



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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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

I N D E X

OPENING REMARKS: PAGE

BY SENATOR JIM MCCLENDON. 3

BY REPRESENTATIVE CHRIS PRINGLE 5

BY MR. DORMAN WALKER. 6

QUESTION:

BY MS. JAN MCDONALD 9

EXHIBIT:

(NONE)

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

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

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

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

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 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 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 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

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

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

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.

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21 *****
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C E R T I F I C A T E

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COUNTY OF MOBILE)

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

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



KATHLEEN F. CAVAZOS, RPR, ACCR302

NOTARY PUBLIC

MY COMMISSION EXPIRES: 12/16/23

[1,600 - county]

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Alabama Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

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

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

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

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

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