



Deposition of:  
**September 8, 2021 1:00 Public Hearing**  
*September 8, 2021*

In the Matter of:  
**Permanent Legislative Committee On  
Reapportionment Public Hearings**

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(NONE)	

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ALABAMA PERMANENT COMMITTEE ON REAPPORTIONMENT  
AND REDISTRICTING PUBLIC HEARING

HELD ON  
WEDNESDAY, SEPTEMBER 8TH, 2021  
BEGINNING AT 1:00 P.M.

LOCATION:  
DEMOPOLIS CIVIC CENTER  
501 NORTH COMMISSIONERS AVENUE  
DEMOPOLIS, ALABAMA 36732  
AND  
ONLINE VIA MICROSOFT TEAMS MEETING

TRANSCRIBED REMOTELY BY:  
KATHLEEN F. CAVAZOS, RPR,  
COURT REPORTER

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SENATOR MCCLENDON: Welcome, everybody. Thank  
you for coming to this public hearing dealing with  
redistricting here in Alabama.

We're here at the State House in Montgomery.  
Glad to see you out. My name is Jim McClendon. I'm a  
state senator. My home is St. Clair County, north  
central Alabama, and I am the Senate chairman of  
redistricting, and to my right is Chris Pringle. He is a  
state representative, and he is the House chairman. To  
my left is Mr. Dorman Walker, an attorney, and he is the  
hearing officer for us today, and he is employed by the  
Committee on Redistricting and Reapportionment.

Every 10 years, a census is taken, and the  
purpose of that census is, in addition to collecting  
numbers on where people are, it collects the location of  
where people are, and people move. There's been a  
historical trend of folks moving from suburban areas to  
urban areas, and that shift in population requires us to  
go in and make adjustments to the districts to honor the  
concept of one person, one vote.

Our public hearing today is for your comments on  
this process as it relates to Alabama Congressional  
districts, the Alabama Senate, Alabama House of  
Representatives and the Alabama state board of education.  
Some of those districts will go up in number, and when

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1 you have a population increase above the ideal number,  
2 you have to make adjustments to the geography. Some of  
3 them will go down. Those districts are probably going to  
4 have to expand.

5 Let me give you some examples of some Senate and  
6 House districts in your area and what's happened to that  
7 population.

8 By the way, an ideal Senate district under the  
9 new census data is 143,551. That's 143,551 people.

10 Senate district 22 lost 7,600 people. These are  
11 round numbers. Let me make sure I'm at the right place.  
12 Yes, Demopolis. Twenty-three lost 24,000 people. Well,  
13 you can tell from that, 23 is going to have to be  
14 readjusted to get it back -- to recapture those people to  
15 get it back up to size. Senate district 24, by the way,  
16 that's Bobby Singleton's district. Senator Singleton is  
17 here with us today, and he's a member of the  
18 Redistricting Committee. Senator Singleton's district,  
19 number 24, lost about 8,000 people.

20 And on the House side, House district 64 gained  
21 4,600. Sixty-five lost 7,200, and 66 lost about 1,600.  
22 Sixty-eight lost over 8,000. Seventy-one lost about  
23 3,300, and 72 lost about 7,300. Now, all of these  
24 districts that went under -- that went down are going to  
25 have to be redrawn.

1 the issue of redistricting.

2 With that, I'll turn it over to Mr. Dorman  
3 Walker, our attorney.

4 MR. WALKER: Hello, everyone, and thank you to  
5 Demopolis Civic Center for hosting this event. Of all  
6 the places 10 years ago that we did hearings, I very much  
7 remember when Senator McClendon and Senator Dial and  
8 Senator Figures and I went there, and what a remarkable  
9 building that is. It's a really fine piece of  
10 architecture, and I miss that we're not able to go this  
11 time. But thank you for coming and either participating  
12 in person or online.

13 Before I open the floor for testimony, I'd like  
14 to go over the rules that govern how the legislature  
15 draws districts. The legislature is not free to do it in  
16 just any manner it wants. It has to comply with the  
17 requirements of the federal and state constitution and  
18 laws such as the equal protection clause and the Voting  
19 Rights Act, among others.

20 The first and foremost requirements are, one,  
21 that all districts are restored to population equality or  
22 approximate population equality, depending upon the  
23 district, and that we don't adopt a plan that  
24 discriminates on the basis of race, color or membership  
25 in a language minority. So those are the two most

1 With that being said, let me introduce you to  
2 state Representative Chris Pringle, who is the House  
3 chairman, and he'll give you some ideas of how we carry  
4 this out.

5 REPRESENTATIVE PRINGLE: Thank you, Senator.  
6 Welcome to this public hearing on redistricting. We will  
7 call on you in the order which you have signed up to  
8 speak. Please limit your comments to three minutes.  
9 When you come to the microphone, please state your name,  
10 the community you represent and the districts you want to  
11 speak about. If you decide you want to speak but did not  
12 sign up, we'll ask at the end if anyone who hasn't spoken  
13 would like to speak. If you are participating remotely,  
14 send us your questions, and we'll read it into the record  
15 and answer it.

16 This hearing is being transcribed by a court  
17 reporter working remotely. If you have something you  
18 would like introduced into the record as an exhibit,  
19 bring it to the microphone when you speak and let the  
20 hearing officer know. Leave it with the local hearing  
21 officer, and we'll get it and have it put into the  
22 permanent record of the committee.

23 Again, this hearing deals with redistricting.  
24 We're not here to discuss any other issue before the  
25 legislature right now. So please keep your remarks to

1 important overarching requirements.

2 Another is that no district will be drawn in a  
3 manner that subordinates race-neutral districting  
4 criteria -- and I'll go over those in a second -- to  
5 considerations of race, color or membership in a language  
6 minority group, except that a race, color or membership  
7 in a language minority group may predominate over race-  
8 neutral districting criteria to comply with section two  
9 of the Voting Rights Act, provided there's a strong basis  
10 in evidence to support such a race-based choice. A  
11 strong basis in evidence exists when there is good reason  
12 to believe that race must be used in order to satisfy the  
13 Voting Rights Act.

14 The race-neutral districting criteria that the  
15 legislature has adopted requires that all districts be  
16 reasonably compact and contain as few counties as  
17 possible, that all districts reflect the democratic will  
18 of the people, which is one of the reasons for these  
19 hearings in order to receive testimony about how the  
20 district should be redrawn, that there be 35 Senate  
21 districts and 105 House districts, although the  
22 Constitution would allow for 106, that all districts be  
23 single-member districts, meaning that only one person is  
24 elected from each district, that contests between  
25 incumbents will be avoided wherever possible, that the

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1 cores of existing districts will be preserved and that  
2 districts will be contiguous, meaning that all parts of  
3 the district's boundary touch a boundary of another  
4 district or the state border, and contiguity is allowed  
5 across water.

6 And, finally, districts should respect  
7 communities of interest, neighborhoods and subdivisions  
8 to the extent practicable. A community of interest is  
9 defined as an area with recognized similarities of  
10 interest, including, but not limited to, ethnic, racial,  
11 economic, tribal, social, geographical and historical  
12 identities. The term "communities of interest" may, in  
13 certain circumstances, include political subdivisions  
14 such as counties, voting precincts, municipalities,  
15 tribal lands and reservations and school districts.

16 The discernment, weighing and balancing of the  
17 very factors that contribute to communities of interest  
18 is an intensely political process best carried out by the  
19 elected representatives of the people.

20 In establishing legislative districts, the  
21 Reapportionment Committee gives due consideration to all  
22 of these race-neutral criteria. However, priority is  
23 given to the compelling state interests in requiring  
24 equality of population among districts and compliance  
25 with the Voting Rights Act of 1965 as amended should

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1 notice that again we are split. Demopolis is split  
2 straight down the middle. I don't know which side of the  
3 line I'm on. How do we find out, and how come we can't  
4 have a whole city in one district?

5 Thank you.

6 MR. WALKER: Thank you very much. Anybody else  
7 who would like to speak?

8 Is there anyone participating remotely who would  
9 like to address -- If you are participating remotely and  
10 would like to ask or make a comment, please raise your  
11 hand or send in a message by chat. I'll give it a  
12 minute.

13 All right. Last call for people who want to  
14 speak, either people who are present there at the civic  
15 center or who want to participate remotely. Please raise  
16 your hand or send in a message by chat. Anybody?

17 Okay. No one else wants to speak, so this  
18 hearing is closed. Thank you very much for coming today  
19 and for your testimony.

20 \*\*\*\*\*  
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1 there be any conflict in these criteria. In addition,  
2 these criteria were not listed in the order of  
3 precedence, and in each instance where they conflict, the  
4 legislature shall at its discretion determine who takes  
5 priority.

6 I have the sign-up sheet, but no one in the  
7 auditorium has indicated that they want to speak. Is  
8 there anyone in the auditorium who would like to speak,  
9 maybe to address communities of interest that you want  
10 the legislature to take into consideration or whole  
11 counties or anything else that you want the legislature  
12 to take into consideration as it draws new districts?  
13 Anyone there in the auditorium that would like to speak?

14 MS. MCDONALD: I just have a question.

15 MR. WALKER: Okay. Would you state your name?

16 MS. MCDONALD: My name is Jan McDonald.

17 MR. WALKER: Come up to the microphone. It's  
18 hard to hear you.

19 MS. MCDONALD: I'm sorry. My name is Jan  
20 McDonald. I represent the West Alabama Watchmen.

21 MR. WALKER: Did you say West Alabama Watchman?

22 MS. MCDONALD: Yes.

23 MR. WALKER: Okay.

24 MS. MCDONALD: Ever since we've lived in Marengo  
25 County, it's been divided into three House districts. I

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# C E R T I F I C A T E

1  
2  
3 STATE OF ALABAMA )  
4 COUNTY OF MOBILE )  
5

6 I hereby certify that the above and foregoing  
7 deposition was taken down remotely by me in stenotype and  
8 transcribed by means of computer-aided transcription, and  
9 that the foregoing is a true and correct transcript to  
10 the best of my ability.

11 I further certify that I am neither of counsel  
12 nor of kin to any of the parties, nor am I in anywise  
13 interested in the result of said cause.

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

18 *Kathleen F. Cavaazos*  
19

20 KATHLEEN F. CAVAZOS, RPR, ACCR302

21 NOTARY PUBLIC

22 MY COMMISSION EXPIRES: 12/16/23  
23  
24  
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21-cv-01531  
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Plaintiffs Exhibit 386

[1,600 - county]

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[court - line]

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Alabama Rules of Civil Procedure  
Part V. Depositions and Discovery  
Rule 30

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

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

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

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

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

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

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

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