyze it based on the population</p> <p>4 and the deviations, I don't consider it a plan.</p> <p>5 Q. Okay. What all information could you</p> <p>6 look at from any plan at that point?</p> <p>7 A. At that point?</p> <p>8 Q. Uh-huh.</p> <p>9 A. After it's introduced from the outside</p> <p>10 source?</p> <p>11 Q. Yes.</p> <p>12 A. Then we look at the population, we look</p> <p>13 at the deviations, we look at the county splits, and</p> <p>14 we look at the BVAP, we look at the racial makeup of</p> <p>15 the district.</p> <p>16 Q. And when you say "BVAP," just for the</p> <p>17 record, what do you mean?</p> <p>18 A. Black voting age population.</p> <p>19 Q. And is that all black or any part black?</p> <p>20 Do you know?</p> <p>21 A. No, I couldn't answer that. I've seen</p> <p>22 both columns, but I don't know.</p> <p>23 Q. So just to clarify, you did not see a</p> <p>24 map for two majority minority or majority black</p> <p>25 congressional districts prior to the ten-day mark?</p>	<p style="text-align: right;">Page 97</p> <p>1 and deviation information, until after that ten-day</p> <p>2 mark?</p> <p>3 A. Until after it was analyzed and I could</p> <p>4 get the numbers, yes.</p> <p>5 Q. Okay.</p> <p>6 A. Then we looked at it to see what the</p> <p>7 deviation was, the overall deviation of the plan,</p> <p>8 and how many splits there were in counties and what</p> <p>9 counties were split.</p> <p>10 Q. Okay. And at that point, were there any</p> <p>11 maps that were -- had two majority black districts?</p> <p>12 A. I don't remember seeing two majority</p> <p>13 black districts. I remember seeing one -- two of</p> <p>14 what they call opportunity districts, what they were</p> <p>15 calling -- the districts were not 50 percent</p> <p>16 minority.</p> <p>17 Q. Could you define your understanding of</p> <p>18 an opportunity district?</p> <p>19 A. That's what they were calling them.</p> <p>20 They called them opportunity districts, and they</p> <p>21 were both under 50 percent minority.</p> <p>22 THE REPORTER: Under 50 percent what?</p> <p>23 A. Minority population.</p> <p>24 Q. And who is "they"?</p> <p>25 A. The people who introduced them, the</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 98</p> <p>1 League of Women Voters and -- I can't remember who 2 introduced the bill in the house. 3 Q. Okay. And -- sorry. One second. 4 If a district has under a 50 percent 5 minority population, what is the importance of that 6 number, I guess? Why was that number important? 7 A. Under Section 2 of the Voting Rights 8 Act, we can't do anything to diminish the ability or 9 protect a class of minority citizens from electing 10 or defeating a candidate of their choice. 11 Q. So if a district has under 50 percent 12 voting age population -- sorry. Under 50 percent 13 minority population, does that automatically 14 diminish their ability to choose a candidate of 15 their choice under Section 2? 16 A. You're asking an attorney question. 17 Q. Well, I mean, ultimately it's your 18 responsibility to -- 19 A. It would -- it would -- I would give 20 great caution in order to draw a district that was 21 less than 50 percent, yes. 22 Q. Under 50 percent minority population? 23 A. Yes. I would be very cautious. 24 Q. Okay. And by "very cautious," does that 25 mean you are -- what does that mean?</p>	<p style="text-align: right;">Page 100</p> <p>1 MS. WELBORN: I understand what you're 2 saying. 3 MR. ROSBOROUGH: Counsel, I thought we 4 were going to refrain from speaking objections. 5 MR. DAVIS: What did he say? 6 THE REPORTER: Refrain from speaking 7 objections. 8 MS. WELBORN: Let's take a break. Let's 9 go off the record. And we'll come back and talk 10 after that. 11 THE VIDEOGRAPHER: We are off the 12 record. The time is 11:26 a.m. 13 (Recess was taken.) 14 THE VIDEOGRAPHER: We are back on the 15 record. The time is 12:06 p.m. 16 Q. So I'd like to talk about the October 17 26th reapportionment committee meeting. Do you 18 remember if you did anything to prepare for that 19 meeting? 20 A. Yes. We sent the proposed maps to all 21 the members for their review prior to the meeting. 22 Q. And by "we," who do you mean? 23 A. The staff at the reapportionment 24 committee. 25 Q. Okay. And do you remember how far in</p>
<p style="text-align: right;">Page 99</p> <p>1 A. I'm afraid we would run afoul of Section 2 2 of the Voting Rights Act. 3 Q. Okay. 4 MR. DAVIS: Can I ask how we're doing on 5 time? This was -- I know we had a break, a long 6 break, for audio. This was a two-hour deposition 7 that was noticed. We've got three PI motions we 8 need to get back to work on. This seems to be 9 really dragging. 10 MS. WELBORN: Well, I mean, we have up 11 to 7 hours under the Rules of Federal Procedure. 12 MR. DAVIS: You're going to take 14? 13 MS. WELBORN: I would hope -- I would 14 really like to not do that. But it certainly is our 15 right to do that. I can't really tell you at this 16 point exactly how much longer. But I'm happy to 17 take a break right now to help confer -- 18 MR. DAVIS: I'm hearing a lot of 19 repetition and a lot of arguing with the witness. 20 If you're going to do this discovery before the 21 preliminary injunction hearing, it needs to get 22 pretty focused and be a little sensitive and 23 courteous towards everything that we've got to do on 24 the defense side to get ready to respond to your 25 motions.</p>	<p style="text-align: right;">Page 101</p> <p>1 advance you sent them out? 2 A. As fast as we could. Remember this 3 whole process was very condensed, very condensed. 4 Q. I think it was the day before the 5 meeting. Is that right? 6 A. Yes, ma'am, which is standard operating 7 procedure. We get bills usually about a day before. 8 Q. Okay. 9 A. Usually. Not all the time. 10 Q. And did you talk to anyone about this 11 meeting beforehand? 12 A. I approached the members of my -- the 13 house members of the committee to make sure they 14 read their information and make sure they came to 15 the meeting. 16 Q. And other than the maps themselves, did 17 you provide any materials to the members of the 18 committee? 19 A. Whatever the committee sent with the 20 notice. 21 Q. With the -- I'm sorry. What do you mean 22 by the notes? 23 A. They were sent an email notifying them 24 of the meeting. Whatever was contained in that 25 notification of the meeting.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 102</p> <p>1 Q. And do you know who sent that email?</p> <p>2 A. Somebody on the reapportionment staff.</p> <p>3 Q. Okay. So a considerable portion of that</p> <p>4 meeting was about racial polarization analysis,</p> <p>5 which I'll also refer to as RPV. Does that --</p> <p>6 A. RP what?</p> <p>7 Q. RPV. Have you heard that term before?</p> <p>8 A. I've heard of racial population</p> <p>9 analysis.</p> <p>10 Q. I'll try to refer to it as racial</p> <p>11 polarization analysis. But that's also a lot of</p> <p>12 words.</p> <p>13 A. You can use the acronym.</p> <p>14 Q. So what's your understanding of racial</p> <p>15 polarization analysis?</p> <p>16 A. My understanding is that is done</p> <p>17 particularly for the courts to determine whether we</p> <p>18 either on purpose -- intentionally or</p> <p>19 unintentionally violated Section 2 of the Voting</p> <p>20 Rights Act and denied a group of protected class of</p> <p>21 minority citizens from electing or defeating a</p> <p>22 candidate of their choice based on the analysis of</p> <p>23 the historical vote.</p> <p>24 Q. And do you know how it's done?</p> <p>25 A. No, ma'am.</p>	<p style="text-align: right;">Page 104</p> <p>1 performed?</p> <p>2 A. I'm sure if a member of the</p> <p>3 reapportionment committee wanted one, they could</p> <p>4 approach the legal counsel of the committee and</p> <p>5 request one.</p> <p>6 Q. How do you decide which district a</p> <p>7 racial polarization analysis should be done for?</p> <p>8 A. I didn't make that decision.</p> <p>9 Q. So you don't play any role in deciding</p> <p>10 district X should have a racial polarization</p> <p>11 analysis done?</p> <p>12 A. I did not, no.</p> <p>13 Q. Okay. Do you know if there are any</p> <p>14 written guidelines for how someone should decide</p> <p>15 whether a racial polarization analysis should be</p> <p>16 done?</p> <p>17 A. I don't recall ever seeing any.</p> <p>18 Q. Do you know if there are any informal</p> <p>19 guidelines?</p> <p>20 A. I don't recall ever seeing any.</p> <p>21 Q. Or hearing of any?</p> <p>22 A. No.</p> <p>23</p> <p>24 (Plaintiff's Exhibit 4 was</p> <p>25 marked for identification.)</p>
<p style="text-align: right;">Page 103</p> <p>1 Q. Who decides whether a racial</p> <p>2 polarization analysis should be done for a</p> <p>3 particular district?</p> <p>4 A. Not me.</p> <p>5 Q. Do you know who does decide?</p> <p>6 A. I would -- I would assume it would be</p> <p>7 our attorney.</p> <p>8 Q. Why that assumption?</p> <p>9 A. Because he's an attorney and he</p> <p>10 understands Section 2.</p> <p>11 Q. But the actual analysis itself is math,</p> <p>12 right?</p> <p>13 A. I would assume. But I've never -- never</p> <p>14 done it.</p> <p>15 Q. Okay. Would anyone other than your</p> <p>16 attorneys make the decision to have a racial</p> <p>17 polarization analysis done for a particular</p> <p>18 district?</p> <p>19 A. Not that I'm aware of. I'm sure if I</p> <p>20 asked for one, I could get it.</p> <p>21 Q. Okay. Can anyone ask for it?</p> <p>22 A. I don't know the answer to that</p> <p>23 question.</p> <p>24 Q. Well, could a member of the</p> <p>25 reapportionment committee ask for it and have it be</p>	<p style="text-align: right;">Page 105</p> <p>1</p> <p>2 Q. I'd like to introduce Exhibit 4. This</p> <p>3 is a transcript of the reapportionment committee</p> <p>4 meeting from October 26th.</p> <p>5 MS. WELBORN: And we will provide</p> <p>6 electronic copies.</p> <p>7 MR. WALKER: I understand. My only</p> <p>8 caveat is while I don't have any reason to believe</p> <p>9 that these are inaccurate, we haven't had a chance</p> <p>10 to check it.</p> <p>11 MS. WELBORN: Of course.</p> <p>12 Q. I'll get to that in a second.</p> <p>13 But do you know when a racial</p> <p>14 polarization analysis is conducted? At what point</p> <p>15 in the process, I mean.</p> <p>16 A. I was under the assumption that after we</p> <p>17 passed the bills, that a racial polarization</p> <p>18 analysis would be done for the lawsuits.</p> <p>19 Q. Okay. So after they are already</p> <p>20 enacted, right?</p> <p>21 A. Well, given the timeline.</p> <p>22 Q. Okay.</p> <p>23 A. We didn't have time to.</p> <p>24 Q. If you could turn to Page 20. I'm</p> <p>25 sorry. It's Page 18. And at the very bottom,</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 106</p> <p>1 Senator McClendon says, "Can I ask something? The 2 question you're asking, the answer is our attorney, 3 mine and your attorney, set that data off for 4 districts that it looked like there might possibly 5 be a racial issue." 6 And this is referring to a racial 7 polarization analysis. That is, that racial 8 polarization is done -- analysis is done for 9 districts where it looked like there might possibly 10 be a racial issue. 11 Is that your understanding of when 12 racial polarization -- that that is why a racial 13 polarization analysis is done, is because there 14 might possibly be a racial issue? 15 A. I read that as our attorney was going to 16 make that determination. 17 Q. And is it your understanding that 18 looking like there might possibly be a racial issue 19 is the criteria for determining whether a racial 20 polarization analysis should be conducted for a 21 particular district? 22 A. Again, I was leaving that to the 23 attorney to determine, what we would have to prepare 24 for court cases. 25 Q. So talking about might possibly be a</p>	<p style="text-align: right;">Page 108</p> <p>1 A. No, ma'am. 2 MR. WALKER: Did you say date? 3 MS. WELBORN: Data. 4 Q. And do you know anything that would have 5 changed because race was taken into account in the 6 congressional map? 7 A. No, ma'am. 8 Q. And when you said the committee gave 9 instructions to Mr. Hinaman, who are you referring 10 to specifically? 11 A. I would say Chairman McClendon and I 12 told Mr. Hinaman to follow the guidelines in drawing 13 these maps. 14 Q. And in doing so, that means taking a 15 race-neutral approach to drawing the first map; is 16 that right? 17 A. Yes, ma'am. The congressional map, yes, 18 ma'am. 19 Q. Did you give any other instructions to 20 Mr. Hinaman? 21 A. Follow the guidelines. 22 Q. But that's it? 23 A. That's the reason why we adopted the 24 guidelines. 25 Q. And how did you communicate with</p>
<p style="text-align: right;">Page 107</p> <p>1 racial issue, do you have an understanding of what 2 that means? 3 A. You would have to ask Mr. -- Senator 4 McClendon. 5 Q. Okay. Did you encounter any possible 6 racial -- racial issues over the course of the 7 redistricting process? 8 MR. WALKER: Objection to form. I'm 9 just not sure what you mean. 10 Q. When did you take race into account in 11 the redistricting process? 12 A. Mr. Hinaman was directed by the 13 committee to follow the guidelines and to draw those 14 plans race neutral, without looking at race until 15 after he had developed a plan. That's my 16 understanding. The plan was developed, and race was 17 not looked at until after it was drawn. 18 Q. And then how was -- it was looked at 19 after the plan was drawn? 20 A. After the plan was drawn, yes, ma'am, in 21 conjunction with the members of congress. 22 Q. And do you know how it was looked at? 23 A. No. He met with members of congress to 24 go over it. 25 Q. And do you know what data was looked at?</p>	<p style="text-align: right;">Page 109</p> <p>1 Mr. Hinaman? 2 A. I would see him in the reapportionment 3 office, and on the telephone. 4 Q. Okay. Did you ever email with him? 5 A. No, ma'am. I'm not a big email person. 6 Q. I suppose that means you didn't text him 7 either. 8 A. Nothing of substance. 9 Q. Okay. 10 A. And I'll be glad to show you the texts. 11 Q. So are you aware of any racial 12 polarization analysis that was done for any district 13 in the 2001 -- or 2021 congressional map prior to 14 this meeting on October 26th? 15 A. No, ma'am. 16 Q. So not for District 7? 17 A. No, ma'am. 18 Q. Had a racial polarization analysis been 19 done for some state legislative districts? 20 A. No, ma'am. 21 Q. Was any racial polarization analysis 22 conducted for any of the maps at any point before 23 October 26th? 24 A. No, ma'am. 25 Q. So a racial polarization analysis</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 110</p> <p>1 couldn't be taken into account for drawing the 2 initial map?</p> <p>3 A. We drew them race blind.</p> <p>4 Q. Do you know when the first time a racial 5 polarization analysis was conducted for any district 6 for the congressional map?</p> <p>7 A. My understanding, they were sent off 8 sometime after the bills at the end of the special 9 session.</p> <p>10 Q. Do you know who requested that?</p> <p>11 A. I believe Mr. Walker.</p> <p>12 Q. And do you know why that request was 13 made?</p> <p>14 A. Because we already had a lawsuit filed. 15 We had a lawsuit filed against us before we ever 16 filed a bill.</p> <p>17 Q. Who -- do you know who did the racial 18 polarization analysis?</p> <p>19 A. No, ma'am.</p> <p>20 Q. Do you know if a consultant was hired to 21 do it?</p> <p>22 A. There was somebody hired. I do not know 23 who.</p> <p>24 Q. So just to be clear, nothing changed as 25 a part of the maps after the racial polarization</p>	<p style="text-align: right;">Page 112</p> <p>1 and we would get that to them when we had the 2 information.</p> <p>3 Q. Do you know if a racial polarization 4 analysis had been done for congressional maps in 5 previous redistricting cycles?</p> <p>6 A. I have no knowledge.</p> <p>7 Q. You don't remember from the 2001, 2002 8 cycle if that happened?</p> <p>9 A. Remember we were under Section 5 10 preclearance at the time. And once they called and 11 said we had been precleared -- I had never heard the 12 term before that.</p> <p>13 Q. Okay. So do you know when the racial 14 polarization analysis for the congressional map was 15 finished?</p> <p>16 A. I have not seen it.</p> <p>17 Q. You have not seen it?</p> <p>18 A. I have not seen it.</p> <p>19 Q. Okay. Have you asked to look at it?</p> <p>20 A. No, ma'am.</p> <p>21 Q. Have you talked to anyone about it?</p> <p>22 A. You.</p> <p>23 Q. So why don't you do the racial 24 polarization analysis for all districts just as a 25 matter of course? And I'm not talking -- I</p>
<p style="text-align: right;">Page 111</p> <p>1 analysis was done because the maps had already 2 passed, right?</p> <p>3 A. Yes.</p> <p>4 Q. Sorry. I'm not trying to trick you.</p> <p>5 A. No. I had to think about it. Yes, 6 we -- we passed the maps.</p> <p>7 Q. Okay. Did you ever suggest having a 8 racial polarization analysis done before the maps 9 were passed?</p> <p>10 A. I didn't consider it an option. We were 11 under such a tight timeline. We knew we would have 12 to do it because of the lawsuit that had already 13 been filed before we ever filed a bill, and we knew 14 it would be done. We just didn't have time to . . .</p> <p>15 Q. To get it done?</p> <p>16 A. To get it done.</p> <p>17 Q. Do you know how long it takes to perform 18 a racial polarization analysis?</p> <p>19 A. No, ma'am.</p> <p>20 Q. Do you know if anyone suggested doing a 21 racial polarization analysis prior to the bill's 22 passing?</p> <p>23 A. It came up in the committee meeting. 24 And we assured them that we were going to perform 25 them, the ones that our attorneys deemed necessary,</p>	<p style="text-align: right;">Page 113</p> <p>1 understand there's a time crunch here. But in 2 general, why isn't it done for all of the districts 3 just because?</p> <p>4 A. I don't see a need for some of the 5 districts. They're not being challenged in court, 6 are they?</p> <p>7 Q. Well, Districts 1, 2, and 3 are also 8 being challenged.</p> <p>9 A. Okay.</p> <p>10 Q. And when you say you don't see a need, 11 why is that?</p> <p>12 A. If you're not challenging them in court, 13 I mean, I don't see the need to do an analysis on 14 them.</p> <p>15 Q. Okay. But four of seven districts are 16 being challenged in this lawsuit.</p> <p>17 A. Okay.</p> <p>18 Q. If you turn to Page 19, Senator 19 McClendon and Representative England have a 20 back-and-forth here about a number, 54 percent of 21 black voting age population for District 7. So 54 22 percent BVAP.</p> <p>23 And Representative England is asking 24 that a racial polarization analysis be done. And 25 Senator McClendon says that he was told by</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 114</p> <p>1 Mr. Walker that a racial polarization analysis for 2 District 7 is unnecessary because District 7 has a 3 BVAP of around 54 percent. 4 Why would it be unnecessary to conduct a 5 racial polarization analysis if a district has a 6 BVAP of around 54 percent? 7 A. I think you need to ask Senator 8 McClendon that. I didn't say that. 9 Q. But do you have an opinion on that? 10 A. No, ma'am. 11 Q. Do you think that having a BVAP of 12 around 54 percent for a particular district is 13 important? 14 A. I -- it's my understanding that's -- 15 that's the plan that Congresswoman Sewell agreed to. 16 Q. And what do you mean by that? 17 A. Mr. Hinaman worked with the members of 18 congress, and they signed off on the map that he had 19 drawn and said they agreed to it and would accept 20 it. I was not privy to that conversation, though. 21 That's secondhand. I was just told that. 22 Q. Who told you that? 23 A. I don't remember. 24 Q. So do you have any opinion on whether 25 District 7 should have a BVAP of around 54 percent?</p>	<p style="text-align: right;">Page 116</p> <p>1 (Plaintiff's Exhibit 5 was 2 marked for identification.) 3 4 Q. And if you'll flip to Page 20. 5 MR. WALKER: And, Kaitlin, I'll just put 6 on the record that we also have not had a chance to 7 check this. I don't have any reason to believe it's 8 inaccurate. But I just note that for the record. 9 MS. WELBORN: Yes. We will stipulate to 10 that for all of the transcripts. 11 MR. WALKER: Okay. 12 Q. So you're having a back-and-forth here 13 with Representative England who again is asking why 14 a racial polarization analysis was not done on 15 District 7. 16 And at the very bottom of the page, you 17 said, "We thought it was necessary, but they cut it 18 off, I think, at 51 percent. Anything under 51 19 percent they did it on. Anyone over that, they 20 didn't do it." 21 Do you know what you mean -- what you 22 meant by that statement? 23 A. I don't remember. I really -- I think 24 that what I was talking about at that point was 25 trying to get something done rapidly, as fast as</p>
<p style="text-align: right;">Page 115</p> <p>1 A. No, ma'am, I have no opinion. 2 Q. Do you know what the relationship is 3 between having a BVAP of 54 percent and the decision 4 to do a racial polarization analysis? 5 A. No, ma'am. 6 Q. Do you know at what percent of BVAP a 7 district would have that you would need to do a 8 racial polarization analysis? 9 A. No, ma'am. 10 Q. So would you agree with the statement 11 that if a black district has a BVAP of under 54 12 percent, that requires a racial polarization 13 analysis? 14 A. I can't agree or disagree with that 15 statement. I think it depends on the district. But 16 I don't know. 17 Q. What would -- what do you mean by 18 "depends on the district"? 19 A. I've seen majority minority districts 20 elect nonminorities. 21 Q. I would like to introduce another 22 exhibit. This is the transcript of the floor 23 debate, Plaintiff's Exhibit 5, on November 1st. 24 A. All right. 25</p>	<p style="text-align: right;">Page 117</p> <p>1 possible. And we didn't have time to do 140 2 legislative districts, eight school board digits, 3 and seven congressional districts given the time 4 frame we had. 5 Q. And the 51 percent is BVAP. I'll tell 6 you that that. 7 Okay. And when you said, "We thought it 8 was necessary," do you know who you were referring 9 to? 10 A. I would assume it was Mr. Walker and 11 Mr. Hinaman and myself. 12 Q. Okay. And when you said they -- 13 A. Because on that floor -- at this time, 14 I'm sure you have my talking points. 15 Q. Yes. 16 A. I was going -- I was using my talking 17 points. And remember this was rapid fire, as fast 18 as -- and I was -- this was late into the session. 19 And Mr. England is a very skilled 20 attorney and chairman of the democratic party. So 21 he is quite, quite gifted in the way he can ask 22 questions and get people that are not attorneys to 23 answer them. 24 Q. And so when you said that they cut it 25 off at 51 percent, do you know who the "they" is?</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 118</p> <p>1 A. I would assume I was referring to 2 Mr. Walker and Mr. Hinaman. 3 Q. And how was that 51 percent number 4 chosen? 5 A. I'm sure I was just reading the talking 6 point. 7 Q. And who prepared those talking points? 8 A. Mr. Walker and, I believe, Mr. Hinaman. 9 Q. And did you discuss those talking points 10 with either Mr. Walker or Mr. Hinaman? 11 A. They were getting them to me as fast as 12 they could. This was rapid fire. 13 Q. What is your understanding of how you 14 can tell whether minorities can elect their 15 candidate of choice? 16 A. In the congressional maps? 17 Q. Yes. 18 A. I don't really understand that question. 19 Would you repeat it, please? 20 Q. How can you tell whether minorities can 21 elect their candidate of choice in a particular 22 district? 23 A. In a particular congressional district? 24 Q. Well, any district. But in this case, 25 yes, we're talking about a congressional district.</p>	<p style="text-align: right;">Page 120</p> <p>1 in 1992 by the Reed Buskey plan. 2 MS. WELBORN: I would like to take just 3 a short break. We might be finished. I just want 4 to double-check. 5 MR. WALKER: Would you like for us to 6 leave the room? 7 MS. WELBORN: Let's go off the record. 8 THE VIDEOGRAPHER: We are off the 9 record. The time is 12:33 p.m. 10 (Recess was taken.) 11 THE VIDEOGRAPHER: We are back on the 12 record. The time is 12:40 p.m. 13 MS. WELBORN: The Milligan plaintiffs 14 are finished asking questions. I'm not sure if the 15 Singleton or Caster plaintiffs have any questions 16 for you. But after that, we can break for lunch and 17 you'll be done. 18 MR. WALKER: Yay. 19 MS. WELBORN: Yay. 20 MS. FAULKS: Do the Caster plaintiffs 21 have any questions? 22 MR. OSHER: Can you hear me? 23 (Discussion held off the record.) 24 EXAMINATION BY MR. OSHER: 25 Q. I only have a few questions. So this</p>
<p style="text-align: right;">Page 119</p> <p>1 A. That's a question I really can't -- I 2 don't think there's a magic number that exists to 3 guarantee the election or defeat of a minority 4 candidate. 5 Q. Is there some range? 6 A. Again, I was told that Congresswoman 7 Sewell was comfortable with the plan that had been 8 presented and was in support of that plan. And the 9 other members of congress were in support of it. 10 Q. I would like to introduce Plaintiff's 11 Exhibit 6, which is the final 2021 map for congress. 12 13 (Plaintiff's Exhibit 6 was 14 marked for identification.) 15 16 Q. And District 7 is the one in brown. 17 Would you agree that District 7 appears to be 18 racially jerrymandered? 19 A. I think just District 7 is in large part 20 the same district that was drawn under the Reed 21 Buskey, just adjusted for population increases. 22 Q. And how would you describe the shape of 23 District 7? 24 A. Again, we try and maintain the core of 25 existing districts. And this district was created</p>	<p style="text-align: right;">Page 121</p> <p>1 should be -- this should be very quick. 2 Representative, thank you for your time. My name is 3 Daniel Osher. I am an attorney for the plaintiffs 4 in the Caster litigation. 5 You might have said this before. And I 6 apologize if you did, Representative. How long have 7 you served in the Alabama legislature? 8 A. I was first elected in 1994. I served 9 two terms. I left in 2002. And I was reelected in 10 2014 and '18. 11 Q. Okay. So that's roughly how many years? 12 A. 12. How many years total? I'll be 16 13 years in the legislature with a 12-year gap. 14 Q. Great. Thank you. 15 And have you been a member of the 16 republican party that whole time? 17 A. I've been an elected republican 18 official. But I've never been an official member of 19 the Alabama Republican Party. 20 Q. I understand. Have you always 21 considered yourself a republican? 22 A. Yes, sir. 23 Q. Based on your 16 years serving in the 24 legislature, in your view, do the views of members 25 of the democratic party in Alabama differ from the</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 122</p> <p>1 members of the republican party in Alabama when it 2 comes to removing confederate monuments from public 3 spaces? 4 A. I mean, you're asking me to suppose what 5 other people are thinking. But I would say yes. 6 Q. And based -- based on your 16 years in 7 the legislature, do the views of members of the 8 democratic party in Alabama differ from the members 9 of the republican party in Alabama when it comes to 10 affirmative action? 11 MR. WALKER: Objection to form. Dan, 12 I'm not sure that we have a clear understanding of 13 what affirmative action is these days. 14 MR. OSHER: I didn't catch that, Dorman. 15 Can you say that again? 16 MR. WALKER: Yeah. I'm not sure that I 17 would have a clear understanding of what affirmative 18 action is these days. 19 MR. OSHER: Sure. 20 Q. Representative, in your 16 years of 21 service in the legislature, have you had an 22 opportunity to view what the general views of each 23 of the major parties in the state are? 24 A. On which issue? 25 Q. On various issues.</p>	<p style="text-align: right;">Page 124</p> <p>1 varying opinions in different members. 2 Q. Okay. Based on your 16 years in the 3 legislature, do the views of members of the 4 democratic party in Alabama generally differ from 5 members of the republican party in Alabama generally 6 when it comes to criminal justice reform? 7 A. I think -- I think there's a divide, 8 yes. But I know some -- some conservatives that are 9 in favor of criminal justice reform themselves. 10 Q. And just to clarify, you're saying that 11 there is a difference between the general views of 12 the democratic party -- members of the democratic 13 party and members of the republican party when it 14 comes to criminal justice reform? 15 A. There could be, yes. 16 Q. Is it -- in your view, is there a divide 17 between the members of the party or not? 18 A. I think some members hold different 19 opinions, yes. 20 Q. And the same question. Based on your 21 experience in serving in the legislature, do the 22 views of the members of the democratic party 23 generally in Alabama differ from the members of the 24 republican party generally in Alabama when it comes 25 to the view of whether there's a significant amount</p>
<p style="text-align: right;">Page 123</p> <p>1 A. I'm assuming that I've had numerous 2 conversations with both republicans and democrats, 3 yes. 4 Q. And do you have a general sense of how 5 one party views a major issue in Alabama as opposed 6 to another party? 7 A. I'm sure we differ on specific issues, 8 yes. 9 Q. Okay. So based on your 16 years serving 10 in the legislature, do the views of members of the 11 democratic party in Alabama generally differ from 12 the members of the republican party in Alabama 13 generally when it comes to affirmative action? 14 A. Again, your definition of affirmative 15 action I don't know. 16 Q. Policies implementing a preference for 17 individuals while considering their race. 18 A. I think given my history of being in the 19 Alabama legislature when the democrats were in 20 supermajority, it's a pretty wide spectrum across 21 political lines. 22 Q. So you're saying that the two major 23 parties in Alabama do not have the -- have the same 24 view when it comes to affirmative action? 25 A. I couldn't answer that. I've run across</p>	<p style="text-align: right;">Page 125</p> <p>1 of discrimination against black individuals in the 2 state? 3 A. Yes. 4 MR. OSHER: Okay. That's all I have. 5 Thank you very much for your time, Representative. 6 MR. WALKER: Thank you. Thank you, 7 Daniel. 8 MS. FAULKS: Singleton plaintiffs, do 9 you have any questions? 10 MR. BLACKSHER: Did I get called? 11 MR. WALKER: You did. You did, Jim. 12 MR. BLACKSHER: Well, thank you. 13 EXAMINATION BY MR. BLACKSHER: 14 Q. Representative Pringle, I hope you make 15 it back to Mobile before the night is over. 16 A. Thank you. So do I. 17 Q. I wouldn't want to stay in Montgomery 18 overnight if I could get back to Mobile on a Friday 19 night. 20 A. See, we have a lot in common, 21 Mr. Blacksher. 22 Q. Yeah. 23 A. I'm not -- 24 Q. I just have a -- 25 MR. WALKER: Go ahead.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 126</p> <p>1 Q. I just have -- I have very few 2 questions. 3 Representative Pringle, you said that -- 4 and I haven't been in on your whole discussion. I 5 confess I had to jump off on some other calls while 6 it was all going on. So I apologize if I go over 7 something that you've already spoken about. 8 But I did hear you say with a smile on 9 your face that there was a lawsuit filed even before 10 you passed a plan. And that would be referring to 11 the Singleton case, right? 12 A. I refer to it as the League of Women 13 Voters. But yes, sir. 14 Q. The League of Women Voters. It was the 15 lawsuit that was advocating the League of Women 16 Voters whole county plan? 17 A. Yes, sir. 18 Q. Okay. And who informed you that that 19 suit had been filed? It was Mr. Walker, wasn't it? 20 A. Yes, sir. 21 Q. And did you get a chance to read the 22 complaint? 23 A. No, sir. 24 Q. And did Mr. Walker tell you what the 25 lawsuit was about?</p>	<p style="text-align: right;">Page 128</p> <p>1 MR. DAVIS: Object to the form. 2 MR. WALKER: Jim, did you hear that 3 objection to form from Jim Davis? 4 MR. BLACKSHER: Yes. 5 MR. DAVIS: That's not what it said. 6 Q. Are you aware that that is what the 7 complaint that Singleton filed alleged, that the 8 state attorney general had conceded in federal court 9 in 2019 that the 2011 plan was racially 10 jerrymandered? Were you aware of that? 11 MR. DAVIS: Object to the form. 12 MR. WALKER: Object to form. 13 Q. You -- you can answer. 14 MR. WALKER: I'm sorry. You can answer, 15 if you can. 16 A. No. 17 Q. You weren't aware of that. 18 Were you aware -- did anyone tell you 19 that the lawsuit contended that when drawing a new 20 congressional plan with 2020 census data, that the 21 legislature had a constitutional obligation to 22 remedy a racial jerrymandering? 23 A. No. 24 Q. Okay. And as chair of the 25 reapportionment committee, you can testify that</p>
<p style="text-align: right;">Page 127</p> <p>1 A. You were asking for a plan that had all 2 whole counties that created two opportunity 3 districts. 4 Q. Did he tell you that the lawsuit 5 contended that the plan that was enacted in 2011 was 6 racially jerrymandered? 7 MR. WALKER: I'm going to -- I'm going 8 to assert privilege. You might be able to ask that 9 question a different way, Jim. But I think the way 10 you've asked it, it calls -- or could call for an 11 attorney-client communication. 12 Q. Okay. I lost you. All I see is a 13 telephone screen now. Oh, there you are up in the 14 corner. 15 Let me ask it this way, Representative 16 Pringle. Were you aware and are you aware now that 17 the Singleton complaint alleged, when it was filed 18 September 27th, that the plan enacted in 2011 was 19 unconstitutional because it was racially 20 jerrymandered? 21 A. Not specifically. 22 Q. Okay. Were you aware that the state 23 attorney general's office had said in a lawsuit in 24 Birmingham in 2019 that the 2011 plan was racially 25 jerrymandered?</p>	<p style="text-align: right;">Page 129</p> <p>1 there was no effort made by the reapportionment 2 committee to remedy any racial jerrymandering in the 3 2011 claim; isn't that correct? 4 A. I testified that Mr. Hinaman was 5 directed to draw those seven congressional districts 6 based on the guidelines of the committee. 7 Q. Yeah. And no one informed you, and you 8 -- excuse me. 9 The committee never attempted to remedy 10 a racial jerrymandering; is that correct? 11 A. I did not know there was a -- 12 Q. Racial jerrymandering? 13 A. Yes. 14 Q. Okay. Now, my understanding from your 15 testimony is that Mr. Walker advised you as chair of 16 the reapportionment committee that the congressional 17 redistricting plan had to have zero deviation; is 18 that correct? 19 A. Yes. 20 Q. So did anyone else give you that advice, 21 zero deviation? 22 A. Mr. Hinaman. 23 Q. So Mr. Hinaman advised you that the plan 24 had to be zero deviation? 25 A. Well, Mr. Blacksher, was not the 2011</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 130</p> <p>1 and the 2002 plans all zero deviations, and the 1992 2 plan?</p> <p>3 Q. Well, what I asked -- the question was 4 did Mr. Hinaman advise you that it needed to be zero 5 deviation.</p> <p>6 A. Again, Mr. Hinaman has been part of this 7 for years. And I think every plan has been drawn to 8 zero deviation.</p> <p>9 Q. Okay. Does that mean that he did advise 10 you to keep it at zero deviation?</p> <p>11 A. Yes. Because all the other plans had 12 been drawn to zero deviation.</p> <p>13 Q. Okay. That's fine.</p> <p>14 And did anyone besides Mr. Walker and 15 Mr. Hinaman advise the committee that the plan had 16 to keep a zero deviation?</p> <p>17 A. Not to my knowledge.</p> <p>18 Q. Did the -- did you as chair or did 19 anyone on the committee seek the advice of the 20 Alabama attorney general's office on whether it 21 needed to have zero deviation?</p> <p>22 A. I did not.</p> <p>23 Q. Are you aware of anyone on the 24 committee who did?</p> <p>25 A. No, sir.</p>	<p style="text-align: right;">Page 132</p> <p>1 Q. But you can answer, I think.</p> <p>2 MR. BLACKSHER: Counsel, can he answer?</p> <p>3 Q. Okay. Let me ask another question.</p> <p>4 Did Mr. Walker also advise you that in 5 order to comply with the Voting Rights Act, the 6 congressional redistricting plan had to have a 7 majority black district? Is that correct?</p> <p>8 MR. WALKER: Objection, attorney-client 9 privilege.</p> <p>10 Q. Well, that's in the talking points, 11 isn't it? Isn't that -- isn't the requirement of a 12 majority black district one of the things that's in 13 the talking points that you've exchanged with us 14 that you -- that you read from on the floor of the 15 legislature?</p> <p>16 A. I don't have any direct recollection of 17 that at this time.</p> <p>18 Q. So did anyone advise you, as chair of 19 the reapportionment committee, that in order to 20 comply with the Voting Rights Act, the plan had to 21 have one majority black district, at least one 22 majority black district?</p> <p>23 MR. WALKER: Object to the question to 24 the extent it calls for an attorney-client 25 communication. Otherwise, you can answer.</p>
<p style="text-align: right;">Page 131</p> <p>1 Q. Are you aware of any -- anyone -- did 2 Mr. Walker, by the way, advise you that he had 3 consulted other lawyers to reach this opinion?</p> <p>4 MR. WALKER: Jim, I'm going to object on 5 the grounds of privilege to that. You can ask it 6 some other way.</p> <p>7 Q. I'm just trying to get everything you 8 knew or did not know about the requirement of zero 9 deviation.</p> <p>10 And what I've heard you say, 11 Representative Pringle, is that you were aware, 12 since you've been involved in one way or the other 13 with redistricting, that it had been going on for 14 several decades, right?</p> <p>15 A. Zero deviation in congressional races?</p> <p>16 Q. Yes.</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And when it came to drawing the 19 2020 plan, you were advised that that needed to 20 continue, zero deviation needed to continue. And 21 that advice came from Mr. Walker and Mr. Hinaman; is 22 that correct?</p> <p>23 MR. WALKER: Objection to form to the 24 extent it calls for an attorney-client 25 communication.</p>	<p style="text-align: right;">Page 133</p> <p>1 A. We instructed Mr. Hinaman, quoting the 2 guidelines, to protect the core of the existing 3 districts to the extent possible and to draw it to 4 zero deviation.</p> <p>5 Q. Okay. Representative Pringle, there's 6 absolutely no mention of majority black in the 7 guidelines.</p> <p>8 So the question is: In complying -- the 9 guidelines say that you had to comply with the 10 Voting Rights Act, right?</p> <p>11 A. Yes, sir.</p> <p>12 Q. Okay. But it doesn't say majority 13 black, right?</p> <p>14 A. The guidelines, I don't recall them 15 saying that.</p> <p>16 Q. Right. So the question is: Were you 17 advised that to comply with the Voting Rights Act, 18 there had to be a majority black district?</p> <p>19 MR. WALKER: Objection that I've made 20 before to the extent it calls for attorney-client 21 communication. Otherwise, he can answer.</p> <p>22 A. Again, those plans are drawn in a 23 race-neutral manner based on the guidelines to 24 preserve the core of the existing congressional 25 districts.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 134</p> <p>1 Q. Yes, sir. I've heard that testimony. 2 My question, though, is were you advised 3 that the Voting Rights Act required there to be a 4 majority black district? 5 MR. WALKER: Same objection. 6 A. The Voting Rights Act requires that we 7 in no way intentionally nor unintentionally diminish 8 the ability of a protected class of minority 9 citizens from electing or defeating a candidate of 10 their choosing. 11 Q. And did that mean a majority black 12 district? 13 A. It means we had -- we drew a district 14 that would allow -- that maintained the core of an 15 existing minority district. But we did it in a 16 race-neutral way. 17 Q. Your understanding of the requirement of 18 maintaining the cores and drawing a race-neutral 19 plan meant that you needed to end up with a majority 20 black district. Am I hearing you correctly? 21 A. We -- we made every opportunity to 22 protect the incumbents who were seeking reelection. 23 Q. That's not the question I asked you 24 about the incumbent. 25 I asked if you were advised and did you</p>	<p style="text-align: right;">Page 136</p> <p>1 Mr. Walker. 2 Q. Okay. And the talking points also 3 advised, didn't they, that the League of Women 4 Voters' plan would violate the Voting Rights Act 5 because it did not have a majority black district; 6 isn't that correct? 7 A. It could potentially violate Section 2 8 by diminishing the ability of a protected class of 9 citizens from electing or defeating a candidate of 10 their choosing, yes. 11 Q. I'm just asking if the talking points 12 said -- you know, I don't have them in front of me. 13 You've probably been looking at them all morning. 14 A. Actually, I haven't. 15 Q. The talking points actually said, didn't 16 it -- the talking points actually said that the 17 League of Women Voters' whole county plan would 18 violate the Voting Rights Act because it did not 19 have a majority black district. 20 Now, did you -- did anyone else give you 21 that advice other than what was in the talking 22 points? 23 MR. DAVIS: Object to the form. 24 MR. WALKER: Object to the form. 25 THE WITNESS: Can I answer?</p>
<p style="text-align: right;">Page 135</p> <p>1 understand that you needed to have a majority black 2 district. 3 A. I understood that we needed to draw 4 districts to help protect the incumbent, yes. 5 Q. And to you, that meant a majority black 6 district, protecting the incumbent. Is that your 7 answer? 8 A. Well, I acquiesced to Mr. Hinaman who 9 met with the members of the congress and talked to 10 them about their districts and what they wanted and 11 how they wanted them drawn. And he presented a plan 12 to me that he said the members of congress agreed to 13 that were seeking reelection, that they had agreed 14 to. 15 Q. Okay. Let's talk for just a second 16 about the League of Women Voters' whole county plan. 17 According to the talking points, you 18 were advised that that plan would be 19 unconstitutional because its deviation was too 20 large; isn't that correct? 21 A. That was in my -- the analysis I 22 received, yes. 23 Q. And that information came from whoever 24 wrote the talking points? 25 A. Yes. That would be Mr. Hinaman and</p>	<p style="text-align: right;">Page 137</p> <p>1 MR. WALKER: You can answer to the 2 extent that you do not discuss any communication you 3 may have received from an attorney, in particular 4 one from the AG's office. 5 A. I was reading the talking points that 6 you have before you. 7 Q. Actually, I don't have them before me. 8 I'm sorry. 9 But in any event, let me -- let me wrap 10 this up this way. Was the -- was the committee ever 11 presented in writing a statement that the League of 12 Women Voters' whole county plan violated the Voting 13 Rights Act? 14 A. If my memory serves me correctly, we did 15 not yet have the official League of Women Voters' 16 plan in the computer at the time of the committee 17 meeting. I think it was introduced later. 18 Q. Okay. You're going to have to listen to 19 the question again. 20 MR. BLACKSHER: Could I ask the court 21 reporter to read the question back, please? 22 (Record read.) 23 A. Was the committee ever presented -- 24 MR. WALKER: Was the committee ever 25 presented in writing.</p>

Chris Pringle
December 17, 2021

<p style="text-align: right;">Page 138</p> <p>1 A. I have no recollection of that.</p> <p>2 Q. Okay. Thank you.</p> <p>3 And was the committee ever presented in</p> <p>4 writing a statement that the League of Women Voters</p> <p>5 -- I'm sorry. Let me strike that. Let me start</p> <p>6 over.</p> <p>7 Was the committee ever presented in</p> <p>8 writing a statement that the congressional plan had</p> <p>9 to have zero deviation?</p> <p>10 A. I don't understand the question.</p> <p>11 Q. Did the committee have in writing a</p> <p>12 statement that the congressional plan had to have</p> <p>13 zero deviation?</p> <p>14 A. The guidelines called for it, which has</p> <p>15 been done for -- as you know, for years and years.</p> <p>16 For decades, we've always drawn down to zero</p> <p>17 deviation in congressional.</p> <p>18 Q. Okay. So the guidelines say that the</p> <p>19 congressional plan must have minimal deviation.</p> <p>20 A. Which we interpret to be -- which we</p> <p>21 interpret to be zero deviation just like it was, you</p> <p>22 know, in 2011, 2002, 1992.</p> <p>23 Q. Okay. That's good.</p> <p>24 So in other words, when you saw, as</p> <p>25 chair of the committee, that the guidelines said</p>	<p style="text-align: right;">Page 140</p> <p>1 THE VIDEOGRAPHER: We're off the record.</p> <p>2 The time is 1:05 p.m.</p> <p>3 (Recess was taken.)</p> <p>4 THE VIDEOGRAPHER: We're back on the</p> <p>5 record. The time is 1:08 p.m.</p> <p>6 EXAMINATION BY MR. DAVIS:</p> <p>7 Q. Representative Pringle, this is Jim</p> <p>8 Davis. I represent Secretary Merrill in this</p> <p>9 lawsuit. I have just a couple of follow-up</p> <p>10 questions.</p> <p>11 Did you instruct Mr. Hinaman to -- when</p> <p>12 he drew a congressional plan, that it had to include</p> <p>13 a majority black district?</p> <p>14 A. No.</p> <p>15 Q. Did you instruct him to include</p> <p>16 districts with any particular demographics?</p> <p>17 A. No.</p> <p>18 Q. Are you aware of any member on the</p> <p>19 reapportionment committee who gave him such</p> <p>20 instructions?</p> <p>21 A. No.</p> <p>22 Q. Did you decide in advance that there had</p> <p>23 to be a majority black district in Alabama's</p> <p>24 congressional plan?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 139</p> <p>1 "minimal deviation," you interpreted that on your</p> <p>2 own as meaning zero deviation; is that correct?</p> <p>3 A. Based on my knowledge and history of</p> <p>4 reapportionment, congressional reapportionment, and</p> <p>5 the fact that we have drawn zero deviation</p> <p>6 districts, yes, sir.</p> <p>7 Q. Okay. So that would -- and you reached</p> <p>8 that conclusion independently of anybody's advice,</p> <p>9 right?</p> <p>10 A. Well, Mr. Walker and Mr. Hinaman and I</p> <p>11 all concurred that minimum deviation means zero.</p> <p>12 And based on my readings, I would concur with that,</p> <p>13 what I read.</p> <p>14 Q. Thank you, Representative Pringle.</p> <p>15 Those are the only questions that I have.</p> <p>16 A. Mr. Blacksher, it's always a pleasure.</p> <p>17 Q. I hope to see you again soon.</p> <p>18 A. I'm sure you will.</p> <p>19 MR. WALKER: I think that can be</p> <p>20 arranged.</p> <p>21 MS. FAULKS: Dorman, with that, I think</p> <p>22 that we are done. For lunch, how long do we want to</p> <p>23 break?</p> <p>24 MR. WALKER: Wait. Can we have 30</p> <p>25 seconds to confer?</p>	<p style="text-align: right;">Page 141</p> <p>1 MR. DAVIS: Thank you. No other</p> <p>2 questions.</p> <p>3 THE VIDEOGRAPHER: This ends the</p> <p>4 deposition of Chris Pringle. The time is now</p> <p>5 1:09 p.m.</p> <p>6</p> <p>7 (DEPOSITION ENDED AT 1:09 P.M.)</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Chris Pringle
December 17, 2021

Page 142

1 STATE OF ALABAMA)

2 JEFFERSON COUNTY)

3

4 I hereby certify that the above
5 proceedings were taken down by me and transcribed by
6 me using computer-aided transcription and that the
7 above is a true and correct transcript of said
8 proceedings taken down by me and transcribed by me.

9 I further certify that I am neither of
10 kin nor of counsel to any of the parties nor in
11 anywise financially interested in the result of this
12 case.

13 I further certify that I am duly
14 licensed by the Alabama Board of Court Reporting as
15 a Certified Court Reporter as evidenced by the ACCR
16 number following my name found below.

17 So certified on December 17, 2021.

18

19

20

21

22

LeAnn Maroney, Commissioner

23

ACCR# 134, Expires 9/30/25

24

505 North 20th Street, Suite 1250

25

Birmingham, AL 35203